

## Minutes of a meeting of the Area Planning Panel (Keighley and Shipley) held on Wednesday, 7 August 2019 at 10.00 am in Council Chamber - Keighley Town Hall

Commenced 10.00 am  
Concluded 2.15 pm

### Present – Councillors

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

Observers: Councillor Vick Jenkins (Minute 16(a)) and Councillor Martin Love (Minute 16(a))

### Councillor Engel in the Chair

#### 12. DISCLOSURES OF INTEREST

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

Councillors Amran and K Green disclosed that they recognised a number of people in attendance at the meeting but had not discussed any of the matters before the Panel for determination with any interested parties.

Councillor Naylor disclosed that, having been a member of the Panel for some time, he had considered previous applications for some of the application sites before the Panel for determination but he undertook to approach the current applications with an open mind and to consider all the relevant material planning issues before making a decision.

In the interests of transparency, Councillors Engel, Abid Hussain, Godwin, Barker, K Green and Naylor disclosed that they had sat at a meeting of the Panel on 26 June 2019 when the application relating to 38 Grove Road, Ilkley (Minute 16(c)) had previously been considered and deferred. They undertook to approach the application with an open mind and to consider all the relevant issues before making a decision.

During consideration of the application at 188 Bradford Road, Riddlesden (Minute 16(b)) Councillor Godwin disclosed that he was a member of the National Trust.

**Action: City Solicitor**

**13. MINUTES**

**That the minutes of the meeting held on 26 June 2019 be signed as a correct record.**

**14. INSPECTION OF REPORTS AND BACKGROUND PAPERS**

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

**15. PUBLIC QUESTION TIME**

There were no questions submitted by the public.

**16. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL**

**(a) 18 Moorhead Lane, Shipley Shipley**

Full permission for the demolition of an existing garage and construction of detached dwelling at 18 Moorhead Lane, Shipley - 19/01941/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the site comprised a garage and side garden of a detached two-storey 1960's property. A garage block and area of hard standing that served the adjacent Richmond Mews was to the north of the site. The wider area was almost wholly residential in character with a mix of type, style and age of properties. He provided a summary of the proposal and stated that eight objections and seven letters in support had been received which were outlined in his report. He stated that the height of the proposed dwelling had been reduced during the course of the application and he considered the scale and appearance to better respect the character of the locality. There was a step down in roof height from the parent dwelling, which allowed a better separation than initially proposed. The site was located within the Saltaire World Heritage Site Buffer Zone and the Design and Conservation team were satisfied that the proposed works would have no impact on its setting. He stated there was 10.5 metres separation distance between the proposal and 8 Richmond Mews. He recommended the application for approval with the addition of a condition to require the applicant to erect a 1.8 metre screen fence to the boundary to prevent overlooking or loss of privacy to adjacent occupiers and an amendment to the proposed Condition 3 to ensure off street parking was implemented for both the existing and proposed dwelling.

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

- The tree at the front of the site had been assessed by officers and was not considered to present visibility issues for drivers leaving the site.
- The developer would fund the costs associated with implementing a dropped

kerb.

- Natural stone was proposed for the front and rear elevations with render proposed to the sides; the proposed materials were considered acceptable.

A Ward Councillor spoke in support of the application and stated that:

- The applicant had put forward the proposal for his daughter to reside in; she was a young professional working in Leeds.
- The applicant and agent had worked with officers on the proposal.
- The proposal would have two car parking spaces.
- The proposal would improve the look of the area and was in keeping with the area.
- The proposal would not cause overshadowing.
- All highways concerns had been addressed.
- The wall on the boundary of the property would remain in place.

A Ward Councillor spoke in objection to the application and stated that:

- He was speaking on behalf of the neighbouring resident at 8 Richmond Mews.
- He was also raising concerns about the impact on the residential amenity of occupiers at 10 Richmond Mews.
- The neighbouring residents would be faced with a large wall from their garden area rather than a single storey building and this would significantly impact on their ground floor habitable rooms.
- Whilst the side window of the proposal was a non-habitable room, the side window of 8 Richmond Mews was a habitable room.
- There would be a loss of light to the living rooms and gardens of properties on Richmond Mews.
- The plans did not show that Moorhead Lane was on an incline and that there would be severe overshadowing issues caused by the proposal.

The Strategic Director, Place tabled a plan showing Members the impact on 8 and 10 Richmond Mews which accounted for the angled rise of Moorhead Lane. He stated that, in developing the proposal, the architect had been mindful of 8 and 10 Richmond Mews and had therefore designed it with dormer windows in the roof to provide additional accommodation but to also restrict its height. He also stated that the proposed projection was single storey with pitched roof design so that the roof height was lowest close to the shared boundary with 8 Richmond Mews; therefore he considered the rear projection would not have a significantly harmful impact on the neighbours' amenity. He added that the additional condition which he had recommended in relation to a boundary fence would further mitigate this issue.

