

**Minutes of a meeting of the Area Planning Panel
(Keighley and Shipley) held on Wednesday, 18
September 2019 in Council Chamber - Keighley Town
Hall**

Commenced 10.00 am
Concluded 11.40 am

Present – Councillors

LABOUR	CONSERVATIVE
Engel Abid Hussain Godwin Mullaney	Barker K Green

Observers: Councillor Slater (Minute 22(f))

Apologies: Councillor Adrian Naylor

Councillor Engel in the Chair

18. DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

19. MINUTES

Resolved-

That the minutes of the meeting held on 10 July 2019 be signed as a correct record.

Action: City Solicitor

20. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

21. PUBLIC QUESTION TIME

There were no questions submitted by the public.

22. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL

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

(a) **7 Westcliffe Avenue, Baildon** **Baildon**

Full application for construction of a two storey detached dwelling on land at 7 Westcliffe Avenue, Baildon - 19/01546/FUL.

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He reported that No 7 Westcliffe Avenue was a split level detached bungalow dating from the 1930s and constructed with a white rendered finish. It was located towards the head of a residential cul de sac leading off West Lane. Land levels rose towards the head of the cul de sac and consequently No 7 was set at a higher level relative to No 5 which was a two storey house to the east. The width of the cul de sac narrowed at this point. There was a mix of housing styles along Westcliffe Avenue which had been subjected to infill development over the years. Most recently there had been the construction of a detached 2 storey dwelling at 8A Westcliffe Avenue across the road. The land proposed for development of the house comprised a large, level side garden set at a lower level relative to the existing property.

It was reported that 7 individual objections had been received (from five neighbouring households). The summary of the main issues included background and principle of development, design and impact on visual amenity, effects on the amenities of occupiers of adjacent land, highway safety/car parking and other matters detailed in **Document “G”**.

Members were informed that construction of an appropriately detailed and scaled new dwelling on this garden plot would not have an adverse impact on the character or appearance of the immediate locality. Most importantly, planning permission had been previously granted for a detached dormer bungalow on the plot (11/01241/FUL). Although this 3 year permission had now lapsed there had been no material changes in circumstances or policies to warrant an alternative view and the applicant sought pre-application advice, the officer response to which broadly supported the principle of limited housing development provided that any scheme did not have an adverse impact on the amenities of near neighbours.

It was reported that although objections were raised regarding loss of space for wildlife, the site was a conventional lawn, it had no protective designations and there was no evidence of any intrinsic value for biodiversity.

Members agreed that a vehicle turning area should be laid out and be retained whilst the dwelling was in use.

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 additional condition:

Additional Condition:

Before the dwelling is brought into use, a vehicle turning area shall be laid out, hard surfaced and drained within the site, and this shall be retained whilst ever the dwelling is in use.

Reason: In the interests of highway safety and to accord with Policy DS4 of the Core Strategy Development Plan Document.

Action: Strategic Director, Place

(b) 78 Bradford Road, Shipley

Shipley

Householder Application for proposed front and rear dormer windows, with a part two and single storey rear extension at 78 Bradford Road, Shipley - 19/02972/HOU.

It was reported that the property was a natural stone built, mid-terraced dwelling, with a slate tiled roof and white upvc windows. The property had an existing small dormer window on the front. The dwelling was part of a row of terraced houses many which already had flat roof box style front and rear dormer windows. The row of houses included a small hotel and it faced onto the busy main Bradford Road (A650). An unnamed service road was situated behind the terrace. The site was not located within a conservation area (Article 2 (3) land), nor was it a listed building. There were no listed buildings or other heritage assets within the vicinity that would be affected by the proposal.

Members were informed that 11 objection comments had been received, including from a Ward Councillor.

The summary of the main issues of the objection included impact on local environment, impact on neighbouring occupants, impact on highway safety and other planning matters raised.

The agent for the applicant attended the meeting and spoke in support of the application. He reported that the proposed extension complied with the Council's policies and guidance and compliant with policy documents; the property was solely for the occupiers own use and not multiple occupation.

It was reported that the proposed dormer windows and part two single storey rear extension would not represent any harm to the visual amenity of the local

environment. Furthermore the enlarged parts of the dwelling would pose no significant threat to the residential amenity of the neighbouring occupants. The proposal complied with policies DS1, DS3 and DS5 of the Core Strategy Development Plan Document and the adopted Householder Supplementary Planning Document.

