

Report of the Strategic Director of Regeneration to the meeting of the Area Planning Panel (KEIGHLEY) to be held on 16 September 2009

H

Summary Statement - Part Two

Miscellaneous Items

	<u>No. of Items</u>
Items Considered Not Expedient to Pursue	(8)
Decisions made by the Secretary of State - Dismissed	(1)
TPO Objections	(3)

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Assistant Director (Planning)

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Portfolio:
Environment and Culture

Improvement Committee Area:
Regeneration and Economy



**ENFORCEMENT ENQUIRIES CLOSED BY
THE PLANNING MANAGER (ENFORCEMENT & TREES)/SENIOR ENFORCEMENT
OFFICER
AS NOT EXPEDIENT TO PURSUE**

Date: 16 September 2009
Item Number: 8
Ward: Ilkley
Complaint Ref No: 07/00606/TPOCN
Recommendation: THAT THE REPORT BE NOTED

Description:
Alleged unauthorised tree work within conservation area

Address:
4 Crossbeck Road Ilkley West Yorkshire LS29 9JN

Reason:
It is not considered that this breach of planning control would cause significant amenity or highway safety issues to warrant further enforcement action.

Date Enforcement File Closed: 14 July 2009

Item Number: 9
Ward: Keighley East
Complaint Ref No: 09/00853/ENFUNA
Recommendation: THAT THE REPORT BE NOTED

Description:
Alleged unauthorised fence

Address:
41 Dawson Road Keighley West Yorkshire BD21 5PH

Reason:
It is not considered that this breach of planning control would cause significant amenity or highway safety issues to warrant further enforcement action.

Date Enforcement File Closed: 28 August 2009

Item Number: 10
Ward: Keighley Central
Complaint Ref No: 08/01255/ENFUNA
Recommendation: THAT THE REPORT BE NOTED

Description:
Alleged unauthorised fencing

Address:
6 Calver Grove Keighley West Yorkshire BD21 2RX

Reason:
It is not considered that this breach of planning control would cause significant amenity or highway safety issues to warrant further enforcement action.

Date Enforcement File Closed: 28 August 2009

Item Number: 11
Ward: Worth Valley
Complaint Ref No: 09/00263/ENFCOU
Recommendation: THAT THE REPORT BE NOTED

Description:
Alleged unauthorised change of use

Address:
Breeza Works Cross Roads Keighley West Yorkshire BD22 9AP

Reason:
It is not considered that this breach of planning control would cause significant amenity or highway safety issues to warrant further enforcement action.

Date Enforcement File Closed: 28 August 2009

Item Number: 12
Ward: Keighley East
Complaint Ref No: 09/00551/ENFADV
Recommendation: THAT THE REPORT BE NOTED

Description:
Alleged unauthorised banner

Address:
Grove Mills Ingrow Bridge South Street Keighley West Yorkshire

Reason:
It is not considered that this breach of planning control would cause significant amenity or highway safety issues to warrant further enforcement action.

Date Enforcement File Closed: 28 August 2009

Item Number: 13
Ward: Ilkley
Complaint Ref No: 07/00586/TPOCN
Recommendation: THAT THE REPORT BE NOTED

Description:
Alleged unauthorised tree works in Conservation Area

Address:
Heathmount Hall Crossbeck Road Ilkley West Yorkshire LS29 9JN

Reason:
It is not considered that this breach of planning control would cause significant amenity or highway safety issues to warrant further enforcement action.

Date Enforcement File Closed: 14 July 2009

Item Number: 14
Ward: Ilkley
Complaint Ref No: 06/01314/TPOCN
Recommendation: THAT THE REPORT BE NOTED

Description:
Alleged unauthorised tree works to protected trees and trees within CA

Address:
Hill Carr Crossbeck Road Ilkley West Yorkshire LS29 9JP

Reason:
It is not considered that this breach of planning control would cause significant amenity or highway safety issues to warrant further enforcement action.

Date Enforcement File Closed: 14 July 2009

Item Number: 15
Ward: Worth Valley
Complaint Ref No: 09/00721/ENFUNA
Recommendation: THAT THE REPORT BE NOTED

Description:
Alleged unauthorised structure

Address:
The Old Sun Hotel 79 West Lane Haworth Keighley West Yorkshire BD22 8EL

Reason:
It is not considered that this breach of planning control would cause significant amenity or highway safety issues to warrant further enforcement action.

