

# Report of the Strategic Director of Regeneration and Culture to the meeting of the Area Planning Panel (KEIGHLEY AND SHIPLEY) to be held on 16 October 2014

**H**

---

## Summary Statement - Part Two

### Miscellaneous Items

	<u>No. of Items</u>
Requests for Enforcement/Prosecution Action (page 67)	(7)
Decisions made by the Secretary of State – Dismissed (page 81)	(2)

---

Julian Jackson  
Assistant Director (Planning, Transportation and Highways)

Report Contact: Mohammed Yousuf  
Phone: 01274 434605

Email: [mohammed.yousuf@bradford.gov.uk](mailto:mohammed.yousuf@bradford.gov.uk)

**Portfolio:**  
Housing, Planning and Transport

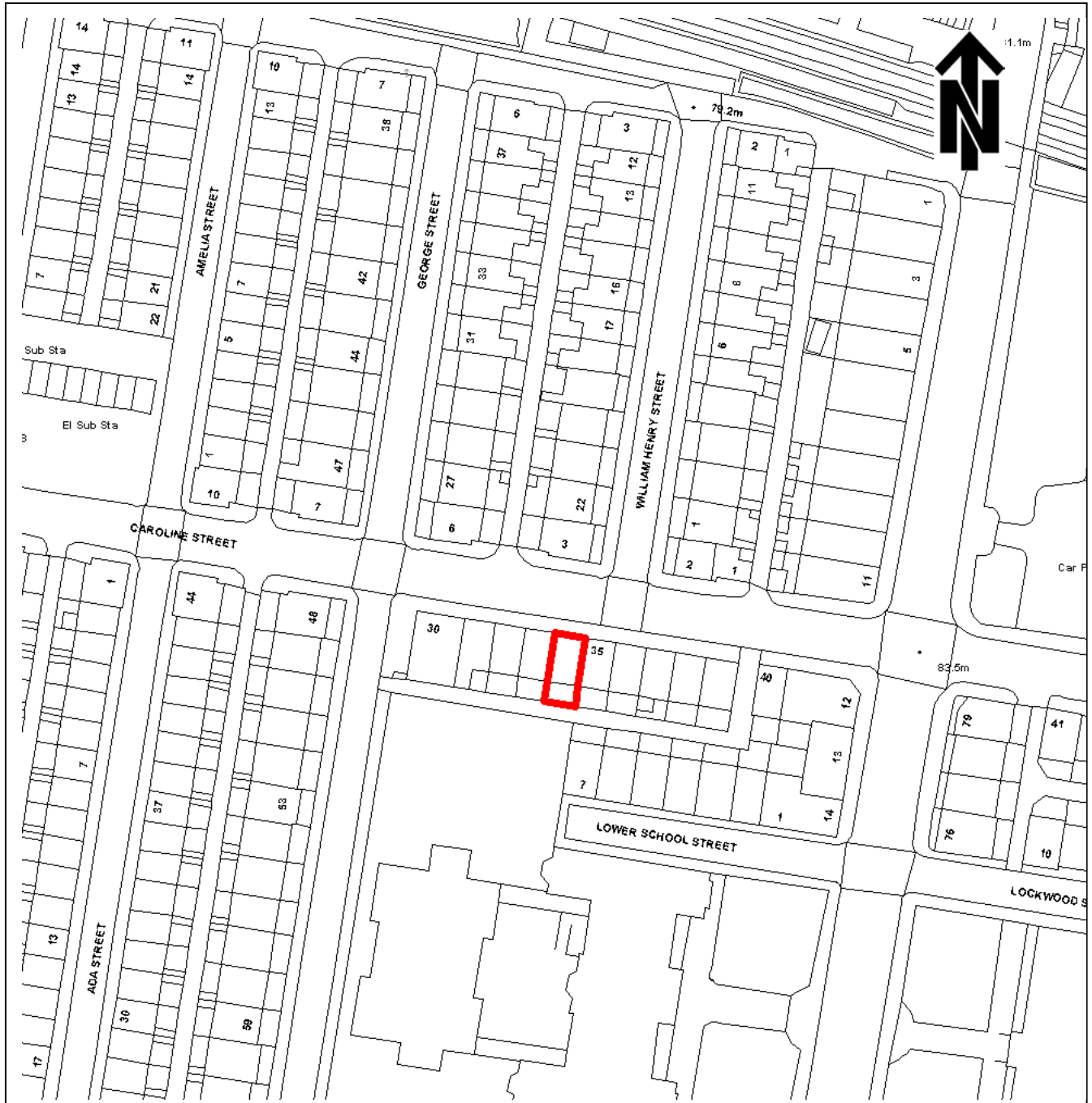
**Overview & Scrutiny Committee Area:**  
Regeneration and Economy



