

Minutes of a meeting of the Area Planning Panel (Keighley and Shipley) held on Wednesday 29 June 2022 at 10.00 am in Ernest Saville Room - City Hall, Bradford

Commenced 10.00 am
Concluded 11.30 am

Present – Councillors

LABOUR	CONSERVATIVE	GREEN
D Lee (Chair) A Hussain)	G Barker M Pollard (Alt)	C Hickson (Alt)

Apologies: Councillors A Amran, J Humphreys, M Nazam and K Warnes

Councillor Lee in the Chair

1. DISCLOSURES OF INTEREST

In the interest of transparency, Councillor M Pollard declared an interest in respect of agenda item number 8 relating to Land at Glen Road, Baildoon – Appeal Ref: 21/00156/APPAD1 (Minute Number 6).

2. MINUTES

Resolved –

That the minutes of the meeting held on 26th January 2022, be signed as a correct record.

3. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

4. PUBLIC QUESTION TIME

No public questions were submitted.

5. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL

(a) 204 Gaisby Lane, Shipley, West Yorkshire, BD18 1AE - 22/00985/FUL

Proposal: Full application for demolition of house and construction of replacement, enlarged dwelling and rear boundary wall.

The Strategic Director, Place, provided a detailed overview of the planning application, showing plans and photographs of the proposal. Members were informed that a retrospective planning application had been submitted seeking approval for the demolition of house and construction of replacement, enlarged dwelling and rear boundary wall.

Members were advised that previous applications for construction of a two storey side extension and front underground garage was granted in 2010, subsequently, renewal of planning approval was refused in 2013. Members were further advised that in 2020 the application was granted for a two storey side and rear extension and front basement garage extension.

Notwithstanding, that the planning permission was not granted to demolish the dwelling and approval was only sought for the extension, officers recommended approval of the proposal to re-build of the dwelling to its previous state in order to prevent a derelict site.

Whilst Members were exasperated that the construction works had occurred without seeking prior contrary to an existing approval, however recognised that the site was an eyesore and needed to be made stable.

Members felt that an appropriate timeframe should be set for the development to be completed to protect the amenities of neighbouring properties.

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

Resolved:

That the application number 22/00985/FUL be approved for the reasons and subject to the conditions set out in the Strategic Director, Place's technical report (Document "A") and subject to:

- i. Condition 2 includes the amended plans received on the 23rd June 2022 that shows the lower ground floor plans and rear boundary wall;**
- ii. Condition removing permitted development rights for the application site; and**
- iii. a condition that requires the submission of a survey/solution to ensure structural integrity of the neighbouring property 202 Gaisby Lane and the survey to include details for the need to secure the structural security and safety of the land to either side and to the rear of 204 Gaisby Lane.**

(b) Former Mortuary, Skipton Road, Keighley, West Yorkshire - 21/05013/FUL

Proposal: Full application seeking permission for the construction of six dwellings.

The Strategic Director, Place, provided a detailed overview of the planning application, showing plans and photographs of the proposal. Members were reminded that at its meeting of the Area Planning Panel (Keighley and Shipley) on 16th April 2014, an outline application for demolition of existing buildings and construction of three new dwellings associated access road and parking was granted.

The proposal sought permission for six dwellings, comprising two rows of three attached townhouses. The properties would use the change in land levels to present a two storey property to Skipton Road and three storeys facing north. In addition, two parking spaces would be provided to each dwellings.

Members attention was drawn to the details of the NPPF in the report that any proposal and confirmed the purpose of the planning system was to contribute to the achievement of sustainable development.

The Panel was advised, one representation had been received regarding boundary treatment and surface water drainage arrangements.

Keighley Town Council had raised concerns regarding the drainage and highways, therefore requested that the application be put before the Area Planning Panel for consideration. Furthermore, Highways had opposed to the original proposal, subsequently, a revised plan had been submitted which addressed the technical concerns, therefore The Council's Highways Officers' were satisfied with the amendments.

The Council's Drainage Officers had raised no objections to the new proposal subject to reserving detail of the proposed foul and surface water drainage scheme. Moreover, the site was previously developed land and was not within an area of Flood Risk.

With regards to effects on the setting of the cemetery, the proposed dwellings would be located towards the southern boundary of the site, and likely to be relatively prominent in views from the main road towards and from the cemetery. However, existing suburban development already exists within the setting.

The Panel noted that Keighley Town Council was not present at the meeting. The Chair stressed the any representations made by Town Council or Ward Councillors should attend the meeting to address the Panel with their representation.

The applicant's planning consultant was present at the meeting, and at the request of the Chair addressed the Panel that the proposal would offer an improvement on the appearance of the derelict site and the design offered a good quality and stainable scheme. In addition, the Council's Highways Officers were satisfied with the amendments to the plans submitted.

In response to a Member's questions, the Senior Planning Officer clarified that the proposal would not harm the setting of the heritage assets as the site was not in a conservation area and the scale of the development would not have a significant impact on the setting of the cemetery.

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

Resolved:

That the application number 21/05013/FUL be approved for the reasons and subject to the conditions set out in the Strategic Director, Place's technical report (Document "A").

Action: Strategic Director, Place

(c) Jewsons Royd, Ings Avenue, Keighley, West Yorkshire BD21 4BZ - 22/01258/VOC

Proposal: An application under Section 73 of the Town and Country Planning Act (1990), as amended, to vary condition 14 of planning permission 06/02132/FUL.

The Strategic Director, Place, provided a detailed overview of the planning application, showing plans and photographs of the proposal outlined in the report. The applicant sought to increase the permitted business hours to allow operations on Sundays, and Bank/Public Holidays between 8.00 am and 4.00 pm and extend the 5.00 pm limit on midweek days (Monday to Friday) to 6.00 pm. Also to extend Saturday hours to open until 4.00 pm instead of the existing 1.00 pm.

Members noted that previous application was granted for demolition of existing canopies and lean-to buildings and change of use of car dealership to builders' merchant. Subsequently, in 2021 the applicant submitted a variation of condition 14 to increase hours of operation/trading hours to 7.00 am to 6.00 pm Mondays to Fridays and from 7.00 am to 4.00 pm on Saturdays and 8.00 am to 4.00 pm on Sundays and Bank Holidays, however the application was refused as the proposed increase to the hours of operation would result in excessive harm to the residential amenities of occupants of neighbouring properties.

The request to amend opening hours on Sunday had been withdrawn. The new application included an Acoustic Survey Report which attempts to justify the request for flexibility and addressed the previous reason for refusal.

A Noise Impact Assessment had been carried out; the report findings identified that there was no significant difference between the background and ambient noise levels when the site was opened and when it was closed. Existing noise levels affecting the houses were reported to be dominated by road traffic noise. Furthermore, The Environmental Health Officers were satisfied with the findings.

An objector had registered to speak, and at the request of the Chair, raised concerns that extending hours of operation of the business would create noise and disturbance of amenity for neighbouring residential property. It would also have an adverse impact on neighbours well-being and enjoyment of their back

yards. In addition, the objector had submitted photographic evidence showing that the business was operating during outside the permitted hours and bank holidays. They also raised issues that the up keeping of the shrubs and grounds had not been maintained. Racking (approximately 2.4 meters' height) was installed on the premises grounds which believed required planning permission.

In response to the Panel questions and comments, the Senior Planning Officer addressed the following points:

- Condition 12 of the report in 2006 stated that “All hard and soft landscape works shall be carried out in accordance with the approved details”.
- Condition 9 of the report in 2006 stated that “There shall be no outside storage materials or goods except in the designated areas. The racking shall not result in materials being stored at a height higher than the racking shown on approved plan”.

The Panel was advised that if the business failed to comply with conditions and was in breach of planning regulations, the Council would therefore issue enforcement action.

The applicant's agent had registered to speak, and at the request of the Chair informed the Panel, the proposals would facilitate a relatively modest extension to the site's operating hours in support of trading flexibility for the business. A Noise Impact Assessment had been undertaken and Environmental Health Officer was satisfied with the findings of the survey. The proposal would also support the viability of the business and the local economy.

The applicant's agent advised the Panel that in response to the objector raising concern regarding the business operating outside the permitted hours, it was informed that employees would arrive to work before opening time and leaving after closing time.

The Panel appreciated the nature of the business and the need to extend the operating hours, however acknowledged that the business strictly complies to all conditions.

Resolved:

That application number 22/01258/VOC be approved by amending the relevant Planning Condition (14) and adding an additional condition as set out below:

The premises shall not be used outside the hours of:

7.00am to 6.00pm Mondays to Fridays

7.00am to 1.00pm on Saturdays and

8.00am to 4.00pm on Bank or Public Holidays except for Christmas Day and Good Friday.

The premises shall not be used on Sundays.

Reason: In the interests of the amenities of neighbouring residents and to

accord with Policy DS5 of the Core Strategy Development Plan Document.

Additional Condition:

The changes to the hours of operation hereby permitted shall not come into effect until the applicant has carried out improvements to the site landscaping in accordance with a Maintenance Plan to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to accord with Policy DS2 of the Bradford Core Strategy Development Plan Document.

Action: *Strategic Director, Place*

(Mohammed Yousuf – 01274 434605)

6. MISCELLANEOUS ITEMS

The Panel considered other matters which were set out in (**Document “B”**) relating to miscellaneous items:

(A-M) Items to note.

(N-R) Decisions made by the Secretary of State – Allowed.

(S-AF) Decisions made by the Secretary of State – Dismissed.

(AG-AH) Decisions made by the Secretary of State – Part Allowed/Part Dismissed.

Resolved:

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