

**Minutes of a meeting of the Area Planning Panel (Keighley and Shipley) held on Wednesday 26 January 2022 at 10.00 am in the Council Chamber, City Hall, Bradford**

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Commenced 10.10 am  
Concluded 13.10 pm

**Present – Councillors**

<b>LABOUR</b>	<b>CONSERVATIVE</b>	<b>GREEN</b>
Lee (Chair) Humphreys Arshad Hussain	Barker Whitaker	Love

Apology: Councillor Nazam Azam  
Observers: Councillors Debbie Davies and Geoff Winnard

**Councillor Lee in the Chair**

**60. DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**61. MINUTES**

**Resolved –**

**That the minutes of the meeting held on 24<sup>th</sup> November 2021, be signed as a correct record.**

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

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

**63. PUBLIC QUESTION TIME**

No public questions were submitted.

## 64. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL

### (a) 1 BRIARFIELD CLOSE, ILKLEY, WEST YORKSHIRE, LS29 8TX

Proposal: Construction of rear extension, change to roof pitch and new dormer windows to front and rear elevations.

The Strategic Director, Place, provided a detailed overview of the planning application, showing plans and photographs of the proposal. The Panel was informed that the applicant had departed from the original scheme that was approved in 2019 and 2002. The alterations to the plans were highlighted in the report. Notwithstanding the variations, the Senior Planning Officer stated that the modifications was not substantial or deemed to be harmful to the streetscene. Furthermore, the small balcony to the front elevation had a capacity of 2 chairs and a table.

In response to a Member's question, the Senior Planning Officer clarified that no other properties in the vicinity had a similar extension.

An objector including Chair of Ilkley Town Council Planning Committee were present at the meeting, and at the request of the Chair, raised a number of points, including:

- the application was retrospective with significant changes to the previously scheme and could set a precedent for building without planning permission;
- concerns to the ridge height, rear dormer window and the balcony allowing nearby neighbouring properties' privacy to be invaded;
- impact on the current surface water drainage to the cul-da-sac;
- overlooking to adjoining property windows of the bedroom and kitchen from the balcony;
- there was not a similar design, size or balcony to other properties in the area.

The applicant was present at the meeting, and at the request of the Chair, advised the Panel that the original scheme was not fit for purpose to make their home more energy efficient. The applicant acknowledged they should have sought prior approval and did not intentionally mislead anyone. Nonetheless, no changes had been made to the overall height to the ridge and that the approval of the balcony was given in 2019.

The Chair moved to the vote on the officer's recommendation and it was

#### **Resolved:**

**That the application no 21/05574/HOU be approved for the reasons and subject to the conditions set out in the Strategic Director, Place's technical report (Document "G").**

**(b) 70 - 72 MAIN STREET, HAWORTH, KEIGHLEY, WEST YORKSHIRE, BD22 8DP**

Proposal: Part retrospective application for patio, outdoor seating area and boundary fencing.

The Strategic Director, Place, provided a detailed overview of the planning application, showing plans and photographs of the proposal. Members were informed that the proposed application was for a retention of the patio and the installation of a fence on the rear wall of the outdoor area of the café.

In response to a Member's question, the Planning Officer clarified that no restrictions would be applied to the change of use of the land if no decking was installed. The opening hours of the café was from 08:45 to 17:00 hours.

A number of objectors including a Parish Councillor were present at the meeting, and at the request of the Chair, raised a number of points, including:

- Whilst they supported the business and stated it was good facility for the town, they raised concerns relating to the outdoor seating area of the cafe which could lead to customers overlooking into their properties, including into bedroom windows;
- the applicant had not sought prior planning approval; this was a retrospective application;
- concerns that only part of the fence was 1.8m high and majority of the height was 1.1m which was too low and would be overlooking to nearby properties and gardens. It was recommended that the full length of the fence to be 1.8m high;
- the café has been opened until 8:00pm and concerns that the patio area would be used after 17:00 hours;
- concerns relating to noise and disturbances from the outside area. Concerns relating to lighting and music.
- the decking caused overlooking and a loss of privacy to neighbouring residents;
- concerns relating to waste management.

The applicant's agent was present at the meeting, and at the request of the Chair, informed the Panel that the applicant did not realise the work carried out to the property needed planning permission and were sincerely apologetic, adding that the patio would allow customers to make the most of the cafe's outdoor area in particular during the summer season and that the restricted hours of use would be from 08:45 to 17:00 hours. During the ensuing debate, Members recommended the height of the fence to be 1.8m across and solid material, which would potentially alleviate the overlooking to the neighbouring properties.