Area Planning Panel (Keighley and Shipley)

13/00762/ENFLBC

16 October 2014



© Crown copyright 2000. All rights reserved (SLA 100019304)

ITEM NO. : 7

LOCATION:

**34 Caroline Street  
Saltaire Shipley**

**16 October 2014**

**Item Number:** 7  
**Ward:** SHIPLEY  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
13/00762/ENFUNA

**Site Location:**  
34 Caroline Street, Saltaire, Shipley, BD18 4PN

**Breach of Planning Control:**  
Construction of timber outbuilding to the rear of the property.

**Circumstances:**  
It was brought to the attention of the Local Planning Authority that a timber outbuilding had been constructed to the rear of the property for which consent had not been obtained. Further to written challenge an application for its retention was submitted, however refused. A further site visit to the property revealed the outbuilding remained in situ.

The unauthorised timber outbuilding by reason of its poor design, scale, position and use of inappropriate materials is considered to be detrimental to the character of the grade II listed building as one of special architectural or historic interest contrary to Policies BH4, S/BH14, D1 and UR3 of the Councils Replacement Unitary Development Plan.

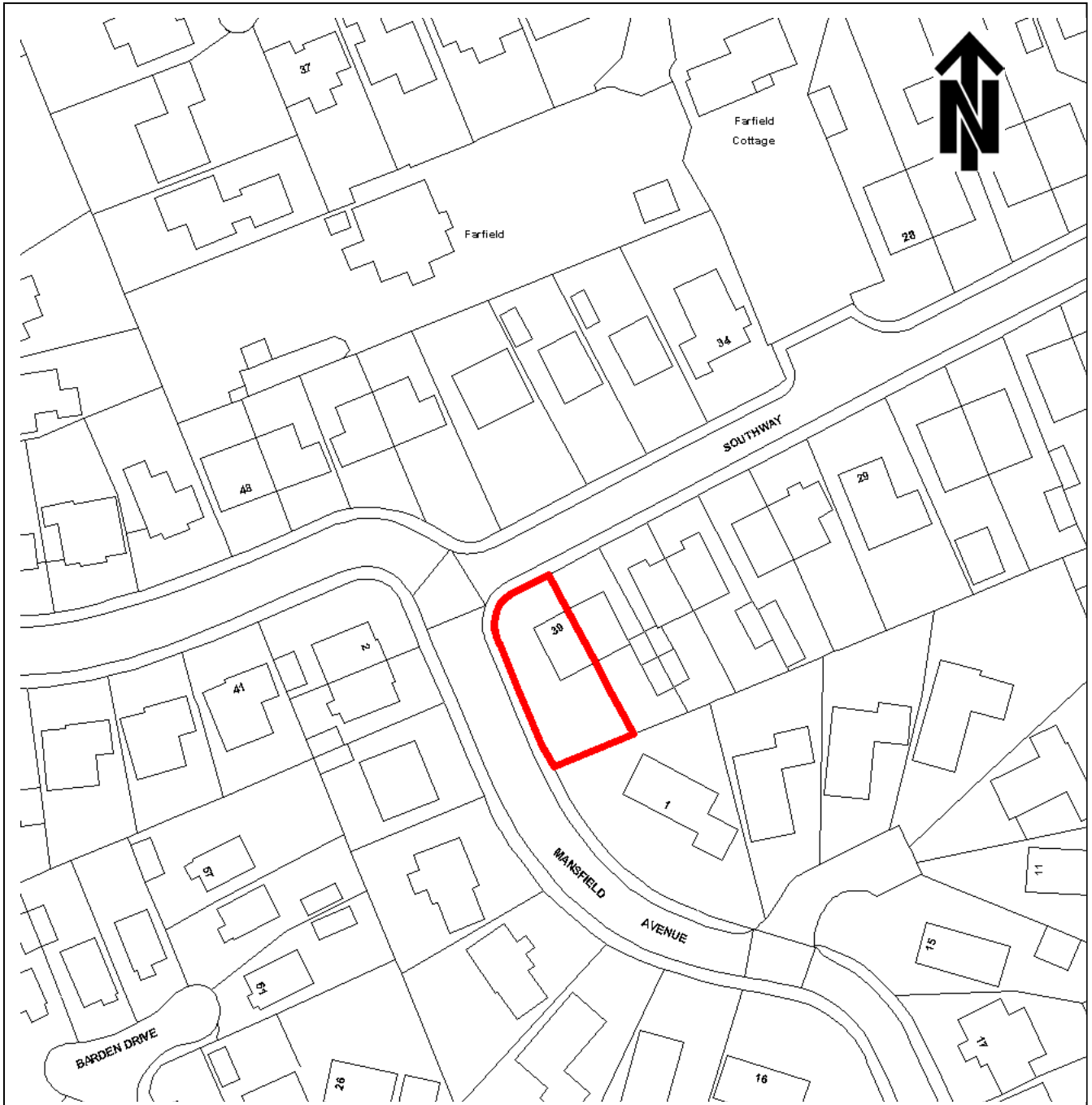
The Planning Manager (Enforcement and Trees) authorised the issuing of a Listed Building Enforcement Notice under delegated powers, on 4 September 2014.

---

**Area Planning Panel (Keighley and Shipley)**

**13/00940/ENFCOU**

16 October 2014



© Crown copyright 2000. All rights reserved (SLA 100019304)

ITEM NO. : 8

LOCATION:

**39 Southway  
Eldwick Bingley**

**16 October 2014**

**Item Number: 8**  
**Ward: BINGLEY**  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
13/00940/ENFCOU

**Site Location:**  
39 Southway, Eldwick, Bingley, West Yorkshire, BD16 3EW

**Breach of Planning Control:**  
Unauthorised Operation of a Children's Day Nursery.

**Circumstances:**  
It was brought to the attention of the Local Planning Authority in October 2013 that a children's day nursery was being operated from the above residential property. Since this time two planning applications have been submitted to continue operating the business from the premises. Both planning applications have been refused.

The use of the premises as a children's day nursery is detrimental to the amenity of the occupants of nearby residential properties by reason of the noise disturbance from users/children and the additional traffic movements and on street parking created by the lack of suitable off street parking provision. The unauthorised use is contrary to policies D1 and UR3 of the Replacement Unitary Development Plan.

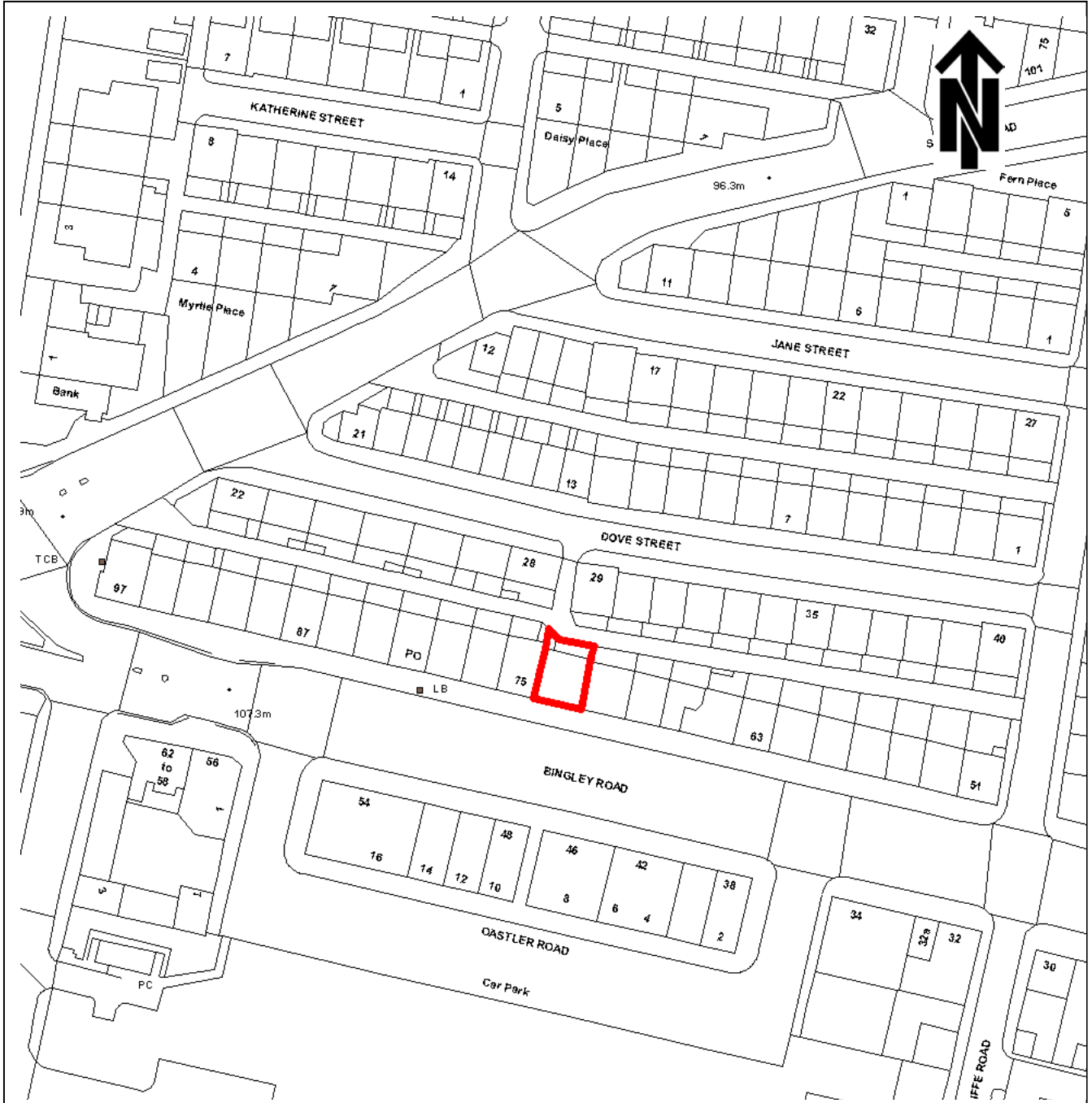
The Planning Manager authorised the issuing of an Enforcement Notice under delegated powers, on 17 September 2014.