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) 9 Yew Croft, Kings Road, Ilkley

Ilkley

A Variation of Condition application in respect of Condition 3 of permission 19/01082/HOU.

The amendment was to allow a lower cill height for two windows at second floor level on the side elevations of the approved extension at 9 Yew Croft, Kings Road, Ilkley - 19/02425/VOC.

It was reported that 9 Yew Croft was an unusual three storey detached house between Westville Road and Kingsway Drive, a short distance west of Ilkley town centre. The existing building appeared to be earlier than the surrounding properties, it had traditional features such as slate roof, some stone elevations, but a quirky form in relation to the surrounding buildings. Despite some unsympathetic alterations, the house still made an interesting contribution to the street scene and the setting of the Ilkley Conservation Area, the boundary of which abuts the site.

Members were informed that 6 letters of objection had been received. The concerns raised by neighbouring occupants were with regard to the increased ability to overlook from a window with a lower cill toward the garden area. This would result in loss of privacy to an area used by occupants. Objectors saw no reason why the existing condition should be altered as it was added to prevent overlooking.

It was reported that a reduction of the cill height of the windows located in the side elevation of Bedroom 2 would not materially harm the amenity of the two neighbouring occupants. The view from these windows would not face directly toward the windows in the neighbouring properties or their most immediate private amenity space. Where direct overlooking toward the garden areas could be obtained, in particular toward 8 Yew Croft, the degree of overlooking was not any greater than can currently achieved from the existing side gable windows. It was therefore considered that the proposal complied with the relevant policies of the Core Strategy Development Plan Document.

An objector attended the meeting and reiterated that the concerns raised by residents were with regard to the increased ability to overlook from a window with

a lower cill toward the garden area. This would result in loss of privacy to an area used by occupants. It was felt that a cill of 1.45 m would be acceptable.

Members were informed that following the planning approval, it had come to light that the agent's plans had been distorted during the scanning process and the reference to the "high cill" in the Design and Access Statement referred to a cill level at a height 1.2 metres as opposed to a more standard cill of 900mm. The agent was unhappy with the requirement of Condition 3 for a higher cill height because setting the cill at 1.7 metres above floor level would not give the bedroom a very pleasant outlook or provide good standards of amenity for future occupiers.

It was reported that this request had therefore been submitted to vary the condition to allow the side windows to have a cill height at 1.2 metres. The architect said that this was what his design for the interior had always envisaged.

Members were informed that externally, there would be no changes to appearance arising from the requested variation since the error was due to a plan distortion/scaling error. Therefore the only matter for consideration was the impact on neighbouring amenity as a result of a lower cill height.

There was a small discussion on whether obscure glass could be used for the lower half of the window.

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) 96 Kings Road, Ilkley

Ilkley

Householder planning application for a two storey side and rear extension reducing to single storey to the side. The proposal also included a front porch and front garage extension and other ancillary works including an extension to the paved driveway and works to raise the level of the rear garden at 96 Kings Road, Ilkley - 19/02147/HOU.

It was reported that 96 Kings Road was a detached, two-storey house with an attached double-width garage. The surrounding area was a modern suburban estate with wide roads that were characterised by detached houses of similar appearance. Several had been extended. The applicants' house and the neighbouring house at 94 Kings Road were both set well back from Kings Road from which there was a long driveway. Behind the house, a garden falls in level towards the rear boundary which presently was screened by dense vegetation. The existing house had a principal elevation faced in a mix of artificial stone and render. There were dark concrete tiles to the roof.

Members were informed that following the receipt of amended plans, the application was re-advertised. Five further letters of objection were received.

It was reported that no comments on the amended scheme had been received from Ilkley Parish Council.

Members were informed that the summary of representations received included that the application was almost identical to the previously refused one; the applicant had not addressed the reasons for refusal; extension was of excessive scale; overshadowing would be caused; overlooking from extension, balcony and raised garden; noise and disturbance would arise from the works; all further 5 comments maintained the amendments failed to address the previous concerns raised.

