

Minutes of a meeting of the Area Planning Panel (Keighley and Shipley) held on Thursday, 30 September 2021 in Council Chamber, City Hall - City Hall, Bradford

Commenced 10.00 am
Concluded 3.15 pm

Present – Councillors

LABOUR	CONSERVATIVE	GREEN
Lee Humphreys Arshad Hussain Warburton	Barker Whitaker	Love

Observers: Councillor Clarke Minute 52 (e), Councillor Herd Minute 52 (g), Councillor Jenkins 52 (d), Councillor Walker (Keighley Town Council) Minutes 52 (a), (g), (i & j), Councillor Watson (Shipley Town Council) Minutes 52 (c) and (d), Councillor Brown (Ilkley Town Council) Minute 52 (b) and Councillor Abberton (Keighley Town Council) Minute 52 (h)

Councillor Lee in the Chair

48. DISCLOSURES OF INTEREST

- (1) In the interest of transparency Councillor Warburton disclosed an interest in Minutes 52(e), 52 (h) and 52 (i & j) as the applications were originally considered by the District Planning Panel and that he would consider the applications with an open mind.
- (2) In the interest of transparency Councillor Whittaker disclosed a prejudicial interest in Minute 52 (e) as she had previously raised objection to it and left the meeting when this item was considered, she took no part in the consideration and voting on this item.
- (3) In the interest of transparency Councillor Love disclosed a prejudicial interest in Minutes 52 (c) and (d) as he had previously raised objection to them and left the meeting when the items were considered, he took no part in the consideration and voting on this item.

Action: City Solicitor

49. MINUTES

Resolved –

That the minutes of the meeting held on 28 July 2021 be signed as a correct record.

50. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

51. PUBLIC QUESTION TIME

No public questions were submitted.

52. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL

(a) 6 CARR GROVE, RIDDLESDEN, KEIGHLEY

Householder application to reduce the height of an existing store to allow formation of patio deck over the roof with fencing on either side at 6 Carr Grove, Riddlesden, Keighley.

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 6 Carr Grove was a brick and rendered semi-detached house with a concrete tiled, Mansard roof. Carr Grove was in a residential area with similar semis lining the street. The land levels steeply inclined up towards the dwelling entrance leaving it in a prominent position in the street scene. 8 Carr Grove was at a higher level than the application property, which itself was at a higher level than 4 Carr Grove. The proposed decking was at the rear of the house.

Members were informed that Keighley Town Council had no objections.

It was reported that a petition with 6 signatures had been received requesting that the application be referred to the Area Planning Panel if approval was recommended and 2 comments had been made in objection to the application.

Members were informed that the summary of the objections included privacy of neighbours; the decked area caused overlooking to both gardens and into houses and was overbearing; its use as an amenity space would increase noise levels; the original reasons for refusal and reasons for dismissal of both appeals still applied and that it was of a poor design.

In response to a Members question it was confirmed that the garage roof would not have any decking.

A Keighley Town Councillor attended the meeting and reiterated that Keighley Town Council did not have any objections and considered the scheme to be a sensible compromise.

An objector attended the meeting and reported that the scheme was not

appropriate and that it still caused overlooking and was of a poor design.

The applicant attended the meeting and spoke in support of his application he reported that he had spoken to Council Officers and came up with a design that would suit everyone and that a 2 metre fence would be erected which would solve the problem of overlooking.

In response to a Members question it was reported that as the substantial elements of the works were already in place it was not considered to be excessively onerous on the applicant to require the changes proposed to be commenced within 56 days of the decision notice.

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 “C”) subject to Condition 1 being amended to 56 days.

Action: Strategic Director, Place

(b) BROOK HOUSE, HARDINGS LANE, ILKLEY

Full application for the demolition of a detached dwelling and its replacement with a new detached dwelling at Brook House Hardings Lane, Ilkley.

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 within the suburban area on the north side of the river Wharfe at Ilkley. It was a sloping plot occupied by an existing detached dwelling called Brook House which was located centrally on the plot. Access was off Hardings Lane (also known as Old Lodge Hill) close to the junction of that road with Owler Park Road. This area of Ilkley was characterized by a variety of detached houses and bungalows set amidst mature vegetation and trees. Existing houses used a variety of walling and roofing materials. To the north, above the site, was Larkslea, another detached house. To the south, at a lower level, are River Bank, Brantwood and Brantwood Cottage. Away to the east, set in large grounds, was Long Hall. No 3 Long Hall Park was a more modern dwelling, the garden of which abuts the south-east corner of the application plot. The application site was not in the Middleton Conservation Area, but the properties beyond the east boundary (Long Hall) were in the conservation area. The site did include several trees covered by a tree protection order.