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

- He was speaking on behalf of residents of 8, 10 and 12 Richmond Mews.
- All objections to the application were from immediate neighbouring residents who lived on Richmond Mews and Moorhead Lane.
- All supporters of the application did not live in the area.
- The proposal was too large and would cause overlooking and overshadowing onto neighbouring properties.

- He considered the proposal to represent 'garden grabbing'.
- The proposal would further increase the traffic on Moorhead Lane which was already a busy road.
- The reduction of the roof height by 750mm had been largely cosmetic and had not reduced the height of the proposed windows.
- He considered the proposal to represent a three storey development due to the proposed large windows in the dormer roof.
- The proposal would overshadow the properties at 8, 10 and 12 Richmond Mews and their gardens which were small.
- From the first floor bedroom of the proposal the occupiers would be able to view the gardens of properties on Richmond Mews.
- One of the applicant's Ward Councillor had stated that the proposal was for the applicant's daughter but the ownership of the property could change in the future.
- A more acceptable proposal would be to extend the existing property.
- Moorhead Lane was a very busy road which often had queuing traffic all the way up to the application site; an additional opening onto Moorhead Lane would increase dangers to motorists, pedestrians and cyclists.
- Close to the existing and proposed buildings were trees, a pedestrian crossing, lights and the junction of Moorhead Lane with Kendall Avenue.
- He urged the Panel to refuse the application but suggested that, if they were minded to approve it, natural stone be used instead of render for the sides of the building and a 1.8 metre boundary fence be erected on the applicant's side of the boundary to provide screening for occupiers of properties on Richmond Mews.

In response to a Member's question regarding access, the Strategic Director, Place stated that submitted plans showed that the proposed property would use the existing driveway and a new driveway and access point would be created for the existing property.

The applicant was in attendance at the meeting and made the following points:

- The proposal would allow his daughter to get on the property ladder.
- He considered that all the objections raised had been addressed.
- Both the proposed and existing properties would have adequate access and parking facilities.
- The design of the proposed house was very similar to the existing property.
- There were other properties in the area with rendering to their sides therefore the proposed house would be in keeping with the area.
- When the properties on Richmond Mews were built they overlooked onto his garden area.
- He had taken every effort to consider how to avoid overshadowing.
- He had undertaken discussions with neighbours beyond his boundary wall regarding his proposal.
- He thanked the officers from the local authority for working with him.

Members made the following comments:

- There was 10.5 metres separation distance between the proposal and 8 Richmond Mews which was acceptable.

- Highways Development Control had not raised any objections to the proposal.
- There were other properties along Moorhead Lane with rendering to their side elevations and the proposed rendering was considered acceptable.
- The suggested 1.8 metre boundary fence was considered acceptable.

**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 the inclusion of the following amended Condition 3 and additional condition as follows:**

**Amended Condition 3:**

**Before the new dwelling hereby permitted is brought into use, the off-street car parking facilities for both the existing and proposed dwellings, including the creation of a new drive access and dropped footway crossing from Moorhead Lane to serve the existing house, shall be laid out, hard surfaced and drained within the curtilage of the site in accordance with the approved drawing 2351/LM4 and with a gradient no steeper than 1 in 15.**

**Reason: In the interests of highway safety, and in accordance with Policies TR2 and DS4 of the Core Strategy Development Plan Document and the National Planning Policy Framework.**

**Additional Condition:**

**Prior to the first occupation of the dwelling hereby permitted, a continuous, 1.8 metre high close boarded boundary fence shall be erected along the northern boundary of the site, and this shall be retained thereafter.**

**Reason: To provide screening necessary to prevent overlooking or loss of privacy to adjacent occupiers and to accord with Policy DS5 of the Core Strategy Development Plan Document.**

**Action: Strategic Director, Place**

**(b) 188 Bradford Road, Riddlesden, Keighley Keighley East**

Householder application for a first floor extension to a previously approved side and rear extension, and detached home office/store building at 188 Bradford Road, Riddlesden, Keighley - 19/02186/HOU

