

**Minutes of a meeting of the Area Planning Panel
(Keighley and Shipley) held on Wednesday, 25 October
2023 at 10.00 am in Council Chamber - City Hall,
Bradford**

Commenced 1000
Adjourned 1205
Reconvened 1225
Conclude 1325

Present – Councillors

| LABOUR | CONSERVATIVE | GREEN |
|---------------------------------------|---------------------|--------------|
| Engel Azam Dearden Humphreys | Herd Loy | Hickson |

Apologies: Councillor Nazam Azam

Councillor Engel in the Chair

7. DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

8. MINUTES

Resolved –

That the minutes of the meeting held on Wednesday 2 August 2023 be deferred for approval to the meeting of the 29 November 2023.

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

11. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL

(a) SHERIFF LANE, ELDWICK, BINGLEY - 23/01142/FUL Bingley

Full application seeking permission for Residential development of 3 detached houses with new section of adopted road and turning head and private drive at Sheriff Lane, Eldwick, Bingley - 23/01142/FUL.

The Area Planning Manager (APM) was in attendance and at the invitation of the Chair, gave a detailed presentation of the report.

A Bingley Town Councillor objecting to the application was in attendance and with the invitation of the Chair voiced his concerns. This proposal would have implications on highway safety. The development was of a significant large scale and lacked a quality of design to the extent of exterior design would compromise the design of neighbouring properties. The garage was a cause for concern as it had windows and designed for the needs of a habitual abode. The proposal would also entail a lack of visibility. The road was currently a very substandard highway, and this development would only worsen the inadequate standard of the road.

In response, the APM stated that the development was a substantial distance away and neighbours would not be harmfully impacted by the proposals. This amended scheme was visually acceptable and of an appropriate scale and design on their allocated plots and as part of the wider street scene.

A Bingley Ward Councillor was in attendance and was invited to make representations to the committee. She stated that the proposal would create congestion and traffic, resulting in highway safety issues. The consequence of the proposal of the scheme would have a significant adverse effect on residential amenity. The density following the development of the proposal would be questionable. There were ongoing highway safety concerns on Sherriff Lane and an additional development would only escalate issues for residents. Due to various amenities allocated at top of Sherriff Lane, residents walked their dogs to amenities during the quiet time and with such a development would increase a number of cars in the locality resulting decreased visibility with the potential of harm to people walking on an already narrow path.

The agent on behalf of the applicant made representations in support of the proposal. That having carefully acknowledged the concerns raised by officers, the initial proposal for 5 dwellings had been withdrawn for the purpose of meeting every level of sustainable development in accordance with the Statutory Development Plan. As detailed in the report, the Highway Engineer was in support of the amended layout proposals and suitable visibility splays to Sheriff Lane had also been incorporated in the amended proposal. The architectural design of the dwellings was in reflection of the properties in the area. Trees would not be overbearing.

A Q&A session ensued:

- What was the approximate distance from the closest point of the dwellings to the boundary?
 - The garage was set 2 metres off the shared boundary defined by a

hedge. It was also important to note that there was no overbearing on the common boundary.

- What were the significant changes from the initial proposal that was withdrawn?
 - Highways issues had been addressed and no existing residents would not be compromised.
- What had officers decided on the impact on the Otley Road junction?
 - The junction was a significant distance from the location of the development and had no connection with this site.
- It was confusing to understand why officers were recommending approval for a development on a site in which the area was over developed?
 - The site was previously developed land in a built-up area with permission having been granted for residential development in the past. The proposal was acceptable in principle and was supported by the presumption in favour of sustainable development.
- What had been considered as parking for visitors?
 - The proposal included adequate space within the site for a least two off-street car parking spaces within the development to meet the required levels. Arrangements had also been made for bin storage and collection.
- Did the development on plot 3 include opaque windows?
 - The utility room was not part of the application.
- Despite amendments to plans, residents were clearly concerned on the design of the development?
 - The houses were similar in scale and design to surrounding nearby properties on Sherriff Lane.
- Was it possible to condition a requirement for parking spaces?
 - This was only possible if the development was on an adopted highway then a condition for 25% contribution could be included. As this was private highway, such conditions would not be valid.

Resolved –

That the application be refused for the following reasons:

- (1) The proposed development would be likely to overlook resulting in significant harm to the amenities of the occupants of neighbouring properties contrary to Policy DS5 of the Core Strategy Development Plan Document.**
- (2) The surrounding road network is considered to be unsuitable to support the development, which would cause additional congestion and traffic, and would result in the intensification of use of nearby junctions and roads to the detriment of highway safety contrary to Policy DS4 of the Core Strategy Development Plan Document.**

To be Actioned by: Strategic Director, Place

**(b) WINDWARD 29 BREAKMOOR AVENUE
SILSDEN KEIGHLEY WEST YORKSHIRE**

Craven

BD20 9PW - 23/02369/FUL

Full Planning application for construction of new dwelling to the side and change of use of a barn to domestic storage and amenity space at 'Windward', 29 Breakmoor Avenue, Silsden - 23/02369/FUL

Following a synopsis of the report, the Chair invited an objector who was in attendance to make his representations to the committee. He explained that 19 households had raised strong objections to the proposed development. The design of was out of character and failed to meet with the expectations of the current properties in the area. The design would impact visual amenity. The development would overshadow neighbouring properties and therefore compromising privacy. Access would be compromised and the implications of highway safety.

In response, the APM stated that access was a private matter and not part of the application. The development would not overshadow neighbouring properties.

The applicant made representations in support for his application. The proposed development was designed by the family as was a proposal for their new family to live in. The design of the house had been tailored to meet the expectations of raising their young children. The construction of the development met with approval of the planning authority. Health and safety was acknowledged and as parents it was paramount that this would not be compromised during and following the development of the house. As opposed to concerns of overshadow, the APM had clearly stated that there would be no overshadow.

The committee discussed whether or not the proposal would have a detrimental impact on neighbouring properties, the residential amenity, and implications on highway safety.

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"), and subject to a further:

- **Condition to remove permitted development rights for further windows to the southern elevation.**

Action: Strategic Director, Place

**(c) 21 HEATHER GROVE, KEIGHLEY,
BD21 2RP - 23/02539/HOU**

Keighley Central

This is a Householder Planning application for the construction of a garage to the front plus a dropped kerb at 21 Heather Grove, Keighley, BD21 2RP.- 23/02539/HOU.

The APM introduced the report to the committee.

A Keighley Centra Ward Councillor was in attendance for support of the application. At the invitation of the Chair, the Councillor made the following comments, there was a heavy presence of anti-social behaviour. The next door to the application address had experienced an arson attack. The purpose of the garage for the sake of parking of the family's vehicle. There was a widespread issue of lack of parking spaces and therefore neighbours were in support for the applicant's proposal.

The visual amenity would not be compromised.

In response to the supporting representations, the APM explained that the concern of parking issues within the community were noted however during the assessment of the proposal, it was for officers to ensure that all circumstances were taken into consideration as opposed to only assessing the merit of the proposed garage. The proposed garage would significantly be harmful to visual amenities due to the blank block structure immediately in front of the house. This application would be contrary to the Council's Adopted Policy.

The committee sought advice from the APM, that if the committee was minded to approve then was it possible to condition the proposed garage in order to address the appearance of the garage to a more fitting one the visual amenity; and the purpose of the development was for safety of the family vehicle.

In response, it was explained that no condition could improve the appearance of the appearance of the proposed garage

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

(d) **PONDEN WOOD, PONDEN LANE, STANBURY, Worth Valley
KEIGHLEY - 23/01413/FUL**

This is a retrospective full planning application for the retention of a timber cabin and a bell tent for use as a single holiday let, including restricting the associated lawful camping field to a maximum of six tents at Land at Ponden Wood, Ponden Lane, Stanbury, Keighley - 23/01413/FUL.

During the APM's introduction of the report to the committee, he stressed the lightweight nature of the retention of the cabin which was not a traditionally styled one and would not improve the local amenity.

An objector was in attendance and at the invitation of the Chair, made representations to the committee. The proposal would ultimately compromise the character of the long-standing attraction of the area and create unprecedented noise and traffic. There was a lack of parking spaces to cover additional vehicles in the area. The distress that would be caused on the community following the approval of the retrospective planning application and the adverse effect on the

woodland area.

In response to the committee's wish for clarification on the reason for the retrospective application, the APM stated that this was an application in response to enforcement notices hence the retrospective planning application to seek approval for the relevant development of a few years.

Following objections, the applicant was invited to make representations in support of her retrospective application:

- She and her sister had purchased the cabin and during that time had assumed that planning permission was not required.
- The structure had been in place for a period of 3 years near Hebden with no objections.
- That during the time of her sister's relocation, attempts had been made to sell the cabin but to no avail.
- The cabin was then moved to the application address.
- The NPPF exceptions included sustainable developments which respected the character of the countryside and perfect for the cabin.
- The cabin was in a secluded location and in keeping with the character of the woodland.
- The retention of the cabin was good for the local economy.
- That her family was environmentally conscious and intended to put in place the necessary safeguards or regulations to assist in conserving the environment.
- That the family had planted 2,000 trees on their land in 1990, which had cultivated to a beautiful woodland.
- No damage had occurred to the mounting block by large vehicles delivering materials. Large vehicles were frequently driving on the lane as there was a farm with tractors and other large vehicles coming and going.
- Due to the ongoing on the land and as a result, a certain amount of mess had gathered, and the footpath may have been partially obstructed for short periods during work. However, the conditions and situations were now being monitored.
- If permission were granted, with conditions then in addition to other factors, a plan for the development of the landscape would be provided. The landscaping was currently being undertaken by a local gardener and a family member. The plan included a herb garden area and a fruit and berries garden area. The garden would provide for birdlife as well as family members, and probably the odd deer.
- Amendments to the original application by David Hill Planning Ltd, now provided provision for drainage, although a land drain could also be added. The toilet facilities had been used by many campers over the years.
- The usage from the cabin would be minimal compared with how much it had been used, or could be used if camping was rebuilt.
- With approval would also result in providing a compost toilet for the cabin.
- The water supply on the land was installed by the family and despite selling the rights of the water with properties, rights had also been retained by the family.
- Noise restrictions would be applied, rubbish that had been gathered would be removed immediately, no dogs would be allowed no permission would be given to smoking or fires.

- In terms of management, the family had a cottage on the land which was operating as an Airbnb and there were intentions of relocating the accommodation.
- In terms of overseeing guests, they were personally welcomed, and the site would be continuously monitored for noise or to assist in unforeseen potential issues.
- Allowance would be made for one car park provision with the arrival of additional vehicles to park down the road. Therefore, one additional car would not have an adverse impact on the current traffic volume or the local community.
- If this application was approved, this would ultimately promote the woodland cabin as a retreat into nature, away from the business of society.
- In this climate of Covid and mental health challenges, a retreat space into nature would be an asset and different from other existing accommodations in the area. Information on nature and living sustainably and in harmony with the environment would be provided. This retrospective application was a small one and one that would be keeping with the character of the woodland.
- In conclusion, if the panel were minded to approve the application with the condition to reduce the camping facility by 50% would also be welcomed.

The committee echoed joint sentiments on the increase of tourists in the area, however this opportunity was outweighed by the adverse impact on the local community and furthermore, the site was in need of significant work before such a proposal could be approved.

Resolved –

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

To be actioned by: Strategic Director, Place

12. MISCELLANEOUS ITEMS

The Panel considered other matters which are set out in (Document “D”) relating to miscellaneous items:

(A - D) Items to note.

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

(I - N) Decisions made by the Secretary of State – Dismissed

Resolved –

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

To be actioned by: 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).

THIS AGENDA AND ACCOMPANYING DOCUMENTS HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER