

## Minutes of a meeting of the Area Planning Panel (Keighley and Shipley) held on Wednesday, 26 June 2019 in Council Chamber - Keighley Town Hall

Commenced 10.10 am  
Concluded 2.35 pm

### Present – Councillors

LABOUR	CONSERVATIVE	THE INDEPENDENTS
Engel Abid Hussain Godwin Mullaney	Barker K Green	Naylor

Observers: Councillor Vick Jenkins (Minute 5(g), Councillor Julie Lintern (Minute 5(c)), Councillor Dale Smith (Minute 5(d) and 5(e)) and Councillor Rebecca Whitaker (Minute 5(b))

### Councillor Engel in the Chair

#### 1. DISCLOSURES OF INTEREST

The following disclosures of interest were received in the interest of clarity:

All Members of the Panel disclosed that in relation to 77 Otley Road, Shipley (Minute 5(g)) they had received emails from the applicant's three Wibsey Ward Councillors had not discussed any of the matters now before the Panel for determination with any interested parties.

Councillor Godwin disclosed that in relation Beltrees, Occupation Lane (Minute 5(c)) and Land of Ryan Grove, Braithwaite Road (Minute 5(f)) the applications were within his Ward, however, he had not discussed any of the matters now before the Panel for determination with any interested parties.

**Action: City Solicitor**

#### 2. MINUTES

**That the minutes of the meetings held on 27 February and 27 March 2019 be signed as a correct record.**

### 3. INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals submitted by the public to review decisions to restrict documents.

### 4. PUBLIC QUESTION TIME

There were no questions submitted by the public.

### 5. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL

The Strategic Director, Place presented **Document "A"**. Plans and photographs were displayed in respect of each application and representations summarised.

#### (a) 38 Grove Road, Ilkley

#### Ilkley

Full application for the construction of two detached dwellings on land to the north of 38 Grove Road, Ilkley - 18/05269/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He provided an appraisal of the application and informed Members that 38 Grove Road was a substantial detached house within the Ilkley Conservation Area. The application site was part of the large back garden of the house and there was currently a dense cluster of trees along the west boundary of the garden. There was a modern detached bungalow at 65 Kings Road, to the east of the site and a large detached house at 77 Kings Road, to the west. He reported that the two proposed five bedroom dwellings would have steeply pitched roofs which would sit well within the character of the area. He summarised the representations received (four in objection and six in support) which included support from Ilkley Civic Society that praised the proposed contemporary design. No objections had been received from the Council's Conservation Officer. Objectors had raised concerns regarding the loss of daylight to neighbouring properties at 65 and 77 Kings Road, however, he considered there were no concerns in terms of loss of outlook, light or dominance as a single storey side garage would sit to the side of each dwelling and there were no habitable room windows facing the neighbouring properties. The proposed dwellings would be 10.5 metres in height and there would be a distance of approximately 26 metres to the houses opposite the site (72 and 74 Kings Road) which exceeded the required separation distances. He referred to the tree report submitted by the applicant which identified that trees on the site were not in a good condition, although protected by tree preservation orders. The Council's Tree Officer had agreed with the assessment and advised on the felling of the trees and replanting of better quality trees. The replacement tree replanting scheme would consist of four trees (three black pines and one silver birch) at the frontage of the proposals which he considered to be a good mix to enhance the conservation area. He then recommended the application for approval.

In response to Members' questions, the Strategic Director, Place stated that:

- Ilkley Parish Council had raised concerns for the adjacent property due to the proposed trees but the trees were proposed at the centre of the frontage of the site and this concern had not been clarified.

- The height of the proposed roof pitches were to allow bedrooms in the roof space and reflected the theme of traditional properties in Ilkley.
- The proposed materials were mainly natural stone and slate for the roof with contemporary elements incorporated at the rear of the properties.

