

Report of the Strategic Director of Regeneration to the meeting of the Area Planning Panel (Keighley) to be held on 22nd April 2009

AE

Summary Statement – Part One

Items in Part One of this Agenda include at least one report for each of the following categories:-

Items Deferred from a Previous Sub Committee/Panel, Applications Subject to Approval under Section 106 Agreement of the Town and Country Planning Act 1990, Application with Petition, 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:

1. 30 A Brook Street, Ilkley.
2. Grey Scar Farm Barn, Wide Lane, Oakworth, Keighley.
3. Car Park to the Rear Of The Bridge Inn, Stockbridge, Keighley.
4. 145-147 Main Street, Addingham.
5. 60 Long Lee Lane, Keighley.
6. Land and Premises Opposite Number 2 Myrtle Drive, Cross Roads, Keighley.
7. Mc Donald's Restaurant Ltd, Hard Ings Road, Keighley.
8. Land at Lane Ends, Summerhill Lane, Steeton.
9. Land East of 22 Dale View grove, Long Lee, Keighley.

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Portfolio:
Environment and Culture

Improvement Committee Area:
Regeneration and Economy

**ENFORCEMENT COMPLAINTS CLOSED BY
THE PLANNING MANAGER (ENFORCEMENT & TREES)
AS NOT EXPEDIENT TO PURSUE**

Date: 26th March 2009
Item Number: 1
Ward: Ilkley
Complaint Ref No: 08/01487/ENFADV
Recommendation: That the report be noted
Description and Address:

Unauthorised display of advertising sign at 30A Brook Street, Ilkley

Reason:

It is not considered that the breach of advertisement control warrants any further action.

Date Enforcement File Closed: 17 March 2009

Date: 22 April 2009
Item Number: 2
Ward: Worth Valley
Complaint Ref No: 08/00275/ENFUNA
Recommendation: That the report be noted.

Description & Address:

The stationing of a calor gas tank at Grey Scar farm Barn, Wide Lane, Oakworth, Keighley.

Reason:

Calor gas tanks are not considered to be unusual features in rural areas where mains gas is unavailable. Whilst the tank could have been more sympathetically located it is not considered expedient to pursue any further action.

Date Enforcement File Closed: 1 April 2009.

**ENFORCEMENT COMPLAINTS CLOSED BY
THE PLANNING MANAGER (ENFORCEMENT & TREES)
AS NOT EXPEDIENT TO PURSUE**

Date: 22 April 2009
Item Number: 3
Ward: Keighley Central
Complaint Ref No: 08/01141/ENFUNA
Recommendation: That the report be noted.

Description & Address:

Unauthorised car wash in the car park to the rear of the Bridge Inn, Stockbridge, Keighley.

Reason:

It is not considered that this breach of planning control has any adverse effect on local amenity or that there are any Highway Safety issues associated with it.

Date Enforcement File Closed: 1 April 2009.

Date: 22 April 2009
Item Number: 4
Ward: Craven
Complaint Ref No: 08/00730/ENFUNA
Recommendation: That the report be noted.

Description & Address:

The attaching of a standard sized satellite dish to the rear elevation of 145-147 Main Street, Addingham – a Grade II listed Building.,

Reason:

The satellite dish is in an elevated position on the rear elevation. The breach has been entered onto the Charges Register to alert any future purchaser that there is breach which requires remedying.

Date Enforcement File Closed: 1 April 2009.

**ENFORCEMENT COMPLAINTS CLOSED BY
THE PLANNING MANAGER (ENFORCEMENT & TREES)
AS NOT EXPEDIENT TO PURSUE**

Date: 22 April 2009
Item Number: 5
Ward: Keighley East
Complaint Ref No: 08/01302/ENFUNA
Recommendation: That the report be noted.

Description & Address:

A porch has been erected to the side elevation of 60 Long Lee Lane, Keighley. It exceeds the height of the permitted height of 3 metres by virtue of the dwelling lying on a sloping site.

Reason:

It is considered that the porch does not have a detrimental affect on the amenity of neighbouring properties.

Date Enforcement File Closed: 1 April 2009.

