

Minutes of a meeting of the Area Planning Panel (Keighley and Shipley) held on Wednesday 13 July 2022 at 10.00 am in Council Chamber - City Hall, Bradford

Commenced 10.00 am
Concluded 11.25 am

Present – Councillors

LABOUR	CONSERVATIVE	GREEN
D Lee (Chair) A Hussain R Jamil (Alt)	G Barker M Nazam	K Warnes

Apologies: Councillors A Amran and J Humphreys.

Councillor Lee in the Chair

8. DISCLOSURES OF INTEREST

There were no disclosures of interest.

9. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

10. PUBLIC QUESTION TIME

No public questions were submitted.

11. APPLICATION RECOMMENDED FOR APPROVAL OR REFUSAL

Land at Crossflatts Cricket Club, Keighley Road, Bingley, West Yorkshire - 20/01995/FUL

Proposal: Full application for the change of use of cafe to form residential dwelling (Plot 5) with associated works, construction of one pair of semi-detached houses (Plots 6 and 7), three terraced houses (Plots 8, 9 and 10) and two detached houses (Plots 11 and 12) with associated parking, access and landscaping on land to the west of Crossflatts Cricket Club, Keighley Road, Bingley.

The Chair stressed that she has not had any contact or previously spoken to the applicant prior to the meeting and would consider the application with an open mind.

Members confirmed that they had visited the site.

The Strategic Director, Place, provided a detailed overview of the planning application, showing plans and photographs of the proposal. Members were advised that an outline application was granted in 2018 for the proposal of development of up to 10 residential dwellings including change of use of existing barn with indicative layout and associated means of access.

In 2021, an application for development of eight homes with associated parking was approved. The approval was subsequently quashed by Judicial Review following Sport England objection in relation to the height of safety netting to the risk of ball-strike.

The Council accepted liability for the decision to grant planning permission.

Subsequently, the applicant had submitted amended plans to address the concerns in relation to design, specification, height and layout of the safety netting.

Members were informed that, following the permission being quashed by the Judicial Review proceedings, the developers had continued to build on the site notwithstanding the lack of a planning permission.

The Planning Officer advised the Panel that, subject to s106 agreement concerning the maintenance of the safety netting and road junction improvements and conditions outlined in the report, officers recommended approval for the proposed application.

In response to the Panel questions and comments, the Planning Officers clarified:

- Sport England required the safety netting to be 26 metres high to protect residential houses. The developer would be bound by a s106 agreement which would contain the maintenance of the safety netting;
- It was noted that the previous application to change the use of the Bradford and Bingley building to the south of the cricket pitch did not require planning permission being permitted development under the General Permitted Development Order 2015;
- Core Strategy Policy DS5(F) stated that development should "Not harm the amenity of existing or prospective users and residents." The site was on a relatively narrow piece of land that was located adjacent to Crossflatts Cricket Club.

Representations were received from Ward Councillors and Crossflatts Cricket Club, and at the request of the Chair, raised a number of points, including:

- The proposed development would jeopardise the club's future;
- The cricket club was used by many young teams including primary schools; and also used by Rugby teams;
- There was a huge amount of footfall and a huge amount of traffic going to the club, in particular on weekends. The access to the club car park was not adequate for the current traffic;
- The development would have a detrimental impact on Crossflatts Cricket

- Club and the local economy;
- Future residents of the development would complain about the noise from the cricket club;
- Notwithstanding the absence of a planning permission the developers continued with construction work on the site given no consideration to the cricket club;
- Plot 5 currently had occupants;
- The houses were very close to the boundary of the cricket field; in particular Plot 6 which was extremely close to the clubhouse;
- The development would cause loss of light for the pavilion;
- The development would cause loss of parking for the cricket club;
- Highways concerns.

The applicant's agent was present at the meeting, and at the request of the Chair, informed the Panel that residents were already living in some of the dwellings, granted under a separate permission, and have not complained about any noise from the club. He further added that once the development was completed, the access to the site would be improved and the development would not cause any harm to the amenity of the cricket club. The applicant was a small developer and ceasing the construction work had caused financial issues for the developer.

In the ensuing debate, Members' raised a number of points including; the development was excessive and overshadowing, impact of access to the site, parking issues and significant impact on the amenity of the club.

A motion for refusal was put forward by the Panel for the reason that there were concerns in relation to overdevelopment, lack of amenity space, proximity to the club, loss of daylight and overshadowing.

Resolved:

That the application number 20/01995/FUL be refused for the following reasons:

- 1. The number of houses proposed represents an overdevelopment of the site. This results in dwellings with unacceptably small outdoor amenity spaces and a cramped appearance of the site. The proposed development fails to comply with policies HO5, DS1 and DS3 of the Core Strategy Development Plan Document and the guidance in the Homes and Neighbourhoods: A Guide to Designing in Bradford Supplementary Planning Document.**
- 2. The safety netting and support towers, due to their height and location in close proximity to house plots 6 - 10, would have an unacceptable impact on the amenity of the future residents of these dwellings by reason of overbearing the rear garden areas and windows to the rear, east facing elevations. Furthermore, the height of the netting and support towers would have an unacceptable impact on the visual amenity of the wider area by introducing apparatus that would dominate the locality. For these reasons, the proposal would conflict with policies DS1 and DS5 of the Core Strategy Development Plan Document.**

- 3. The proximity of the dwellings, and plot 6 in particular, to the adjacent clubhouse of Crossflatts Cricket Club would cause future residents to be negatively impacted by noise and disruption from the use of the clubhouse, which are licenced premises, on match days and when used for functions. The proposed application conflicts with policies DS5 and EN8 of the Core Strategy Development Plan Document.**
- 4. The proposal introduces residential development into close proximity to the cricket clubhouse. By doing this the development would see residents move into an area where noise is emanating from licenced premises. This would see an agent of change that would have an unacceptable impact on the continuing use of the cricket club and users of the club house in the manner in which is presently used. This fails to comply with policies DS5 and EN8 of the Core Strategy Development Plan Document and paragraph 187 of the National Planning Policy Framework.**
- 5. The size, height and location of plots 6 - 10 would cause an unacceptable level of overshadowing and loss of natural light to the clubhouse and pavilion. This would cause a loss of amenity for the users of the clubhouse contrary to Policy DS5 of the Core Strategy Development Plan Document.**

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