It was reported that Ilkley Town Council had originally recommended approval of this application with the requests that the surface of the driveway should be constructed of a permeable material but had now changed its position to neutral.

Members were informed that objections had been received from 7 neighbours; in support of the objectors, a Ward Councillor had asked for the application to be determined by the Planning Panel and general comments from Ilkley Civic Society had been received.

A summary of the representations was highlighted in the report.

It was reported that the Council's Drainage Officer had raised no objections to this application and recommended only standard conditions to agree the details of the drainage scheme for the site; highways had no objections - if the Council was minded to approve this application the standard highway condition requiring off-street car parking spaces would be appropriate to include on the decision notice.

Members were informed that to address concerns by objectors about unknown water features, a condition was being recommended requiring pre-commencement investigation of drainage at the site.

In response to Members questions the Planning Officer confirmed the application would have been approved under delegated powers if the Ward Councillor had not asked for the application to be determined by the Panel; there were no watercourses visible on the land and no records of any watercourses were held by the Council and that the Council's Drainage Section had therefore not raised any objections to the redevelopment of the site.

It was reported that the Drainage Officer had advised on suggested conditions to require fuller details of drainage to be agreed before development begun. This would be achieved by installing some surface water attenuation features. The use of permeable surfaces to vehicular areas and the proposed Sedum roof would, for example, provide a degree of attenuation to surface water run-off. But full details and calculations of the pre- and post development surface water discharge rates would need to be submitted to and approved by the local planning authority.

An Ilkley Town Councillor attended the meeting and reported that since receiving representations from concerned neighbours had changed their recommendation to "Neutral" and requested that appropriate conditions were placed on the application to address the concerns of neighbours.

An objector attended the meeting and spoke on the resident's concerns which included:

- The property was located too close to neighbouring properties; all the neighbours had objected to the application.
- The property was two and a half times larger than the previous property.
- The wraparound balcony to the first floor would create a line of sight and views onto properties to the west and south which would affect privacy; loss of privacy for neighbours due to the inclusion of balconies; this lack of privacy was unacceptable and the balconies were unnecessary.
- Groundworks for the three storey building could adversely affect the direction of an underground watercourse and redirect it onto neighbour's property; the site was unstable.
- Effects on carbon and the Climate change emergency taking place.

The applicants agent attended the meeting and spoke in support of the application, he reported that there had been no objections from the Highways department or the Drainage Team; the amendments made significant changes to the drainage; design changes to the balcony; the design included surface water attenuation features, permeable drive and a sedum roof.

In response to a Members question it was reported that there had been no evidence of land instability – the proposed dwelling would be located on the same site as the previous dwelling.

The Chair stressed that when Ward Councillors wished the application to be considered by the Planning Panel it was imperative that they attend the meeting.

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 "C").

Action: Strategic Director, Place

(C) HANDWASH LIMITED, BINGLEY ROAD, SHIPLEY

Full application for the demolition of hand car wash buildings and structures (sui generis) and construction of convenience store (Use Class Ea), associated access, 14 car parking spaces and landscaping at Handwash Limited, Bingley Road, Shipley.

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 Since 1998, this site had operated as a car wash trading as Qasim's. It was once a petrol filling station and had a frontage to the busy Bingley Road occupying a corner plot at its junction with Grosvenor Road. The site included a kiosk building, the old petrol station canopy and associated areas of hard standing. There were some poor quality trees on a narrow strip of land to the rear that was above the level of the site. Behind the site, to the south, was a fenced car park used by the adjacent medical centre staff. A public footpath ran between the car park and the back gardens of semi-detached houses on Grosvenor Avenue. Residential properties were also across Grosvenor Road to the east and there were dwellings occupying the listed buildings across Bingley Road to the north.

The site was in the local centre of Saltaire with retail and other commercial uses extending along Bingley Road to the west of the site. The site was outside the Saltaire Conservation Area and World Heritage Site, but was in very close proximity to these heritage assets and to various listed buildings within the conservation area to the north.

It was reported that 190 objections had been received; 2 representations received in support; 2 representations offering general comments or arguments for and against the proposal and Shipley Town Council recommended refusal.

A summary of representations was detailed in the report.

In response to a Members question it was reported that one Electrical vehicle charging point was sufficient for this site.

A Shipley Town Councillor attended the meeting and spoke in objection to the

scheme which included that Saltaire Bingley Road was already a very busy road with illegal levels of air pollution; should be encouraging walking not car journeys; the nature of the proposed retail unit appeared to encourage car travel and would exacerbate the existing congestion and poor air quality; cycling and walking need to be the primary travel modes for developments at this location; vehicles queuing and backing-out to get into and out of the parking facilities would add to the potential for conflicts between road users, pedestrians and cyclists; additional noise generated by the use, including deliveries to the site would be detrimental to the amenities of neighbouring residents and that the proposal undermined the established business community.

An objector attended the meeting and reiterated the points made by the Shipley Town Councillor.

It was reported that the proposal would not significantly worsen traffic volumes on the adjoining highway and, based on demand at other stores, the car park spaces were considered sufficient to meet anticipated average peak hour parking demand. The delivery lay by proposed on Bingley Road would be sufficient to accommodate the typical delivery vehicles used by the operator and proposals for alterations to features within the carriageway would address concerns about potentially hazardous turning manoeuvres across the carriageway.

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 “C”).

Action: Strategic Director, Place

(d) LAND WEST OF 36 SPRINGHURST ROAD, SHIPLEY

Residential development of eight apartments and associated works at land West of 36 Springhurst Road, Shipley.

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 was on the northern side of Springhurst Road, Shipley and formerly comprised grassland that was part of an open area of green space located between Springhurst Road and Avondale Mount, and was part of a wider area of woodland and grassland known as Old Spring Wood. At present the application had been fenced off. The land rose to the north to meet Scarborough Grove which ran along the rear of the terraced houses on Scarborough Road. The site was adjacent to a terrace of new houses constructed on the site of the former Bradford Hebrew Congregation Synagogue.

It was reported that 357 objections were received including from the Member of Parliament and the three Shipley Ward Councillors; Shipley Town Council had also recommended refusal and 3 supporting comments were received.

A summary of representations was detailed in the report.

Additional written submission submitted by the objector had been circulated to Members.

In response to a Members question it was reported that the applicant had adequately considered the high risk of coal mining and ground stability at the site. The Coal Authority did not object to the proposal subject to a condition to ensure that the known mine shaft was protected during construction works and mitigate any potential disruption to it.

A Ward Councillor attended the meeting and spoke in objection to the scheme she stressed that:

- 2 mature trees had been cut down.
- The area had been vandalised and looked unsightly.
- The public path had been closed to the public.
- There was unnecessary disruption to neighbouring properties.
- Planning conditions attached to the site had been ignored.
- There were 357 objections to the proposal.
- Scale and height of the proposal was not appropriate.
- Concerns of flooding, the presence of springs and mine shafts in the area.
- The building was totally out of character for the neighbourhood.
- Impact on neighbouring properties.
- The past behaviour of the builder had shown him to have a complete lack of respect for both the environment and neighbours – electricity supply cut through.
- There was a risk of flooding.

In response to Members questions the Planning Officer reported that the land was in private ownership; there was no public right of way across the site and that he was not aware of any landslide in the area.

The Shipley Town Councillor attended the meeting and spoke in objection to the scheme which included:

- The proposed building was of a scale and appearance that was out of character with the established neighbourhood.
- There were serious concerns about hazards posed by the former coal mining operations in the immediate vicinity, which did not appear to have been addressed to the satisfaction of the Coal Authority.
- The proposal would result in a net loss of open green space and trees/vegetation, which will have a negative impact on residential amenity and the synagogue had given its blessings for it to be used as recreation; importance of green spaces for wellbeing of people.
- There was a shortage of open green spaces in Shipley.
- The proposal would have a negative impact on residential amenity and compromise highway safety.
- the development was likely to increase surface water flow and the potential for flooding.

In response to a Members question, the Planning Officer reiterated that the proposed land was in private ownership.

Two objectors attended the meeting and made the following comments in objection to the proposal which included:

- They had concerns of drainage issues.
- The mature trees that were taken down caused further drainage issues.
- The land was boggy.
- Any new buildings would add to drainage issues.
- Further work would impact on emergency vehicles getting through.
- The heavy goods vehicles damaged resident's vehicles the last time development work took place.
- The last time development took place a sinkhole appeared outside her property.
- The Builders had no consideration for residents – entrances being blocked.
- There were 357 objectors to the proposal.
- Previous applications to the site had been objected to.
- The previous owner promised the residents could use the land.
- Any development where there was a mineshaft should be avoided.

The agent for the applicant attended the meeting and spoke in support of the application and made the following comments:

- The applicant had worked with officers to address the points raised by the objectors.
- New homes allocation for Shipley was 1,200.
- This proposal was efficient use of a sustainable site.
- The site was close to Shipley Town Centre.
- The proposal included an electrical charging point for each flat.
- The proposal provided good quality accommodation.
- The proposal would include plants and hedging.
- A lot of due diligence work was being undertaken – details had been provided for the retaining wall.

The Chair stressed the importance of the retaining wall being maintained.

In response to a members question the Planning Officer reported that conditions relating to the mine shaft, vehicular and pedestrian access and drainage were included in the report and the condition relating to electrical vehicle charging points was the only one that had not been included.

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 "C") with the addition of an extra condition in relation to the inclusion of Electric Vehicle Charging Points.

Action: Strategic Director, Place

(e) LAND WEST OF DRADISHAW ROAD, SILSDEN

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

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 comprised an irregularly shaped plot of open land in the western suburbs of Silsden accessed from Dradishaw Road. The land once contained some rows of lock-up garages, now demolished. Although evidently used by local people for dog walking and general recreation, it was not laid out for any sports or as playing fields. The site was bounded on all sides by existing dwellings; to the north were the gardens of houses on Skipton Road, to the south and west were the gardens of houses fronting Gloucester Avenue and Windsor Avenue respectively. The land rose noticeably from east to west and there was a group of mature trees in the southern part of the site against the boundary with the houses. A small group of younger trees stood in the north-west corner of the site. Access into the site was via a driveway between numbers 8 and 10a Dradishaw Road which led to an area of hardstanding and garages behind numbers 10, 10a and 12.

It was reported that 34 responses were received to the first public notification. A further 11 objections were received following the re-consultation. Objections were also received from a Craven Ward Councillor and Silsden Town Council. A summary of the objections was detailed in the report.

In response to Members questions the Planning Officer reported that each dwelling had two car parking spaces and electrical vehicle charging points.

The Ward Councillor attended the meeting and spoke in objection to the scheme and made the following comments:

- There were highway issues - the access to the site was not appropriate.
- The land was important open green space that was well used by locals and would be lost.
- Hedgerows should be retained – bats were present in the vicinity.
- This was a significant overdevelopment of the site
- The development was overbearing and would cause loss of privacy and light to neighbouring properties.
- Silsden did not need any more housing.

In response to Members question the Planning Officer reported that there was no evidence of bats in the vicinity and if bats were found construction would cease until necessary action was taken to protect them and that condition 6 dealt with the retaining wall issue.

A Member requested that the positioning and design of letter/mail boxes within the doors serving the dwellings should be in accordance with the British Standard.

Resolved –

- (1) That the application be approved for the reasons and subject to the**

conditions set out in the Strategic Director, Place's technical report (Document "C").

- (2) That the positioning and design of letter/mail boxes within the doors serving dwellings should be in accordance with British Standard EN13724 mailboxes and letter boxes to ensure that they are positioned at a suitably accessible height and accessible to postal delivery workers.**

Action: Strategic Director, Place

(f) THE OLD RECTORY, 81 WEST LANE, HAWORTH, KEIGHLEY

Householder application for a conservatory to the rear of The Old Rectory, 81 West Lane, Haworth, Keighley.

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 Rectory was a stone built detached house that appeared to date from the early 20th century. It occupied a substantial plot and was set well back from the frontage with West Lane. The property had undergone some recent changes, including insertion of upvc cream-coloured windows and the ongoing construction of a new garage at the front approved by planning permission 20/01850/HOU. The house was on the western edge of Haworth with open fields to the south and west. To the east was a former garage court and beyond that a housing complex at Heathcliff. A public footpath routed east-west skirts the rear (southern) boundary of the property, heading west from the Bronte Parsonage museum and leading across fields towards the moors.

