

Report of the Strategic Director of Regeneration to the meeting of the Area Planning Panel (KEIGHLEY) to be held on 12 November 2009

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Summary Statement - Part Two

Miscellaneous Items

	<u>No. of Items</u>
Items Considered Not Expedient to Pursue	(5)
Requests for Enforcement/Prosecution Action	(10)
Decisions made by the Secretary of State - Dismissed	(2)
Tree Preservation Order	(1)

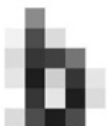
Julian Jackson
Assistant Director (Planning)

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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: 12 November 2009
Item Number: 7
Ward: Keighley East
Complaint Ref No: 09/00283/ENFUNA
Recommendation: THAT THE REPORT BE NOTED

Description:
Alleged unauthorised fencing

Address:
2 Vale Street Keighley West Yorkshire BD21 4DA

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: 06.10.09

Item Number: 8
Ward: Craven
Complaint Ref No: 09/00809/ENFUNA
Recommendation: THAT THE REPORT BE NOTED

Description:
Alleged unauthorised shed

Address:
41 Southfield Terrace Addingham West Yorkshire LS29 0PA

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: 06.10.09

Item Number: 9
Ward: Ilkley
Complaint Ref No: 09/00426/ENFUNA
Recommendation: THAT THE REPORT BE NOTED

Description:
unauthorised decked platform in rear garden

Address:
5 Constable Road Ilkley West Yorkshire LS29 8RW

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: 06.10.09

Item Number: 10
Ward: Keighley West
Complaint Ref No: 09/00399/ENFADV
Recommendation: THAT THE REPORT BE NOTED

Description:
Alleged unauthorised sign

Address:
Ingrow Primary School Broomhill Avenue Keighley West Yorkshire BD21 1BW

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: 06.10.09

Item Number: 11
Ward: Keighley Central
Complaint Ref No: 08/00889/ENFAPP
Recommendation: THAT THE REPORT BE NOTED

Description:

Alleged that the development is not being constructed in accordance with the approved plans

Address:

Northfield Manor Residential Home 5 View Road Keighley BD20 6JN

Reason:

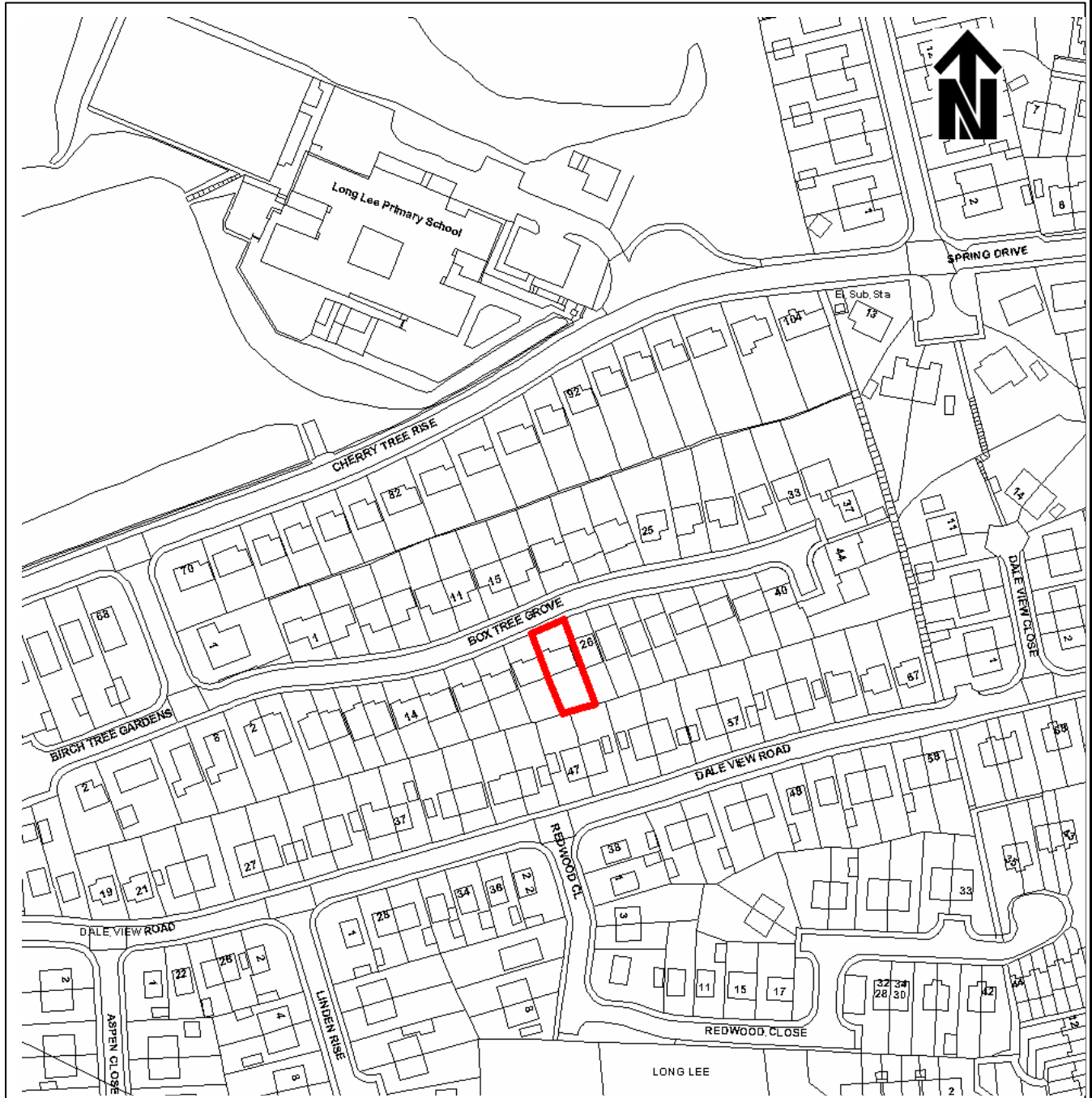
It is not considered that this breach of planning control would cause significant amenity or highway safety issues to warrant further enforcement action.