An objector was present at the meeting. Pre-submitted photographs were tabled and she made the following points:

- She resided at 77 Kings Road and was raising issues on behalf of occupiers of 65 Kings Road too.
- She could clarify the Councillor's question in relation to Ilkley Parish Council's concerns; it was in response to the original planting scheme which proposed to place trees at the corners of the frontage. She had requested that they be relocated due to the damage they could cause to her property.
- None of the neighbours were against the planning application but had concerns arising from the replanting scheme.
- Neighbours were sad to see the loss of the existing trees but agreed that trees needed to be replanted.
- She had concerns regarding the type of trees proposed as part of the replanting scheme.
- Following her initial objection to the location of the proposed trees the location of the proposed dwellings had been moved back by 3 metres as a consequence of the re-siting of the proposed trees, which would have a significantly detrimental impact on her property.
- A window from her main living area would look onto the side of one of the garages and a door.
- The proposal would impose upon her family's main living space and their privacy.
- The proposal should be moved back by 3 metres to the originally proposed location.
- Many neighbours were concerned about the trees being inappropriate for a small domestic garden.
- Black pine trees grew over 20 metres in height.
- The roots of an existing black pine tree were causing severe damage to the block paving on her driveway and had caused cracks in the mortar of her house.
- The trees in her garden had been in existence prior to her house being built and she considered lessons should be learnt from this experience and additional large trees should not be planted.
- Further consideration should be given to the type of trees to be replanted to ensure they were suitable for a small garden.

The Strategic Director, Place informed Members that the replanting scheme had been agreed between the Council's Tree Officer and the applicant's Arboriculturist. He reported that black pine trees had been proposed for continuity, as they were already a feature of King's Road, and as a suitable replacement for the loss of existing substantial trees which formed the frontage of the street.

In response to the objector's comment regarding the impact of the proposal on her amenity, he stated that the objector's side window was not the only source of

light to her room and there would be a 5.5 metre gap between the two properties. He did not consider the concerns raised in relation to the positioning of the trees to be significant and stated that the existing trees were of a substantial height, therefore he did not consider the proposals to be unreasonable.

In response to Members' questions, the Strategic Director, Place stated that:

- The proposed trees were likely to grow to the height of and possibly taller than the existing trees (10-15 metres) within 40 to 50 years.
- The implementation of tree root restrictions were a matter for the applicant to consider and were not a planning consideration.

Two representatives of the applicant's agent were present at the meeting and stated that:

- The trees on the site were not subject to tree preservation orders; the trees at the neighbouring property were.
- One of the trees currently in the vicinity was a sycamore which would grow taller and denser than the new trees proposed.
- Damage would not be caused by the new trees.
- The location for the proposed trees had been moved to a central location to move them away from the neighbouring property.
- There had only ever been one application for this site.
- Natural stone and slate materials were proposed for the proposal to be in keeping with the conservation area.
- The tree survey had highlighted the poor condition of the existing trees on the site.
- Discussions had been undertaken with the neighbouring residents, including those residing at 77 Kings Road, to listen and respond to their concerns.
- The location of the proposed dwellings had been moved back by 3 metres and the location of the proposed trees had been moved to a more central location on the frontage to satisfy the neighbour's concerns.
- The neighbour at 65 Kings Road has stated that she did not object to the application and was happy to support it in its current form.
- The applicant had been extremely proactive and had amended plans as requested by the Council's Tree Officer and in response to neighbours' initial concerns.

Members made the following comments:

- The impact of the proposed trees would be felt by occupiers of the proposed dwellings in future years.
- Raised concerns of the damage the roots of large trees could cause.
- That black pine trees were not a dominant feature of the street scene.
- That the type of trees proposed as part of the replanting scheme should be reconsidered.

Following concerns expressed by Members in relation to the damage being caused to a neighbouring property by an existing black pine tree and the position of the proposals in relation to the neighbouring property at 77 Kings Road, the City Solicitor advised Members that Condition 7 in relation to this matter could not

be amended but that determination of the application could be deferred in order to allow further negotiations.

**Resolved –**

**That the application be deferred to a future meeting of the Panel in order to give the applicant time to further consider the siting of the proposed dwellings and the types of trees to be planted as part of the tree planting scheme.**

***Action: Strategic Director, Place***

**(b) A and A Lampkin, Greengate, Silsden**

**Craven**

Full application for conversion of an existing workshop building to form 3 dwellings, demolition of existing single storey extensions and construction of 3 new build dwellings at A and A Lampkin, Greengate, Silsden - 18/05099/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He provided an appraisal of the application and informed Members that the application had originally proposed seven dwellings on the site but following negotiations with the applicant, it was now six. The applicant had stated that the proposal was being put forward as the current business was economically unviable to continue at the site. The site was within the Silsden Conservation Area and the Council's Conservation Officer has advised on a number of conditions relating to materials to minimise the visual impact. He provided a summary of the representations in objection to the application which included one from a Ward Councillor. He reported that there would be over 17 metres separation distance to the nearest existing residential properties and the proposal would provide two car parking spaces per dwelling. Whilst he acknowledged that Greengate was an un-adopted unmade road, he considered it was reasonably level and wide and currently facilitated two-way traffic and in view of the re-use of the existing site, considered the scheme was acceptable and therefore recommended it for approval.

In response to Members' questions, the Strategic Director, Place stated that:

- The current business was the only one currently operating on the site.
- The requirement of natural stone and slate materials was implicit on the submitted plans, however, Members could add this to Condition 2 if they wished.
- It would cost approximately £40,000-£50,000 to bring the un-adopted road up to standard.
- The proposed scheme would use connections to existing drainage.
- He considered there would be a change in the character of traffic using Greengate as there would be more cars and less HGVs, but he did not consider that the usage would be intensified.

A discussion took place following a Member's safety concern about the reduced visibility for drivers when using the junction of Greengate and Skipton Road due to parked vehicles. In response the Strategic Director, Place stated that if

Members wanted an extension of the double yellow lines at that junction, to increase visibility, an additional condition could be included and the cost of the Traffic Regulation Order (TRO) would have to be met by the applicant.

A Ward Councillor was present at the meeting and stated that:

- She did not consider the reduction from seven to six dwellings to be a sufficient enough reduction.
- Changing industrial use buildings into housing sites could create a shortage of industrial sites in Silsden in the future.
- Silsden was a growing town.
- Whilst the site may no longer be viable for A and A Lampkin, it could be suitable for other businesses.
- Her main concern was for highway safety.
- She had undertaken work with the Road Safety Team due to concerns of highway safety in the area.
- A road traffic survey had been undertaken which showed that half of the vehicles travelling on Skipton Road were speeding.
- Taxis were often parked on the double yellow lines at the junction of Greengate and Skipton Road.
- There were highway safety issues for pedestrians and drivers on Skipton Road and the traffic using this road was increasing.
- The scheme proposed to put a footpath at the side of the Beck and the wall of the Beck was collapsing.
- There would be a large increase in vehicle movements with six new dwellings and she considered that four dwellings would be more suitable for the site.
- The site was within a conservation area and opposite a number of listed buildings dating back to the 1700's.

The Strategic Director, Place reported that the footway was not proposed to be near the Beck, it would run in front of the proposed dwellings to provide pedestrian access. He also reported that the Council's Conservation Officer had been consulted and found the quality of the new build houses proposed within the Conservation Area to be acceptable.

An objector was present at the meeting and outlined the following issues:

- She lived at the back of the site.
- Refuse collection vehicles often could not travel along Greengate due to parked vehicles obstructing the way.
- The access from Skipton Road onto Greengate was a steep hill.
- The Beck wall was damaged as it had been hit by vehicles.
- The report stated that there were 10 to 20 vehicle movements a day currently associated with the activities of A and A Lampkin which she considered to be exaggerated. She believed there to be three or four vehicle movements a day.
- The site was near a wall which could not be removed to increase visibility because it was listed.
- There was a lack of pavement proposed in the scheme which would cause danger to pedestrians.
- She did not object to the principle of the development but considered it should

be a smaller.

The Strategic Director, Place reported that the width of the road would allow for two cars to pass. The proposed development was of a small scale and he considered it was likely to generate four to five traffic movements in peak hours. As vehicles were likely to be approaching at speeds below 20mph he considered the proposed layout and means of access was suitable for the site. He explained that there was no evidence that the impact of the residential development would be severe in comparison with the continuation of the industrial or business use of the site or premises and therefore the Council's Highways Department were satisfied with the proposals.

The applicant's agent was present at the meeting and confirmed that the number of vehicular movements, as stated in the report, had been generated by the business on its busiest days and had not been exaggerated.

**Resolved –**

**That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Place's technical report, with an addition to Condition 2 that 'the development shall be constructed using coursed natural stone and natural roof slates' and the following additional condition:**

**None of the dwellings shall be occupied until the developer has secured the implementation of a Traffic Regulation Order (TRO) to prevent car parking along a section of Skipton Road to the west of its junction with Greengate. Details of this should first be submitted and approved in writing by the local Planning Authority.**

**Reason: To improve visibility splays in the interests of highway safety and to accord with Policy DS4 of the Core Strategy Development Plan Document.**

***Action: Strategic Director, Place***

**(c) Beltrees, Occupation Lane, Keighley**

**Keighley West**

Full application for the construction of two wooden pre-fabricated outbuildings in the rear garden to be used in connection with a small-scale, home-based cattery business at Beltrees, Occupation Lane, Keighley - 19/00278/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He provided an appraisal of the application and informed Members that Beltrees was a large detached house with vehicular access from Occupation Lane and a number of outbuildings, including a detached garage, some hen huts and the cattery buildings. Occupation Lane was a narrow road which lacked footways and was in poor condition. To the east, it ran steeply downhill to a junction with Oakworth Road. Uphill, to the west, was a junction with Camborne Way, a conventional estate road serving a large residential area to the north. To the south of this junction a new residential development of around 124

houses were currently under construction. Five objections including one from a Ward Councillor had been received and were summarised. He explained that although objectors had alluded to the fact that the buildings had already been erected, they were allowed for personal use under permitted development rights, but permissions for business use required planning permission which the applicant was seeking. The Rights of Way Officer and Highways Officer had expressed concerns about the intensification of use of the bridleway, however, Planning Officers considered that there would not be a significant intensification. The applicant had been operating the business from the dwelling but, due to a recent change in legislation, outdoor pens were required to continue the business. The cattery could accommodate a maximum of 20 cats but was expected to run at 60% capacity and the applicant had argued that as people did not usually book cats into a cattery for less than one week, and because such visits would be spread throughout the week, the day-by-day traffic movements associated with collecting or delivering cats would be modest. The applicant also stated that she would be buying all supplies for the cattery herself therefore the number of delivery and service vehicles connected with the business use would be negligible. The business also offered a collection service which would further reduce additional traffic. The website for the business encouraged customers to arrive and depart via Camborne Way to prevent vehicles from disrupting the Occupation Lane bridleway. He considered the cattery would be a relatively modest business which accorded with the National Planning Policy Framework and stated that conditions were proposed to ensure the cattery would only be operated and used in connection with the occupation of the existing dwelling and that it would be used solely for the accommodation and care of cats. He then recommended the application for approval.

In response to Members' questions, the Strategic Director, Place stated that:

- The applicant had clarified that there was no foul drainage connection required for the scheme.
- The Council's Highways Department had expressed opposition to the proposal due to fears it was likely to cause an intensification of traffic on Occupation Lane.
- The pens contained an outdoor area within them.
- Whilst visitors had a lawful right to visit the site, the increase in traffic and intensification of use on the bridleway and the conflicts it was likely to create were of concern to the Highway's Department.

Members made the following comments:

- It was likely that some customers would use a cattery for less than a week e.g. weekends.
- Some cats were noisy e.g. Bengal cats
- The business would intensify vehicular usage of Occupation Lane, which was in poor condition.
- Additional vehicle usage of Occupation Lane should not be encouraged.
- The business was not expanding significantly but operating differently with outside pens due to changes in legislation.

A Keighley Town Councillor was in attendance at the meeting and made the

following points:

- He lived in the area and often saw conflicts between dog walkers and traffic using Occupation Lane.
- The dwelling was currently empty and up for sale and therefore he disputed that it was an active business.
- He had made several attempts to contact the applicant without success.
- The report stated that Keighley Town Council had made no comment but he, as Chair of the Planning Committee at Keighley Town Council, had no recollection of this application.

In response to the above comment, the Strategic Director, Place confirmed that an email had been received from Keighley Town Council stating they had no comments to make in relation to this application.

A Ward Councillor was present at the meeting and asked for clarification as to why the application was being considered when the property was up for sale and the house appeared unoccupied. She also raised concerns in relation to the increase in traffic, noise and pedestrian safety.

The Strategic Director, Place reported that he had spoken to the applicant in light of comments received from neighbours about the sale of the property and she had confirmed that she still wanted the application to be determined and therefore it was still a live application which required a decision.

An objector was present at the meeting and outlined the following issues:

- The application would be detrimental to traffic issues.
- The cattery was three feet from his boundary wall.
- The proposal would have a negative impact on neighbours and the local area.
- The buildings stood on a concrete base and would cause flooding issues.
- In recent heavy rain his patio, which sat below the cattery, had standing water which had not been the case prior to the introduction of the outbuildings.
- The residential property was unoccupied and up for sale.
- Any traffic generated by the business would be additional traffic on the bridleway.
- The proposal was detrimental to highway safety.
- The Council had not implemented any safety measures on the bridleway beyond signage.

The City Solicitor advised Members that the sale of the property was not a material planning consideration.

Members made the following comments:

- There was a lack of access to the site and highway safety was of concern.
- The proposal would intensify usage of Occupation Lane.
- The amount of additional traffic that the business would create could not be predicted.
- Historic information about a business which did not appear to be in use had been presented to the Panel.

**Resolved –**

**That the application be refused for the following reason:**

**The proposal will result in an intensification of use of Occupation Lane, to the detriment of highway safety.**

***Action: Strategic Director, Place***

**(d) & (e)      Kirklands Community Centre,                      Wharfedale  
                         119 Main Street, Menston, Ilkley**

- (d)      Change of use of a store room to a private hire vehicle office at the Kirklands Community Centre, 119 Main Street, Menston - 19/01677/FUL
- (e)      Change of use from library store to private vehicle hire office (alternative site) at the Kirklands Community Centre, 119 Main Street, Menston - 19/02069/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He provided an appraisal of his reports for both applications and informed Members that they had been submitted by the same applicant to seek permission for a private hire base in different parts of Kirklands Community Centre because their existing base at the Fairfax Club was due to be demolished as part of the re-development of the site. One application was for an 8.5 square metre room next to a toilet at the site's Bowling Club and the other was for a space next to the entrance to a nursery run on the site. If approved, Kirklands Trust would make the ultimate decision on whether to re-house the vehicle hire company at Kirklands as the landlord of the building. He stated that the proposal was for a 24 hour business operation which was proposed as a control base only and that patrons would not be on the site. In relation to concerns about drivers congregating on the site, the applicant had stated that the intention was to operate an app based control system which would not be likely to generate significant vehicle trips or demand for car parking at the site. He summarised the representations received for the two proposals and then recommended both applications for approval.

In response to Members' questions, the Strategic Director, Place stated that:

- The suggestion to limit the amount of cars that could access the site due to the nursery on the site was not a condition that could be enforced.
- There were 63 car parking spaces at the front of the building which served the whole centre.
- The intention for both applications was for drivers to use the toilet facilities which were accessible from outside the building.
- The community centre was well used seven days a week.
- The business was currently operating in Menston.

A Ward Councillor was present at the meeting and stated that:

- He was a Trustee of Kirklands Community Centre and a Menston Parish Councillor.
- The planning process allowed for applications to be submitted despite the ownership of the land and if the applications were granted Kirklands Trust would determine which site was the most appropriate.
- Over 70 representations had been received in support of the proposals.
- Only two cars would be allowed on the site.
- Taxis would be controlled at the base and an app would be used.
- He was keeping an open mind and supporting both applications.

An objector was present at the meeting and outlined the following issues in relation to the change of use from library store to private vehicle hire office:

- He was speaking on behalf of residents of Ellicott Court.
- The proposed location was behind Ellicott Court.
- The business said it had a maximum of 12 cars operating between 4pm to midnight and he raised concerns in relation to noise disturbance from vehicles.
- The noise would have a detrimental impact on residents' sleep and would affect their lives.
- The Parish Council had stated that the best location for the proposal was at the store room as opposed to the library store as it would have the least effect on neighbouring properties.

The applicant's representative addressed the Panel and stated that:

- He was a driver for the business.
- There would not be any cars parked near the premises due to the app based system the business operated.
- The business had operated for 28 years at the Fairfax Club and he considered their presence there to have been a deterrent for burglaries at the site.
- He considered that the presence of the business on the site of Kirklands Community Centre could help to deter crime at the premises.
- There had been instances of anti-social behaviour from youths congregating behind Kirklands Community Centre and the business could provide a level of security for the grounds.

Members made the following comments:

- The business had been operating and providing a good service to the public in Menston for 28 years and was likely to continue to do so.
- The proposed site of the store room next to the Bowling Club seemed the most appropriate location for the business as it was furthest away from residential properties on Ellicott Court and the nursery on the site.

**Resolved –**

- (d) & (e) That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Place's technical report.**

**Action: Strategic Director, Place**

**(f) Land of Ryan Grove, Braithwaite Road,  
Keighley**

**Keighley West**

Outline application for residential development of land (0.24ha) for six semi-detached dwellings requesting consideration of access, layout and scale at Land of Ryan Grove, Braithwaite Road, Keighley - 19/00336/OUT

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He provided an appraisal of his report and explained that the land was not within the Green Belt but the fields to its north and west were. The land was unallocated in the Replacement Unitary Development Plan. He summarised the ten representations received in objection to the application and stated that comments regarding the site being a green field were not supported by current national and local planning policies and the redevelopment of the land for residential use was acceptable in principle. Although an outline application, the applicant had provided details of the layout and means of access which included a turning head. The proposal and its impact on highway safety, amenity, trees and the nearby conservation area had been assessed against the relevant development plan policies and was considered acceptable. He then recommended the application for approval.

In response to Members' questions, the Strategic Director, Place stated that:

- The properties on Ryan Grove had driveways.
- Investigations in relation to drainage on the site, as outlined in Condition 13, would need to be undertaken prior to the commencement of development; there was nothing obvious on the site in relation to drainage to oppose the principle of the development.

A Member expressed concern that approval of the application could lead to the sprawl of development onto the adjoining Green Belt.

A Keighley Town Councillor was in attendance at the meeting and made the following points:

- The report stated that no response had been received from Keighley Town Council in relation to this application, but he was Chair of the Planning Committee at Keighley Town Council and had no recollection of seeing this application.
- There was a spring which crossed the site and similar sites had a history of ground water.
- There was a risk of ground water run-off.
- A previous application had been refused for the site, albeit under previous planning policies.
- Ryan Grove was on a steep hill and was not on a gritting route.
- There was a ransom strip on the land.
- The proposal included 11 car parking spaces for six dwellings but people often did not use their driveways.
- The proposal would encroach on the Green Belt.

- He had visited the site and had seen various species of birds and butterflies and did not consider it appropriate to build on the land.
- He had informally consulted with other Keighley Town Councillors who all agreed that the application should be refused.

An objector was present at the meeting and outlined the following issues:

- Ryan Grove was a narrow street and was not wide enough to accommodate the additional traffic which the proposal would create.
- Most households on Ryan Grove had two cars.
- Within the past two years he had seen vehicles, including an ambulance, finding it difficult to travel up Ryan Grove.
- The ransom strip was in front of his property and would remain.

The Strategic Director, Place stated that a stone boundary wall was at the end of Ryan Grove at the side of the application site. A condition was proposed to ensure that a suitable form of access was made available to serve the development. He added that any legal issues in relation to the ransom strip were matters to be considered by the developer.

**Resolved –**

**That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Place’s technical report.**

***Action: Strategic Director, Place***

**(g) 77 Otley Road, Shipley**

**Shipley**

Change of use from car showroom (sui generis) to a shop, restaurant and cafe (A1 & A3 use classes) for the sale of ice cream and desserts for consumption on and off the premises at 77 Otley Road, Shipley - 19/01030/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He provided an appraisal of his report and explained that the main issue was highway safety; whilst the new use as a restaurant/café would generate parking demand which could be accommodated in other town centre car parks, Highway Officers remained concerned that the use would result in indiscriminate short-term parking taking place on Otley Road, especially as there was a long dropped kerb along the site frontage permitting access by vehicles onto the footway. Photographs to evidence the indiscriminate parking that was currently taking place were shown to Members. He informed Members of additional representations received from the applicant’s three Wibsey Ward Councillors and a Shipley Ward Councillor in support of the application. One Wibsey Ward Councillor had sent a detailed email which was read out and which included that: *the officer’s report did not raise any objection to the principle of development.*

*The likely result of the removal of any onsite parking would be the unintended consequence of the pavement being more likely to be blocked by customers and result in the likelihood of traffic problems on a busy road. He believed that if the applicant agreed to meet the officer’s proposed conditions it would lead to the*

*potential problem that they were trying to solve becoming more likely to occur. It would be increasingly unlikely for this property to be brought back into economic use in the near future if the application was refused and he urged Members to approve the application.* The Strategic Director, Place then recommended the application for refusal.

In response to Members' questions, the Strategic Director, Place stated that:

- There were double yellow lines at the front of the site on Otley Road.
- A small tactile dropped area would be maintained to aid pedestrians to cross Otley Road and use the refuge island in the middle of the road.
- The property had been unoccupied for at least six months.
- The car park on the site could accommodate six vehicles.

A Ward Councillor was present at the meeting and stated that:

- In order to build strong vibrant communities at a time when towns and cities were suffering it was important to support small businesses.
- Shipley had historically suffered with small businesses being rejected through the planning process.
- She did not want to see dereliction at the edge of the town.
- Refusal of the application would leave an empty building on the gateway to Shipley town centre.
- The proposal was for a family friendly business.
- Close car parking to the site would assist access for people with disabilities.
- The peak hours of the business would be in the evening, outside peak traffic times.
- Traffic travelled slowly along Otley Road at peak traffic times.
- The six car parking spaces should be allowed as this was not a huge number and drivers could access them from Otley Road and leave the site from the side road.
- There were a number of businesses in the vicinity with car parking and the only difference was that they were larger businesses.
- She considered the applicant was being penalised.
- People parked on the pavements; this business would not be the cause.
- She was concerned about the future of the building.
- She considered larger businesses were being prioritised over smaller ones.
- The proposal would be good for families in Shipley.
- She considered the applicant was being penalised due to the issue relating to the kerb.

The applicant's agent was present at the meeting and stated that:

- The applicant has agreed to the removal of the six car parking bays and to create a boundary wall to prevent vehicular access into the forecourt from Otley Road despite offering to introduce a separate egress point so that cars could enter and leave in forward gear; the applicant would pursue car parking on the site through a separate application.
- Highways officers had unfairly insisted that the applicant pay for the raising of the dropped kerb.
- The car parking space at the front of the site had always been there and would

- allow for disabled car parking spaces.
- Customers of the previous car sales garage on the site would have travelled there by car.
- There was CCTV coverage over the car park area to offer customer's safety.
- An attendant could be put on the site if required to assist with car parking.
- The proposal would bring the empty building back into use.
- There were businesses in the vicinity that had been supported by the Council.
- Changing the kerb would not solve the problem as drivers would just slow down and mount the kerb instead thereby making the situation worse.
- There had been no accidents recorded in the last three years on the road to the front of the site which had the dropped kerb.

Members made the following comments:

- The proposed business would be an asset to the area and was a different offering for the area.
- The proposal would bring an empty building back into use.
- Cars currently mounted the pavement and it was not considered that this proposal would make a difference.
- The site was on a busy main road and inappropriate parking to the front of the site could cause obstructions.
- The concerns raised by the Highways Department were reasonable.

In response to Members' questions, the Strategic Director, Place stated that the dropped kerb had been previously introduced to allow access to the forecourt for the previous use on the site. Otley Road was a very busy main road with existing parking restrictions and indiscriminate parking should be prosecuted. There should be a full high kerb along the road to protect pedestrians and for drainage purposes. Removal of the access to the forecourt meant there was no longer a need for the dropped kerb to remain and therefore it should be returned to its original state. In relation to the applicant wanting to retain the six car parking spaces, he stated that six car parking bays was well below the number that would be required for a restaurant of this size, it would quickly get filled and he did not consider this to be a great loss. He stated that each application was considered on its own merits and whilst this was a good retail offer, it needed to be right in terms of its impact on the highway and a dropped kerb would be too inviting for drivers to park on it. He also stated that an attendant marshalling traffic on the site would not have any authority. He estimated the cost of re-instating the raised kerb to be approximately £2,500-£3,000.

Further comments were made by Members, that:

- Illegal parking should not be encouraged to continue.
- It seemed unfair that the business was being asked to pay for the raised kerb.
- The cost of re-instating the kerb was not considered an onerous one for a start up business.

**Resolved –**

**That the application be refused for the reasons set out in the Strategic Director, Place's technical report.**

**Action: Strategic Director, Place**

**(h) Flat 1, 2 Alexandra Crescent, Ilkley**

**Ilkley**

Retrospective application for alterations comprising refurbishing the existing roof dormers, removal of a small area of stone work, provide door set and external railings at Flat 1, 2 Alexandra Crescent, Ilkley - 19/00574/HOU

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He provided an appraisal of his report and explained that the building was a late 19th century stone built terraced property within the Ilkley Conservation Area. There was a shop occupying the ground floor and a flat on the two floors above (Flat 1). The proposal sought retrospective permission for alterations to the existing dormer window and a larger dormer with opening doors and a Juliet balcony which faced the main road (Skipton Road). 14 letters of support from Ilkley residents and one letter of objection from Ilkley Civic Society had been received. He considered the alterations to have a negative impact on the character and appearance of a prominently sited building and the wider street scene and recommended the application for refusal.

In response to Members' questions, the Strategic Director, Place stated that if the application was refused it would be progressed by the Planning Enforcement Team and that each planning application needed to be considered on its own merits.

The applicant's agent was present at the meeting. Pre-submitted photographs were tabled and he made the following points:

- The applicant was apologetic for this genuine mistake; he had undertaken the works to improve the appearance of the building.
- The dark grey colour for the cladding had been used to blend in with the existing building and the colour and guttering had been accepted by officers.
- The officer's report referred to the "increased bulk of the dormer" but he did not consider that this was the case as the alterations had not enlarged the size or volume; it had been re-clad with different materials.
- The Design and Conservation Team had stated that the works to the dormer window had neither preserved nor enhanced the significance of the heritage asset.
- The roof was as it was prior to the works therefore it should not form part of this application.
- Ilkley Civic Society had stated that the works may have enhanced the area in a small way.
- Ilkley Town Council recommended that the application be approved and 14 representations in support had also been received from local residents.
- He considered the Council had misinterpreted the works in stating that they had been enlarged when they had only been re-clad.
- The works had made the building more visually pleasing.

A Member commented that whilst the use of the grey cladding had made the

building look less intrusive, the Juliet balcony was more akin to a double-door than a window and looked out of place.

**Resolved –**

**That the application be refused for the reasons set out in the Strategic Director, Place’s technical report.**

***Action: Strategic Director, Place***

**6. MISCELLANEOUS ITEMS**

**REQUEST FOR ENFORCEMENT/PROSECUTION ACTION**

(a) **The Hedge Row, 29B West View Avenue, Ilkley  
Burley In Wharfedale**

Breach of condition 6 of planning permission 15/01766/FUL - 18/00355/ENFAPP

On 9th May 2019 the Planning Manager (Enforcement & Trees) authorised the issue of a Breach of Condition Notice requiring the compliance of the above planning condition.

(b) **36 High Street, Steeton With Eastburn Craven**

Without planning permission, the erection of front and rear dormer window roof extensions - 18/00802/ENFUNA

The Planning Manager (Enforcement & Trees) authorised this issue of an Enforcement Notice to seek to rectify the breach of planning control on 29th May 2019

**DECISIONS MADE BY THE SECRETARY OF STATE**

***APPEALS ALLOWED***

(c) **1A, Jumb Beck Close, Burley In Wharfedale, Wharfedale  
Ilkley**

Construction of single storey extension to the front - Case No: 18/04324/HOU

Appeal Ref: 19/00003/APPHOU

(d) **76 Glenview Road, Shipley Shipley**

Two storey extension to existing garage and annex - Case No: 18/03125/HOU

Appeal Ref: 18/00146/APPHOU

**APPEALS DISMISSED**

**(e) 36 High Street, Steeton With Eastburn Craven**

Dormer windows to front and rear elevation - Case No: 18/04027/HOU

Appeal Ref: 19/00029/APPHOU

**(f) 74 Glen Lee Lane, Long Lee, Keighley Keighley East**

Outline application for residential development - 2 new houses - Case No:  
18/01152/OUT

Appeal Ref: 18/00136/APPOU2

**(g) Land At Grid Ref 415107 438062, Otley Road Baildon**

1.2m x 2.4m non-illuminated sign - Case No: 18/03935/ADV

Appeal Ref: 19/00006/APPAD2

**Resolved –**

**That the decisions be noted.**

**Action: Strategic Director, Place**

Chair

**Note: These minutes are subject to approval as a correct record at the next meeting of the Area Planning Panel (Keighley and Shipley).**

THESE MINUTES HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER