

**Report of the Assistant Director (Planning,
Transportation & Highways) to the meeting of
Regulatory & Appeals Committee to be held on
12 November 2020**

AK

Subject:

Full application 20/03121/FUL for a single storey extension to existing workshop buildings and a proposed new storage building at the KAP Centre, (Keighley Auto Paint), Beecher Street, Keighley, BD21 4AP.

Summary statement:

Beecher Street and neighbouring streets leading off Bradford Road in this part of Keighley have always included a mix of commercial workshop premises and residential terrace houses. The workshop buildings occupied by the applicant's business are in long established use as car repair premises, and the site benefits from planning permission 09/05635/FUL which authorised expansion of the business curtilage onto adjoining disused allotments, the land to be securely fenced and used for vehicle parking and the siting of storage containers/units. This application proposes a modest extension of the existing workshops and a new free standing storage building within the enlarged compound. The extension would be south-east of the existing range of buildings and raises no significant issues. The new storage building would be positioned against the existing security fence in the corner of the compound. Although close to the residential properties along the other side of Beecher Street, the height and position of the building and screening by the existing security fencing are such that the effects on outlook and amenity would not be significant. It is acknowledged that local residents are concerned about the potential intensification of use of the site and extra traffic being created along Beecher Street. However, the agent has confirmed that the purpose of the storage building would be to enable completed vehicles to be stored safely within the site in a new secure building. If that is the case, the proposed building would not result in extra noise generating activities. A condition can be imposed to ensure that this new building remains in ancillary storage use. Subject to this, the proposal is recommended for approval.

Julian Jackson
Assistant Director (Planning, Transportation
& Highways)

Report Contact: Mark Hutchinson
Development Manager
Phone: (01274) 434380
E-mail: mark.hutchinson@bradford.gov.uk

Portfolio:

Regeneration, Planning and Transport

Overview & Scrutiny Area:

Regeneration and Economy

1. SUMMARY

The proposal is for an extension to the existing workshop and a new storage building within the established business site. The workshop use is well established and the extension to the existing workshops is relatively modest and would provide extra space for the business. The agent confirms that the proposed storage building would provide secure parking for completed vehicles ready for collection by customers. It would not be used for engineering or other repair work. There is an existing container type building positioned on the same part of the site. The compound already benefits from permission to store and park vehicles. As long as the storage building is restricted to storage use and is not used for B2 workshop purposes there would be no adverse impact in terms of loss of noise nuisance or other disturbance. There would also be no significant loss of outlook or intensification of use of the highway. On balance, it is appreciated that the business has a need for these additional facilities, and although concerns of local residents are acknowledged, the workshop extension and storage building can be provided without significant detriment to the existing residential properties nearby.

2. BACKGROUND

The site was in use as allotments before the existing use. The site was granted planning permission to run as a repair garage in 2010. The business specialises in the re-building of Suzuki jeeps to enable suitability for agricultural purposes. There is an existing element of the storage of vehicles within the site.

3. OTHER CONSIDERATIONS

Not applicable.

4. FINANCIAL & RESOURCE APPRAISAL

There are no financial implications for the Council arising from this application.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

No implications.

6. LEGAL APPRAISAL

The determination of the application is within the Council's powers as the Local Planning Authority.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

Section 149 of the Equality Act 2010 states that the Council must, in the exercise of its functions “have due regard to the need to eliminate conduct that is prohibited by the Act, advancing equality of opportunity between people who share a protected characteristics and people who do not share it, and fostering good relations between people who share a protected characteristic and people who do not share it. For this purpose, section 149 defines “relevant protected characteristics” as including a range of characteristics including disability, race and religion. In this particular case due regard has been paid to the section 149 duty but it is not considered there are any issues in this regard relevant to this application.

7.2 SUSTAINABILITY IMPLICATIONS

There are no sustainability implications.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

There are not considered to be any significant greenhouse gas emissions impacts caused by the proposed development.