---

**Area Planning Panel (Keighley/Shipley)**

**14/00579/ENFLBC**

16 October 2014



© Crown copyright 2000. All rights reserved (SLA 100019304)

**ITEM NO. : 9**

**LOCATION:**

**73 Bingley Road  
Shipley**

**16 October 2014**

**Item Number: 9**  
**Ward: SHIPLEY**  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
14/00579/ENFLBC

**Site Location:**  
73 Bingley Road, Shipley, BD18 4SB

**Breach of Planning Control:**  
Removal of chimney stack.

**Circumstances:**

It was brought to the attention of the Local Planning Authority that works had been carried out at the above Grade II listed building which involved the removal of the chimney stack. A listed building consent application was submitted for consideration however was refused. No appeal was received against the refusal and a site visit revealed that no remedial works had been carried out.

The unauthorised removal of the chimney stack and the repairs undertaken including the installation of cowls and installation of concrete flag coping results in the loss of historic fabric and the introduction of modern and incongruous features of poor design which are detrimental to the character, special architectural and historic interest of the listed building and world heritage site contrary to Policies BH4, S/BH14, D1 and UR3 of the Councils Replacement Unitary Development Plan.

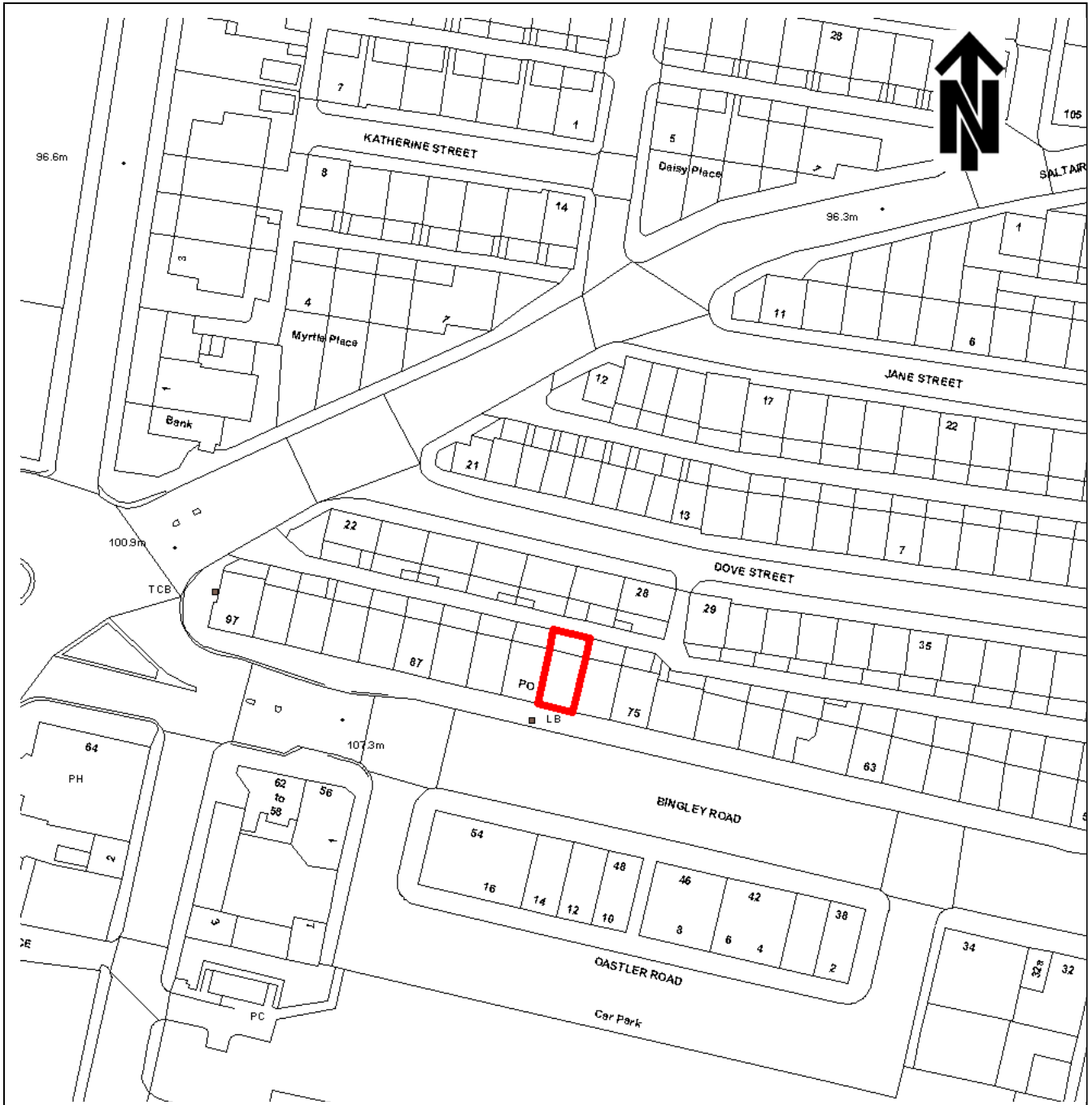
The Planning Manager (Enforcement and Trees) authorised the issuing of a Listed Building Enforcement Notice under delegated powers, on 4 September 2014.