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the property bordered the boundary of the Green Belt to its rear, though it was not within it, and it backed onto Airedale Cricket Club. From the back garden East Riddlesden Hall could be seen in the distance to the west. He outlined how the current proposal sought to add to the previously approved application (for a single/two storey side and rear extension, change of roof from hip to gable and front and rear dormer windows) granted in 2016. He explained that work had begun on the site in relation to the previous application but had ceased pending the outcome of this application which proposed a single storey extension to the side and a single storey

extension rising to two storeys on the rear, plus a change of the house roof from a hipped roof to a gable and the addition of front and rear dormer windows. The detached home office/store building was also a new proposal and following concerns from neighbours regarding its height, the applicant had agreed to lower the floor and roof levels by around one metre compared with what had begun to be built on the site. He suggested a condition be applied requiring that the use of the outbuilding remained ancillary to the host building in the interest of residential amenity. He stated that eight letters of objection had been received, including the Chairman of Airedale Cricket Club, Keighley Town Council and the National Trust, as owners of East Riddlesden Hall, on visual amenity grounds and asking that the impact on this listed asset be taken into consideration. He reported that since his report had been written, three additional objections had been received from members of Airedale Cricket Club and a Ward Councillor had written in support of the application. The application had also received 16 letters of support. He stated that neighbouring residents had raised concerns about the boundary wall which had been built but as it was below 2 metres it was allowed under permitted development rights. Concerns raised about encroachment onto neighbouring land were a civil matter. On balance, he did not consider that the additional height of the proposed development would significantly impact on the amenity of neighbouring residents. On visiting the site he had observed that the floor level of the home office/store building was set above the existing ground level and the applicant had agreed to set it with a floor level one metre lower than intended. He stated that an outbuilding 2.5 metres in height could be built without planning permission under permitted development rights. With regard to East Riddlesden Hall, he stated there was a 350 metres separation distance and the closest area to the site was the hall's overspill car park, therefore he considered the impact negligible and the harm on the listed building less than substantial. He stated that hedge planting on the land between the rear wall of the outbuilding and the boundary of the cricket club was proposed and then recommended the application for approval.

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

- The site was approximately 100 metres away from Airedale Cricket Club's pitch.
- The field between the site and East Riddlesden Hall was Green Belt.
- There was a one metre gap between the home office/store building and the boundary wall to its sides and approximately a one foot gap to the boundary at the rear which he considered to be sufficient space for hedge planting.
- It was unusual to receive an objection from the National Trust; the objection raised concern regarding the visual impact of the home office/store building and outlined the importance of East Riddlesden Hall.
- The rear extension to the dwelling was the same length as was approved by the Panel in 2016.

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

- The officer's photograph showing the view from East Riddlesden Hall had been taken from ground level; the view from inside the hall was 20 metres higher.
- The building at the end of the garden was clearly visible from East Riddlesden

Hall and the construction of the outbuilding had caused damage to fencing belonging to the National Trust.

- The officer's report stated that the front garden was south facing when it was actually north facing; the rear garden was south facing.
- The outbuilding was far from its host dwelling.
- The applicant had started constructing the boundary walls which were too high, had no footings and were out of keeping with the area.
- Keighley Town Council strongly opposed the application.

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

- He was the applicant's neighbour.
- He did not consider that the proposals presented 'good design'.
- He did not consider the previously approved plans in 2016 to be acceptable.
- The extension to the property would impact on neighbouring properties and would be overbearing and cause overshadowing.
- The officer's report stated there would be a small loss of light which he considered to be untrue.
- The officer's report stated that the kitchen was south facing which it was not.
- The front garden of the site was north facing and the back garden was south facing.
- The wall of the gable roof would be at the east side of 186 Bradford Road and would significantly reduce light to the kitchen, making it impossible for occupiers to see the sky from their kitchen window.
- The proposed outbuilding was a dominant feature which was unsympathetic to the adjoining Green Belt.
- The applicant would need to trespass on neighbouring land in order to maintain the cladding on the proposed outbuilding.
- Neighbours at 186 Bradford Road had an on-going dispute regarding land being encroached upon and the destruction of property.
- The issue relating to an electricity cable crossing the site had not been resolved.

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

- East Riddlesden Hall was private land and the officer's photographs from the site had been taken from its car park.
- If the applicant needed access onto land owned by the National Trust during construction of the outbuilding, it was a matter for him to secure this agreement.
- Under the Party Wall Act, the owner of a property has a legal right to undertake certain works that might otherwise constitute trespass or nuisance.
- The current application differed from the previously refused 2015 application in terms of reduced bulk and impact and therefore he did not consider there to be a sustainable reason to refuse the application.

The applicant was present at the meeting and made the following points:

- Land belonging to 186 Bradford had not been accessed during construction of the boundary wall.
- The floor of the home office/store building would be lowered.

- She did not see any reason for the application to be refused.

Members made the following comments:

- There was little material difference to the application refused in 2015.
- There was a lack of room for boundary treatment around the proposed home office/store building and it was likely that access would therefore need to be taken from the neighbouring property during construction/maintenance; the proposal was overbearing.
- The view from inside East Riddlesden Hall of the office/store building would be from a higher altitude than from the car park from which photos tabled were taken by the officer.
- Having considered the grounds of objections from East Riddlesden Hall and Airedale Cricket Club, it was considered there would be very little impact on either organisation's site.
- The house extension was considered acceptable but the outbuilding may be better sited closer to the house.
- The home office/store building would be fairly well screened by trees.

The City Solicitor stated that the Panel could only consider the application which was before them and would need to defer the whole application if they wanted to suggest changes to the applicant and consider a revised application at a later date.

**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***

**(c) 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 explained that the application had been resubmitted following its deferral at the Panel's meeting on 26 June 2019 to allow the applicant time to further consider the siting of the proposed dwellings and the types of trees proposed to be planted as part of the tree planting scheme, following concerns put forward at the meeting by a neighbouring resident at 77 Kings Road. He stated that the two proposed houses were sited three metres nearer to Kings Road and the applicant proposed to plant three *Carpinus Betulus* 'Frans Fontaine' (fastigiated Hornbeam trees) instead of the previously proposed black pine trees; two Silver Birch trees, as previously proposed, remained in the replanting scheme. He stated that fastigiated Hornbeam trees grew to approximately nine metres high and three metres wide and were suitable for planting in urban areas. He stated that the resident at 77 Kings Road had written in support of the amendments but occupiers of 72 and 74 Kings Road (located across the road from the application site) had stated they were not happy with the

amendments as the proposed houses were now three metres closer to their properties, however, he reported that a separation distance of 24 metres would be achieved and the separation was sufficient enough not to impact on the daylight to 72 and 74 Kings Road. He then recommended the application for approval.

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

- Three black pine trees were previously proposed and their maximum height was approximately 20 metres when matured.
- He considered that the Panel's request at its meeting on 26 June 2019 had been fully met.
- Each proposed dwelling had four car parking spaces.

The Strategic Director, Place explained that the black pine trees, which the resident of 77 Kings Road had raised concerns about due to the damage they had caused to her property, had been in situ prior to the development of her home, whereas the trees which were part of the proposed new planting scheme and would be planted after the proposed dwellings were built, would adapt to their surrounding conditions as they matured.

The applicant's agent was present at the meeting and made the following points:

- The Panel's requirements from the last meeting had been fulfilled.
- The proposed replacement planting scheme was acceptable to the Council's Tree Officer.
- Hornbeam trees were commonly used within new developments.
- The extent of the rooting area of the proposed trees had been calculated and was suitable for the site.
- The size of the proposed trees would allow for light to pass between them.
- The beech hedge which ran along the side boundary with 77 Kings Road would be maintained and gaps filled where required as part of the landscaping proposals.

**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***

**(d) 9 Oaklands, Ilkley**

**Ilkley**

Full application for development of one dwelling in the garden of 9 Oaklands, Ilkley - 19/00950/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the site was at the end of a long garden which sloped up to a frontage with Westwood Drive from where access was proposed. The site had a change of level dropping by around 10

metres from the highest point abutting Westwood Drive down to the existing house and Westwood Drive was an un-adopted highway at that point. He explained that some trees had been recently removed from the land, but that they had not been protected by Tree Preservation Orders (TPOs), nor was the site within a conservation area or within the Green Belt. A single tree remained adjoining Westwood Drive in the south east corner and a cluster of trees remained on the lower slope towards the northern boundary. Since the submission of the application, the remaining trees on the plot had been protected by TPOs and tree re-planting was proposed. 26 letters of objections had been received which included a representation by a Ward Councillor who has referred the application to the Panel for determination. Ilkley Parish Council had recommended the application for approval but had raised some concerns with regard to access and highway safety but no objections had been received from the Council's Highways Development Control and the Council's Highway Officer considered that the proposal would not lead to any significant highway capacity or highway safety issues. Concerns regarding the elevated position of the proposed dwelling had been received from neighbouring residents, however, he stated there was an acceptable degree of separation and due to the orientation of neighbouring properties in relation to the new dwelling as well as the existing tree and proposed new tree cover on site, the proposal would not result in significant overbearing or dominance issues and would not result in overshadowing or loss of outlook and levels of privacy could be successfully maintained. He considered the proposed five-bedroom, contemporary residential development with three car parking spaces to be acceptable and recommended that it be approved.

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

- Car parking was proposed to be on the ground floor level accessible from Westwood Drive.
- A carport was proposed on the left hand side of the proposed dwelling, below the kitchen and one of the bedrooms.
- The neighbouring property at 11 Oaklands was located directly north of the site so there would be minimal overshadowing.
- There was a 24 metres separation distance between the proposed dwelling and 11 Oaklands.
- No concerns had been raised in relation to drainage from the Council's Drainage Officer.
- The bluebells on the site were protected and the Biodiversity Officer was satisfied with the proposal to translocate them.
- There was no Planning history associated with the site regarding flooding.
- The Council's Tree Officer was anticipating placing TPOs on the proposed new trees on the site.
- Two vehicles were able to pass each other on Westwood Drive, it already served a number of properties in the vicinity and a swept path analysis evidenced sufficient visibility splays.