7.4 COMMUNITY SAFETY IMPLICATIONS

Core Strategy Policy DS5 states that development proposals should be designed to ensure a safe and secure environment and reduce the opportunities for crime. In this instance, it is not considered that there are grounds to conclude that the proposed development would create an unsafe or insecure environment or increase opportunities for crime, in accordance with adopted Core Strategy Policy DS5.

7.5 HUMAN RIGHTS ACT

Article 6 - right to a fair and public hearing. The Council must ensure that it has taken into account the views of all those who have an interest in, or whom may be affected by the proposal.

7.6 TRADE UNION

None.

7.7 WARD IMPLICATIONS

None.

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS

None.

7.9 IMPLICATIONS FOR CORPORATE PARENTING

None.

7.10 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

None.

8. NOT FOR PUBLICATION DOCUMENTS

None.

9. OPTIONS

If the Committee accepts the recommendation to grant planning permission, the Assistant Director (Planning, Transportation and Highways) can be authorised to grant planning permission subject to planning conditions.

Alternatively, if the Committee decides that planning permission should be refused, it may resolve that planning permission should be either for the reasons set out in this report, or for any other valid planning reasons which the Committee consider to apply. Reasons for refusal should be given based upon development plan policies and or other material planning considerations.

10. RECOMMENDATIONS

This application is recommended for approval, for the reasons outlined in the report.

11. APPENDICES

Appendix 1 Technical Report.

