

Decisions of the Area Planning Panel (Keighley) held on 22 January 2009

These decisions are published for information in advance of the publication of the Minutes

DECISIONS:

1. ENFORCEMENT ITEMS

(i) 31 Springs Lane, Ilkley

Ilkley

The unauthorised use of land in connection with waste transfer and cleaning business
- 08/00547/ENFCOU

The Assistant Director Corporate Services (City Solicitor) has been instructed to issue an Enforcement Notice on 1 December 2008 requiring the unauthorised use of the residential property to cease.

Resolved –

That the report be noted.

(Martyn Burke – 01535 618071)

ACTION: *Strategic Director, Regeneration/
Assistant Director, Corporate Services (City Solicitor)*

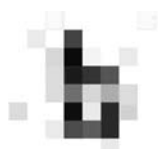
2. ENFORCEMENT COMPLAINTS CLOSED BY THE AREA PLANNING MANAGER AS NOT EXPEDIENT TO PURSUE

(i) Dalesmoor, 9 Middleton Avenue, Ilkley

Ilkley

Non-compliance with planning permission 08/00419/FUL for detached garage
– 08/00918/ENFAPP.

Date enforcement file closed: 17 December 2008.



2006-2007
Improving Rural Services
Empowering Communities



INVESTOR IN PEOPLE

Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)



(ii) **3 Pinewood Close, Ilkley**

Ilkley

Breach of condition 3 of planning permission 00/01411/FUL
– 08/00914/ENFCON

Date enforcement file closed: 18 December 2008.

(iii) **9 Glenlyon Drive, Keighley**

Keighley Central

Damage to Trees - 07/00417/TPOCN

Date enforcement file closed: 2 January 2009.

Resolved –

That the reports be noted.

(Martyn Burke – 01535 618619)

NO ACTION

3. DECISIONS MADE BY THE SECRETARY OF STATE

APPEALS ALLOWED

(i) **Pickersgill Barn Low Lane, Silsden**

Craven

Unauthorised construction of dwelling house and detached garage neither which are in accordance with approved plans – 08/00125/APPENF.

Appeal against enforcement notice issued on 13 June 2008

APPEALS DISMISSED

(ii) **41 Bracken Bank Grove, Keighley**

Keighley West

Construction of dwelling to the side of property – 08/00134/FUL.

Resolved –

That the decisions be noted.

(Martyn Burke – 01535 618619)

NO ACTION

4. **THE BRAMBLES AND THE ELMS OFF DAMEMS LANE, KEIGHLEY** Keighley West / East

Document “U” and Not for Publication Document “X” relating to requested modifications to Section 106 agreements.

Resolved –

- (1) That in view of the exceptional circumstances in this case and subject to the applicant undertaking to pay the legal costs for the preparation of each deed of variation to the related Section 106 agreement prior to completion of each document , the requested modifications to the related Section 106 agreement be approved as follows:
 - (i) That in respect of the Brambles a deed of variation be entered into to modify the section 106 agreement dated 23 December 2003 so as to pay a residual contribution of £92,150 plus retail price index for affordable housing and a residual contribution of £10,000 plus retail price index for off-site recreational facilities.
 - (ii) That all of the abovementioned contributions be paid in full within one month of completion of the related deed of variation.
 - (iii) That in respect of the Elms a deed of variation be entered into to modify the Section 106 agreement dated 19 May 2005 so as to require no contributions.
- (2) That the detailed wording and any ancillary provisions of the deeds of variation be delegated to the Strategic Director, Regeneration in consultation with the Assistant Director Corporate Services (City Solicitor).

(Martyn Burke – 01535 618619)

ACTION: *Strategic Director, Regeneration*

5. **OLICANA PRODUCTS LIMITED, 59-61 EAST PARADE, ILKLEY** Ilkley

A retrospective full application to retain 7 external, galvanised metal flues on the roof of Olicana Products Limited, 59-61 East Parade, Ilkley – 08/06152/FUL.

Resolved:

That the application be deferred and delegated to the Strategic Director, Regeneration to approve (once the appropriate noise level has been set by the Strategic Director, Environment and Neighbourhoods) for the reasons as set out in the Strategic Director, Regeneration's technical report subject to an additional condition to the effect that:

“The flues installed shall be adjusted so that the rating level of noise emitted from them shall not exceed existing background ambient noise levels of 48-50 dBA by more than 3 dBA between the hours of 0700 and 1800 hrs Monday to Friday and background ambient noise levels of a level set by the Strategic Director, Environment and Neighbourhoods between 1800 hrs and 0700 hrs Monday to Friday or any time at weekends. The noise level shall be determined at the boundary of the nearest noise sensitive premises”.

(Martyn Burke – 01535 618619)

ACTION: Strategic Director, Regeneration

6. 21A CROSSFIELD ROAD, OXENHOPE, KEIGHLEY

Worth Valley

Outline planning application for construction of three bungalows and three garages on land at 21A Crossfield Road, Oxenhope, Keighley– 07/08032/OUT.

Resolved –

That the application be approved for the reasons outlined in (i) below and subject to the imposition of conditions to address the matters listed in (ii) below and the formulation of appropriate wording for the said conditions be delegated to the Strategic Director, Regeneration:

(i) The site is considered to be previously developed land and the small number of dwellings proposed is not considered to significantly affect the achievement of sustainable patterns of development. The reduction of the proposed development to single storey units and the presence and retention of trees along the site boundary will mitigate the effect of the development on local visual amenity and character such that the development is considered acceptable having regard to Policies D1, UR3, and OS8 of the Replacement Unitary Development Plan.

(ii)

- Protection and retention of the trees**
- Submission of a bat survey prior to commencement of development**
- Development to be restricted to single storey dwellings with accommodation restricted to one level only and no accommodation in the roof spaces**
- Implementation of measures identified within the Flood Risk Assessment**
- Full details of the means of access to be submitted to the local planning authority prior to commencement, and approved in writing by the local planning authority and thereafter implemented**
- The layout of the development shall include adequate provision for a turning facility for service and emergency vehicles within the site.**

(Martyn Burke – 01535 618619)

ACTION: Strategic Director, Regeneration

FROM: S Hemingway
City Solicitor
City of Bradford Metropolitan District Council

Committee Secretariat Contact: Adam Backovic – 01274 431182
decsheets 08-09\ plk22Jan09