

REPORT TO AREA PLANNING PANEL (KEIGHLEY)

**REPORT OF THE STRATEGIC DIRECTOR OF REGENERATION TO THE MEETING OF
THE AREA PLANNING PANEL (KEIGHLEY) TO BE HELD ON 22nd January 2009**

U

SUMMARY STATEMENT - PART ONE

Items include:

- ◆ Items deferred from a previous Sub-Committee
- ◆ Applications subject to approval under Section 106 Agreement of the Town and Country Planning Act 1990
- ◆ Applications with Petitions
- ◆ Requests for Enforcement/Prosecution Action
- ◆ Regulation 3 of the Town and Country Planning General Regulations 1992
- ◆ Decisions by the Secretary of State
- ◆ Miscellaneous Items

The sites concerned are:

31 Springs Lane, Ilkley

Dalesmoor, 9 Middleton Avenue, Ilkley

3 Pinewood Close, Ilkley

9 Glenlyon Drive, Keighley

Pickersgill Barn, Low Lane, Silsden, Keighley

41 Bracken Bank Grove, Keighley BD22 7ED

The Brambles and The Elms off Damems Lane Keighley

Mike Cowlam Assistant Director (Economic Development Service)
Regeneration

Report Contacts: Ian Wilson
Phone: 01274 434605
Fax: 01274 722840
E-Mail: Ian.Wilson@bradford.gov.uk

MISCELLANEOUS ITEM- ENFORCEMENT

Date: 22nd January
Item Number: 1
Ward: Ilkley
Recommendation: That the report be noted
Enforcement Reference: 08/00547/ENFCOU

Site Location: 31 Springs Lane Ilkley

Alleged Breach of Planning Control:

Unauthorised use of land in connection with waste transfer and cleaning business

Circumstances:

Following complaints from members of the public, the site was visited and after speaking to the property owner it was noted that a number of businesses involved in waste removal and recycling, house clearance and cleaning were operating from the property. Following a written challenge no planning application was received and, whilst the operator now appears to be parking on the local highway, the use continues at the residential property. An enforcement notice was authorised on 1 December 2008 to deal with the ongoing use on the residential property. This notice requires the unauthorised use to cease and a time period of 3 calendar months proposed for compliance.

ENFORCEMENT ENQUIRIES CLOSED BY THE PLANNING MANAGER (ENFORCEMENT & TREES) AS NOT EXPEDIENT TO PURSUE
--

Date: 22nd January
Item Number: 2
Ward: Ilkley (14)
Recommendation: That the report be noted
Enforcement Reference: 08/00918/ENFAPP

Site Location: Dalesmoor 9 Middleton Avenue Ilkley

Description: non-compliance with planning permission 08/00419/FUL for detached garage

Reason: It is considered that the breach of planning control would not cause significant amenity issues to warrant Enforcement (Legal) Action.

Date Enforcement File Closed: 17th December 2008

Date: 22nd January
Item Number: 3
Ward: Ilkley (14)
Recommendation: That the report be noted
Enforcement Reference: 08/00914/ENFCON

Site Location: 3 Pinewood Close Ilkley

Description: breach of condition 3 of planning permission 00/01411/FUL

Reason: It is considered that the breach of planning control would not cause significant amenity issues to warrant Enforcement (Legal) Action.

Date Enforcement File Closed: 18th December 2008

Date: 22nd January
Item Number: 4
Ward: Keighley Central (15)
Recommendation: That the report be noted
Enforcement Reference: 07/00417/TPOCN

Site Location: 9 Glenlyon Drive Keighley

Description: Damage to trees

Reason: It is considered that the breach of planning control would not warrant further enforcement action.

Date Enforcement File Closed: 2nd January 2009

MISCELLANEOUS ITEMS

APPEAL DECISIONS BY SECRETARY OF STATE

ITEM NO: 5
WARD: Craven (9)
SITE: Pickersgill Barn Low Lane Silsden Keighley
APPLICATION NO: 08/00125/APPENF

Appeal against enforcement notice issued on 13th June 2008.

CONCERNING: Unauthorised construction of dwelling house and detached garage neither of which are in accordance with the approved plans.
DECISION: Allow

ITEM NO: 6
WARD: Keighley West (17)
SITE: 41 Bracken Bank Grove Keighley
APPLICATION NO: 08/00134/APPFUL

PROPOSAL: Construction of dwelling to the side of property
DECISION: Dismiss

Date: 22nd January
Item Number: 7
Ward: Keighley West
Recommendation: To consider requested modifications to S106 agreements

Address: The Brambles and The Elms off Damems Lane Keighley

1 Background Information

Planning permission has been granted for two separate but adjacent sites at The Brambles (79 dwellings) and The Elms (10 dwellings) off Damems Lane Keighley. The 2 sites have been developed by Skipton Properties under separate planning permissions and with separate S106 agreements. Both agreements refer to the requirement for off-site contributions for affordable housing and recreational facilities.

The Council has received part of the required contributions for The Brambles and no contributions for The Elms.

The developer has submitted confidential financial information and supporting statements in requests to modify the terms of the two S106 agreements under the provisions of S106A of The Town and Country Planning Act 1990.

2 Relevant Site History:

The Brambles

03/01754/OUT – Residential development approved by Panel subject to S106 (dated 23 December 2003) requirements ie i) the provision of off-site recreational contributions calculated on a sliding scale eg 71-80 units requires £60,000 plus rpi. ii) an off site affordable housing contribution based on the formula – number of dwellings to be built x 15% x £30,000 plus rpi.

04/00744/FUL – Detailed consent for 64 dwellings approved by Panel. Deed of Variation completed 5 November 2004 applying terms of original agreement.

05/01289/FUL – Amended layout for 64 dwellings approved subject to a Deed of Variation, completed 24 June 2005, applying terms of original agreement

06/03827/FUL – Construction of seven dwellings as an amendment to approved development. Condition required the submission of a S106 obligation to provide increased off site contributions - £10,000 for recreational facilities and £36,750 for affordable housing.

06/06567/FUL – Construction of 25 dwellings as amendment to 04/00744/FUL. (8 extra dwellings). Condition imposed requiring S106 obligation to provide increased off site contributions - £10,000 for recreational facilities and £42,000 for affordable housing.

The Elms

04/05475/FUL – Residential development of 10 dwellings (delegated decision). S106 completed 19 May 2005 and requiring following off site contributions - £10,000 for recreational facilities and £45,000 for affordable housing, both index linked.

Not for Publication Report

A separate “Not for Publication” report has been circulated to members. This report contains confidential financial information and which is restricted under paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended).

