

## Minutes of a meeting of the District Planning Panel held on Wednesday, 28 April 2021 in Remote

Commenced 10.10 am  
Concluded 2.10 pm

### Present – Councillors

LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT AND INDEPENDENT GROUP
Amran Godwin S Hussain Mullaney	Barker Riaz	R Ahmed

Observers: Councillor Firth (Minute 21 (5)), Councillor Davies (Minute 21 (6)), Councillor Whitaker (Minute 21 (7)), Councillor Kamran Hussain (Minute 21 (10)).

### Councillor S Hussain in the Chair

#### 18. DISCLOSURES OF INTEREST

In the interest of transparency Councillor Amran disclosed an interest in Minute 21 (3) as he recognised a number of people associated with the application, however, he had not disclosed any of the matters now before the Panel for determination with any interested parties.

Action: City Solicitor

#### 19. MINUTES

That the minutes of the meeting held on 24 February 2021 be signed as a correct record.

Action: City Solicitor

#### 20. INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no declarations of interest in matters under consideration.

#### 21. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL

The Panel was asked to consider the planning applications which were set out in **Document “G”** relating to items recommended for approval or refusal.

The sites concerned were:

**1. 1 Necropolis Road, Bradford Great Horton**

Full application proposing a conversion of a single residential dwelling into three self-contained apartments at 1 Necropolis Road, Bradford – 21/00546/FUL.

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He provided an appraisal of the application and informed Members that Number 1 Necropolis Road was a two storey mid-terraced property, located close to a junction on Cemetery Road. It was constructed in stone with a slate tile roof and has attractive bay feature windows at ground floor level, with significant size dormer windows in the roof. The main road and entrance were to the front, however access could also be taken from a road at the rear.

In response to Members questions it was reported that off-street parking for three vehicles was to be provided to the rear of this property taking access from an existing track. As the access was already established, this proposal was not considered to raise any increased issues for highway safety and provided a minimum of one vehicle space per apartment which was acceptable. The existing property was also served by on-street parking on Necropolis Road and this parking would also be available. The proposal accorded with policies DS4 and TR2 of the Core Strategy Development Plan Document.

The Planning Officer reported that the proposal was not considered to raise any significant concerns for the built environment, future occupants, neighbouring occupants, heritage assets or highway safety. The proposal followed guidance given in the Council's Homes and Neighbourhoods Supplementary Planning Document and accorded with policies DS1, DS3, DS4, DS5, EN3 and TR2 of the Core Strategy Development Plan 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 (Document “G”)**

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

**2. 22 Oakridge Avenue, Menston, Ilkley Wharfedale**

Householder planning application for a two-storey side and rear extension and part single storey rear extension. The proposals also included a hip-to-gable roof enlargement and rear dormer window at 22 Oakridge Avenue, Menston – 21/00425/HOU.

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He provided an appraisal of the application and informed Members that the property was a semi-detached circa 1960's red brick dwelling under a concrete tile roof. It was located on the east side of Menston in a residential cul-de-sac (Oakridge Avenue) that was lined by similar properties. A large garden to the rear dropped in level as it extended east towards the Wharfedale railway line which ran in a cutting.

It was reported that the proposal, in its amended form, was a sufficiently subordinate addition to the property and would not appear as a discordant feature in the street scene. The reduced size of extensions to the rear ensured that the amenity of the neighbouring occupants was not unduly harmed and the provision of two car parking spaces to the front of the dwelling would ensure that the scheme did not result in significant highway safety implications. The proposal accorded sufficiently with policies DS1, DS3, DS4, DS5 and TR2 of the Core Strategy Development 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 (Document "G")**

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

**3. 26-30 Bertram Road, Bradford**

**Manningham**

Full Planning Application for first floor extension and raised roof ridge to existing garage building at 26 - 30 Bertram Road, Manningham – 21/00182/FUL.

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He provided an appraisal of the application and informed Members that the building was a large breeze block and rendered stone built property, with a corrugated metal sheet roof and a mix of timber and upvc window fittings. The application site was currently occupied, in use as a car repairs garage, trading under the name 'St Paul's Garages'. The main point of access to the site was gained from an adopted highway, Quba Court. The site also gained access from Bertram Road and St Pauls Road via unadopted service roads. The surrounding area was predominantly residential, characterised by rows of terraced dwellings. There were many residential dwellings in the immediate vicinity, located on Bertram Road, St Paul's Road and Blenheim Road. The application site was located within the St Paul's Conservation Area, however the building itself was not listed or classed as a non-designated heritage asset.

