

Minutes of a meeting of the District Planning Panel held remotely on Wednesday, 24 February 2021

Commenced 10.00 am
Concluded 1.30 pm

Present – Councillors

LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT AND INDEPENDENT GROUP
S Hussain (Chair) A Ahmed Amran Godwin	Barker Riaz	Reid

Observers: Councillor A Hawkesworth (Application A) and Councillor B Stubbs (Application C) (Minute 16)

Apologies: Councillor Riaz Ahmed and Councillor Rosie Watson

Councillor S Hussain in the Chair

13. DISCLOSURES OF INTEREST

- (a) In the interest of transparency Councillor A Ahmed declared an interest in Minute 16 (D) and did not take part in discussions or voting.
- (b) In the interest of transparency Councillor Amran declared an interest as a property owner in the vicinity of the application. Minute 16 (E) However, he had not discussed the matter under consideration with any interested party.

Action: City Solicitor

14. MINUTES

That the minutes of the meetings held on 17 December 2020 and 27 January 2021 be signed as a correct record.

Action: City Solicitor

15. INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no declarations of interest in matters under consideration.

16. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL

(A) 29 Hebers Ghyll Drive Ilkley Ilkley

Householder planning application for the demolition of the existing garage and greenhouse and the construction of single storey side and rear extensions at 29 Hebers Ghyll Drive, Ilkley, LS29 9QH

An overview of the application was presented showing details of the location of the proposed extension with relevant height measurements and information in relation to its proximity to a neighbouring property.

The site is on the west side of Ilkley and is occupied by a large detached house faced in render under a stone slate roof. The house is set well back from Hebers Ghyll Drive behind a front garden that is screened by mature trees and shrubs. Hebers Ghyll Drive is lined by a wide variety of houses, but most share the similar characteristics of being substantial detached dwellings in generous verdantly landscaped plots. The application property is within Ilkley Conservation Area. The land levels vary on site and between plots, with 'High Garth', the neighbouring dwelling to the west being located on a slightly higher land level.

A number of objections had been received including three from local Councillors concerned with the visual impact on the neighbouring dwelling and the potential damage to a hedge which runs between the two properties.

Officers advised that a previous application had been submitted with a detached garage and a higher roof level but stated that the current application did not present significant harm to residential amenity due to the difference in land levels. The hedge was not a matter for planning and should be dealt with as a private boundary matter.

A written statement was circulated to Members and Officers from the Chair of Ilkley Town Council which laid out its reasons for objecting to the application being granted and was related to visual impact and proximity to the neighbouring property.

An objector and his representative were also present at the meeting and addressed the Panel stating that the impact of the extension would be significant in relation to their use of a kitchen and dining area which would face directly onto the new structure. They further stated that properties in the vicinity were spacious in character and this would be compromised by the building of the extension. They also wished the hedge to be considered in terms of biodiversity.

Officers advised that there was a garage already on the site and therefore disputed the impact on the neighbouring property. They also

stated that protection of the hedge had no planning merit. The proposed extension would only be slightly higher and the roof would slope downwards away from the host property.

The applicant was also present at the meeting and addressed the Panel stating that there was no intention to damage the hedge and the purpose of the extension was to create extra living space for elderly relatives and that the ridge level of the proposed structure had been reduced.

A Member asked whether there were any images available which would show how the extension would potentially overshadow the neighbouring property but were advised that none were available.

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Place’s technical report (Document “E”)

Action: Strategic Director, Place

(B) 30 - 34 Church Street, Keighley

Keighley Central

Change of use of Nos. 30, 32 and 34 Church Street to taxi/private hire offices with number 30 as booking office/waiting room and Nos. 32/34 for administration offices at 30 - 34 Church Street, Keighley, BD21 5HS

Officers presented the application for consideration outlining a proposed change of use for some pre-existing commercial premises. The applicant already had a private vehicle hire business and wished to transfer it to alternative premises. The proposed site was situated within the town centre and surrounding properties were both residential and commercial. A number of objections had been received and were mainly concerned with access. There were no issues in relation to residential amenity.

Members enquired whether granting permission for a use of this nature would then lead to there being 3 private hire vehicle businesses based on one street.

Officers advised that the main issues were around highways safety and stated that the problem could be prevented with a section 106 agreement being signed by the applicant to prevent the existing premises from being used for this type of business.

A Member asked about the pressure on parking for residents in the area and a brief discussion took place around ‘city centre living’ with the associated shift towards using public transport.

Resolved –

That the decision be delegated to Officers to determine the decision subject to a Section 106 being completed within 3 months

Action: Strategic Director, Place

(C) 51 Pullan Avenue, Bradford

Eccleshill

This is a full application proposing a change of use of part of a grass verge to land used for ancillary residential purposes, with an extension to the existing driveway area and the inclusion of boundary treatments on land next to 51 Pullan Avenue.

Resolved –

That the decision be deferred on procedural grounds as the application was not valid

Action: Strategic Director, Place

(D) Land Adjacent To 117 - 119 Becks Road, Bradford

City

Full application for the construction of a cafe and tea room on a vacant site on land adjacent to 117 - 119 Becks Road, Bradford - 20/04790/FUL

Numerous objections lodged in relation to traffic and anti-social behaviour but these are not planning matters in this case. Contents of support letters have been noted and points considered where relevant.

The Officers presentation included photos of the proposed site which showed existing vehicle and pedestrian access points as well as site plans showing the position of a shipping container which was being clad and the proposed on-site parking. The plans showed that vehicles would be able to turn within the site and leave in a forward gear.

There was a lengthy discussion which was concerned with the position of the pedestrian access gate as Members were concerned that cars would park on the double yellow lines adjacent to this rather than use the permitted parking a few metres further on.

Members also expressed concern around the potential issue of traffic backing up when waiting for vehicles to enter the site when coming from the direction of the roundabout. Members asked whether data on accidents was available and how it was collected etc. and were advised that there had been five minor incidents in the previous five years.

Concern was also expressed regarding the potential for noise to nearby residents and anti-social behaviour and asked for information

on the distance from the nearest residence, which was provided by Officers. Members were also advised that should the applicant wish to build a permanent structure then separate planning permission would be required.

Officers did explain that these were matters which were enforceable via departments such as Environment Health and were not planning issues, and suggested a condition to restrict operating hours. The Chief Highways Engineer also reminded Members that there were no Highways concerns with the application and that it had assessed on its own merits.

One Member also asked why a previous application to use the site for MOT testing had been turned down and was advised by Officers that it was a different issue with how it would be used and it was also a larger proposal.

Resolved –

That the application be refused for the following reason:

The position of the proposed development close to a mini-roundabout and residential properties would result in harm to highway safety and residential amenity contrary to Policies DS4, DS5 and EN8 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

Action: Strategic Director, Place

(E) 160 - 160A Allerton Road, Bradford

Toller

This is a retrospective application for the installation of an air conditioning unit at 160-160A Allerton Road, Bradford, BD8 0AA - 20/05413/FUL

The application relates to the ground floor ice cream parlour. This unit adjoins a row of residential terrace dwellings, but the building projects further forward than the row of residential dwellings. The air conditioning unit is positioned at approximately 2m above ground floor level on the side and has been set within a protective cage.

Officers presented the retrospective application including photos of the site and position of the air conditioning unit which is on the side of the applicant's building in front of the next door residence' lounge window. The original planning permission had been granted with the unit placed at the rear of the building, hence the need for a new application.

The applicant attended the meeting and addressed the Panel and stated that the unit which had been installed was very quiet, even when being used on a maximum setting. He also stated that it had been in-situ for some considerable time and there had been no

complaints from any of the nearby residents. He also stated that to move it would be a major expense and disruption to his business. He confirmed that the unit would only be operating between the hours of 6-10pm.

A Member stated that the noise of the unit was still relatively loud and asked whether it had been risk assessed for Legionnaires Disease as it was close to a window.

The applicant was asked what the unit was used for and was able to confirm that it was to maintain the ambient temperature in the shop and that there were no CO² emissions.

Officers advised that the previous application was made by the same applicant and should comply in terms of the visual harm to the neighbouring property. They also confirmed that planning permission had previously been granted with the unit installed onto the rear wall of the property.

Resolved –

That the application be approved as Members felt that there were no threats to residents' amenity and that the business had existed for some time. No complaints had been received.

