

Minutes of a meeting of the Area Planning Panel (Keighley and Shipley) held on Wednesday, 22 February 2023 in Council Chamber - City Hall, Bradford

Commenced 10.00 am
Concluded 12.15 pm

Present – Councillors

LABOUR	CONSERVATIVE	GREEN
Lee Amran Humphreys A Hussain	Pollard	Warnes

Councillor Lee in the Chair

18. DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

19. MINUTES

Resolved –

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

20. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

21. PUBLIC QUESTION TIME

No public questions were received.

22. APPLICATION RECOMMENDED FOR APPROVAL OR REFUSAL

(A) 2 Oakwood Cottages, Lady Lane, Bingley, BD16 4AS - 22/05113/HOU

Householder planning application seeking permission for the construction of a three storey extension to the side and two-storey extension to rear at 2 Oakwood Cottages, Lady Lane, Bingley, BD16 4AS.

Resolved –

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

Action: Strategic Director, Place

(B) Arron House, Dockroyd Lane, Oakworth, Keighley, BD22 7RN - 22/05087/FUL

Full application for a two storey new-build dwelling in existing garden plot and detached garage for existing house. Arron House, Dockroyd Lane, Oakworth, Keighley, BD22 7RN.

Resolved –

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

(C) Chestnut Acres Slaymaker Lane Oakworth Keighley BD22 7EU - 22/04233/FUL

Full application for the retention of one (22 m x 4m) range of single storey sheep stalls and one 14m x 8 m timber stable, along with one (25m x 4.1m) range of animal stalls, and one (25m by 2m) Chicken/Duck, Turkey and Goose hut, access track and part of a hardstanding, at Chestnut Acres Slaymaker Lane Oakworth Keighley BD22 7EU.

The Senior Planning Officer was present and with the invitation of the Chair gave a synopsis of the report. He stated that “Chestnut Acres” was a 3.87-hectare field (approx. 10 acres) in the countryside to the north of Oakworth. It had a short length of frontage onto the adopted Slaymaker Lane and the land sloped up from the road towards the north and east. The range of buildings which were the subject of this application were set about 200 metres into the site. The land increased more steeply to the north and east of these buildings. A line of mature Scots Pine, Sycamore and other trees marked the west side of the land. Beyond the site to the south east side was the woodland of Branshaw Plantation. A public footpath ran along this edge. Gill Clough Farm was across Slaymaker Lane on land to the south side of Slaymaker Lane, and the golf course at Branshaw Moor was to the north. An open land drain ran along the north and west sides of the field. The site was part of the Green Belt.

In June 2020, during lockdown, the applicant brought a number of mobile homes

onto the land, excavated and constructed a hardstanding for vehicles, formalised the access from Slaymaker Lane and erected the various timber buildings. All this was done without planning permission.

This application sought permission for the timber buildings, the access track and the hardstanding, which were already present on the land.

Following the introduction of the application, a question and answer (Q&A) session ensued:

- What was the root cause of the extreme flooding at the front of the gated entrance on Slaymaker Lane?
 - There were flooding issues in Slaymaker Lane but those were believed to have been due to blockages to drainage which were now resolved. The Council's Land Drainage Officer had monitored the efforts of the applicant over several months to unblock the channel and reveal the point at which it entered a culvert under Slaymaker Lane. There had been no further reports of flooding on Slaymaker Lane since;
- If the panel was minded to approve the application, would it be possible to condition the removal of large rolls of hay and other waste left at the entrance of the site?
 - This was not something that the Council could condition within the application;
- Information was sought on whether animals that passed through the land were safe and secure?
 - Animal well-being was not a planning matter and therefore not considered during the process leading to today's consideration of the application; and,
- If the panel was minded for to approve the application, could the covering of the buildings with appropriate cladding be conditioned?
 - Yes, this was possible.

A Ward Councillor was present at the meeting and with the invitation of the Chair, put forward the following concerns to the Panel. She stated that she had received a number of objections from her ward constituents, in summary, the applicant had disregarded planning law over a number of years and this negligence had resulted in the unlawful development on green belt field since June 2020. It was paramount for the site to be restored to its former condition. There was an enforcement notice in place so the applicant was fully aware of the unlawful development nevertheless, continued regardless of the notice. It was clear that the applicant had shown no concern for any planning regulations. In addition to agricultural use, the green belt site was also being used for business operational deliveries. However, if the business on the land was to operate as an animal holding, then this would not be an issues.

The agent for the applicant was in attendance and in support explained that the applicant had always tried to maintain diligence in compliance with enforcement notices. This application was an appropriate agricultural development for the site. That it was important for the panel to note that the accusations raised by objectors had previously been dismissed by planning officers.

The applicant attended and also addressed the panel. She commenced by shedding light on the fact that she had never cut down a single tree from the land. She was actively working with organisations for the purpose of rescue and rehabilitation of animals. Her time and effort also focused on helping people who visited her site of all ages, including people with disabilities. Her site was an excellent resource for meeting people's needs as it boosted mental health, gave focus and improved overall health care. On one occasion, two vulnerable children who had attempted suicide had visited and spent time on the site were now mentally sound. This site was fundamental for peoples well-being and many autistic children had benefited greatly from visiting the site and working with animals.

Following comments, a further Q&A session developed:

- Who had arranged visits on behalf of disabled people to the site?
 - They were referred by Beckfoot School – SEND and Bradford College. The council had also referred children with special needs to the site;
- Had there been a risk assessment undertaken by a professional?
 - Yes, schools had undertaken a risk assessment and the site was fully insured for all users; and,
- What was the number of staff on the site?
 - 11 members of staff.

Proceeding the Q&A session, the panel stated that no information had been provided on facilities such as toilets including for the disabled for the large numbers of visitors who attended the site. It was shocking to discover that children were being granted approval by educational institutions to attend this site. It had further come to light that delivery vehicles were arriving at the site on a regular basis and this could have potential health and safety implications for vulnerable people attending the site. Further to the applicant's statement, it was surprising to hear that the Council had referred young people to the site. Business was clearly being operated on green belt land without approval.

Resolved –

That the application be refused for the following reason:

That evidence heard at the Council's Area Planning Panel meeting suggested that the buildings were not solely for agriculture and include a delivery business. They were therefore not within the exception under paragraph 149 of the National Planning Policy Framework and are inappropriate development in the Green Belt contrary to the Framework and Policy SC7 of the Bradford Local Plan Core Strategy.

Action: Strategic Director, Place

(D) 1 Poplar Close, Burley-In-Wharfedale, Ilkley, LS297RH - 22/03390/FUL

Full planning application to demolish to the existing house and construct a new detached dwelling with extensions as approved in application 22/01010/HOU, at 1 Poplar Close, Burley-In-Wharfedale, Ilkley, LS297RH

The Senior Planning Officer was invited by the Chair to present the planning application. He commenced by stating that 1 Poplar Close was a detached two-storey built as part of a large residential estate in the 1970s. In common with the other houses on the estate it was faced in stone with brick walls to side and rear. It had a concrete tiled roof. Planning permission had been granted for significant extensions. However, during 2022, the original house was demolished and was being replaced with a new detached dwelling. This house was now substantially complete and it was the subject of this planning application.

Being addressed No 1, the plot was a corner plot at the junction of Poplar Close and Sandholme Drive. Sandholme Drive was one of the main estate roads through this residential development. Poplar Close is a cul de sac off it. To one side, the site adjoined the flank wall of No 25 Sandholme Drive. To the other along Poplar Close was a garage to that was attached to the corresponding garage of No 3 Poplar Close.

The surrounding area was residential. The houses along Poplar Close and Sandholme Drive are of similar age but with some variety in design styles and a number of houses had been altered and extended since initially built.

In response to a representation on the matter of whether anything could be done in regards to the demolition without consent by a Ward Councillor who was at the meeting, it was stated that the Council was bound by planning law and therefore officers had to focus on the merits of the planning application.

The panel sought clarification on the parking provision. In response, the proposal provided car parking to meet the Core Strategy Appendix standards and there was off-street parking available.

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Place' technical report (Document "F").

Action: Strategic Director, Place

23. MISCELLANEOUS ITEMS

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

(A-E) Items to note.

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

(H-O) Decisions made by the Secretary of State – Dismissed.

(P) Decision 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 “G”) 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