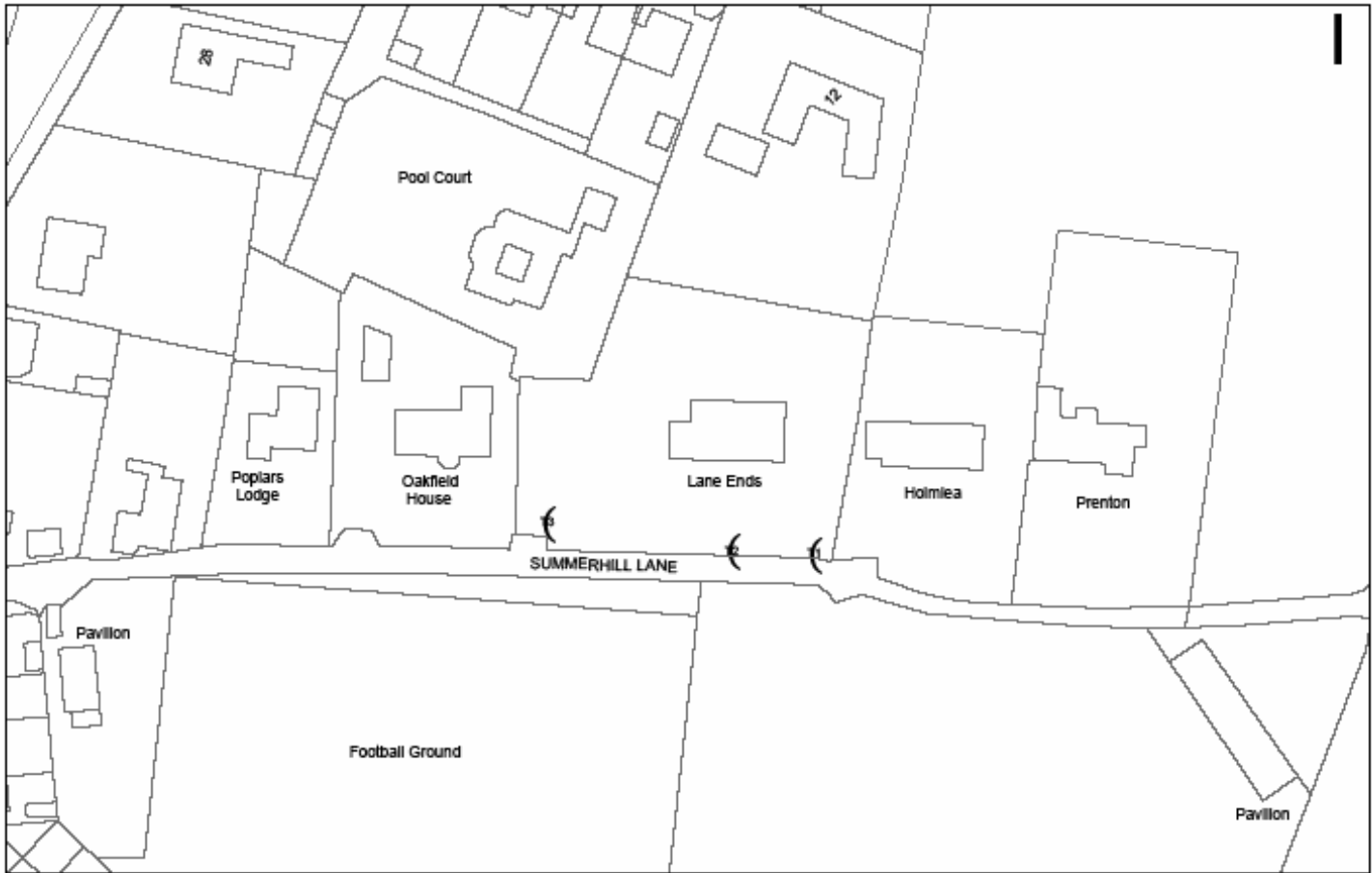
MISCELLANEOUS ITEM

APPEAL DECISIONS BY SECRETARY OF STATE

ITEM NO: 6
WARD: Worth Valley
SITE: Land and premises opposite number 2 Myrtle Drive,
Cross Roads, Keighley.
APPLICATION NO: 07/07141/FUL
PROPOSAL: Change of use of garage/store to dwelling including rear
extension.
DECISION: Dismiss the appeal

ITEM NO: 7
WARD: Keighley Central
SITE: McDonald's Restaurants Ltd, Hard Ings Road, Keighley.
APPLICATION NO: 08/03491/ADV
PROPOSAL: 2 number rotating illuminated double triple-sided menu
display units, 2 number rotating illuminated single triple-
sided menu display units, 1 number order unit.
DECISION: Appeal allowed

Tree Preservation Order 08/00082/1



Tree Preservation Order
No. 08/00082/1
Land at Lane Ends
Summerhill Lane
Steele

DEPARTMENT OF REGENERATION
Jacobs Well
Bradford
BD1 6RW



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DATE: 22nd April 2009

ITEM NUMBER: 8

WARD: Craven

SUBJECT: **CONSIDERATION OF AN OBJECTION TO TREE
PRESERVATION ORDER 08/00082/I
SECTION 201 TOWN AND COUNTRY PLANNING ACT 1990**

SITE: **Land at Lane Ends Summerhill Lane Steeton**

RECOMMENDATION: **TO OVER-RULE THE OBJECTION AND CONFIRM THE
TREE PRESERVATION ORDER WITHOUT MODIFICATION.**

Background:

A Tree Preservation Order was made on 6th November 2008 as a result of a Conservation area notice of intent to prune the Copper Beech T1 (08/05639/CPN). The trees are visually significant within the area despite previous pruning to some of the trees. The order consists of 2 Copper Beech and 1 Beech.