Date Enforcement File Closed: 22.09.09

Area Planning Panel (Keighley)

09/00848/ENFUNA

12 November 2009



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<p>ITEM NO. : 12</p>	<p>LOCATION: 24 Box Tree Grove Long Lee Keighley</p>
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12 November 2009

Item Number: 12
Ward: KEIGHLEY EAST
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
09/00848/ENFUNA

Site Location:
24 Box Tree Grove, Long Lee, Keighley

Alleged Breaches of Planning Control
Unauthorised decking

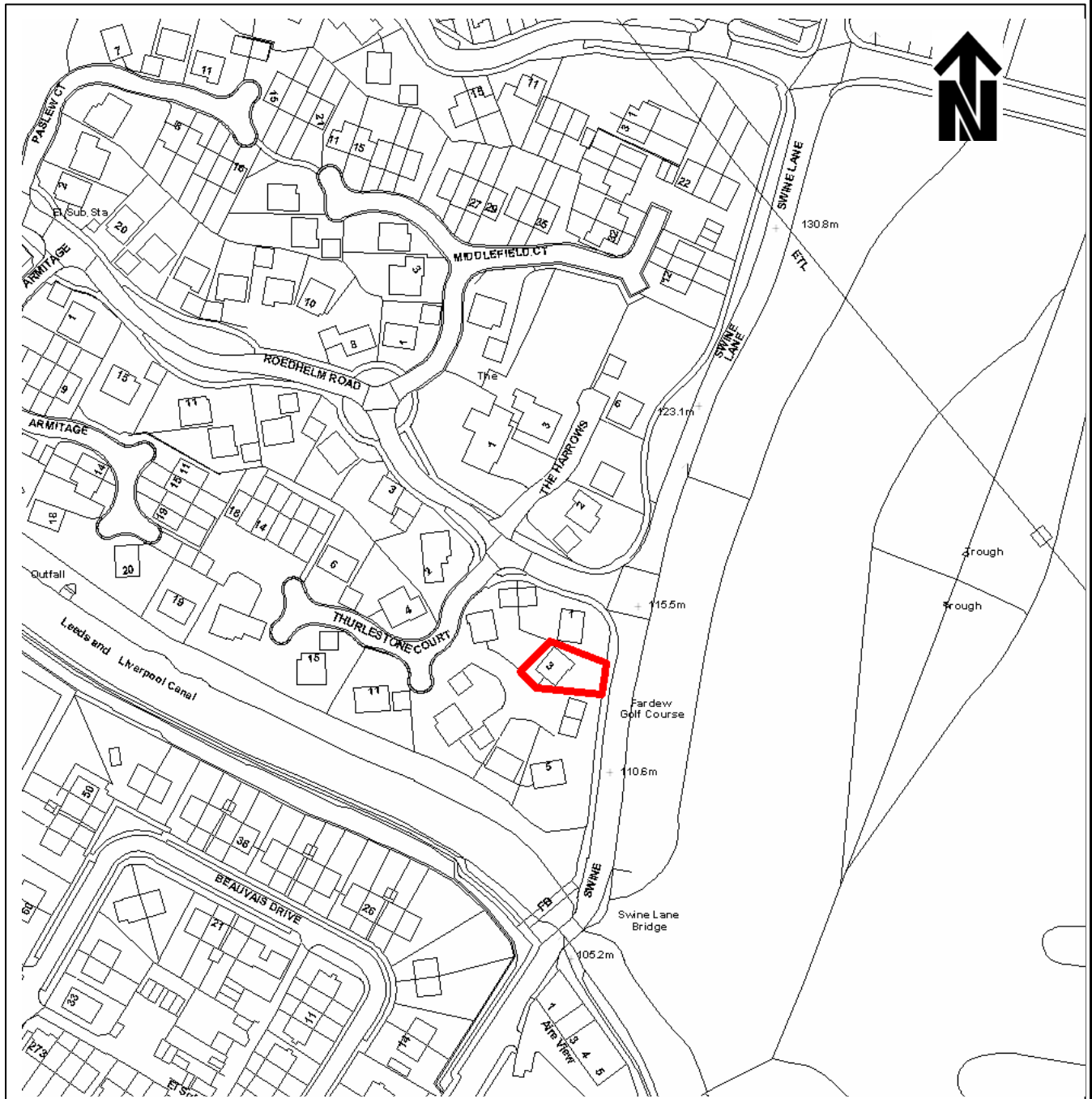
Circumstances:
Enforcement action was approved on 11 September 2009 for the removal of unauthorised decking from the rear of the property.

The unauthorised decking has been removed by the owner prior to service of the Notice and the land restored to garden. No further action required.

Area Planning Panel (Keighley)

09/00186/ENFUNA

12 November 2009



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ITEM NO. : 13	LOCATION: 3 Thurlestone Court East Morton Keighley
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12 November 2009

Item Number: 13
Ward: KEIGHLEY EAST
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
09/00186/ENFUNA

Site Location:
3 Thurlestone Court, East Morton, Keighley.

Alleged Breaches of Planning Control
Unauthorised rear extension.

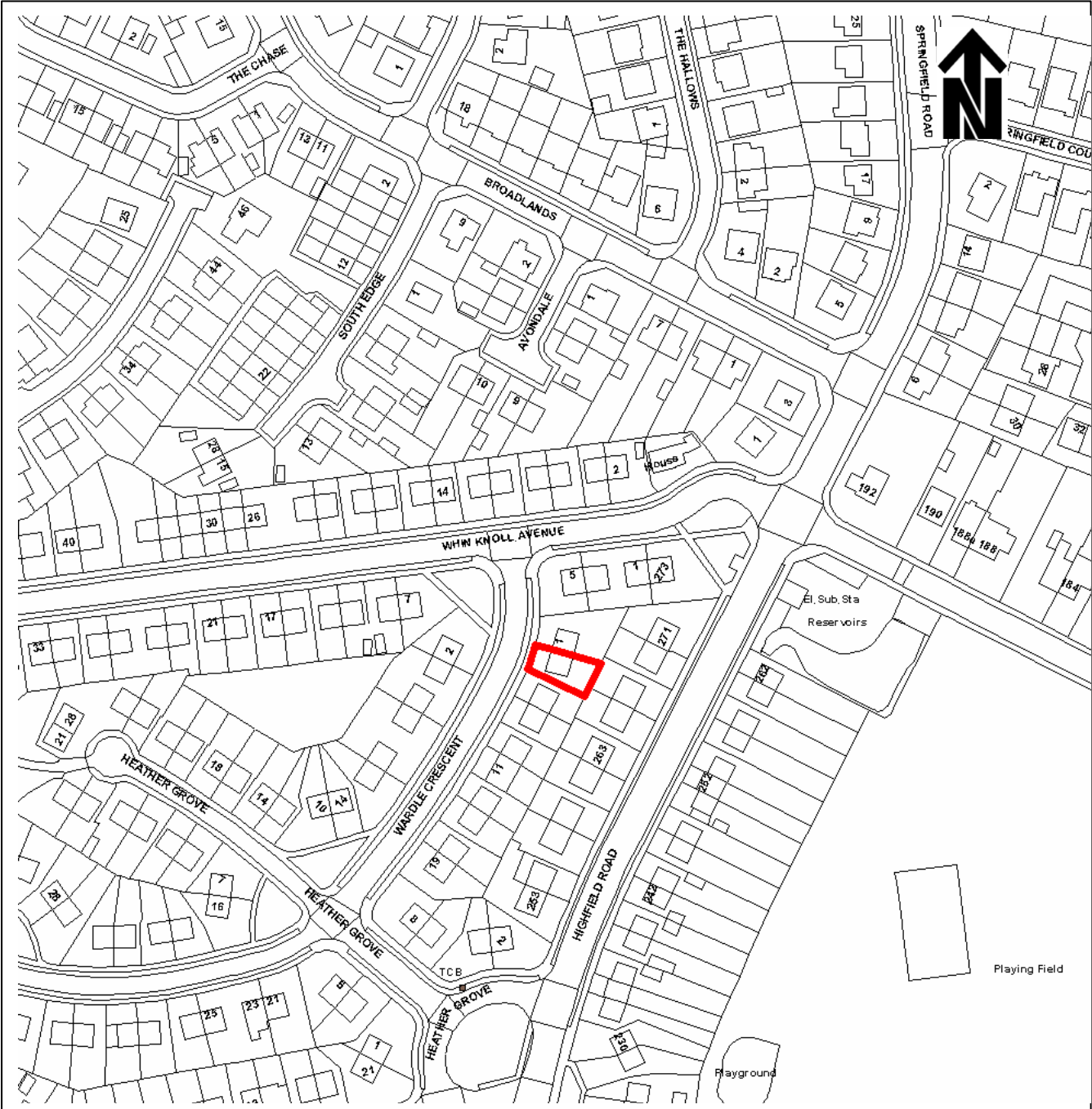
Circumstances:
The structure was refused planning permission under application number 09/00862/FUL on 17 April 2009.