---

**Area Planning Panel (Keighley/Shipley)**

**14/00162/ENFADV**

16 October 2014



© Crown copyright 2000. All rights reserved (SLA 100019304)

**ITEM NO. : 10**

**LOCATION:**

**79 Bingley Road  
Shipley**



**16 October 2014**

**Item Number: 10**  
**Ward: SHIPLEY**  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
14/00162/ENFADV

**Prosecution relating to the unauthorised display of an advertisement banner**

**Site Location:**  
79 Bingley Road, Saltaire, Shipley.

Further to an investigation the occupier, Megan Evan of the above premises was summonsed to appear at Bradford Magistrates Court on 22 July 2014. These proceedings related to the continued unauthorised display of an advertisement banner at the above Grade II listed property this despite repeated warnings from the Council and letters sent in accordance with the Police and Criminal Evidence Act 1984.

The Solicitor acting on behalf of Megan Evan's Solicitor pleaded guilty advising that the advertisement banner had now been removed. The Magistrates fined her £750, ordered payment of £75 victim surcharge and she was further ordered to pay the Councils full costs of £884

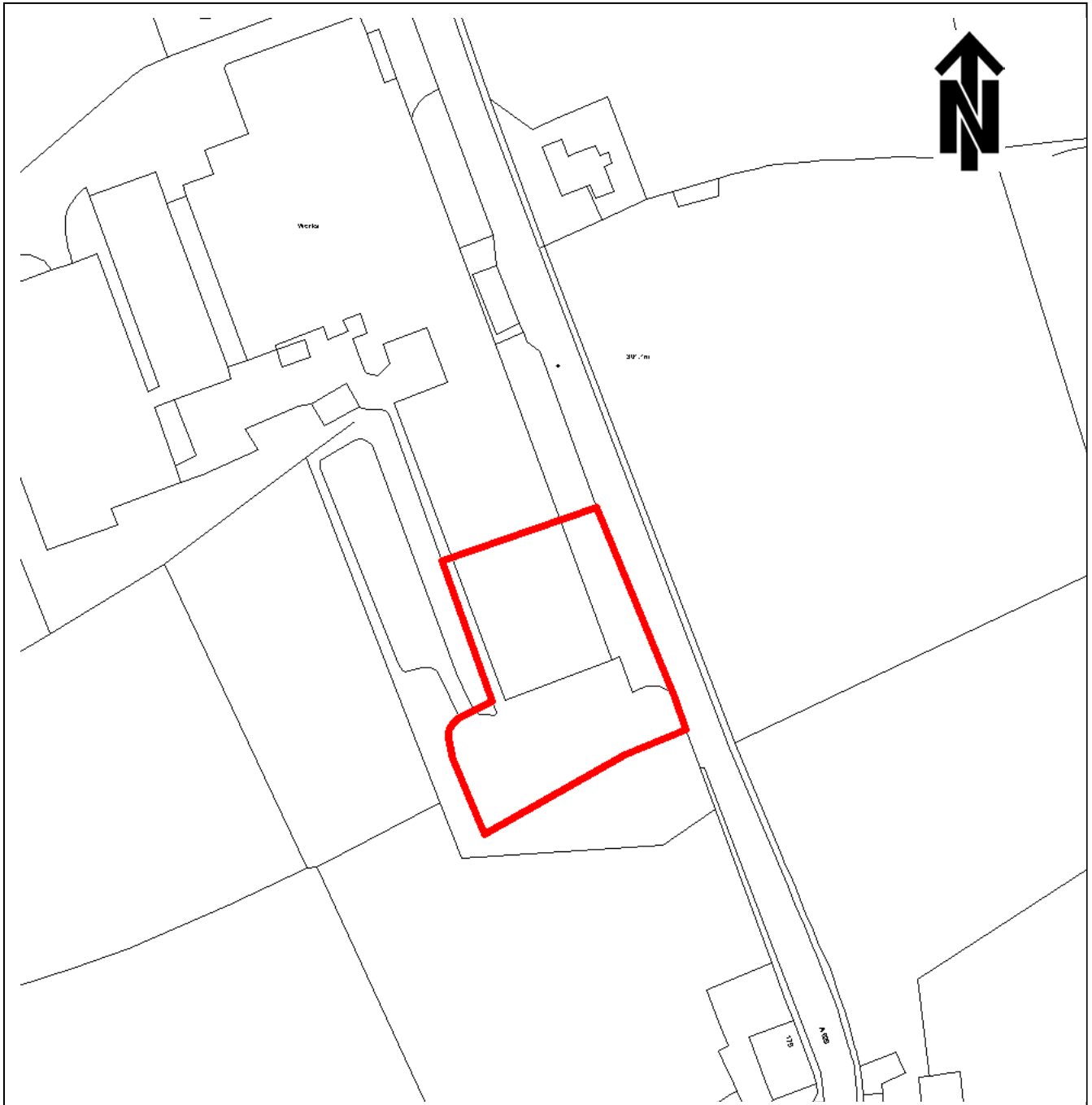
Total payable £1709.

---

**Area Planning Panel (Keighley and Shipley)**

**12/00699/ENFCOU**

16 October 2014



© Crown copyright 2000. All rights reserved (SLA 100019304)

ITEM NO. : 11	LOCATION: <b>Former Whitaker And Company Whitakers Joinery Works Halifax Road</b>
---------------	--

**16 October 2014**

**Item Number:** 11  
**Ward:** BINGLEY RURAL  
**Recommendation:**  
**THAT ENFORCEMENT ACTION BE NOTED**

**Enforcement Reference:**  
12/00699/ENFCOU

**Site Location:**  
Denholme Storage, Halifax Road, Denholme, Bradford.

**Circumstances:**  
The enforcement action proposed is part of an ongoing enforcement case relating to the above site. The current issue relates to delivery times and hours of operation which are controlled by planning conditions 4 and 5 of 13/01113/MAF.

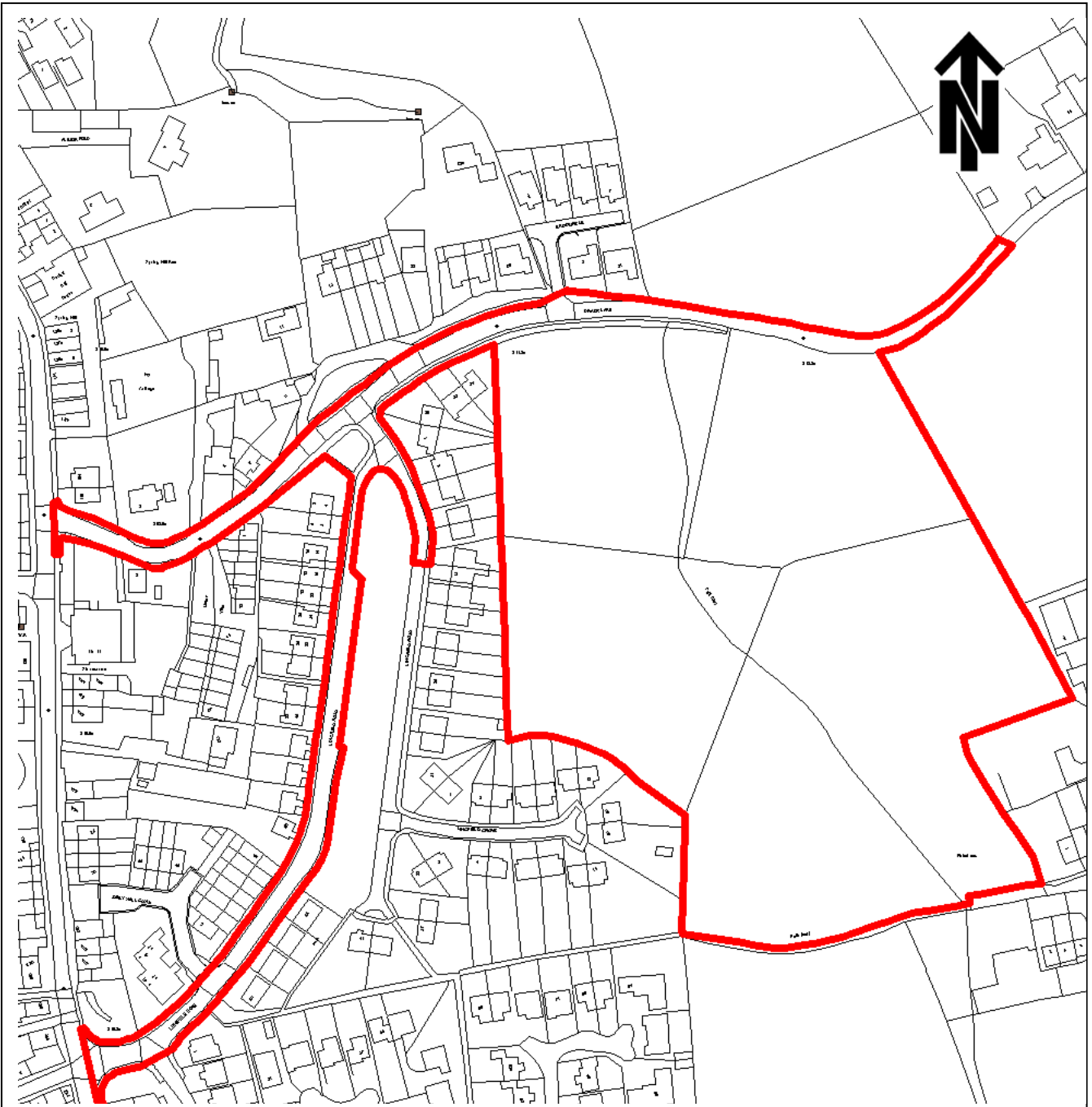
A Breach of Condition Notice was authorised on 24 September 2014 by the Planning Manager (Enforcement and Trees).

---

**Area Planning Panel (Keighley and Shipley)**

**13/01109/ENFCON**

16 October 2014



© Crown copyright 2000. All rights reserved (SLA 100019304)

ITEM NO. : 12	LOCATION: <b>Land At Grid Ref 409543 436193 Crack Lane Wilsden</b>
---------------	---

**16 October 2014**

**Item Number: 12**  
**Ward: BINGLEY RURAL**  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
**13/01109/ENFCON**

**Prosecution relating to a Breach of Condition Notice**

**Site Location:**  
Land at Crack Lane, Wilsden

Panel members may recall that the Planning Manager (Enforcement and Trees) authorised the issuing of a Breach of Condition Notice at the above land in connection with the hours of construction.

Further to an investigation the developer of the land Harron Homes Ltd was summonsed to appear at Bradford Magistrates Court on 17 September 2014. These proceedings related to a breach of the hours of construction this despite the developer being served with the Breach of Condition Notice.

Harron Homes Ltd pleaded guilty to the offences. The Magistrates fined the Company £3334 having given full credit for an early guilty plea, ordered payment of £120 victim surcharge and they were further ordered to pay Council's full costs of £1364.

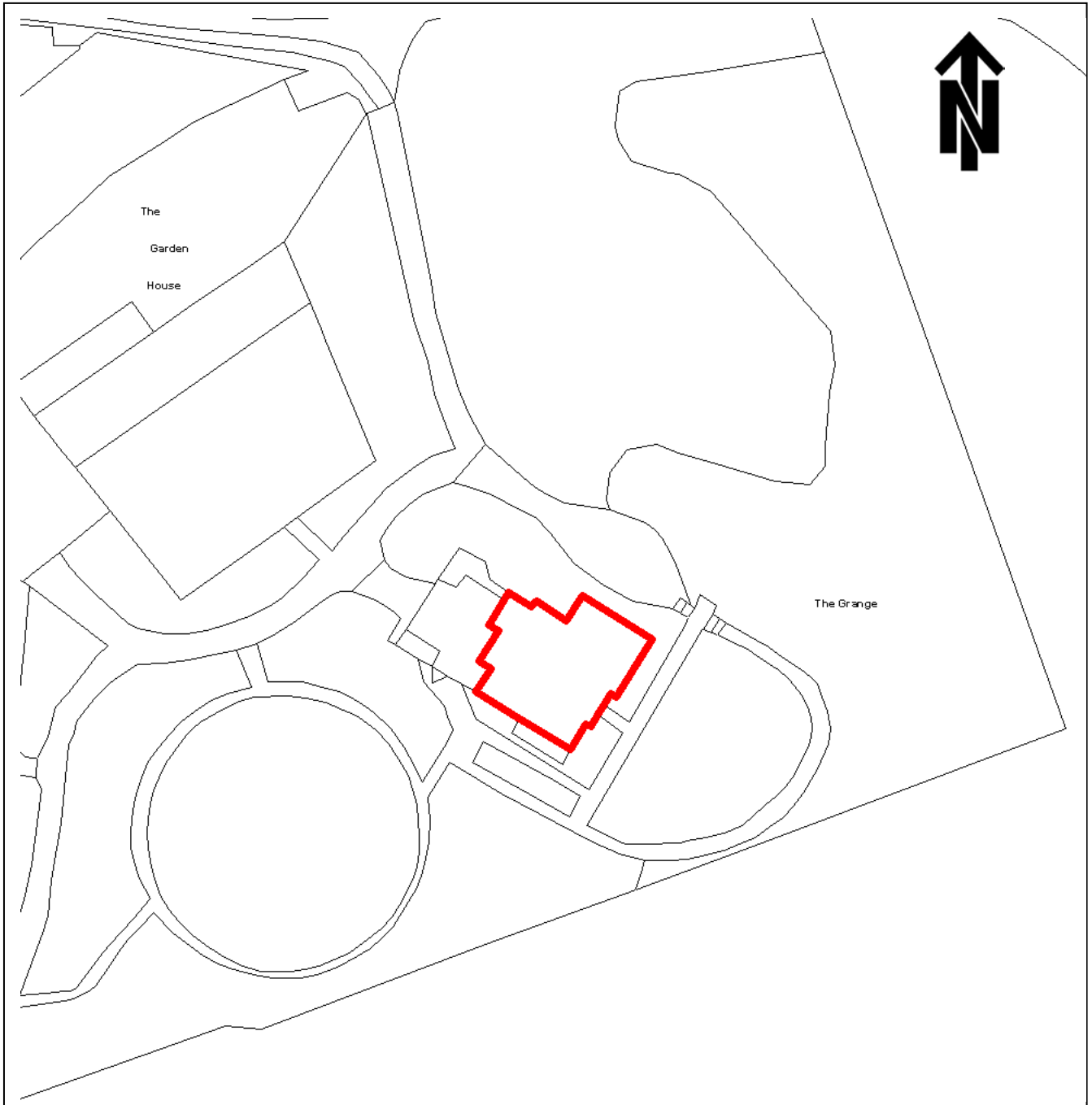
Total amount payable £4818

---

**Area Planning Panel (Keighley/Shipley)**

**13/00774/ENFUNA**

16 October 2014



© Crown copyright 2000. All rights reserved (SLA 100019304)

ITEM NO. : 13	LOCATION: <b>The Grange</b> <b>Woodfield Road Cullingworth</b>
---------------	--

**16 October 2014**

**Item Number:** 13  
**Ward:** BINGLEY RURAL  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
13/00774/ENFUNA

**Site Location:**  
The Grange, Woodfield Road, Cullingworth, Bingley, BD13 5JL

**Breach of Planning Control:**  
Unauthorised two storey outbuilding.