12. BACKGROUND DOCUMENTS

12. BACKGROUND DOCUMENTS

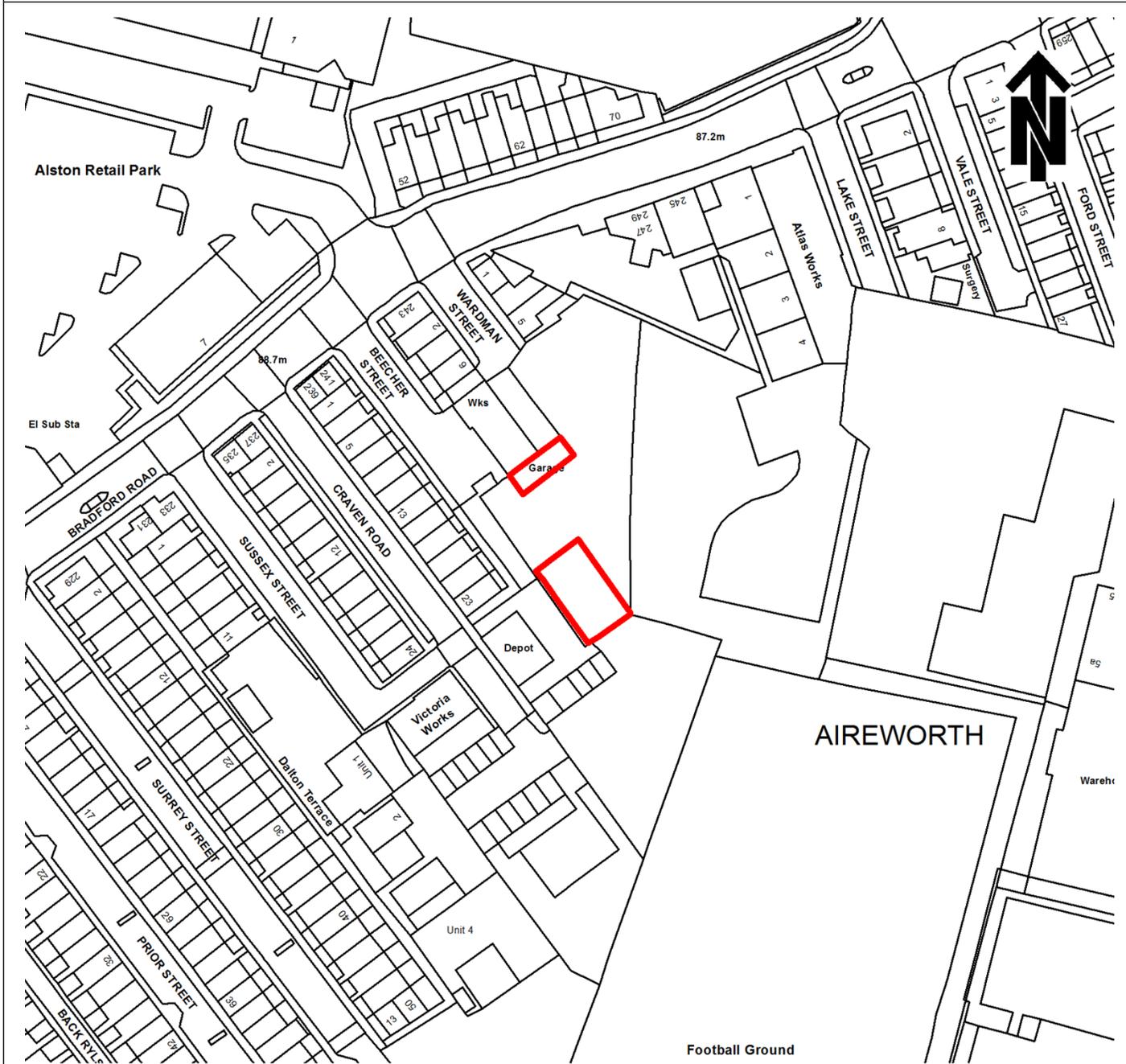
Adopted Core Strategy 2017

National Planning Policy Framework 2018

20/03121/FUL



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



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KAP Centre
Keighley Auto Paint
Beecher Street
Keighley BD21 4AP

Appendix 1

Ward: Keighley East (Ward 16)

Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:

20/03121/FUL

Type of Application/Proposal and Address:

Full application for a single storey extension to existing workshop and a proposed new storage building at KAP Centre, Keighley Auto Paint, Beecher Street, Keighley, BD21 4AP.

Applicant:

Mr D Wilson- KAP Autopaints

Agent:

Mr Kenneth Robinson- Dales Design & Developments Ltd

Site Description:

The KAP Centre is a garage business located in a range of functional workshop buildings on the east side of Beecher Street which is an adopted cul de sac leading off Bradford Road. On the west side of the street is a terrace of residential properties which face across the street to the site. The street is a cul de sac terminating in a grass verge and a footpath leads off into the adjoining street – Craven Road- where there are other car workshop premises. The proposed extension would extend out from the existing range of workshop buildings and the outbuilding would be positioned in the corner of the fenced site compound. There is an existing container type structure in the position of the proposal.

Relevant Site History:

09/05635/FUL : Change of use of disused allotment land to form extension to the curtilage of existing body repair shop, and use of land for vehicle parking and siting of storage units and erection of security fencing and associated soft landscaping. Granted 06-JAN-2010.

The National Planning Policy Framework (NPPF):

The NPPF is a material planning consideration on any development proposal. The NPPF highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development, which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;

- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the NPPF suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Local Plan for Bradford:

The Core Strategy for Bradford was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. The site is not allocated for any specific land-use in the RUDP.

Core Strategy Policies

- DS1 – Achieving Good Design
- DS3 – Urban Character
- DS4 – Streets for Movement
- DS5 – Safe and Inclusive Places
- TR2 – Parking Policy
- EN7- Flood risk
- EN8 – Environmental Protection

Other Policies

No Neighbourhood or Action Area Plans are in effect in this area.

Keighley Town Council:

Recommend approval.

Publicity and Number of Representations:

Application advertised neighbour notification letters expiry date 14 September 2020.

24 objection comments have been received (excluding 9 duplicates).