It was reported that no public representations were received and that Haworth, Cross Roads and Stanbury Parish Council objected to the application which was detailed in the report.

Members were informed that although in the Haworth Conservation Area, the Old Rectory was not a listed building.

The representative of the applicant attended the meeting and spoke in support of the application and stated that the proposal would not harm the character or appearance of the Haworth Conservation Area.

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 "C").

Action: Strategic Director, Place

(g) KAMBI, PROVIDENCE LANE, OAKWORTH, KEIGHLEY

Householder application for a two storey extension to side and front

(resubmission of application ref. 20/05838/HOU) at Kambi, Providence Lane, Oakworth, Keighley.

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 was for an extension to a two-storey semi-detached house which was situated facing onto Providence Lane - a main road between Oakworth and Haworth. The property was faced mainly in pebble-dash. It had a glazed extension to the side that projected slightly forward into a porch. The pair of houses backed on to a number of garages and they were slightly set back from the highway behind a front garden. The adjoining semi is Do Ric, similar in design, although that house has a plain frontage, whereas Kambi features a double storey bay window and porch.

Two letters of support had been received including one from a Worth Valley Ward Councillor who requested that the application was referred to the Area Planning Panel if officers were minded to refuse it.

Keighley Town Council originally recommended refusal as there were no material change made following the previous refusal.

It was reported that the reason for refusal was because the proposed front and side extension was considered to result in significant harm to visual amenity due to the introduction of a large prominent two storey element which protruded beyond the principal elevation and lack of setback from the front wall of the host dwelling, resulting in an extension that would not be subordinate to or complement the design of the host dwelling, causing an incongruous appearance in the street scene.

The Ward Councillor attended the meeting and spoke in support of the application he stated that there were special circumstances as to why the family required the extension which included that the space was needed for their autistic child as the current layout of the house did not meet the family circumstances.

Members sympathised with the applicant's family circumstances and asked the applicant to consider whether the extension could be made elsewhere instead of the front of the house.

The Keighley Town Councillor attended the meeting and stated that special circumstances of the family should be looked at.

The Agent for the applicant attended the meeting and spoke in support of the application he reiterated that the family had special circumstances and each application should be considered on its own merit; the street scene was characterised by its diversity; the proposal would not cause harm to the visual amenity and that there was not much space elsewhere to extend.

Members felt that the application should be deferred to allow the applicants to work with officers on a suitable scheme which would meet family circumstances and which did not cause harm to the visual amenity.

Resolved –

That the application be deferred to allow the applicants to work with officers on a suitable scheme which would meet their family circumstances and which does not cause harm to the visual amenity.

Action: Strategic Director, Place

(h) LAND AT SPRING GARDENS LANE, KEIGHLEY

Full planning application for the construction of one detached house with associated private driveway and alterations to the access on land at Spring Gardens Lane, Keighley.

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 planning application was deferred by the remote Regulatory and Appeals Committee held on 25 June 2020.

Members at the time commented that they found the application difficult to determine and it was resolved that consideration be deferred to enable the applicant to address some of the proposed reasons for refusal. In particular, Members sought a better representation of the view of the development as seen from Spring Gardens Lane and requested an up-to-date report in respect of the trees and tree protection. Members encouraged revision of the design.

Following deferment plans had been received detailing an amendment to the rear elevation by removing a proposed flat roofed dormer and replacing it with a pitched roof extension projecting from the roof as a continuation of the rear elevation.

A drawing presented the height of the proposed dwelling in relation to the 3 houses under construction on the plot as viewed from Spring Gardens Lane. This plan did not propose any further alterations to the front elevation of the proposal in either design or scale.

Officers did not consider these amended plans to address the concerns of the Committee and the recommendation remained for refusal on grounds that the height and mass of the dwelling was still out of scale with surrounding properties and the larger house would dominate the site and appear intrusive in its surroundings.

An up to date tree protection plan and Arboricultural Impact Assessment had been submitted. However, the Council's Trees team continue to advise that the development on such a sloping site was incompatible with retention of the mature protected trees which were a vital feature of the area and contributed to the setting of the adjoining conservation area. The Council's Tree Officer advised that the tree protection plan appeared to be unworkable on what was a constrained, sloping site. Effective protection of the trees had not been demonstrated and Officers still regarded the proposed development was very likely to lead to the loss of what were significant trees on site that made a positive

and important contribution to public amenity.

A Keighley Town Councillor attended the meeting and spoke in objection to the scheme she stated that there were concerns relating to the footpath to the entrance of the development; loss of trees; potential subsidence of the road; possibility of a gas pipeline going through the site and drainage issues.

An objector attended the meeting and spoke about his concerns in relation to the proposal he reported that the design and material was out of character; the proposal was located at the edge of a conservation area; the height of the development would cause significant loss of light to the houses below; lack of privacy to the lower houses, 1 car parking space adjacent to the footpath – no easement; original application had 130 objections and there were a large population of bats in the area. Additional written submission submitted by the objector had been circulated to Members.

The applicants Agent attended the meeting and spoke in support of the application he reported that 3 separate tree reports had been undertaken; 4 years ago a tree blew down due to a storm – report indicated that the tree was in poor health; the new house was a fraction lower; the previous developer had to repair the wall and erect a fence – the applicant would be happy to repair the boundary wall and that the principle of access was previously looked at.

Resolved –

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

Action: Strategic Director, Place

**(i & j) LAND TO THE WEST OF LOW MILL, THE OLD COTTON MILL,
GRESSLEY ROAD, KEIGHLEY**

Construction of an industrial unit to be used as a steel fabricating workshop adjacent to the ‘Old Cotton Mill’ off Gresley Road, Keighley.

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 application was for listed building consent for the erection of an industrial unit on land adjacent to the ‘Old Cotton Mill’. The application, along with the companion application for planning permission was considered at the meeting of the District Planning Panel on 24 February 2021.

Officers had recommended refusal of the listed building consent and planning applications for reasons set out in the report to that meeting which were detailed in the report.

The February meeting resolved that the decision be deferred pending receipt of information in relation to ongoing enforcement action.

‘Members stated at that meeting 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 deferred pending confirmation and additional information on any pending enforcement action.'

It was reported that the condition of the mill was of serious concern to the Council, which had powers under the Planning (Listed Buildings and Conservation Areas) Act, 1990 to ensure the proper preservation of listed buildings in their area.

Members were informed that officers were endeavouring to work with the mill owner to secure a structural survey of the listed building to determine its condition and inform what urgent works might be necessary to protect the significance of the building. Structural survey results would be a key factor in the progression of any Enforcement action, but the availability of suitable engineers to undertake a survey and difficulties in securing agreements with the owner were resulting in this taking longer than hoped for. It was expected that a survey would be achieved before the end of the year and that any necessary measures for the protection of the building could then subsequently be secured. If negotiations failed, the Council may need to use the powers afforded by the Act.

It was reported that Members should be aware that the application site was not within the same ownership as the Grade II* listed mill and so actions by the applicant were not delaying investigation of its structural condition. However, at some point in the recent past damage to the listed building had been committed by the removal of historic water channels and sluices from adjoining land.

Officers remained of the view that development on the application site, particularly the nature of the development that was proposed, would compound the harm already caused to the historic water features and prevent any chance of reinstating these key historic features that were important to understanding the original purpose of the Grade II* Listed Building.

A Keighley Town Councillor attended the meeting and confirmed the decision of Keighley Town Council to refuse both applications.

An objector attended the meeting and spoke in objection to the scheme and that approving this application was not in the public interest.

The applicant's representative attended the meeting and stated that the building was in poor state and the proposal would bring it into use; the water features were not removed by the current applicant and that the proposal would have economic benefits. Additional written submission submitted by the objector had been circulated to Members.

Members felt that the Council's Enforcement Manager and Senior Conservation Officer needed to attend the Panel meeting to provide an update on the situation and felt that they still did not have sufficient information to make a decision.

Resolved –

That the application be deferred to a future meeting so that information

could be provided to the Planning Panel in relation to the current progress of enforcement action regarding the condition of the adjoining Grade II* listed mill and its associated structures.

Action: Strategic Director, Place

53. MISCELLANEOUS ITEMS

The Panel is asked to consider other matters which are set out in **Document “D”** relating to miscellaneous items:

A-D) Decisions made by the Secretary of State – Allowed.

(E-R) Decisions made by the Secretary of State – Dismissed

(S) Decisions made by the Secretary of State - Part Allowed

Resolved –

That the decisions made by the Secretary of State as set out in Document “D” 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).

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