Date Enforcement File Closed: 28 August 2009

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>
16	Craven (ward 09)	2 Moor Lane Addingham West Yorkshire LS29 0PR Construction of conservatory to rear - Case No: 08/06386/FUL

Appeal Ref: 09/00031/APPFUL

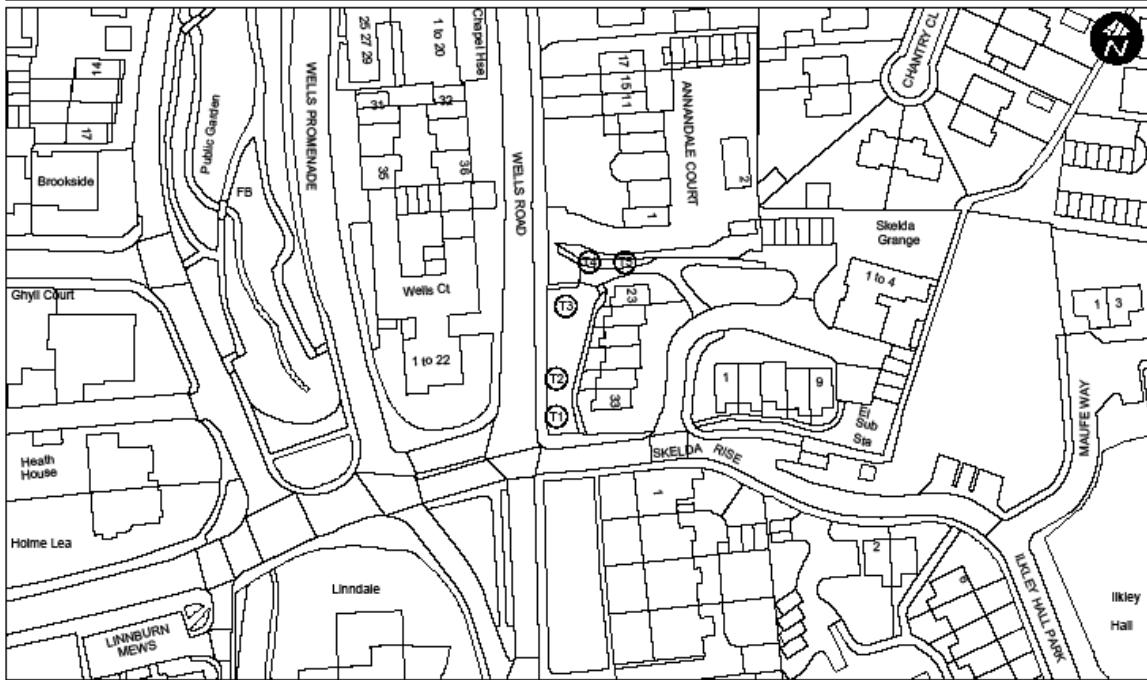
Appeals Upheld

There are no Appeal Upheld Decisions to report this month

Appeals Withdrawn

There are no Appeal Withdrawn Decisions to report this month

Tree Preservation Order 09/00010/I



Tree Preservation Order
 Number 09/00010/I
 Land at 23 to 33 Wells Road
 Ilkley

DEPARTMENT OF REGENERATION
 Jacobs Well
 Bradford
 BD1 5RW



BRADFORD
 the landscape architects

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March 2009

16 September 2009

Item Number: 17
Ward: Ilkley

Subject:
CONSIDERATION OF AN OBJECTION TO
TREE PRESERVATION ORDER 09/00010/I
SECTION 201 TOWN AND COUNTRY PLANNING ACT 1990

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

Site
Land at 23 to 33 Wells Road Ilkley.

Background:

A Tree Preservation Order was made on 17th March 2009 on 5 trees as a result of a Conservation Area notice of intent to prune two Sycamores T1 and T2 (ref: 09/00792/CPN).

The proposed crown thinning and lifting was considered excessive and generally not required on these semi mature trees and would affect the health and visual amenity value of the trees.

The trees whilst relatively young are now providing significant amenity value to the treescape of Wells Road after the loss of a number of mature trees in recent years on the same site.

It is considered expedient to confirm this order as if not confirmed the Sycamores could be pruned excessively as indicated in the notice of intent which would impact on the character and health of the trees.

There has been 2 letters of objection made in relation to the order on the following grounds.-

Summary of objection received:

- T1 and T2 Sycamores are not native and are often described as large garden weeds.
- T4 and T5 Sorbus require pruning from time to time in relation to access and health and safety.
- The Tree Preservation Order serves no purpose as the trees are protected under the conservation area.
- Only T3 Ash is of significant value to warrant a Tree Preservation Order.
- It is considered more suitable tree to protect would be the Horse Chestnut and Copper Beech to the rear of 23/33.
- To allow these species considering their potential size to grow uncontrolled is inappropriate.

Officer comments in relation to the points of objection:

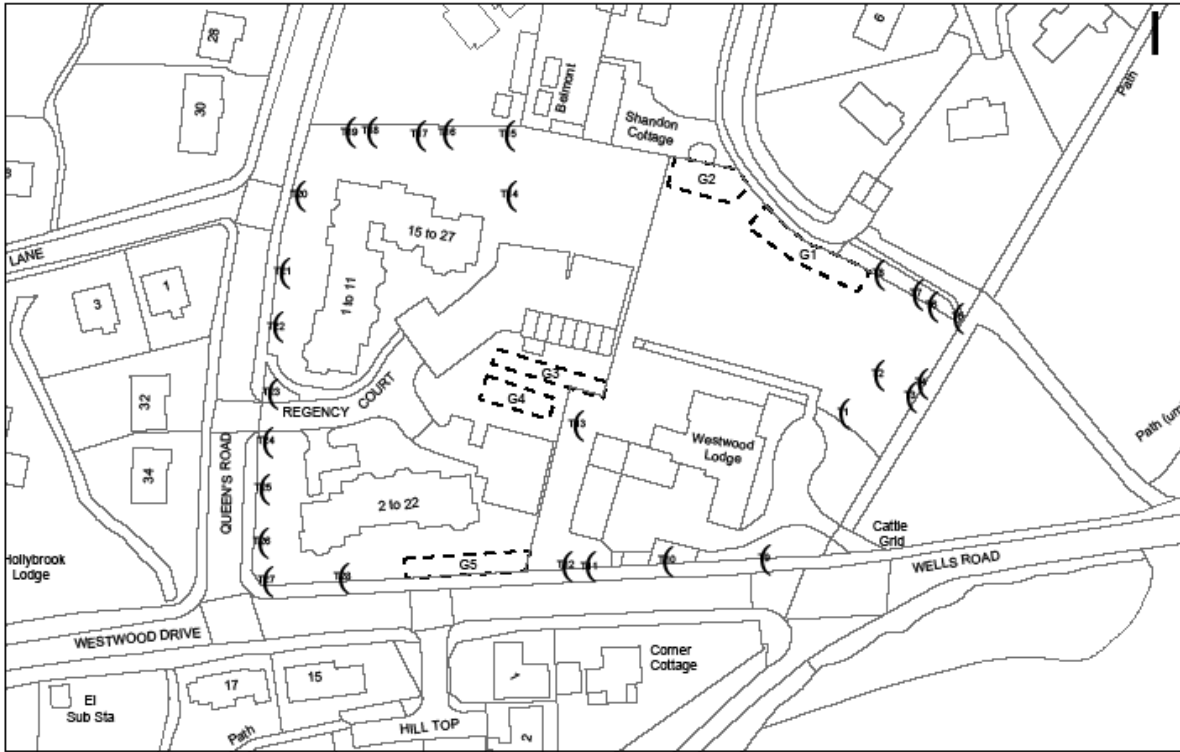
- Minor pruning not detrimental to the health and visual amenity value of the tree would be supported by the council subject to an application. This would include minor thinning to improve light filtration and minor working clearances to buildings and footpaths.
- The Sycamores T1 and T2 are a reasonable distance from dwellings and at a lower level.

- There has been recent works carried out without notice to which enforcement is being considered.
- The Horse Chestnut and Beech are already protected by an existing order.
- Tree preservation Orders do not prevent works to trees however consent is required from the local authority. No works have been applied for under this current Tree Preservation Order. (No fees are attached to any such applications)

Recommendation:

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

Tree Preservation Order 08/00099/IG



Tree Preservation Order
 No. 08/00099/IG
 Land at Westwood Lodge, Wells Road
 & Regency Court, Queens Road
 Ilkley

DEPARTMENT OF REGENERATION
 Jacobs Well
 Bradford
 BD1 6RW



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16 September 2009

Item Number: 18
Ward: Ilkley

Subject:
CONSIDERATION OF AN OBJECTION TO
TREE PRESERVATION ORDER 08/00099/IG
SECTION 201 TOWN AND COUNTRY PLANNING ACT 1990

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

Site

Land at Westwood Lodge, Wells Road and Regency Court Queens Road, Ilkley

Background:

A Tree Preservation Order was made on 17th March 2009 as a result of a request from the owner of Westwood lodge to resurvey the trees on the property and include additional significant trees in a new order. The previous order had some inaccuracies. The previous order also covered Regency Court therefore this has been included in this new order. Westwood lodge is a listed building outside the Conservation Area and the trees provide the setting in relation to the listed building.

It is considered expedient to confirm the order as trees not originally covered by the old order could be removed without consent by future owners being outside the Conservation Area and the new order has now resolved previous inaccuracies.

There has been 1 letter of objection made in relation to the G2 (covered by the original order) on the following grounds:-

Summary of objection received:

- One of the two Cypress trees within G2 is a large tree and now overhangs the Annexe to Shandon Cottage and there are no exemptions to allow for work to the tree when it affects an adjoining property.
- If at some future date the condition of the tree is such that lopping or cutting is required to prevent potential damage to the building it overshadows, I do not wish to be prevented from pruning the immediate area.
- The branches touch the roof and more of a concern is what the root system could be doing to the annexe.
- I am concerned that restrictions of the kind proposed could prove to be a hindrance to sensible tree management if required.
- I therefore request that a decision is made not to confirm G2 and the Order varied.

Officer comments in relation to the points of objection:

- The tree is protected in the old order and in recent times no applications have been made to carry out works to the tree.
- Sensitive tree management works that retained the character of the tree and were not detrimental to the health of the tree would be considered acceptable and includes minor thinning of the tree to improve light levels.
- Consent would be required from the local planning authority under the Tree Preservation Order legislation for any works to the tree with the exception of exemptions however this is a free service.
- Supporting evidence would be required in relation to requests for removal i.e. alleged subsidence and appropriate replanting would be required where approval was granted.

Recommendation:

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

Tree Preservation Order 09/00017/IG



Tree Preservation Order
No. 09/00017/IG
Land at and adjacent to
20 Moorfield Road
Ilkley

DEPARTMENT OF REGENERATION
Jacobs Well
Bradford
BD1 6RW



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16 September 2009

Item Number: 19
Ward: Ilkley

Subject:
CONSIDERATION OF AN OBJECTION TO
TREE PRESERVATION ORDER 09/00017/IG
SECTION 201 TOWN AND COUNTRY PLANNING ACT 1990

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

Site
Land at and adjacent to 20 Moorfield Road Ilkley.

Background:

A Tree Preservation Order was made on 24th March 2009 as a result of a Planning Application (ref: 08/07453/FUL) which impacted unacceptably on trees. The application was subsequently refused on 11th February 2009. A further Planning Application was made (ref: 09/01268/FUL) with a unit of reduced scale which was approved on 21st May 2009.

The order includes 10 trees (2 individuals and 2 groups)

The approved scheme has a lesser impact on trees however it is considered expedient to confirm this order as if not the trees could be removed as there are no other restrictions on these trees which are outside the Conservation Area.

There has been one letter of objection made in relation to the T1 Dawn redwood and G1 on the following grounds:-

Summary of objection received:

- The planning officer accepted the principle for the removal of T1 and my client is willing to provide replacement replanting.
- G1 schedule 1 boundary treatment description is unclear for the number of trees listed in the order. My client is willing to provide replacement planting.

Officer comments in relation to the points of objection:

- It is accepted that there will be some tree loss if the approved scheme is implemented however there is a conditional requirement for replacement planting.
- Group orders do not specifically show the position of trees but do specify the numbers and species within the group.
- If the planning consent was not implemented and the order not in place all trees on site could be removed without consent.

Recommendation:

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