7 support comments have been received (excluding 3 duplicates)

Summary of Representations Received:

Objections:-

- Parking issues within residential street (Beecher Street)
- High levels of pollution
- Deliveries in the middle of the night
- Disturbance to residential properties
- Loss of outlook and privacy
- Noise levels are unacceptable
- Business is operating outside of hours
- Anti-social revving of cars

Support:-

- Storage building would replace containers in yard
- Industrial area, no issues with traffic
- Extension would have no impact
- Storage unit would be visually better than existing

Consultations:

Keighley Town Council - Recommend approval.

Drainage - Conditions suggested.

Environmental Health - Low risk, contamination condition suggested.

Summary of Main Issues:

1. Principle.
2. Visual Amenity.
3. Residential Amenity.
4. Highway Safety.

Appraisal:

Beecher Street and neighbouring streets, including Craven Road, leading off Bradford Road in this part of Keighley have always included a mix of commercial workshop premises alongside traditional residential terrace houses.

The workshop buildings occupied by the applicant's business are in long established use as car repair premises and their appearance suggests they have been there for a long time. The KAP Centre is a business which specialises in the building of bespoke agricultural vehicles from Suzuki 4x4 jeeps. The jeeps are customised to accommodate agricultural/farm use. There is an element of building and paint spraying of the vehicles on the site which is claimed to have been established for a number of years.

The site also benefits from planning permission 09/05635/FUL which authorised expansion of the business curtilage onto an adjoining area of disused allotments, this enlarged compound has now been hard cored and securely fenced and is used for vehicle parking and the siting of storage containers in accordance with that permission.

This new application proposes a modest extension of the existing workshops and a new free standing storage building within the enlarged compound.

The workshop extension

The extension to the south east of the existing workshops is relatively modest and would provide extra space for the business to operate. The extension would align well with the existing building and would continue the existing roof line. It would not result in adverse impact on visual amenity and is sited some distance from the terrace houses. The workshop extension raises no significant planning issues.

The storage building

The proposed storage building would be positioned against the existing security fence in the corner of the compound. It would be 3.0 metres high to eaves level and 5.075 metres maximum height. It would occupy a corner of the site and would back on to other commercial premises to the south and east. It would be screened by some existing trees and vegetation. The materials would match the adjacent building. It would not be a prominent feature in the street scene and would be set back from the highway.

It would be close to the three residential properties at the end of the Beecher Street terrace which face across onto the site. However, the height and set-back position of the storage building and screening by the existing security fencing are such that the effects on outlook and amenity would not be significant. It is noted that the ground floor windows in the end houses are set slightly above ground level and proposed free-standing storage building would be positioned a reasonable distance away from the yard areas and windows of these properties. The degree of separation is such that the storage building would have no serious effects on the amenity, light or outlook of occupiers of these houses.

Use of the storage building

It is acknowledged that local residents are concerned about the potential intensification of use of the site and extra traffic being created along Beecher Street. However, the agent has now confirmed that the storage building would simply enable completed vehicles that are ready for collection to be stored safely within the site in a new secure building. If that is the case, the proposed storage building would not result in extra noise generating activities as it would not be used for engineering or other repair work. The spray booth and repair/rebuild work would continue to remain within the existing workshop premises.

There is an existing container type building positioned on the same part of the site and the compound already benefits from permission to store and park vehicles. As long as the storage building is restricted to ancillary storage or parking/garaging use and is not used for B2 workshop purposes there would be no adverse impact in terms of loss of noise nuisance or other disturbance.

A condition can be imposed to ensure that the new building remains in storage use.

Highway issues

Residents have also referred to intensification of use of Beecher Street by industrial traffic and conflicts with on residents' on-street parking. It is appreciated that Beecher Street is a cul de sac that carries industrial as well as residential traffic and that residents have limited space to park.

Beecher Street is an adopted street, having been improved as part of General Improvement Area regeneration works in the 1980's. It is acknowledged that Beecher Street lacks a turning head and is congested by on street car parking. However, the applicant's workshop use is long established and the site already benefits from permission for the storage of vehicles etc. The enlarged compound is cleared ground and would be expected to be able to provide space for turning and manoeuvring within the compound by the vehicles associated with the business.