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

- The proposal was for a dwelling that would be dominating, intrusive and overbearing.
- The proposed dwelling would be 70 foot high; it was designed to look over

- neighbouring properties and could not be screened by fresh planting.
- The application should be refused due to its dominance and overlooking.
- He considered the proposal unacceptable on highway safety grounds as it was not possible for drivers to see up Westwood Drive further than 6 metres one way and 14 metres the other way until they were out onto the carriage way.
- There were already 45 households at the top of Westwood Drive and over 400 traffic movements a day.

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

- The proposal should be refused on amenity and drainage grounds.
- He resided at 11 Oaklands and considered the proposal would significantly impact on his residential amenity.
- The proposal presented an unacceptable degree of overlooking.
- His home had an extension which was not shown on the officer's tabled plans.
- Every new home which had been built on the elevated slope had impacted negatively on the drainage in the area.
- Trees had been pre-emptively felled which further impacted on drainage.
- The proposal would impact on three other properties in the area, as well as his own.

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

- The proposal had received 27 objections.
- Access to the site was dangerous.
- The proposed building was only 14 metres away from Oaklands and 40ft above it therefore it would cause overlooking.
- The proposal was designed to overlook.
- There would be inadequate reaction times for drivers to stop when cars were reversing from the proposed access point in considering the Traffic Consultation Report for the proposal.
- He urged the Panel to refuse the application due to the lack of highway visibility, the overbearing design of the proposal and the overlooking it would create.

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

- A Traffic Consultation Report had been published on the Planning Portal on 20 June 2019.
- There was no requirement for a turning point as the access was onto a private driveway.
- It was not unlawful for drivers to reverse from their driveways and onto a highway.
- The National Planning Policy Framework stated that 'developments should be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe' and he considered the application should be refused as it did not pass the severity test.
- The Council's Drainage Officer was satisfied with the proposed drainage arrangements and the drainage on the site would have to be in line with

building regulations.

- There was no evidence of groundwater emergence on the site.
- The height of the proposal had been considered.
- He was satisfied with the degree of separation between the proposal and 11 Oaklands and concluded that overshadowing would not occur.
- The extension at 11 Oaklands had been taken into consideration.
- The stability of the land would be considered under building regulations.

The applicant's agent was in attendance at the meeting and made the following points:

- The application was fully compliant with planning legislation and in excess of the separation distances as stated in Council's guidelines.
- Nine additional trees would be planted on the boundary which would increase the separation to 11 Oaklands.
- Surface water would drain to the existing public surface water sewer system within Westwood Drive thereby removing the risk to land below the site.
- Drainage would be subject to a condition on the application.
- Off-street parking was included in the proposal.
- Westwood Drive was of sufficient width and the proposal would not lead to significant highway safety issues.
- There were no badgers or bats on the site.
- The contemporary design of the proposal accorded with Policy DS3 of the Core Strategy Development Plan Document and would make the best use of the site.
- The design of the proposal was highly sustainable and would include the use of locally sourced materials.
- Additional trees and planting to the north of the site would enhance the character of the site.

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

- There were three car parking spaces included in the proposal which included one allocated for visitors.
- The proposed car parking met the required standard.
- There was a varied mix of property types within the area.
- He considered the proposal would contribute to the character of the area.
- He considered the proposal would be visible but not dominant.

A number of Members made the following comments in support of the proposal:

- The site was far enough away from other properties and was shielded by trees.
- The highways issues had been adequately addressed.
- A contemporary designed home on the site was considered acceptable.
- The drainage plan in place was considered acceptable to mitigate drainage issues.
- The entrance and egress to/from the site for vehicles was considered acceptable.

A Member raised concerns regarding the highways and drainage issues raised by objectors and considered the proposal would not fit in with the street scene and would present overdevelopment on the site. Another two Members concurred that the proposal would have an overbearing nature, would present highway safety issues and stated they were unsatisfied with the drainage plan.

**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***

(e) **Land at Grid Ref 411917 439120, Bingley  
Pendle Road, Gilstead, Bingley**

Full permission for the construction of four detached dwellings with garages at land at Pendle Road, Gilstead, Bingley - 19/01194/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the site comprised land located within a residential estate in Gilstead, close to the junction of Studdley Crescent and Pendle Road and the lower part of the site was looked onto from properties on Beamsley Grove. The site was originally used to house contractor's huts during the construction of the wider estate. He considered this leftover piece of land to be unsightly and stated it had been fenced off for safety reasons. The applicant's agent had stated that the original layout plans for the estate showed two semi detached houses had been planned on the site but they had not been built. The current proposal was for four detached dwellings with garages which would follow the shallow slope of the land, stepping down from 4 Studdley Crescent to the north to 1 Beamsley Grove to the south. He outlined the design and materials for the proposal which included the use of artificial stone which he considered acceptable due to other artificial stone properties on Pendle Road. He stated that the application had received nine objections and one supporting comment and that Bingley Town Council had recommend that the application be refused for reasons including the impact on the adjoining property. He outlined amendments which had been made to improve the relationship of plot 4 with 4 Studdley Crescent, as stated in his report. He stated that the site was within an intermediate probability radon area and the Coal Authority had classified it as a low risk area. The issues of foundation design with regard to land stability and any necessary mitigation due to radon gas were all controlled under Building Regulations and would be considered under their processes. He then recommended the application for approval.

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

- The estate had been built in the early 1970's.
- He was not aware of any specific reason as to why the previously proposed houses on this site had not been developed.

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

- He was representing a group of residents that lived close to the site.
- He was objecting to the proposal on the grounds of density, not the principle of development on the site.
- The proposed houses were not in keeping with the surrounding area.
- The proposal would have a detrimental impact on visual amenity.
- Bingley Town Councillors had visited the site and considered the proposal would present a loss of outlook and sunlight to neighbouring properties.
- The officer's report did not take account of the recent development of houses by Skipton Properties in the area.
- The proposal presented overdevelopment.
- He acknowledged the amendments made to Plot 4 but considered the proposed dwelling would still obscure views from 4 Studdley Crescent.
- Plot 4 was technically on Studdley Crescent, not Pendle Road.
- Plot 1 would have a detrimental impact on the outlook of 1 Beamsley Grove; particularly from a habitable bedroom which would impact on privacy.
- Overdevelopment would lead to additional traffic and noise.
- The proposed driveways of Plots 1 to 3 were directly opposite 1 Studdley Crescent and would impact on the occupiers' visual amenity.
- Since the Skipton Properties development had been introduced concerns of highways safety had increased.
- He was concerned there would be a vehicle accident due to the increased traffic.
- The latest drawings of the development did not consider the impact on residential properties.
- Neighbours' concerns had not been fully addressed.
- Neighbouring residents had experienced drainage problems.
- The proposal would devaluation the neighbouring properties.

In response to issues raised by the objector, the Strategic Director, Place responded that he did not consider the proposal to be overdevelopment and believed it would fit comfortably in the site and the surrounding area. He was aware of the Skipton Properties development but considered the estate roads were a generous size and could easily accommodate traffic from four additional houses and that the proposed driveways would have clear visibility of the oncoming traffic. He stated that no objections had been received from the Council's drainage section and that the applicant had submitted a plan for the drainage layout.

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

- Each of the dwellings would include driveway and garage facilities to provide the required levels of off-street parking.
- The proposed dwellings had a similar density to other properties within the area.
- The proposed dwellings would each have three bedrooms.

The applicant's representative was present at the meeting and outlined the following issues:

- The officer's report advised that the construction of four houses on the site

- had previously been granted in 1980.
- The drainage system had previously been constructed for four dwellings on the site and remained extant.
- Housing use was well established on the site.
- The proposal would contribute to the housing land supply in the District and the National Planning Policy Framework required local authorities to consider applications for residential development favourably unless there were clear material reasons otherwise.
- With regard to concerns of appearance; there was very little homogeneity on the estate.
- The proposal was in keeping with the area.
- The dwellings had been carefully designed to avoid any overlooking and amendments had been made to Plot 4 to improve its relationship with 4 Studdley Crescent.
- He considered all relevant planning matters had been addressed in the officer's report.

**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***

**(f) Land to the rear of St Matthews Close,  
Wilsden**

**Bingley Rural**

Reserved matters application following an approval of an outline application for six houses at land to the rear of St. Matthew's Close, Wilsden - 19/01844/REM

