

**MINUTES of the PLANNING COMMITTEE MEETING of
BURLEY PARISH COUNCIL held at the Queens Hall, Burley
on MONDAY 3RD JULY 2023 at 7:30pm**



Present: Cllr Simon Budd (non-Committee member)
Cllr Vicky Evans
Cllr Steve Goodwill (Ex-Officio)
Cllr Katherine Howard
Cllr John McGovern (non-Committee member)
Cllr Mike Wild (Chair)

Officers: Clare Smith (Parish Clerk)

P026/2324 Item 1 – Chair’s Welcome
Councillor Wild welcomed everyone present to the meeting.

P027/2324 Item 2 – To Accept Apologies for Absence
Apologies were received from Councillor Lepley.

P028/2324 Item 3 – Declarations of Interest
None.

P029/2324 Item 4 – To Consider Written Requests for a Dispensation
No dispensation requests received under the Localism Act 2011 s33.

P030/2324 Item 5 – Public Participation
No members of the public were present.

P031/2324 Item 6 – Minutes of the Last Meeting
RESOLVED that the minutes of the Planning Committee meeting held on 12th June 2023 be approved and signed by the Chairman as a correct record of the meeting.

P032/2324 Item 7 – Matters Arising from Previous Minutes
None.

P033/2324 Item 8 – Consideration of Planning Applications:

8.1	23/01948/HOU	Proposal: Rear and side single storey extension	15 Mansfield Road LS29 7LQ	The Parish Council recommends approval of this application.
8.2	21/06620/SUB02	Proposal: Submission of details required by Condition 7: Drainage Strategy with Appendices 22112810-05 A Drainage Layout of planning permission 21/06220/FUL	Low House Colston Drive Burley Woodhead LS29 7BJ	Noted.
8.3	23/01734/FUL	Proposal: Double storey extension to the rear to enclose existing external staircase; demolition and replacement of the existing cold room to the rear; small hot water plant room to the rear; new plant and equipment on the roof and at ground level to the rear; a new sub-surface waste water treatment unit / underground attenuation tank; replacement	Former Kashmiri Aroma Restaurant & Takeaway Coutances Way LS29 7HQ	See Appendix A.

		roof covering; new entrance doors; alterations to car parking, landscaping and fencing to the rear.		
8.4	23/02063/HOU	Proposal: First floor side extension; double storey side extension; extension to front porch; additional window to rear	2 The Court Cottage Prospect Road LS29 7PG	The Parish Council recommends approval of this application.

P034/2324 Item 9 – Decisions made by Bradford MDC

The Committee noted the following decisions made by Bradford MDC:

9.1	23/01026/HOU	Construction of a part subterranean building to house a swimming pool. Alterations to an existing outbuilding to create a new opening and demolition of existing pool equipment room. Removal of outdoor pool and all the associated paved areas. New landscaping and terrace to pool building. -	Stockgate Farm Moor Road LS29 7AY	Application Granted
9.2	23/01489/HOU	First floor side extension, two storey rear extension with single storey wrap-around extension. Part demolition of existing outbuilding and construction of single garage. -	62 Main Street LS29 7DF	Application Granted
9.3	23/01782/HOU	Single storey rear extension -	23 St Philips Way LS29 7EW	Application Granted

P035/2324 Item 10 – Notice of Appeal

The following notice of appeal was received and noted by the Committee:

Appeal by: Neil Hudson

Address: 2 Hopps Barn Back Lane Burley in Wharfedale Ilkley West Yorkshire LS29 7ED

Proposal: Cladding of outbuilding with timber (retrospective)

Appeal Number: 23/00037/APPHOU

Inspectorate Reference Number: APP/W4705/D/23/3323301

Start Date: 06.06.2023

P036/2324 Item 11 – Area Planning Panel

The meeting of the Area Planning Panel (Keighley and Shipley) which was due to take place on 26th April 2023 at 10:00am was cancelled and has not yet been rescheduled.

P037/2324 Item 12 – Ongoing Planning Matters

Nothing to report.

P038/2324 Date of next Planning Committee meeting: Monday 24th July 2023 at 7:30pm.

Meeting closed at 8:10pm

Signed (Chairman, Cllr Wild): _____

Date: 24th July 2023

Appendix A

23/01734/FUL – Proposal: Double storey extension to the rear to enclose existing external staircase; demolition and replacement of the existing cold room to the rear; small hot water plant room to the rear; new plant and equipment on the roof and at ground level to the rear; a new sub-surface waste water treatment unit / underground attenuation tank; replacement

Former Kashmiri Aroma Restaurant & Takeaway, Coutances Way, LS29 7HQ

Burley Parish Council Comments:

Burley Parish Council objects to this application on the following grounds:

Traffic Considerations

- **No Traffic Surveys Submitted with Application**

Section 5.12 of the planning statement comments that “the trip generation associated with the lawful use class has already been accepted in planning terms” This statement is not accepted. No traffic surveys have been submitted along with proposals, nor have the cumulative impacts of development in Ilkley, Ben Rhydding, Burley, and the Garden Centre been raised within proposals

- **Known Accident Black Spot**

- The site is located by traffic cameras which are only erected where there has been a history of serious traffic accidents. This raises questions about pedestrian safety crossing the road or from traffic across the flow.
- Bradford Council are already proposing a 30mph speed limit a few yards up the road at Manor Park due to concerns about traffic safety which then questions the safety of traffic and pedestrians a short distance away.

- **Traffic Volume**

- Traffic flow into and off site is likely to be much more significant in volume terms. That's because visitors will not be sitting down for an hour to an hour and a half to eat a meal. They are likely to spend much less time eating on site. The proposal includes a takeaway service. Visitors will stop to purchase food and drive off minutes later increasing the number of vehicles that access the site.
- Opening times are 8.00am to midnight. This is a significantly longer period than at the Kashmiri Aroma - 6.00pm to 11.00pm. Traffic will visit the site throughout the busy day rather than during the quieter evenings. Footfall/visiting vehicle numbers will be significantly higher to a McDonalds Restaurant than to the former Kashmiri Aroma.

- **Crossing Points**

Access by foot, cycle, bus are all mentioned, however, the footpath from Burley to Ilkley is on the opposite side of the A65 to the restaurant. The footpath from Ben-Rhydding/Ilkley is in a state of disrepair and overgrown by hedges. In both cases, walkers will have to cross the busy A65 at a point at which visibility isn't particularly good, with traffic moving at 40mph. The crossing at this point is dangerous since it lies within a well-known accident black spot demanding the use of traffic speed cameras. Nowhere in plans is there a provision for a safe crossing point with a safe central refuge for pedestrians/cyclists/bus passengers. Crossing points are mandated for the Ilkley Road ghost-traffic island entrance into Sun Lane, and along Coutances Road (A65) between the nursery and the new t- junction. In the case of the latter, this is to allow a safe crossing point on the A65 for pedestrians to access a bus stop.

- **Proposal for a Ghost Traffic Island**

This is a right-hand turn across traffic on the A65. It is already the case at 2 access points into Sun Lane, that right-turns out of the Sun Lane development at Ilkley Road (30mph limit) and across busy A65 traffic are not allowed (see 16/07870/MAO). The situation at McDonalds is the same,

consequently additional work and consideration is needed in respect of traffic management at this point on the A65. There is no provision within the application for either:

- A no right-turn onto the A65 from McDonalds restaurant.
- A safe pedestrian crossing point with a central refuge.
- There is no material which details visibility splays from the McDonalds site, given that traffic volumes will be significantly higher than those at the Kashmiri Aroma

- **No Consultee Comments from Highways**

The Parish Council would like to see comments from a Highways Officer prior to a decision being made on this application.

Green Belt Considerations

Policy SC7 of the Core Strategy states that the Green Belt in the District has a valuable role in conserving countryside. It is thus broadly consistent with the NPPF, which states that one of the purposes of the Green Belt is to assist in safeguarding the countryside from encroachment. The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings is regarded as inappropriate in the Green Belt save for specified exceptions as cited in para. 149 of the NPPF.

Those relevant here are considered to be:-

(d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. In this instance the application is for a larger building hence the application does not fulfil this criteria.

(g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.

South Pennine Moors Special Protection Area Considerations

The site lies within 1,400metres of the South Pennine Moors Special Protection Area (SPA) and Special Area of Conservation (SAC), Ilkley Moor being the nearest part. As such, the EU Habitats Regulations need to be addressed to reduce any likely significant impacts arising from the development of the proposed development on the SPA/SAC

Specifically impacts under section 1.6 to 1.8 of the South Pennine Moors SPA/SAC SPD need to be considered. The application includes the removal of 2 trees: T1 and T2 a 4- and 5-metre-high trees, plus the loss of 2 hedges G4. This will affect the sites biodiversity, consequently the application should show how the biodiversity impact will be mitigated, and how an additional nett gain in biodiversity is to be achieved within their planning proposal. This is absent from proposals.

Litter

Hot food takeaways tend to generate large amounts of litter in both their immediate vicinity and further afield, particularly in those locations where customers settle to eat their takeaway meals. Bradford Council Supplementary Planning Document (SPD) for hot food takeaways aims to Protect the amenity of surrounding residential properties from the adverse effects of litter. Principle 8: Litter Control and Prevention requires all applications for a Takeaway Food Outlet to include details of litter picks and the design, type and number of bins provided. The submitted Landscape Maintenance Plan (Schedule 1) makes provision for 1 litter pick per month. This is not considered sufficient. Section 4.52 of SPD states that if the provision of a bin is considered necessary and details are not submitted with an application, it may be refused on the grounds of insufficient information. The provision of a bins is not present in the application.

In conclusion, the Parish Council OBJECTS and is deeply concerned about the impact of this proposal on the safety of the A65. Burley Parish Council would therefore request that this application is referred to Area Plans Panel.