Enforcement action has therefore been authorised.

Area Planning Panel (Keighley)

09/00213/ENFUNA

12 November 2009



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<p>ITEM NO. : 14</p>	<p>LOCATION: 3 Wardle Crescent Keighley</p>
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12 November 2009

Item Number: 14
Ward: KEIGHLEY CENTRAL
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
09/00213/ENFUNA

Site Location:
3 Wardle Crescent, Keighley.

Alleged Breaches of Planning Control

Unauthorised construction of block retaining walls, decking, block walls and fencing.

Circumstances:

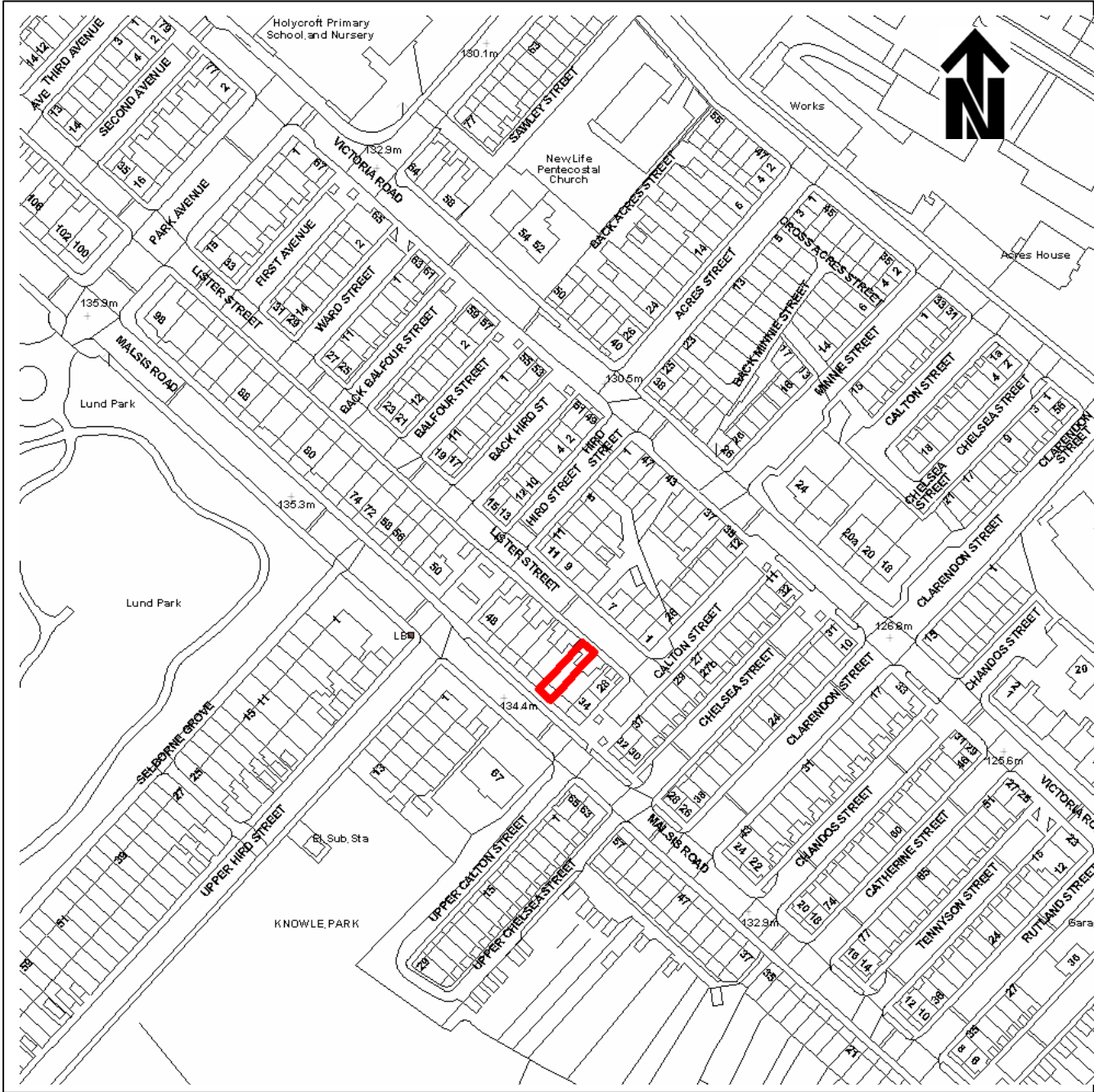
It is considered that the structures form an intrusive and over dominant feature that are detrimental to residential amenity.

Enforcement action has therefore been authorised.

Area Planning Panel (Keighley)

09/00456/ENFUNA

12 November 2009



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ITEM NO. : 15

LOCATION:
**38 Malsis Road
Keighley**

12 November 2009

Item Number: 15
Ward: KEIGHLEY CENTRAL
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
09/00456/ENFUNA

Site Location:
38 Malsis Road, Keighley

Alleged Breaches of Planning Control
Unauthorised dormer window to the front elevation

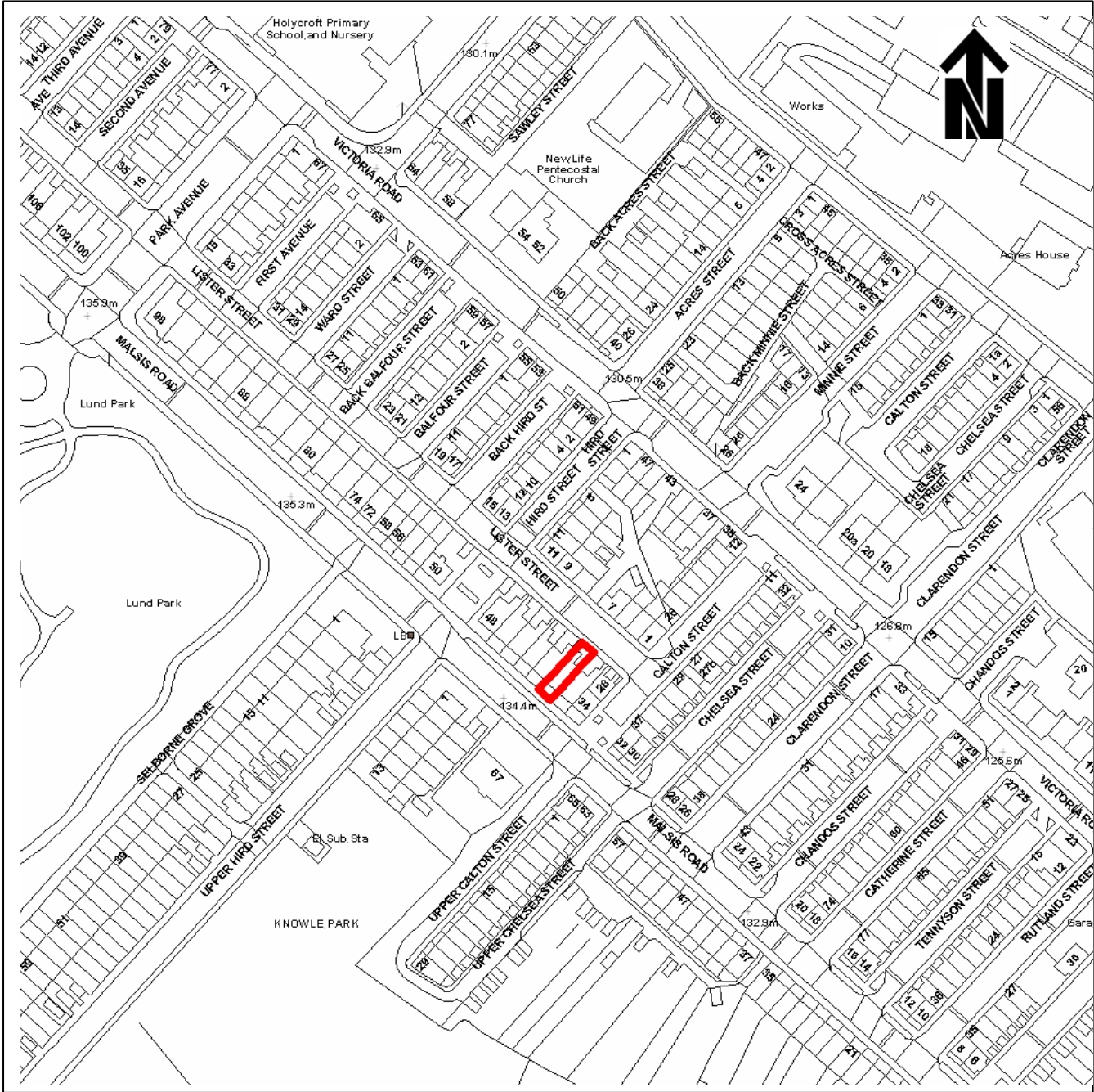
Circumstances:
A dormer window has been constructed to the front elevation of the property. It is considered unacceptable due to its size, scale and materials which contrary to Policies UR3 and D1 of the RUDP and to the Council's approved Dormer Window Policy.

Enforcement action has therefore been authorised for the removal of the dormer.

Area Planning Panel (Keighley)

09/01158/ENFUNA

12 November 2009



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<p>ITEM NO. : 16</p>	<p>LOCATION: 38 Malsis Road Keighley</p>
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12 November 2009

Item Number: 16
Ward: KEIGHLEY CENTRAL
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
09/01158/ENFUNA

Site Location:
38 Malsis Road, Keighley.

Alleged Breaches of Planning Control
Unauthorised rear dormer window.

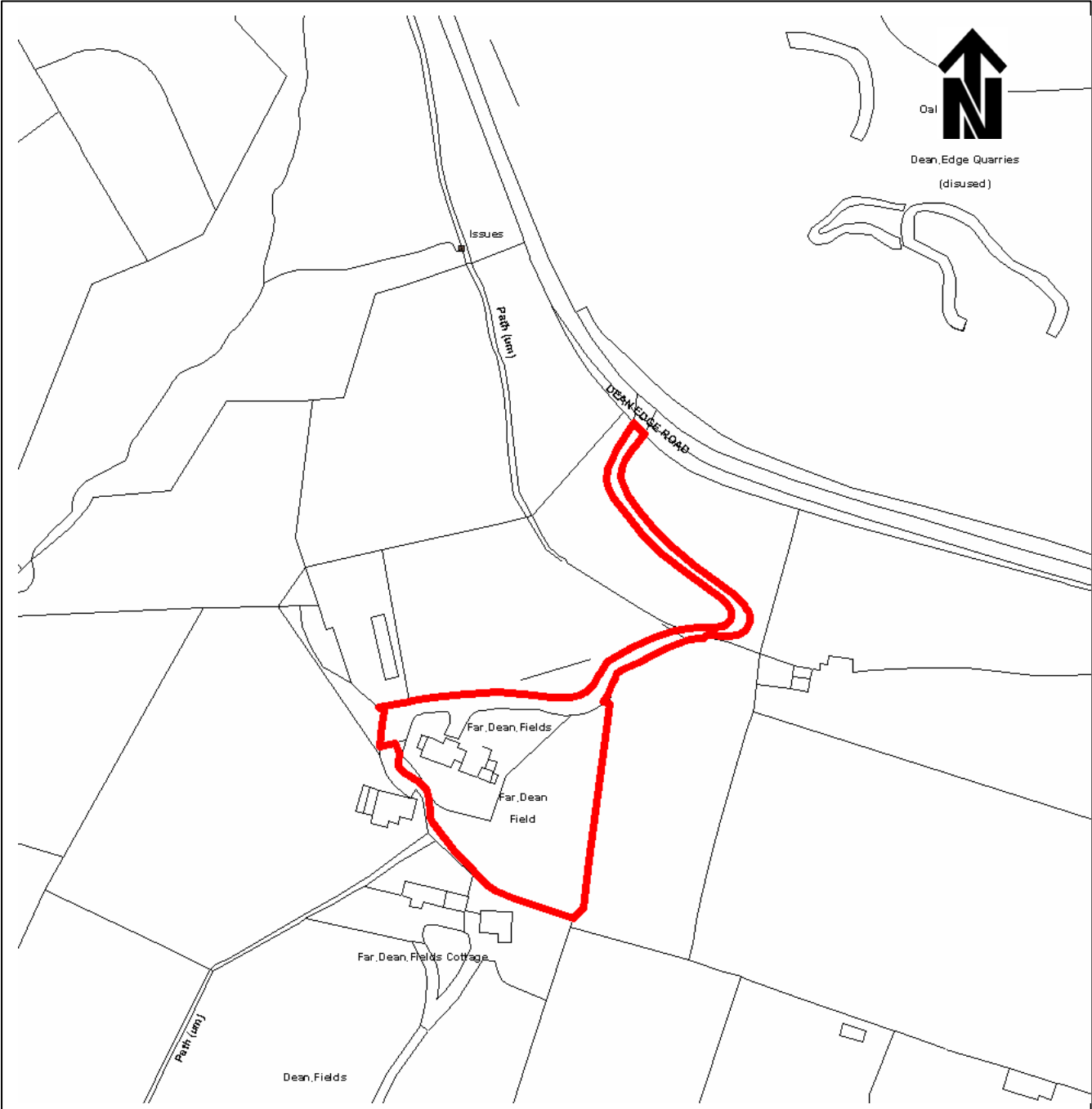
Circumstances:
A rear dormer window has been constructed at the property. It is considered .. Unauthorised rear dormer window Unauthorised rear dormer window unacceptable as the materials do not match the existing dwelling and are contrary to Policies UR3 and D1 of the RUDP.

Enforcement action has therefore been authorised for the removal of the dormer window.

Area Planning Panel (Keighley)

09/01276/ENFUNA

12 November 2009



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<p>ITEM NO. : 17</p>	<p>LOCATION: Far Dean Fields Dean Edge Road Oldfield, Keighley</p>
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12 November 2009

Item Number: 17
Ward: WORTH VALLEY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
09/01276/ENFUNA

Site Location:
Land off Dean Edge Road, Oldfield.

Alleged Breaches of Planning Control
Unauthorised steel container in Green Belt

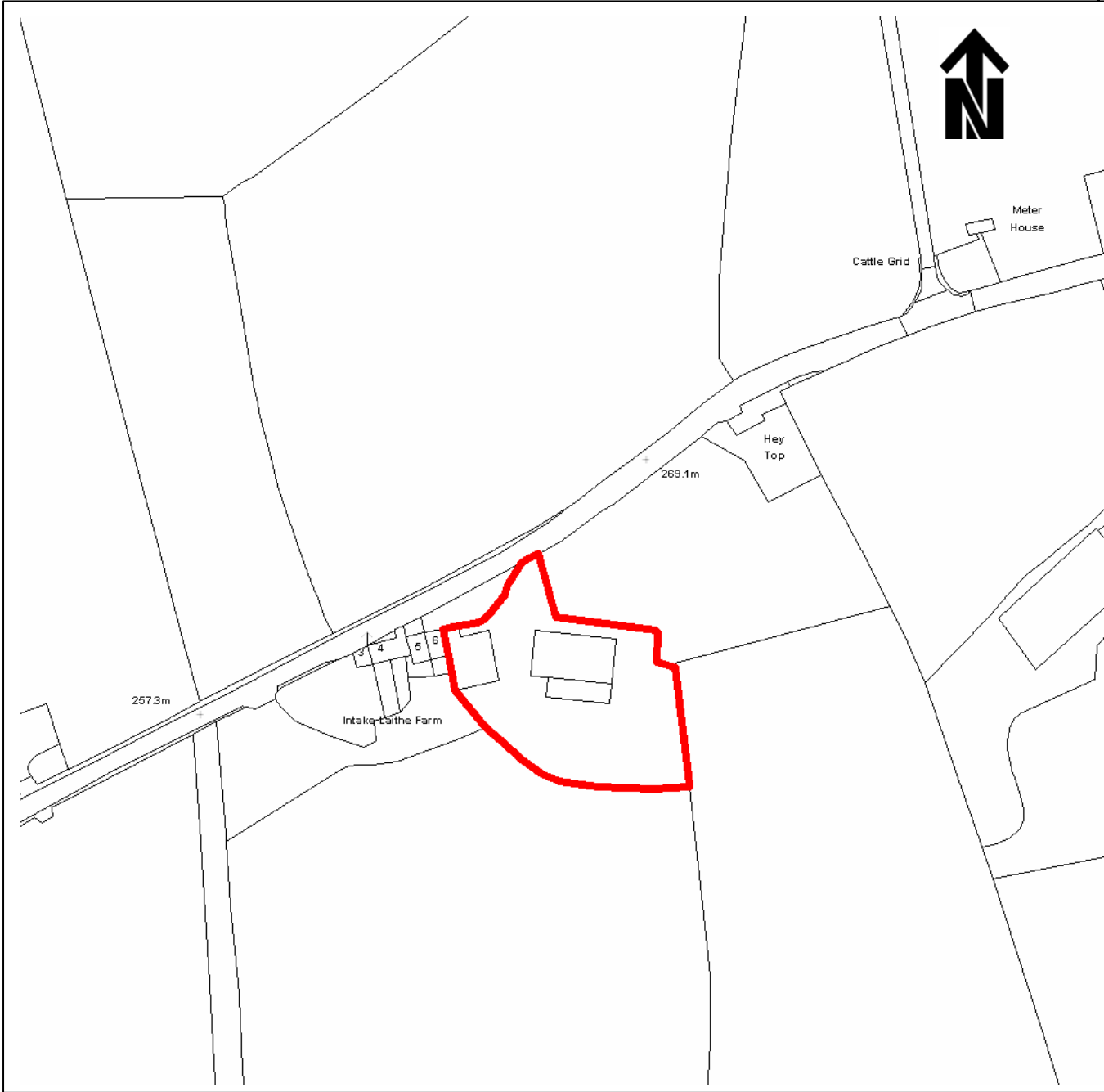
Circumstances:
An enforcement file was opened in 2006 in respect of a container stationed on land off Dean Edge Road. The container was removed. However a recent investigation has established that the owners have attempted to hide a steel container in the same location by excavating into the hillside.

Enforcement action has therefore been authorised for the removal of the container and restoration of the land.

Area Planning Panel (Keighley)

08/00989/ENFUNA

12 November 2009



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<p>ITEM NO. : 18</p>	<p>LOCATION: Intake Laithe Farm Oldfield Lane Oldfield, Keighley</p>
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12 November 2009

Item Number: 18
Ward: WORTH VALLEY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
08/00989/ENFUNA

Site Location:
Intake Laithe Farm, Oldfield, Keighley.

Alleged Breaches of Planning Control
Unauthorised stationing of a static caravan.

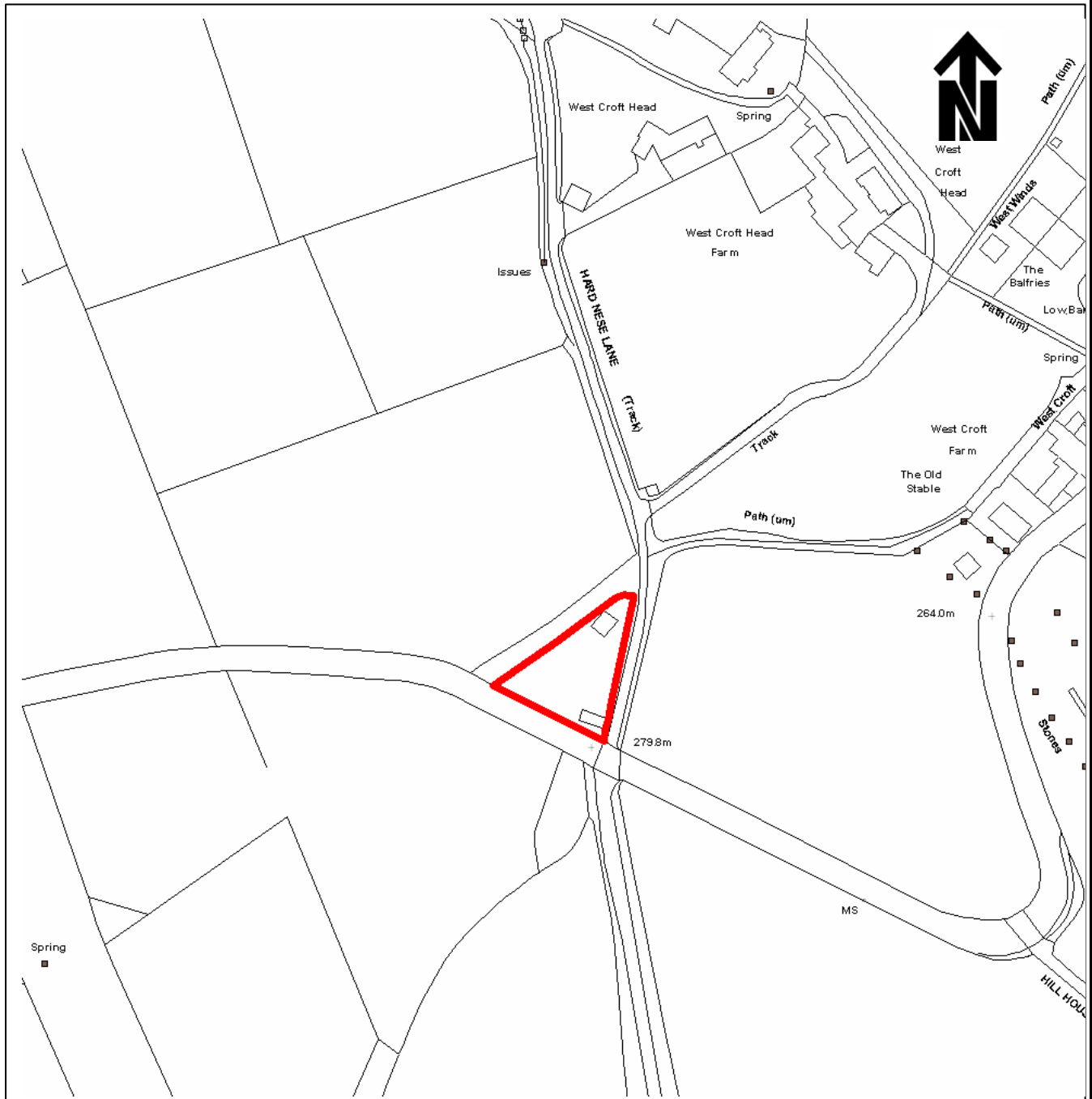
Circumstances:
A large static caravan has been stationed in the yard at the above farm. It is considered unacceptable to the character and visible amenity of the upland pasture Green Belt contrary to policies GB1, NE3 and NE3A of the RUDP.

Enforcement action has therefore been authorised for the removal of the caravan.

Area Planning Panel (Keighley)

09/01309/ENFUNA

12 November 2009



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<p>ITEM NO. : 19</p>	<p>LOCATION: Land To The East Of Stones Cottage Hebden Bridge Road Oxenhope, Keighley</p>
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12 November 2009

Item Number: 19
Ward: WORTH VALLEY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
09/01309/ENFUNA

Site Location:
Land off Hebden Bridge Road, Oxenhope.

Alleged Breaches of Planning Control
Unauthorised change of use of land in Green Belt for storage of building materials and building waste.

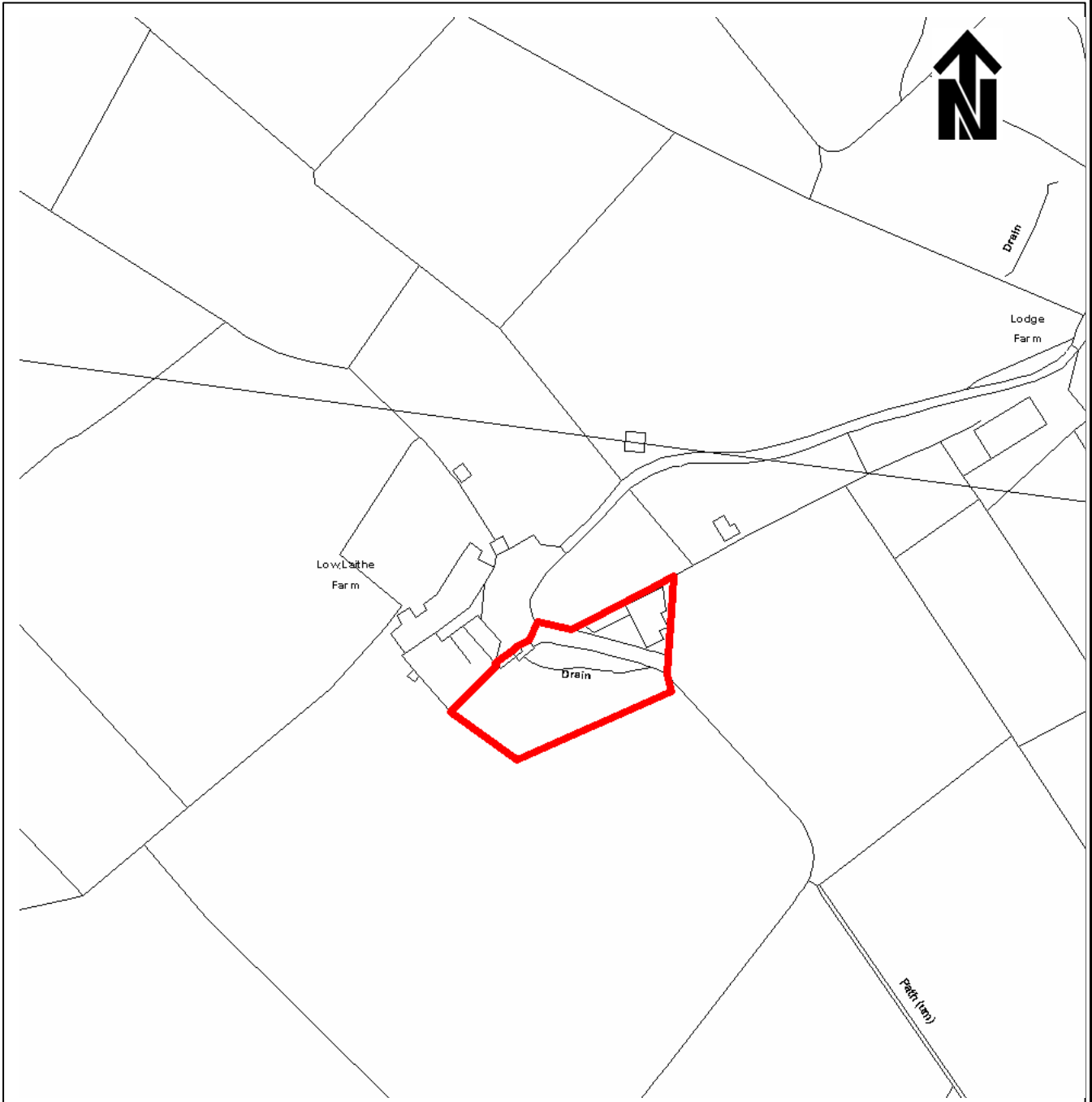
Circumstances:
Building materials and building waste are being stored on land off Hebden Bridge Road. The land is deemed to be agricultural land within the Green Belt.