**Circumstances:**  
It was brought to the attention of the Local Planning Authority that substantial works were being carried out at the above property in January 2014 including the construction of a large outbuilding. The developer at the time assured the Council that the works would be permitted development and as such the works continued. A further visit was carried out in September 2014 and it was noted that a large two storey outbuilding had been constructed therefore requiring planning permission.

The unauthorised building, due to its size and location has a significant adverse impact on the surrounding area and the openness of the green belt therefore constituting inappropriate development within the green belt. The unauthorised development is contrary to policies GB1 and UR3 of the Replacement Unitary Development Plan.

The Planning Manager authorised the issuing of an Enforcement Notice under delegated powers, on 10 September 2014.

---

## DECISIONS MADE BY THE SECRETARY OF STATE

### Appeals Allowed

There are no Appeal Allowed Decisions to report this month

### Appeal Dismissed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
14	Wharfedale (ward 26)	12 St Philips Way Burley In Wharfedale Ilkley LS29 7EW  Appeal against Enforcement Notice - Case No: 12/00629/ENFAPP  Appeal Ref: 14/00055/APPENF
15	Keighley Central (ward 15)	Second Floor 17 Lawkholme Crescent Keighley BD21 3NR  Removal of condition 3 of permission 09/03910/FUL allowed on appeal dated 18.8.10: Change of use of top floor from office to taxi control office - Case No: 14/00174/VOC  Appeal Ref: 14/00072/APPVO2

### Appeals Upheld

There are no Appeal Upheld Decisions to report this month

### Appeals Upheld (Enforcements Only)

There are no Appeal Upheld Decisions to report this month

### Appeals Withdrawn

There are no Appeal Withdrawn Decisions to report this month



**Appeal Allowed in Part/Part Dismissed**

**There are no Appeals Allowed in Part/Part Dismissed to report this month**