As the extension and storage building would essentially provide ancillary facilities to the established business, it could not be said that they would materially intensify traffic movements on Beecher Street and so this proposal would not be detrimental in terms of having significant impacts on highway safety or the lack of provision of on-street parking. The proposal is not deemed to have any adverse impact on public and highway safety and accords with Policy TR2 and DS4.

Other issues raised

Residents have raised a number of other issues regarding the operation of the site and disputes with the operator over revving engines, parking disputes and noise. However, in planning terms the existing use is lawful, and this application only seeks permission for the proposed storage building and workshop extension. Noise nuisance issues relating to the existing business need to be pursued under separate nuisance legislation. These application proposals are not deemed to be likely to materially contribute towards excessive noise and disturbance for reasons explained above.

The proposed outbuilding would be limited to storage and controlled via a planning condition. No negative impacts would be a result of the proposal, nor would the proposal pose a significant threat of overlooking, overbearing or overshadowing of any neighbouring properties.

Community Safety Implications:

The proposal has no community safety implications.

Equality Act 2010, Section 149:

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

Recommendation:

To approve planning permission.

Reason for Granting:

The proposals would assist the operation of the established business and so would be supported the economic strand of the National Planning Policy Framework. Although concerns of local residents regarding intensification of use of the site and the adopted highway leading to it are acknowledged, both proposed facilities would appear to be ancillary and incidental to the existing use - the workshop extension facilitating more efficient space within the workshops and the storage building enabling client's vehicles to be stored more securely. The parking and storage of vehicles is already permitted within the site, and avoidance of nuisance issues could be controlled by a planning condition to require the storage building to be used solely for purposes of ancillary storage. Subject to this, the development could be provided without significant detriment to the amenity of occupiers of existing residential properties or highway safety and will accord with Policies DS1, DS3 and DS5 of the Core Strategy Development Plan Document

Suggested conditions:

1. The development to which this notice relates must be begun not later than the expiration of three years beginning with the date of this notice.

Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. The development hereby approved shall only be carried out in accordance with the approved plans listed below:-

Plan Type	Plan Reference	Version	Date Received
Location Plan			29.07.2020
Existing Plans and Elevations	18/025/1		29.07.2020
Proposed Plans and Elevations	18/025/2	A	29.09.2020

3. The proposed storage building shall be used only for purposes of storage, or for the parking/garaging of vehicles in connection with and ancillary to the occupation and use of the site and shall at no time be severed and occupied as a separate independent unit.

Reason: In the interests of amenity and highway safety and to accord with policies DS1, DS5, TR2 and SC9 of the Core Strategy Development Plan Document.

4. Notwithstanding details contained in the supporting information, the drainage works for the development shall not commence until full details and calculations of the proposed means of disposal of surface water drainage have been submitted to and approved by the local planning authority.

These details shall be based on drainage principles that promote water efficiency and water quality improvements through the use of SuDS and green infrastructure to reduce the development's effect on the water environment. Consideration should be given to discharge surface water to soakaway, infiltration system and watercourse in that priority order. Only in the event of such techniques proving impracticable will disposal of surface water to an alternative outlet be considered. In the event of infiltration drainage techniques proving unviable the maximum pass forward flow of surface water from the development shall be restricted to a rate to be agreed with the Lead Local Flood Authority.

The development shall thereafter only proceed in strict accordance with the approved drainage details.

Reason: In the interests of the amenity of future occupiers, pollution prevention and the effective management of flood risk and to accord with Policies DS5, EN7 and EN8 of the Core Strategy Development Plan Document.

5. If, during the course of development, contamination is found to be present, no further works shall be undertaken in the affected area and the contamination shall be reported to the Local Planning Authority as soon as reasonably practicable (but within a maximum of 5 days from the find). Prior to further works being carried out in the identified area, a further assessment shall be made and appropriate remediation implemented in accordance with a scheme also agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy with policy EN8 of the Local Plan for Bradford.