Enforcement action has therefore been authorised for the removal of the materials from the land.

Area Planning Panel (Keighley)

07/01394/ENF UNA

12 November 2009



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<p>ITEM NO. : 20</p>	<p>LOCATION: Lower Laithe Barn Providence Lane Oakworth, Keighley</p>
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12 November 2009

Item Number: 20
Ward: WORTH VALLEY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
07/01394/ENFUNA

Site Location:
Lower Laithe Barn, Providence Lane, Oakworth, Keighley.

Alleged Breaches of Planning Control
Unauthorised construction of stables and tractor shed.

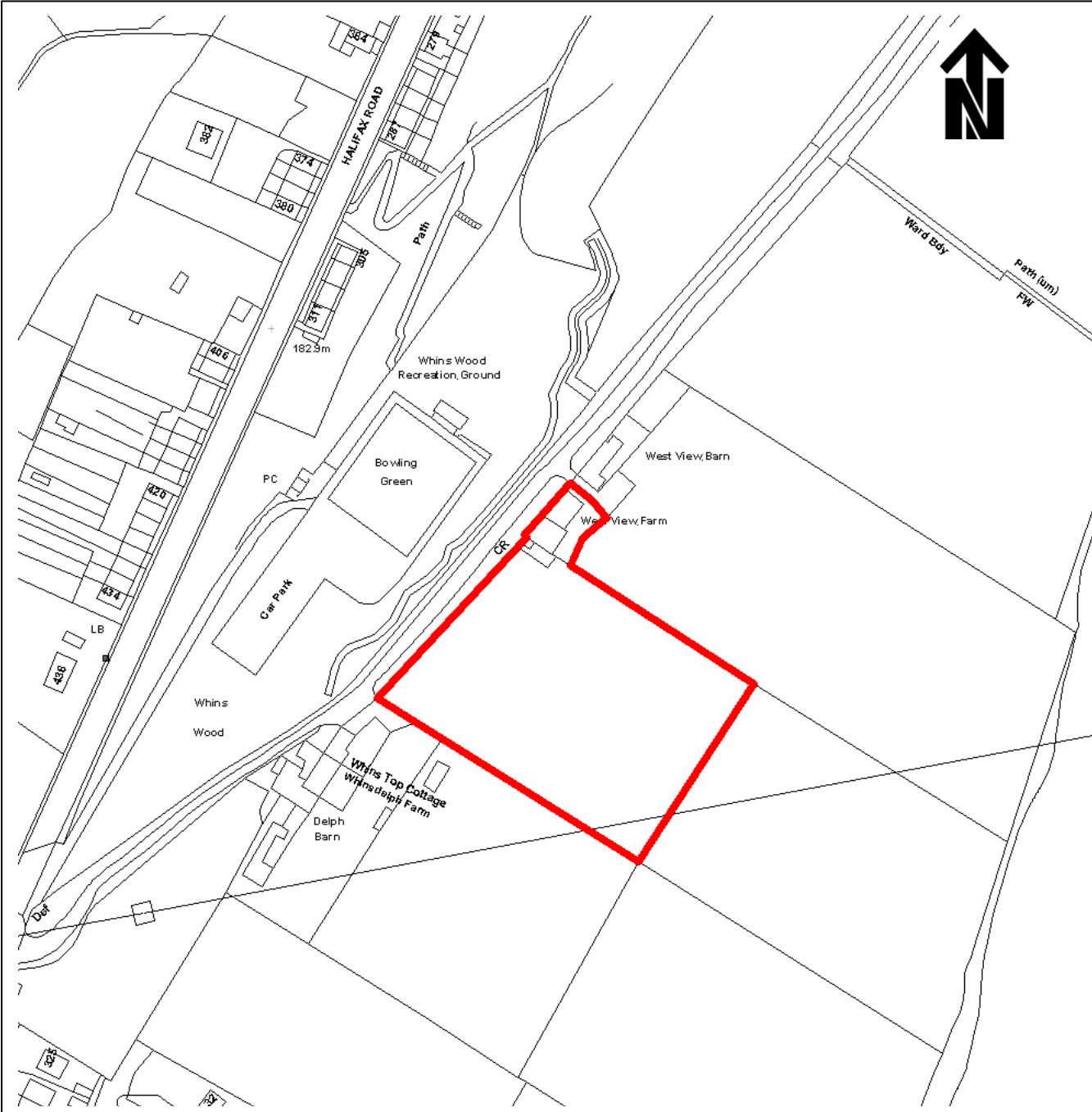
Circumstances:
An application for retrospective planning has been refused and a subsequent appeal to the Planning Inspectorate has been dismissed.

Enforcement action has therefore been authorised for the removal of the structures.

Area Planning Panel (Keighley)

08/00328/ENFUNA

12 November 2009



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<p>ITEM NO. : 21</p>	<p>LOCATION: West View Hill Top Road Hainworth, Keighley</p>
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12 November 2009

Item Number: 21
Ward: WORTH VALLEY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
08/00328/ENFUNA

Site Location:
Land at West View Barn, Hill Top Road, Bocking, Keighley.

Alleged Breaches of Planning Control
Unauthorised timber chicken huts in Green belt.

Circumstances:
Three chicken huts have been erected in the agricultural Green Belt. A retrospective application – 08/06332/FUL – was refused as contrary to Green Belt contrary to policies GB1 and GB2 of the RUDP.