It was reported that the amended plans had addressed the concerns raised by previous larger proposals and now proposed a development which was better balanced and subordinate to the main property. The proposal would not be harmful to visual amenity, residential amenity or highway safety and subsequently complied with the policies of the Replacement Unitary Development Plan, the Core Strategy Development Plan Document and the National Planning Policy Framework.

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) Keepers Barn, Ridge Lane, Silsden Craven

Householder application for a single storey rear extension and an outbuilding for use as an indoor swimming pool (retrospective) Keepers Barn, Ridge Lane, Silsden - 19/01774/HOU.

The application related to a detached house that formed part of a group of traditional buildings in the upland countryside above Silsden. It was a two storey dwelling occupying what was understood to have been a former gamekeeper’s cottage and attached barn. The dwelling had a long and thin plan form. It was built in stone under a stone slate roof. The site was an isolated location at the top of Ridge Lane surrounded by open fields. There were other properties in the group; however the landscape was generally un-developed, with the majority of buildings being isolated farms, cottages and barn conversions. Despite being in open countryside, the site was not located within the Green Belt. It was open countryside beyond the outer edge of Bradford’s Green “Belt”. It was not in a Conservation Area, nor was the building or any nearby listed.

It was reported that Silsden Town Council expressed concerns about precedent and objected to retrospective applications in general. 9 representations of objection were received; 25 representations were received in support of the applicant.

Members were informed that the objections were concerned that the development

had already been built without planning permission so the Council and neighbours did not have the opportunity to view the plans before it was completed.

The stone did not match the existing building and the windows were far too large and looked out of character for an old farmhouse dwelling. Furthermore the flat roof looked totally wrong next to an old building and took attention away from the quaint rural farmhouses. These additions with flat roofs and reflective windows harmed the wider landscape both visually and environmentally, which was a pity, with the materials being inappropriate for the area and the structures being of unnecessary bulk.

Representations in support were that the applicant should be encouraged to update their home to reflect modern lifestyles. In time the stone would weather. It was good to see these old buildings being revived and lived in. They were well built, sympathetic additions to this home.

It was reported that following discussions with the officers and engagement of a planning consultant by the applicant, revised drawings had been submitted showing various proposed adaptations which Officers believed would result in a more harmonious proposal.

The applicant attended the meeting and spoke in support of her application she reported that proposals offered which were detailed in the report would mitigate some of the concerns raised by objectors.

It was reported that the various proposals offered by the applicant guided by her consultants would provide suitable enhancements that would tone down the appearance, give a more cohesive effect and lessen the current disjointed relationship with the original traditional building. The darkening of the stonework to the extension would especially significantly reduce its prominence and the brise soleil feature would provide a more cohesive contemporary look that would reflect the adjoining canopies. The addition of timber cladding to the pool house would lend this structure a more sympathetic "rural" appearance, tone down the prominence and break up the massing of the building and reduce its visibility. The proposal to replace the white upvc frames with darker aluminium ones and add a timber brise soleil across the large front window opening would also significantly lessen the present appearance of the large white framed windows when seen from the nearby public footpath.

Finally, the restrictions of the property and the particular needs of the applicant for the additions had been afforded some weight in the planning balance, as allowed for under the adopted Householder SPD.

Subject to the alterations described above, the extension and pool house outbuilding were considered appropriate additions to the original dwelling and they would not have a significant or harmful impact on the wider landscape. They accorded with relevant policies DS1, DS2 and EN4 of the Core Strategy DPD.

Members were informed that the proposals had resulted in modern additions to

this old farm house which although, currently somewhat discordant, were contemporary and innovative. The Council's design policies support such approaches to design which respond to and complement the local environment. The adaptations now proposed by the applicant would mitigate the impacts of the two structures on the landscape and result in a development which was not unduly harmful to the landscape character, or the character of the applicant dwelling, and caused no harm to any neighbouring occupants. The proposal was therefore considered to comply with the relevant policies of the Core Strategy Development Plan Document.

Resolved –

That the application be approved for the reason set out in the Strategic Director, Place's technical report.

Action: Strategic Director, Place

**(f) Airedale Barn, Bradford Road, Sandbeds, Keighley East
Keighley**

Full application for the construction of a three bedroom house utilising the existing access and garage at Airedale Barn, Bradford Road, Sandbeds, Keighley - 19/02954/FUL.