The trees line the edge of Summerhill lane and as such provide character to the area. It is considered expedient to confirm this order as if not confirmed the Copper Beech could be pruned excessively which would destroy the character of the tree as the notice of intent gave no indication of the extent of the works. This would be detrimental to the health and the visual amenity value of the tree.

Subsequently some acceptable works were detailed by the council to the owner.

There has been 1 letter of objection made in relation to the T1 Copper Beech in particular on the following grounds:-

Summary of objections received:

- The tree overhangs gardens, the lane and the entrance gate and is probably nearing the end of its useful life and its present condition constitutes a danger.
- Small branches are regularly blown off and it is only a matter of time before large branches are shed with the possibility of danger to life or property.
- The tree obscures the street light and restricts light to the lane and my garden.
- The works suggested by the council are inadequate and do not address the problems the tree is causing to me and users.
- Prior to confirming the order the tree should be re inspected and its long-term safety considered.
- Your council would certainly be held responsible for any damage it may cause after having refused a request for permission to carry out reasonable work.

Officer comments in relation to the points of objection:-

- The tree is a mature specimen with a significant lifespan remaining(40 years plus).

- Deadwood could be removed without consent and minor pruning not detrimental to the health and visual amenity value of the tree would be supported by the council subject to an application. This would include thinning to improve light filtration and clearance to street lighting.
- The works recommended are to reduce the nuisance of the tree whilst ensuring the health and visual amenity value of the tree is retained.
- No applications for tree works under the Tree Preservation Order have been received therefore no works have been refused.
- The responsibility for damage and the health and safety of the tree lies with the landowner and dangerous trees can be dealt with under a 5 day notice.

Recommendation:

It is requested that the objection be overruled and the Tree Preservation Order be confirmed without modification.

Tree Preservation Order 08/00077/G



Tree Preservation Order
No. 08/00077/G
Land East of 22 Dale View Grove
Long Lee
Keighley

DEPARTMENT OF REGENERATION
Jacobs Well
Bradford
BD1 6RW



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DATE: 22nd April 2009

ITEM NUMBER: 9

WARD: Keighley East

SUBJECT: CONSIDERATION OF AN OBJECTION TO TREE
PRESERVATION ORDER 08/00077/G
SECTION 201 TOWN AND COUNTRY PLANNING ACT 1990

SITE: Land East of 22 Dale View Grove Long Lee
Keighley

RECOMMENDATION: TO OVER-RULE THE OBJECTION AND CONFIRM THE
TREE PRESERVATION ORDER WITHOUT MODIFICATION.

Background:

A Tree Preservation Order was made on 16th April 2008 as a result of a request to protect the trees from the Keighley Planning Team concerned at the loss of trees in relation to planning application 08/01765/OUT which was subsequently withdrawn. The order involves a group of 5 Sycamore adjacent to a public footpath to the rear of the property. Some previous bad pruning practice has been carried out in the past to a number of the trees however there is some recovery and the trees are visually significant to the character of the local area.

It is considered expedient to confirm this order as if not confirmed the trees could be felled or pruned without consent.

No application has been received to carry out works to these trees under the Tree Preservation Order Legislation.

There has been 1 letter of objection made by the owner on the following grounds:-

Summary of objections received:

- The only reason this Tree Preservation Order has been issued is because the planning department have exhausted all other reasons to reject planning permission on this site.
- The statement significant visual amenity value is vague the Sycamores are prolific species and they have been butchered in the past.
- The trees have tar spot and with premature leaf loss there is a health and safety issue in relation to the public footpath.
- There are thousands of trees 500 yards away in Park Wood.
- There has been no mention of tree removal despite the fact that my vehicles are constantly covered in sap and falling leaves.

Officer comments in relation to the points of objection :

- Whilst the trees have had some bad pruning in the past there is some recovery and the trees contribute to the character of the area.
- Protected trees do not prevent development however they are a material consideration when dealing with planning applications.
- There are few trees within the area locally.
- Trees were not shown on the outline application however the proximity of development would result in the loss of trees.
- Leaf drop and sap deposits are natural occurrences of trees for short periods of the year and cannot be avoided. There may be a requirement to pick up leaves on health and safety grounds in relation to footpaths.
- Tar spot is not generally detrimental to the health of trees however it can be visually unsightly.

Recommendation:

It is requested that the objection be overruled and the Tree Preservation Order be confirmed without modification.