

Minutes of a meeting of the Area Planning Panel (Keighley and Shipley) held on Wednesday, 29 November 2023 in Council Chamber - City Hall, Bradford

Commenced 1025
Concluded 1055

Present – Councillors

LABOUR	CONSERVATIVE	GREEN
Engel Azam Dearden Humphreys	Herd Loy	Warnes

Apologies: Councillor Nazam Azam

COUNCILLOR ENGEL IN THE CHAIR

13. DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

14. MINUTES

That the minutes of the meeting held on 2 August 2023 and 25 October 2023 be signed as a correct record.

15. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

16. PUBLIC QUESTION TIME

There were no questions submitted by the public.

17. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL

The Panel was asked to consider the planning application which is set out in (**Document “E”**) relating to the item recommended for approval.

The Planning officer was in attendance and at the invitation of the Chair gave a synopsis of the report. She explained that the application was a full plans planning application for extensions and alterations to the existing building. The plans also include a new sub-surface waste water treatment unit and an underground attenuation tank; alterations to the car parking layout, landscaping and fencing to the rear at the Former Kashmiri Aroma Restaurant and takeaway, Coutances Way, Burley in Wharfedale, Ilkley. West Yorkshire LS29 7HQ - 23/01734/FUL

In addition to the submission of written concerns, objectors had attended the meeting and were given the opportunity to voice their concerns. In narration, strong voices were raised towards highway safety, character of the area, ecology, allegations about the applicant/company.

The Planning Officer explained that the site had a long-established use as a restaurant and takeaway with the company ‘Kashmiri Aroma’ operating from this site since c.2007. Prior to this, the site was occupied by a ‘Little Chef’ restaurant.

Kashmiri Aroma had recently vacated, and the site had been purchased by the applicant company, McDonalds. This company would be operating as a restaurant and takeaway. It was therefore emphasised that there was no material change of use taking place under the terms of the Planning Act. In this respect, it was not for the Local Planning Authority to ascertain in this application if the ‘use’ of the site was acceptable. This is already established, and the applicant could operate from the premises as it currently stood without further consent from the Local Planning authority.

A vast majority of representations received had raised concerns about the merits (morals and ethics) of the application company. It was not for a Local Planning Authority to ascertain if a particular company (or applicant) can or cannot operate from a premises.

Resolved –

That the application be approved subject to the conditions set out in the Strategic Director, Place’s technical report (Document “E”) with the additional condition set out below:

Notwithstanding any details shown in the supporting plans and documents, and prior to the first installation of any external lighting, further details to finalise the lighting strategy to the rear (south) of the building shall be submitted to and approved in writing by the Local Planning Authority. The details to be provided may include reducing the height of columns in this area and/or having the lights triggered by motion sensors. The proposal shall subsequently be carried out in accordance with the approved details and retained whilst ever the use subsists.

Reason: The reduce the potential impact from high light levels on known bat commuting and foraging to the rear of building and to accord with

Policy EN2 of the Core Strategy Development Plan Document.

To be actioned by: Strategic Director, Place

18. MISCELLANEOUS ITEMS

The Panel was asked to consider other matters which were set out in (**Document “F”**) relating to miscellaneous items:

(A – B) Items to note.

(C – D) Decisions made by the Secretary of State - Dismissed

Resolved –

That the requests for Enforcement/Prosecution Action and the decisions made by the Secretary of State as set out in Document “F” 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