In response to Members questions it was reported that the normal condition was that work would need to be completed within 3 years; items for storage were not

specified; application was for an extension and not change of business use; nuisance such as noise or the way equipment was stored could be undertaken by residents through other routes such as Environmental Health; there were no issues with regards to highway safety.

Members raised strong concerns at the way equipment such as car bumpers and parts were stored at the location.

The Agent for the applicant attended the meeting and reported that:

- Internal storage was required to store the equipment stored outside – all materials could be safely stored inside.
- Re-profiling of roof would create extra additional space for storage.
- The proposal would not generate additional traffic.
- It was a commercial area within a residential setting – business has been operating for a considerable number of years.
- It was not an expansion of the business.
- Windows could be obscured if required.
- Materials used would blend in with the other buildings.

It was reported that the proposed extension would not represent any harm to the visual amenity of the local environment. It was also considered that the proposal would not have any detrimental impact on the character and appearance of the conservation area. Furthermore, the enlarged parts of the building would pose no significant threat to the residential amenity of the neighbouring occupants. The proposal complied with policies DS1, DS3, DS4, DS5, EN3, TR2 and SC9 of the Core Strategy Development Plan Document. The Local Planning Authority recommended this application 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 (Document “G”)**

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

#### **4. 81 Hollybank Road, Bradford**

#### **Great Horton**

Full planning for a detached dwelling within the side garden area at 81 Hollybank Road, Great Horton - 21/00426/FUL.

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He provided an appraisal of the application and informed Members that the site lay at the junction of Hollybank Road and Hollybank Grove. Southeast of the junction along Hollybank Road were residential building of stone. Northwest of the junction the buildings, including 81 Hollybank Road, were existing houses of brick/render as were those up along Hollybank Grove. The houses near this junction were mainly two-storey in scale.

It was reported that the development was considered to be an efficient use of

land, with an appropriate use and would have no significant adverse implications for, neighbouring occupier's amenities, highway safety or visual amenity. Furthermore, no adverse community safety or drainage implications were foreseen. Consequently, the development was considered to comply with the Councils Core policies DS1, DS3, TR2, DS5, EN7 and EN8.

**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 "G")**

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

**5. Back Shaw Farm 5 Back Shaw Lane Keighley Keighley East**

Conversion of barn to a dwelling house with associated parking and landscaping. Land at Back Shaw Farm, 5 Back Shaw Lane, Keighley - 21/00048/FUL.

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He provided an appraisal of the application and informed Members that the existing "barn" was a modern, functional, agricultural building. It was a simple blockwork structure at ground floor, with sheet cladding to the roof and upper walls. The cladding was supported by a steel framework. The building was located in upland pasture countryside to the south east of Keighley. The site was in the Green Belt. The building was set close to Back Shaw Lane, a narrow country lane, the surface of which was in poor condition. An access leads off the lane to a yard/storage area to the front of the building. The building was probably once part of Back Shaw Farm which was to the east of the application building. The remainder of the buildings at Back Shaw Farm had been converted to residential use. They consisted of a former farmhouse and adjoining barn, 3 and 4 Back Shaw. These traditional buildings were Grade II listed.

The Ward Councillor attended the meeting and made the following comments in support of the objectors which included:

- Back Shaw Lane was in extremely poor condition and could not take any more traffic.
- Residents were terrified – asbestos was being removed while children were playing nearby.
- Concerned building would be taken down without necessary precautions.
- Complaints of noise late at night – needed a condition relating to the time work could be undertaken.
- There were a number of machines owned by the applicant which took 4-5 parking spaces.
- Caravan been there for 4 years – caravan had no electricity or drainage – condition 5 should include the caravan.
- Untidy state of site.
- Bats were seen coming from the applicants land.
- Approval was granted in 2017 and the work had still not been completed

In response to the comments raised the Planning Officer reported that:

- Concerns had been raised that asbestos would and had been taken down without the necessary precautions. These were noted but the application included a report which confirmed that the applicant was well aware of its presence. Any asbestos products identified in a refurbishment/demolition survey needs to be removed and a buildings asbestos management plan must be actively managed by the “duty holder” (developer) in accordance with HSG264 and Control of Asbestos Regulations 2012. As asbestos removal, handling and disposal was subject to separate, and more relevant legislative controls, this was not a Planning matter.
- Issues raised by objectors in relation to the caravan and polytunnel were all subject to enforcement.
- If planning approved it is accepted that building material would need to be stored on the land to support the construction – needed to look at whether drainage of caravan could be considered.
- Bats may be in the area but that did not necessarily mean they were in the building – the structure was not one that would attract bats.