It was reported that Airedale Barn was a house on the south side of the main Bradford Road between Riddlesden and Crossflatts. The planning history suggested it was converted to a dwelling in around 1980. Alongside it was an adjoining house - Airedale Farm. The building was faced in render, roofed in stone slates and set at 90 degrees to the main road. The application site was land that was part garden and part tarmac forecourt situated to the west of the existing building. It included an existing garage building abutting the west boundary, which would be re-used as the garage for the proposed house. A line of trees was along the south edge. Access was via tall gates abutting the boundary with the main road. The whole site was situated within the Green Belt and was bordered by open land to the south and west and a neighbouring garden to the east.

It was reported that Keighley Town Council had recommended approval; two letters of support had been received, including one from a Keighley East Ward Councillor; a petition signed by 6 others was submitted in support. The Ward Councillor had referred the application to the Area Planning Panel for determination in the event of an officer recommendation to refuse.

The summary of representations received included the applicant would have to move due to health reasons if the application was refused. Redesign overcomes one of the previous reasons for refusal; irregular green belt boundary was contrary to NPPF requirements; garage was already in situ and no new access was required; proposal would have no impact on open countryside and was not visible from public view. It was designed for on-going medical needs.

It was reported that the applicant had submitted reasons about special

circumstances but the applicant's proposal would not amount to one of the exceptions to normal Green Belt policy. Personal medical circumstances of the applicant and a letter of support had been received from the applicants architect. There was no evidence of other options that could have been considered such as adaptation of the existing dwelling.

The applicants agent and the Ward Councillor attending the meeting and spoke in support of the application and reiterated that the Green Belt boundary was out of date and that it was irrelevant as it no longer followed a recognisable or defensible boundary and that there were further developments in the area; medical information about the applicant was provided, the proposals put forward future proofed the needs of the applicant; the ground floor accommodation was proposed for the applicant and the 2nd storey was required for the able bodied Members of the family and children who could stay and visit.

In response it was reported that other developments in the area were not in the green belt.

Members were informed that the green belt boundary had been consulted upon in 2005 and was considered green belt after due planning process.

It was reported that the application site was in the Green Belt and the fundamental aim of Green Belt policy was to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts were their openness and their permanence. This proposed new residential building was inappropriate development which was, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The building was substantial and would cause clear harm to openness and be contrary to the purposes of the Green Belt. The development was not one of the exceptions to Green Belt restrictions and the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, was not clearly outweighed by other considerations. The proposed development was contrary to Core Strategy Policy SC7 and the objectives of the National Planning Policy Framework.

Resolved –

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

Action: Strategic Director, Place

23. MISCELLANEOUS ITEMS

REQUEST FOR ENFORCEMENT/PROSECUTION ACTION

(a) Jay Street, Keighley **Keighley Central**

Without planning permission, the change of use of the land for the siting of a metal container - 19/00436/ENFCOU

The Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice to seek to rectify the breach of planning control on 15 August 2019.

DECISIONS MADE BY THE SECRETARY OF STATE

APPEAL ALLOWED

(b) Bents House, Hallas Bridge, Hallas Lane, Cullingworth, Bingley **Bingley Rural**

Conversion of existing garage and barn to provide extended living space for the adjoining house (Bents House), along with single storey extension to north elevation - Case No: 18/05432/HOU

Appeal Ref: 19/00033/APPHOU

APPEALS DISMISSED

(c) 17 Longwood View, Bingley **Bingley**

Two-storey rear extension, roof alterations and conversion of building to create one additional dwelling, car parking and access - Case No: 18/04970/FUL

Appeal Ref: 19/00065/APPFL2

(d) 2 Longwood Avenue, Bingley **Bingley**

Detached dwelling - Case No: 18/04075/FUL

Appeal Ref: 19/00067/APPFL2

(e) Plot 2, 37 - 39 Highfield Lane, Keighley **Keighley Central**

Change of use to a mixed use to include retail, the sale of cold and hot foods to takeaway with some seating for consumption on the premises plus extraction flue
- Case No: 19/00068/FUL

Appeal Ref: 19/00047/APPFL2

(f) **Springs Farm, Enfield Side Road, Worth Valley
Haworth, Keighley**

Part demolish rear wall and construct single storey extension - Case No:
18/02524/HOU

Appeal Ref: 18/00157/APPHOU

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