Enforcement action has therefore been authorised for the removal of the huts.

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>
22	Keighley East (ward 16)	30 Roedhelm Road East Morton Keighley West Yorkshire BD20 5RF Construction of 2 storey rear extension and utility room - Case No: 09/01590/HOU Appeal Ref: 09/00117/APPCON
23	Worth Valley (ward 29)	Lower Laithe Barn Providence Lane Oakworth Keighley West Yorkshire BD22 7QS Retention of stable and tractor store with associated landscaping - Case No: 09/00748/FUL Appeal Ref: 09/00098/APPFUL

Appeals Upheld

There are no Appeal Upheld Decisions to report this month

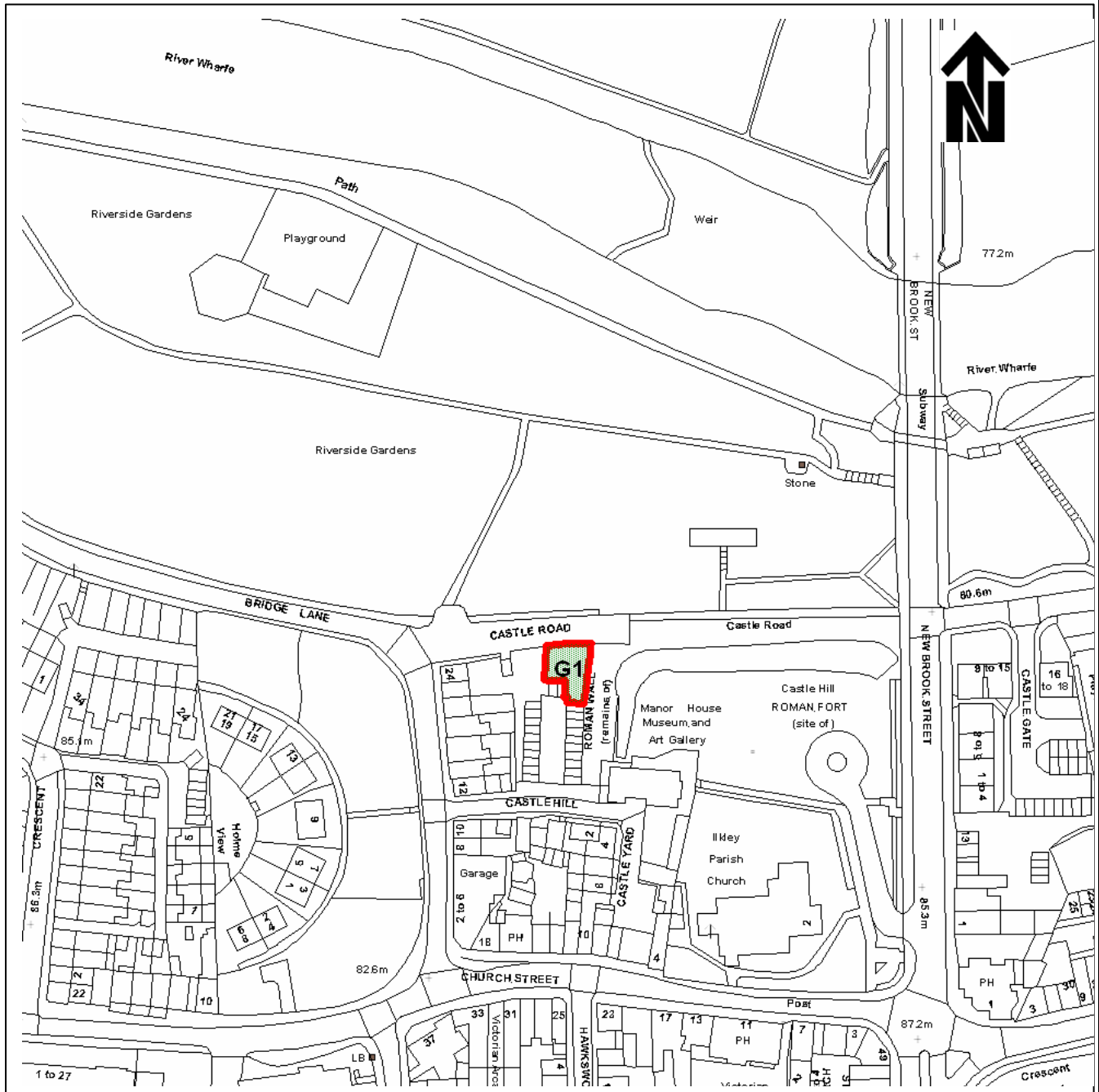
Appeals Withdrawn

There are no Appeal Withdrawn Decisions to report this month

Area Planning Panel (Keighley)

09/00044/G

12 November 2009



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<p>ITEM NO. : 24</p>	<p>LOCATION: Castle Road Ilkley</p>
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12 NOVEMBER 2009

Item Number: 24
Ward: ILKLEY

Subject:
CONSIDERATION OF AN OBJECTION TO
TREE PRESERVATION ORDER 09/00044/G
SECTION 201 TOWN AND COUNTRY PLANNING ACT 1990

Site:
Land at Castle Road, Ilkley.

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

Background:

A Tree Preservation Order was made on 28th May 2009 on a group of 18 trees as a result of a Conservation Area notice of intent to fell three trees (2 Sycamore and 1 Poplar) under notice of intent 09/02273/CPN. The Poplar was felled within the notification period which is currently an enforcement issue. The 2 Sycamore trees are significant trees within the Conservation Area adjacent to the Manor House Museum and Art gallery. The most visibly significant trees within the group are the 2 Sycamores. Officers consider the proposed felling to be unacceptable as there is considered to be insufficient evidence to support removal on poor condition grounds.

The loss of these mature trees will impact unacceptably on the amenity value of the group of trees.

It is considered expedient to confirm this order as if not confirmed the Sycamores could be felled impacting on the character and amenity value of the group of trees within the Conservation Area.

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

Summary of objection received:

- The Cypress should be excluded from the order being an overgrown hedge and should be drastically reduced.
- I believe there is a law limiting the height of hedges.
- I am objecting to the order due to the condition of a number of trees and as such am making an application for tree works.

Officer comments in relation to the points of objection:

- The Cypress trees are large specimens and it is considered a number could be removed without impacting on the visual amenity value of the group of trees.
- There is no hedge height law other than under the High Hedges legislation where a hedge of 2.0 metres or less falls outside the legislation.

- The objector was invited to make an application on 29th June 2009 as a result of a tree report being attached to the objection. No application to date has been received.
- The Tree preservation Order will enable replacement planting to be enforced should consent be given for removal.

Recommendation:

It is recommended that the objections be overruled and the Tree Preservation Order be confirmed without modification as the trees have significant amenity value in forming part of the character and setting of the built environment and it is expedient to confirm the order to restrict the possibility the trees are felled to the detriment of the local landscape.