Action: Strategic Director, Place

(F) Land To The West Of Low Mill The Old Cotton Mill, Gresley Road, Keighley

Keighley Central

Construction of an industrial unit to be used as a steel fabricating workshop adjacent to the 'Old Cotton Mill' off Gresley Road, Keighley - 20/05578/FUL

Officers presented both applications in respect of application numbers - 20/05578/FUL and 20/05579/LBC. The presentation showed details of the site and illustrations of the proposed building and details of the materials to be used. The presentation included details of enforcement action which was underway as the site had been split and sold separately and was adjacent to a grade 2 listed building. It was reported that enforcement was underway in relation to the destruction of water sluices which were previously part of the adjacent mill building site.

The agent for the applicant attended the meeting and addressed the committee and stated that the water sluices had been infilled by a previous owner. He also stated that the current application had been altered to be smaller and a revision of the materials to be used had been made in response to previous issues raised.

Members stated that they would like to know more information about

the enforcement action as it would be a mistake to grant permission only to find that remedial works would then need to be carried out and would not be possible to do so if construction had already been completed. The Legal Officer confirmed that the current owner would still be liable and recommended that a decision be referred pending confirmation and additional information on the pending enforcement action.

Resolved –

That the decision be deferred pending receipt of information in relation to ongoing enforcement action.

Action: Strategic Director, Place

(G) Land To The West Of Low Mill The Old Cotton Mill, Gresley Road, Keighley

Keighley Central

Addition of an industrial unit for use as a steel fabricating workshop over the former waterways and sluices associated with the adjacent Grade II* listed Low Mill - 20/05579/LBC

See above.

Resolved –

That the decision be deferred pending receipt of information in relation to ongoing enforcement action.

Action: Strategic Director, Place

(H) Old Goods Yard, Station Road, Steeton With Eastburn

Craven

Application for change of use of yard to car park at the Old Goods Yard, Station Road, Steeton with Eastburn, West Yorkshire - 20/00734/FUL

The site has previously been used for storage of timber in connection with the applicants' tree surgery business. The site had already been partially changed to a car park but did not have planning permission to do so. This application seeks to use the whole site for parking with resurfacing, lighting and drainage measures.

Officers presented the application to the Panel including details of access issues, land ownership around the site and their concerns with how users would enter and leave the car park as well as how they could safely get to the nearby railway station as this would be the main source of users for the site facility.

The report also indicated that whilst the site itself is brownfield, it is

within greenbelt land and would disrupt the openness of the area. In addition, the West Yorkshire Combine Authority (WYCA) were due to start work on the existing station carpark to increase capacity.

One Member commented that the work from WYCA was due to start imminently and once the site had been tarmacked, then the greenbelt land would be lost. She also suggested the potential conflict with the timber yard due to its proximity.

The agent for the applicant attended the meeting and addressed the Panel on her client's behalf. She stated that the applicant wished to instate more of the existing site for parking use as there was a need to service southbound rail travellers plus visitors and staff at the nearby Airedale Hospital. In addition, as this was a private venture, then there was no cost to the tax payer, unlike WYCA.

Members commented that an assessment was needed to see whether openness would be preserved and noted that the pre-existing parking was already in breach of planning regulations and needed to be investigated. They also stated that the issue of funding the project was not straight forward as a private parking site benefited a private developer.

Members then discussed the issue of increased traffic movements and the absence of any transport assessment or statement and noted that the increase in vehicles coming and going next to a busy junction needed to be taken into consideration. Officers indicated that whilst the use was not considered unacceptable, movements would exceed 30 per hour so a traffic assessment would be required.

In addition, a discussion took place about the need for additional parking, costs of parking facilities elsewhere and that the site was, itself, brownfield and that tarmac could be removed if the provision was not needed long term.

The Legal Officer advised that having regard to the NPPF para 143 considering that the site was within greenbelt very special reasons would be required to override the recommendation for refusal.

Resolved –

That the application be refused for the reasons set out in the Strategic Director, Place's technical report (Document "E")

Action: Strategic Director, Place

17. MISCELLANEOUS ITEMS

The Panel was asked to consider other matters which were set out in **Document "F"** relating to miscellaneous items:

- (A-I) Request for Enforcement/Prosecution Action
- (J-L) Decisions made by the Secretary of State – Allowed
- (M-Q) Decisions made by the Secretary of State – Dismissed

Resolved –

That the requests for Enforcement/Prosecution Action and the decisions made by the Secretary of State as set out in Document “F” be noted.

Action: Strategic Director, Place

Chair

Note: These minutes are subject to approval as a correct record at the next meeting of the District Planning Panel.

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