

**Report of the Strategic Director of Regeneration and Culture to the meeting of the Area Planning Panel (KEIGHLEY AND SHIPLEY) to be held on 25 February 2015**

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**Miscellaneous Item**

	<u>Site</u>	<u>Ward</u>
21	Land at Back Shaw Lane, Hainworth Shaw, Keighley	Keighley West

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**Portfolio:**  
Housing, Planning & Transport

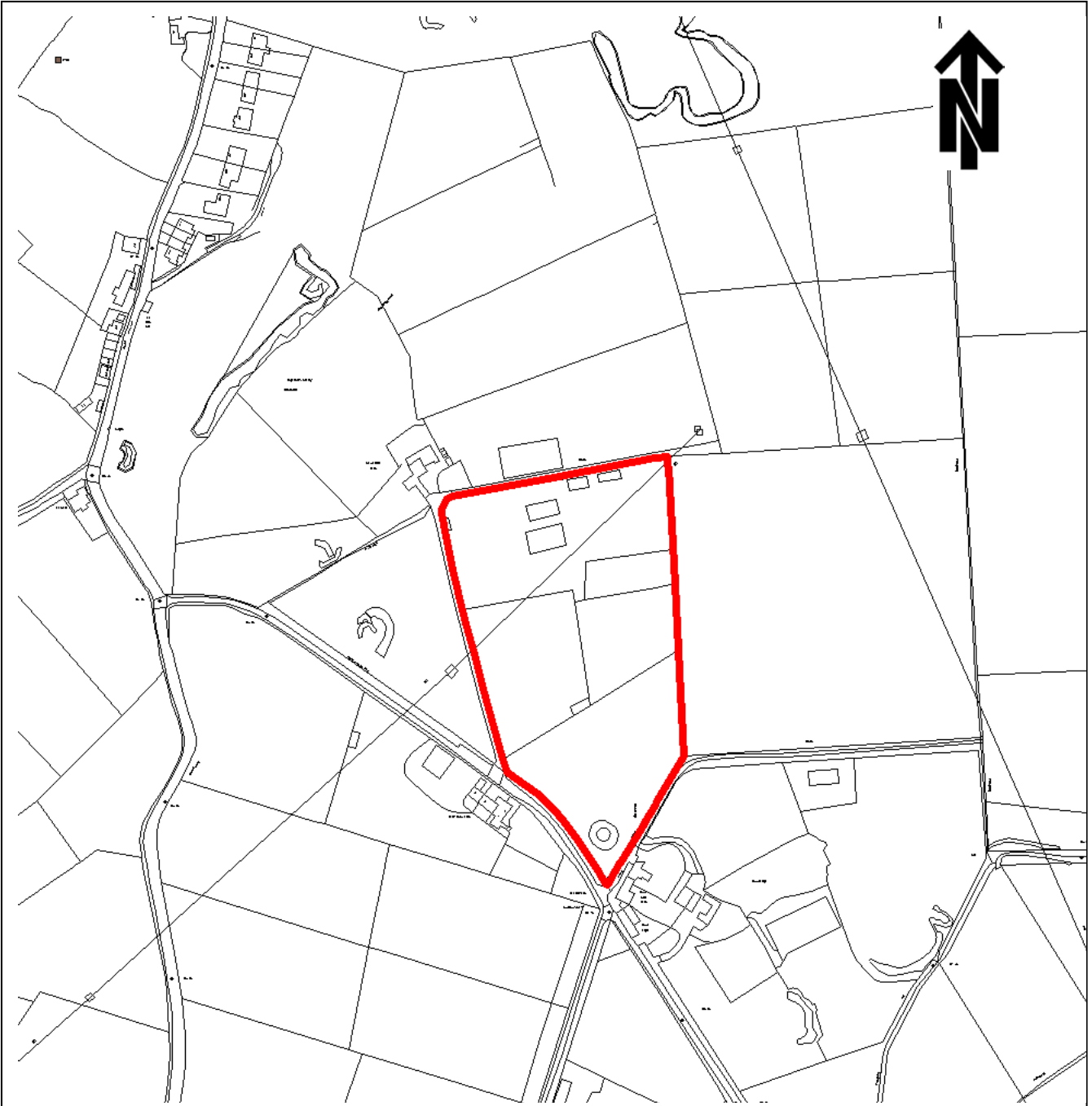
**Overview & Scrutiny Committee Area:**  
Regeneration and Economy



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

**14/00159/ENFCOU**

25 February 2015



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ITEM NO. : 21	LOCATION: <b>Land North Of Moor Side Farm Back Shaw Lane Keighley</b>
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**25 February 2015**

**Item Number: 21**  
**Ward: KEIGHLEY EAST**

**Recommendation:**  
**IT IS RECOMMENDED THAT NO FURTHER ACTION IS TAKEN AND THE ENFORCEMENT CASE IS CLOSED AS NOT EXPEDIENT**

**Enforcement Reference:**  
14/00159/ENFCOU

**Site Location:**  
Land at Back Shaw Lane, Hainworth Shaw, Keighley

**Circumstances:**

A plan is attached showing the land and the location of the nearby residential property known as New Laithe Farm. The neighbourhood is rural in character and predominantly agricultural. Agricultural use does not require planning consent although it is to be expected that where agricultural use subsist, near to residential properties, there may be potential for noise and odour issues. The housing of cattle in close proximity of residential property can sometimes give rise to environmental concerns.

The primary issue under consideration here is the housing of cattle stock in a long established agricultural building which was approved in 2003 as a general purpose agricultural storage building under parts 6 and 7 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (shown as building 'A').

It is primarily the use of the building 'A' for the housing of cattle that falls to be considered. The council cannot prohibit or restrict general agricultural activity here or require the structure to be removed. The housing of cattle in the building has taken place since at least 2012.

There is a further building of a similar size located on site in close proximity which is in use for the housing of cattle and this has the benefit of a long-standing planning permission (shown as building 'B'). Both of these agricultural buildings face away from the nearby residential property.

A further matter to be considered is a small extension to an existing timber stable to form an open-fronted calving shed facing inwards into the site. The approximate location is marked on the attached plan with the letter 'C', the structure being approximately 45 square metres in floor area.

The planning service have consulted with environmental health who have confirmed that they have received and investigated enquiries about odour and other environmental concerns, however, following appropriate investigation the environmental issues raised are not considered to have been founded. A planning enforcement officer has also visited the site to assess the case.

In making the recommendation to panel to take no further action in relation to the construction or use of buildings 'A' and 'C', it has been necessary to consider a number of key factors:

1. Support for an established agricultural operation.
2. Effect, if any, on any nearby residential properties.
3. Whether legal action is necessary, expedient and appropriate in all the circumstances of the case.

It is recommended that no enforcement action should be taken and the enforcement file closed as 'not expedient to pursue'.

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