An objector attended the meeting and made the following comments:

- Application was granted under permitted development a while ago and had not been completed.
- Static caravan used as residence.
- There had been no reports of security issues.
- Asbestos had been removed without the necessary precautions.
- Caused neighbours a lot of stress – asbestos removal was reported but nobody had come out to investigate.
- Lack of conversion work – causing stress and strain on neighbours.
- Current owner uses site for cars.
- Back Shaw Lane was substandard and had poor visibility.
- Work on the premises was being undertaken evenings and weekends.
- Needed a condition on the timing of when work could be undertaken.
- Another 3 years of this would be extremely stressful for residents – impact on residents mental wellbeing.
- There were bushes surrounding caravan which had bird’s nests in them – removal of them would harm wildlife.

In response to the comments raised the Planning Officer reported that:

- He understood that the time taken to complete the conversion was causing stress to the residents.
- Some of the matters raised were to do with the Health and Safety Executive and Building Control and not Planning.
- The service was looking at enforcement of polytunnels, caravan and car transporters but were not for consideration in determining the application before members.

In response to a Members comment in relation to the poor condition of Back Shaw Lane the Principal Engineer reported that the points made by the objectors

could not be denied, but the application proposed only one residential dwelling which would not have a significant effect on highway capacity. In terms of the safety of users, the surface condition meant that vehicle speeds were very low. The proposal provided adequate off street parking within the proposed residential curtilage and access was off the existing gated access into the hardstanding yard. The cessation of agricultural use of the building would possibly have lessened the use of Back Shaw Lane by agricultural traffic.

It was considered that conversion to a residential dwelling would have no significant implications for highway safety. There had been no significant changes to justify a different conclusion. Whilst objector's points were understood, with regard to NPPF paragraph 109, the proposed single dwelling was unlikely to give rise to significant highway safety problems.

The Legal Officer confirmed that the hours of operation could be included in the list of conditions and that various articles required for the building work could be stored on the premises to facilitate the work.

Members raised concern that the work had not been completed in time previously and what guarantee was there for it be completed in time if approval was granted.

The agent for the applicant attended the meeting and made the following comments:

- The application was for the conversion of an existing barn into a dwelling.
- Could not complete the conversion within 3 years due to the health and personal circumstances of the applicant.
- Applicant wishes to complete the conversion as agreed in 2017.
- Cladding and windows etc would not harm the landscape and were consistent within the area.
- Design and impact – same as what was agreed in 2017 and there had been no objections to that then.
- Site was accessible from Back Shaw Lane – there was no further work required to facilitate this – the proposal did not give rise to any significant problems to the highway.
- There were no objections to drainage, highways, security etc in 2017.
- Informed that the work would be started as soon as possible.

The Legal Officer reported that the Planning Panel could make the application subject to a S106 Agreement committing the work to be completed within a certain time, and that items associated with the construction (that may be allowed under permitted development rights) to be removed from site on completion of the conversion work and prior to residential occupation of the development.

**Resolved -**

**That the decision be deferred and brought back to the Planning Panel in 2 months on the understanding that:**

1. **The applicant will submit a S106 unilateral undertaking committing to**

**work being completed with 18 months**

- 2. That all items associated with the construction (that may be allowed under permitted development rights) will be removed from site on completion of the conversion work and prior to residential occupation of the development.**

**AND**

**Subject to an additional condition to those set out in the existing Officer report:**

**Condition 8 - Construction work shall only be carried out between the hours of 0730 and 1800 on Mondays to Fridays, 0730 and 1300 on Saturdays and at no time on Sundays, Bank or Public Holidays.**

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

**6. Land at Cliffe Lane, Baildon**

**Baildon**

Full planning application for the construction of 4 detached dwellings at Land At Cliffe Lane, Baildon - 20/02985/FUL.

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He provided an appraisal of the application and informed Members that the application site was a 0.16 hectare parcel of disused land with frontages to Green Lane and Cliffe Lane. Cliffe Lane ran uphill along the east boundary of the site and land levels within the site similarly rise from the south to the north. At the bottom, adjoining the south-east corner, was a small café/sandwich takeaway premises and the busy junction of Green Lane and Cliffe Lane. To the west, beyond a boundary wall, was an area of open space. To the north-east, and standing at a higher level beyond the site boundary was Springcliffe House - which was an old traditional stone house. On the east side of Cliffe Lane was an assortment of modern housing built to different designs and in a variety of materials.

Further written objections had been received which had been submitted to the Planning Panel.

The Ward Councillor attended the meeting and spoke in support of the objectors and made the following comments:

- Highway issues - Green Lane/Otley Road junction was extremely busy and congested - turning right towards Shipley from Green Lane was extremely difficult and dangerous.
- The area was at risk of flooding.
- Some of the proposed houses would be close to Springcliffe House, causing overlooking and over-shadowing, particularly as they were three storeys.
- Impact on wildlife.

In response to a Members question it was reported that the area was not a

site identified for protected species of wildlife.

The applicant's agent attended the meeting and made the following comments:

- The application site was brownfield.
- Met all relevant policy tests.
- Have been required to submit a Flood Risk Assessment to demonstrate that the development could be made safe for its lifetime without increasing flood risk elsewhere.
- The Environment Agency had confirmed that it had no objections to the residential development on the site providing a condition is imposed requiring that the development shall be carried out in accordance with the submitted Flood Risk Assessment.
- The proposed scheme was considered acceptable in terms of its impact on highway safety.
- No issues relating to land contamination.
- Overall designs arrived after extensive consultation with case officers and met the required planning policy.
- There were no substantive reasons for objection.
- The proposal accorded with 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 (Document "G")**

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

**7. Land west of Dradishaw Road, Silsden**

**Craven**

Full application for construction of six semi-detached dwellings on land to the west of Dradishaw Road, Silsden – 20/01508/FUL.

Members were informed earlier in the meeting that this application would be deferred to a future meeting.

**Resolved –**

**That the decision be deferred due to discrepancies which became apparent at short notice.**

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

**8. 15 Luis Court, Baildon**

**Baildon**

Full planning application for the use of land for Alpaca trekking and as an outdoor animal welfare centre, including positioning a mobile animal shelter and reception office at Land to rear of 15 Luis Court, Baildon - 21/00060/FUL.

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He provided an appraisal of the application and informed Members that the applicant resides at 15 Luis Court which was a modern town house within a Mews Court- type development on the edge of Baildon. Luis Court leads off Rowantree Avenue which was also lined by houses. The application site was an area of 10 hectares of open Green Belt land to the rear of No 15. The land was accessed via a spur of highway that ran between 15 and 17 Luis Court up to a field gate on the east boundary of the land. Within the open land was an existing fenced exercise area which seemed to have been present for many years and which had been used for exercising horses.

The proposal was to use the land as a base for alpaca treks. A reception office was to be located in the south-west corner of the site where an existing green container and wire mesh structure were to be retained to support the proposed use. Ground levels rise significantly to the north and west where the open access moorland of Baildon Moor began.

It was reported that the reason for refusal was the likely amount of vehicular movements generated by the business use and the pressure for on-street parking in the restricted confines of Luis Court and Rowantree Avenue from customers would create problems and conflicts in what should otherwise be a quiet cul-de-sac and residential area. Such pressure would affect the use and enjoyment of these streets by existing residents contrary to Policy DS4 of the Local Plan Core Strategy DPD and would be detrimental to the amenities of the existing occupiers of Luis Court contrary to Policy DS5.

An objector who was also a resident of Louis Court attended the meeting, her comments included:

- Parking concerns – seeing instances of people parking in various locations and blocking drives.
  - Luis Court was a quite cul-de-sac which has young children playing in the street.
  - Additional traffic would cause health and safety concerns.
  - Ongoing parking issues to both sides of no 15 and no 17.
  - Minibus and movement of vehicles – not clear where staff will park.
  - Toilet facilities and waste – no location where they will be.
  - Environmental concerns if placed portable toilets where would the waste go.
  - No refuse bins regarding waste.
  - Inappropriate parking for minibus – noise and disturbance as well as overlooking concerns.
  - Incorrectly outlined the boundary of the site.
  - Was it an animal welfare centre or was it a hospital?
- 
- Amount of noise that would be heard throughout the day when people were visiting the area.

**Resolved –**

**That the application be refused for the reasons set out in the Strategic Director, Place’s technical report (Document “G”)**

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

**9. Land at High Bank Lane, Shipley**

**Shipley**

Single storey shed to house greyhounds, 3.75m x 12.1m (retrospective). Land at High Bank Lane, Shipley - 20/05267/FUL.

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He provided an appraisal of the application and informed Members that this building had already been constructed. It was on a parcel of land alongside Cottingley Cliffe Road. It was a low rise structure, crudely clad with timber and measures 12m x 3.75m its height varied from 2.2m to 3.75m. The structure was set against a retaining wall adjacent to the highway, the roof of the building being set just below the top of the wall. Access was via an existing gated field access beyond which was a surfaced parking area. The land was part of the Green Belt.

It was reported that the application was refused because the building was inappropriate development in the Green Belt. It did not meet any of the exceptions set out in paragraphs 145 or 146 of the National Planning Policy Framework and the applicant had not demonstrated that the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal. The proposal would harm the openness of the Green Belt and conflict with the purposes of including land within it. It was contrary to Policy SC7 of the Core Strategy and the objectives of the NPPF in respect of Green Belt. The building was visually incongruous by reason of its poor design and appearance. It was detrimental to visual amenity and the character of the landscape contrary to policies EN2 and DS2 of the Core Strategy.

It was reported that 1,397 objections had been received and 71 comments of support had been received.

Summary of representations received included the building was not for agriculture and was not an appropriate use in the Green Belt. Many objectors raised animal welfare concerns saying the building was remote and poorly designed and constructed. They say it would not provide suitable accommodation to house the dogs and was remote from the owners’ home meaning there was nobody immediately on-hand to provide security and deal with dog welfare. Poor access required vehicles to be parked on the busy highway, grass verge or footway. Approval of a retrospective application would set a worrying precedent.

Summary of representation received in support included that the proposal

made good use of an unused field. Welfare issues were not within planning's remit. The use of the site discourages fly tipping and anti-social behaviour. If horses, sheep and cows be kept on fields then why can't dogs? The Police and RSPCA had inspected the premises many times, the dogs were well looked after.

The applicant and his representative made the following comments:

- The proposal did not harm the green belt; the area the dogs would be kept was hidden and not visible from the road.
- Exceptions could be given such as use for allotments – could be classed as an allotment.
- Only takes up a small portion of the site.
- Could camouflage structure further – similar structure further up in a residential area.
- Moved from urban site – would have to take the dogs back to urban area if application was refused.
- Keeping the dogs was a hobby and helped improve applicant's health who suffered from high blood pressure.
- Tried elsewhere to rent.
- Could improve structure of building and build it from bricks with artificial grass on the roof if planning permission granted.
- The building had CCTV cameras and heating and were well looked after.

In response to Members comments the Planning and Legal Officer confirmed that there were no special circumstances in this application to justify inappropriate development.

**Resolved –**

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

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

#### **10. The Old Vic, 56 Park Lane, Little Horton, Bradford Little Horton**

Full application proposing the refurbishment and extension of a proposed mixed use building, adding extensions and a new site boundary wall around the perimeter of the site at the Old Vic, Park Lane, Bradford - 20/05920/FUL.

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He provided an appraisal of the application and informed Members that the Old Vic was a large detached building located on Park Lane. It occupied a prominent plot on the corner of Park Lane and Holme Top Lane, and adjoins the grounds serving St Luke's Hospital. It had an attractive design, constructed in stone, with a slate roof, benefitting from prominent gable features, mullion windows and large chimneys.

It was reported that the application was refused because the two storey flat

roofed extension and the car port extension by way of its splayed wall, flat roofed design and rendered finish, were not good design, were not informed by a good understanding of this site or its context, detracted from existing features which positively contribute to the character and appearance of this building and the area and will appear out of place. The four balconies proposed to the property's most prominent public elevations, introduced strident new features that appeared out of place on this building and in the wider context. Their prominent positioning and organisation across the building failed to respond positively to the patterns of other openings across the rest of this building and would have an adverse impact on its appearance, with the new openings facing Holme Top Lane having an additional negative impact on the setting of a number of neighbouring listed buildings with less than substantial harm.

The features fail to accord with policies DS1, DS3 and EN3 of the Core Strategy Development Plan Document and also failed to preserve or enhance the setting of nearby listed buildings, which given the Council's duties under section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 could not be accepted.

A Councillor spoke on behalf of the applicant and made the following comments:

- The applicant was not completely aware that he would require planning permission.
- Similar dwellings in area had Juliette balconies.
- Protects the site from vandalism and anti-social behaviour if it remained empty.
- The proposal did not impact on local and visual amenity.
- Applicant just wants a nice family home.
- No objections had been received from residents.

Members felt that the applicant and planning officers needed to work together to reach a suitable proposal which met the various planning policies.

**Resolved –**

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

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

## **22. MISCELLANEOUS ITEMS**

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

(A-H) Requests for Enforcement/Prosecution Action

(I-L) Decisions made by the Secretary of State – Allowed

(M-S) 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 “H” 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