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that outline permission which had considered the principal of development had been approved in 2016. The reserved matters in the current application were in respect of the access, appearance, landscaping, layout and scale of the six houses. He showed Members a plan of the boundary of the Green Belt in relation to the site. He stated that access would be taken from Wellington Road and the estate road would be constructed to an adoptable standard. A photograph was shown to Members of an equestrian centre to the east of the site which would share vehicular access with the site from Wellington Road along with three other dwellings. No objections had been raised by Highways. He considered the proposal acceptable in highway terms, subject to conditions; there was sufficient off street parking for the proposed dwellings and the layout of the highway included traffic calming features. The application had been referred to the Panel by Wilsden Parish Council who did not support it on the grounds that it was not consistent with the policies in its emerging Wilsden Neighbourhood Plan, particularly policy W/HO8 on Housing Mix, the impact on a public right of way, preference for a stronger tree line along the west side of the site and considered the design of the houses was very suburban and did not reflect the village architecture. He stated that the approved outline planning permission pre-dated the emerging Wilsden Neighbourhood Plan by a number of years and no

conditions had been applied to the outline permission prescribing the housing mix or number of bedrooms in each house that would be sought therefore the draft Neighbourhood Plan could only be given limited weight in considering this reserved matters application. He stated that no objections had been raised by the Council's Rights of Way Officer; the proposed planting was considered acceptable; and there were a mix of houses in Wilsden. He then recommended the application for approval.

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

- The site was enclosed by Green Belt but was not located within it.
- He did not consider the development would have any adverse impact on the public right of way located along the north side of the site.

A Wilsden Parish Councillor was in attendance at the meeting and made the following points:

- The Parish Council did not support the application.
- The emerging Wilsden Neighbourhood Plan stated that no more than a third of the homes within a development should have four or more bedrooms; this was based on detailed analysis and had been approved by the Council's Policy Team and the application presented no argument as to why this should be ignored.
- More weight should be given to the emerging Wilsden Neighbourhood Plan.
- There should be at least one house within the proposed development containing less than four bedrooms.
- The process to establish a Neighbourhood Plan had commenced in 2014; 17 months prior to the approval of the outline application.
- The Parish Council had not supported the approval of the outline application.

The City Solicitor stated that as the emerging Neighbourhood Plan moved through the process towards being adopted it would gain more weight and advised Members that the weight they afforded to it had to be balanced against all other aspects. The Neighbourhood Plan was still only in its early stages and therefore little weight could be given. The Parish Councillor clarified that the plan was at the Regulation 14 (pre-submission consultation and publicity) stage of the Neighbourhood Planning (General) Regulations 2012.

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

- The site already had housing land use allocated to it.
- An outline application for the construction of six dwellings had already been approved for the site.
- Permission for seven dwellings had been approved for the adjoining site.
- He considered there was enough space for a vehicle to turn within the drive of Plot 13.
- He had considered policy W/HO8 of the emerging Wilsden Neighbourhood Plan but its current status was 'draft' and the outline permission pre-dated it.
- He noted that although the Parish Council welcome the use of natural coursed stone, they criticised the design of the proposal.
- Material samples, drainage and car parking would be addressed expeditiously

by the applicant.

**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) Land West of Prod Gate, Prod Lane, Baildon Baildon**

The application seeks full permission for the construction of five detached dwellings at Land to the West of Prod Lane, Baildon - 19/00272/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the development would improve, and make use of, a currently untidy site that was prominently sited close to the Shipley Glen Tramway and was bordered on three sides by public footpaths. He reported a correction to his report; the site had been granted planning permission for three pairs of houses in 1984 and two pairs had been built (the report stated the permission had not been implemented). He was not aware of the reason why building has ceased after the two pairs of houses. He stated that four objections had been received including one from a Baildon Ward Councillor who had referred the application to the Panel, however, following a number of amendments to the plans she had recently emailed to state she was happy for the application to be approved with the conditions contained in the report and thanked the developer for responding to the concerns of neighbours. He provided an outline of the proposal and stated that he considered it acceptable and compliant with policies of the Core Strategy Development Plan Document and the National Planning Policy Framework and therefore recommended it for approval.

**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***

**(h) 1 Derry Lane, Menston, Ilkley Wharfedale**

Construction of detached bungalow at 1 Derry Lane, Menston - 19/02308/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that 1 Derry Lane was a brick built semi-detached property positioned on a corner plot with Derry Hill. He stated there were a mix of houses and a sense of spaciousness in the area. He outlined the proposal for a detached bungalow within the side garden area of 1 Derry Lane which he considered represented a cramped form of development which would be at odds with the prevailing layout of the local area. He referred to a previous

application for the construction of a three bedroom bungalow on the site which had been refused in May 2019 and for which the outcome of an appeal was pending. The previous application had been refused on grounds of its height, mass, bulk, detriment to visual amenity and incongruous development. This revised application had the same footprint as the previously refused application but the height of the proposed dwelling had been reduced from 6.2 metres to 4.4 metres and proposed a hipped roof instead of a gabled roof. He stated that the land elevated slightly so any development on the site would be prominent; it was assumed that the existing hedge boundary would be removed which would further impact on the street scene. He stated that whilst no objections had been received from neighbouring residents, Menston Parish Council had objected to the application on the grounds that it was similar to the previously refused application and would result in the loss of a substantial hedge boundary. One representation had been received from a Ward Councillor in support of the application citing that the development was to allow a family member to live close to the occupiers of 1 Derry Lane in order to provide support to the applicant due to their personal circumstances. No objections had been raised by Highways Development Control. Although the proposal had been reduced in height since the previous application, he considered it would present a cramped and visually incongruous form of development and its siting and scale would be out of keeping with the area. He then recommended the application for refusal.