The Chair moved to the vote on the officer's recommendation and it was

**Resolved:**

**That the application no 21/05512/FUL be approved for the reasons and subject to the conditions set out in the Strategic Director, Place's technical report (Document "G") and also for the following additional condition:**

- 1. That the boundary fence along the east side towards Heathcliffe Mews should be a solid screen at a continuous height of 1.8m above the decked area.**

**(c) LAND AT GRID REF 414347 439165 WEST LANE, BILDON, WEST YORKSHIRE**

Proposal: Variation of condition 2 (approved plans) condition 3 (materials), Condition 5 (Surface and foul water), Condition 7 (groundworks) and Condition 8 (intrusive site investigation works) and Condition 9 (landscaping) of planning permission 20/02294/FUL.

Further to Minute No. 58(e) on 24<sup>th</sup> November 2021, the Panel noted the comprehensive drainage report. The Panel was advised that the proposed scheme submitted positive arrangements for surface water drainage from the land.

The Strategic Director, Place, provided a detailed overview of the planning application, showing plans and photographs of the proposal. Members noted that the application was for a variation of condition 2. The Panel also noted conditions 5 and 7 relating to surface and ground water attached to the proposed scheme.

A Ward Councillor had registered to speak on behalf of the objectors, and at the request of the Chair stated the development had a negative impact to the neighbouring properties, due to the height, loss of privacy and overlooking to the south facing windows.

The applicant's agent had registered to speak, and at the request of the Chair, addressed the Panel that the key points raised by the objectors had been considered. The proposed scheme would not be detrimental to the neighbouring properties, adding that conditions had been imposed to the application to alleviate the issues, including positive drainage report submitted.

In response to a Member's question, the agent clarified that the road was unadopted and maintained by the owners of the road.

The Chair was satisfied with the drainage report submitted, therefore the Chair moved to the vote on the officer's recommendation and it was

**Resolved:**

**That the application no 21/04198/VOC be approved for the reasons and subject to the conditions set out in the Strategic Director, Place's technical report (Document "G").**

**(d) LAND TO REAR OF LAUREL BANK, SHERIFF LANE, ELDWICK, BINGLEY, WEST YORKSHIRE**

Proposal: Outline application for residential development (3 dwellings) of land requesting consideration of access.

The Strategic Director, Place, provided a detailed overview of the planning application, showing plans and photographs of the proposal. Members were reminded that previous application to build six homes on the land was refused by the Council due to highways concerns. The current proposal had been reduced to three dwellings.

Members noted that one further objection had been received raising concerns relating to the tree protection. Members were advised that the land was near to green-belt and whilst that the Bio-diversity Officer did not object to the proposal, however could not support the application due to the lack of information provided and requested for further survey to be carried out.

A Ward Councillor had registered to speak on behalf of objectors, and at the request of the Chair, stated that residents of Lark Vale were concerned to the proposed development in relation to the access to the site, he added that this was a narrow road with parking issues and no footpaths and that the existing road safety concerns had not been resolved. He advised the Panel for a Biodiversity and Ecological report to be submitted for the Panel to be satisfied with prior to approval.

The Planning Officer read a statement to the Panel on behalf of the applicant. It was stated that the proposed development was sustainable and would contribute to the shortfall of the housing supply, adding that the proposed development of the land would not affect the protected trees.

In response to the Panel's questions, the Planning Officer advised that the provided development was outside the root protection area the trees would not be impacted. Furthermore, that sufficient parking was provided and that the road was unadopted, therefore, the Council would not have any powers to restrict parking.

The Panel was informed that the agent could not attend the meeting and therefore submitted his statement for the Panel to consider. The Panel noted that the applicant endorsed the comments of the Planning Officers

referred to in the report. The three units would be able to be satisfactory accessed via a private driveway off Lark Vale, with no vehicular access from Sheriff Lane. The land was a small grazing paddock, which had been intensively used for sheep and cattle grazing until the last couple of years, therefore does not any value for ecological or wildlife habitat purposes.

The Chair moved to the vote on the officer's recommendation and it was

**Resolved:**

**That the application no 21/04404/OUT be approved for the reasons and subject to the conditions set out in the Strategic Director, Place's technical report (Document "G").**

**(e) LAND 403553 434450 BACK LEEMING, OXENHOPE, KEIGHLEY, WEST YORKSHIRE**

Proposal: Full application for the construction of one dwelling with access and landscaping at land between numbers 30 and 32 Back Leeming, Oxenhope.

Further to Minute No. 58(d) on 24<sup>th</sup> November 2021, Members noted that the application was deferred pending a report to be submitted regarding whether a Tree Replacement Notice was to be served and if so the details of that notice was to be taken account of in the determination of this application.

The Strategic Director, Place, provided a detailed overview of the planning application, showing plans and photographs of the proposal. The site was in the small settlement of Back Leeming which was separate from the nearby larger village of Oxenhope to the north-west. The site formerly hosted a garage and small woodland. The highway to the front was narrow with walls to either side. The site was on a sloping land that falls away to the south towards Jew Lane.

In response to the Chair's question, clarity was sought that a number of trees had been removed from the site without permission and that such consent was required as the land was within a conservation area. The Council should submit a Tree Replacement Notice (TRN) within the four years.

Two objectors were present at the meeting, and at the request of the Chair, raised a number of points, including:

- trees had been felled on the site without permission;
- the house would fill in an important open space in the Conservation Area.
- concerns to overlooking, loss of privacy and loss of daylight;
- the road was too narrow and was not safe, a new access would only add strain to the existing issues. Cars already park dangerously on the road;

- the proposed development raised ecological and wildlife corridors concerns.

The applicant's agent was present at the meeting and at the request of the Chair, addressed the Panel that no objection had been raised by Highways when the original application was submitted. The applicant has had proactive engagement with Planning Officers and no previous discussion had taken place regarding the replanting of the felled trees, furthermore, the Council had not served TPO.

The Chair moved to the vote on the officer's recommendation and it was

**Resolved:**

**That the application no 21/01571/FUL be refused for the reasons set out in the Strategic Director, Place's technical report (Document "G").**

**(f) LAND TO THE WEST OF LOW MILL, THE OLD COTTON MILL, GRESLEY ROAD, KEIGHLEY, WEST YORKSHIRE**

Proposal: Construction of an industrial unit to be used as a steel fabricating workshop.

The Strategic Director, Place, provided a detailed overview of the planning application, showing plans and photographs of the proposal. The Panel was informed that the proposed scheme was for an industrial unit built in Low Mill, a Grade II\* listed building that played a vital role in the town's history.

The Chairman of Keighley Town Council had registered to speak and at the request of the Chair addressed the Panel that the proposal would have a negative impact on the Grade II\* listed building and that Keighley Town Council opposed to the proposal, therefore, strongly recommended the Panel to refuse the application.

The agent stated that the applicant had bought the land in front of the mill and was unaware of the illegal work that had been done prior to the purchase. The Mill was problematic, it had exposed roof timbers, and was a very susceptible building. He stated that any chance of using the building for housing purposes was not possible and that the conversion to non-residential was the only option, and that would only be achieved by a huge subsidy. He assured the Panel that the applicant had not destroyed the water feature. The applicant had shown confidence in Keighley by proposing the new unit and the proposed scheme would create jobs and be beneficial to Keighley Town.

Bradford Council Conservation Officer attended the meeting, and indicated the significance of the building to Keighley's history. He further advised the Panel that Historic England would support the Council to protect the building.

In response to Member's question it was stated that Historic England would offer financial support towards action to secure the building and potentially could offer further financial support.

Members expressed that this was the first Cotton Mill to be built in Keighley, it had a historic significance to the area. It was of vital importance to Keighley Town that mill should be retained and was proud of the town's engineering history. The Panel also noted the objections from Historic England and further noted the outstanding planning enforcement for the site.

The Chair moved to the vote on the officer's recommendation and it was

**Resolved:**

**That the application no 20/05578/FUL be refused for the reasons set out in the Strategic Director, Place's technical report (Document "G").**

**(g) LAND TO THE WEST OF LOW MILL, THE OLD COTTON MILL, GRESLEY ROAD, KEIGHLEY, WEST YORKSHIRE**

Proposal: 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.

The Strategic Director, Place, provided a detailed overview of the planning application, showing plans and photographs of the proposal.

The Chair moved to the vote on the officer's recommendation and it was

**Resolved:**

**That the application no 20/05579/LBC be refused for the reasons set out in the Strategic Director, Place's technical report (Document "G").**

**Action: Strategic Director, Place**

(Mohammed Yousuf – 01274 434605)

**65. MISCELLANEOUS ITEMS**

The Panel considered other matters which were set out in (**Document "H"**) relating to miscellaneous items:

(A-D) Items to note

(E-F) Decisions made by the Secretary of State – Allowed



**Resolved:**

- (1) That the Enforcement/Prosecution Action as set out in (Document “H”) be noted; and**
- (2) That the decisions made by the Secretary of State as set out in (Document “H”) be noted.**

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

(Mohammed Yousuf – 01274 434605)

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