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

- The proposal would rely on off street parking within the frontage of 1 Derry Lane.
- He had not received any specific medical report from the applicant to support the proposal.
- Although the hedge to 1 Derry Lane could be removed by the applicant at any time, its existence was just another factor that he had taken into account in making his recommendation.

The applicant was present at the meeting and made the following points:

- There would be four off street car parking spaces available (two for each property on the site).
- No objections had been received against the proposal from local residents.
- He had received positive comments from local residents after reducing the size of his hedge which was previously seven foot high.
- He did not agree with the Parish Council that there would be restricted views for drivers accessing/egressing the driveways of the two properties.
- He did not consider the proposal would present a cramped development due to the size of the current garden area.
- The proposal would allow his daughter to live close to him and his wife and provide a caring role to her mother due to her health.

Members made the following comments:

- The proposed bungalow was not considered to be out of character with existing development in Derry Hill.
- There would be adequate car parking space for the existing and proposed

- dwelling.
- Some weight should be afforded to the applicant's family circumstances which had lead him to submit the proposal.
  - There had been no objections to the proposal from local residents.
  - Whilst the applicant cited personal circumstances for the proposal; the development was a permanent change to the area and would be a significant change to the street scene.
  - The development would look cramped on the site.

**Resolved –**

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

**That the scale and height of the proposed dwelling reflects the character of existing development in Derry Hill, the scheme provides sufficient parking, and weight in the planning balance has been given to the personal circumstances of the applicant.**

**And that it be subject to the following conditions:**

**1. The development to which this notice relates must be begun not later than the expiration of three years beginning with the date of this notice.**

**Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act, 1990 (as amended).**

**2. Before the new dwelling is brought into use, the proposed car parking spaces for the existing and proposed dwellings shall be made available for use in accordance with the approved plan and shall then be kept available for use while ever the dwellings are in use.**

**Reason: In the interests of highway safety and to accord with Policy TR2 of the Core Strategy Development Plan Document.**

**3. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no development falling within Classes A to E of Part 1 of Schedule 2 of the said Order shall subsequently be carried out to the development hereby approved without the prior express written permission of the Local Planning Authority.**

**Reason: To safeguard the amenities of occupiers of adjoining properties and to accord with Policies DS3 and DS5 of the Core Strategy Development Plan Document.**

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

**17. MISCELLANEOUS ITEMS**

**REQUEST FOR ENFORCEMENT/PROSECUTION ACTION**

**(a) 4 View Road, Keighley** **Keighley Central**

Failure to comply with the requirement of Condition 2 of planning permission 17/06913/HOU - 17/00653/ENFAPP

The Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice on 12 July 2019.

**(b) 75 Manor Road, Cottingley** **Bingley Rural**

The erection of a single storey side extension without planning permission - 19/00020/ENFUNA

The Planning Manager (Enforcement & Trees) authorised this issue of an Enforcement Notice to seek to rectify the breach of planning control on 2 July 2019.

**DECISIONS MADE BY THE SECRETARY OF STATE**

***APPEAL ALLOWED***

**(c) The Sidings, Station Approach, Ben Rhydding** **Ilkley**

Demolition of existing dwelling and construction of eight dwellings - Case No: 18/01342/FUL

Appeal Ref: 19/00032/APPFL2

***APPEALS DISMISSED***

**(d) 1 Wrexham Road, Burley In Wharfedale** **Ilkley**

Construction of detached bungalow - Case No: 18/04252/FUL

Appeal Ref: 19/00046/APPFL2

(e) **3 Delph Wood Close, Gilstead** **Bingley**

Construction of detached dwelling and garage - Case No: 18/02948/FUL

Appeal Ref: 19/00023/APPFL2

(f) **61 Leeds Road, Shipley** **Shipley**

1.2m x 2.4m non-illuminated sign - Case No: 18/03941/ADV

Appeal Ref: 19/00010/APPAD2

(g) **96 Kings Road, Ilkley** **Ilkley**

Provision of enlarged kitchen with master bedroom over, reroof garage to accommodate study, small front extension to garage and new porch, and extending drive and forming turning area to front drive, plus ancillary garden works to rear - Case No: 18/05000/HOU

Appeal Ref: 19/00052/APPHOU

**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).**

THIS AGENDA AND ACCOMPANYING DOCUMENTS HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER