

Report of the Strategic Director of Regeneration to the meeting of the Area Planning Panel (KEIGHLEY) to be held on 25 March 2010

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Summary Statement - Part Two

Miscellaneous Items

| | <u>No. of Items</u> |
|--|---------------------|
| Items Considered Not Expedient to Pursue – page 6 | (9) |
| Requests for Enforcement/Prosecution Action – page 11 | (2) |
| Decisions made by the Secretary of State – Allowed – page 15 | (1) |
| Decisions made by the Secretary of State – Dismissed – page 15 | (6) |
| Tree Preservation Order – page 17 | (2) |

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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: 25 March 2010
Item Number: 2
Ward: Craven
Complaint Ref No: 07/00733/TPOCN
Recommendation: THAT THE REPORT BE NOTED

Description:
Alleged unauthorised tree works

Address:
10 Redding Wood Lane Steeton With Eastburn West Yorkshire BD20 6PS

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

Date Enforcement File Closed: 23 February 2010

Item Number: 3
Ward: Ilkley
Complaint Ref No: 09/00556/ENFUNA
Recommendation: THAT THE REPORT BE NOTED

Description:
Unauthorised fencing

Address:
7 Cardan Drive Ilkley West Yorkshire LS29 8PH

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: 23 February 2010

Item Number: 4
Ward: Keighley Central
Complaint Ref No: 09/00765/TPOCN
Recommendation: THAT THE REPORT BE NOTED

Description:
Unauthorised tree works

Address:
9 Glenlyon Drive Keighley West Yorkshire BD20 6LL

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: 23 February 2010

Item Number: 5
Ward: Worth Valley
Complaint Ref No: 09/00711/TPOCN
Recommendation: THAT THE REPORT BE NOTED

Description:
trees not replaced

Address:
Flat At The Snooty Fox Goodley Colne Road Oakworth Keighley West Yorkshire BD22 7PB

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

Date Enforcement File Closed: 23 February 2010

Item Number: 6
Ward: Keighley East
Complaint Ref No: 09/00735/TPOCN
Recommendation: THAT THE REPORT BE NOTED

Description:
unauthorised work-mature trees felled

Address:
Hainsworth House Damems Lane Keighley West Yorkshire BD22 7AR

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

Date Enforcement File Closed: 23 February 2010

Item Number: 7
Ward: Worth Valley
Complaint Ref No: 09/00778/TPOCN
Recommendation: THAT THE REPORT BE NOTED

Description:
Unauthorised tree works

Address:
Heathcliff Haworth Keighley West Yorkshire

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

Date Enforcement File Closed: 23 February 2010

Item Number: 8
Ward: Worth Valley
Complaint Ref No: 09/00777/TPOCN
Recommendation: THAT THE REPORT BE NOTED

Description:
work done on protected trees

Address:
Land To The North Of 13 Providence Lane Oakworth Keighley West Yorkshire

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

Date Enforcement File Closed: 23 February 2010

Item Number: 9
Ward: Keighley Central
Complaint Ref No: 09/00744/TPOCN
Recommendation: THAT THE REPORT BE NOTED

Description:
Unauthorised tree works

Address:
Laurel Grove Belgrave Road Keighley West Yorkshire BD21 2HW

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

Date Enforcement File Closed: 23 February 2010

Item Number: 10
Ward: Craven
Complaint Ref No: 09/00731/TPOCN
Recommendation: THAT THE REPORT BE NOTED

Description:
Unauthorised tree works

Address:
Steeton Court Nursing Home Steeton Hall Gardens Steeton With Eastburn West Yorkshire
BD20 6SW

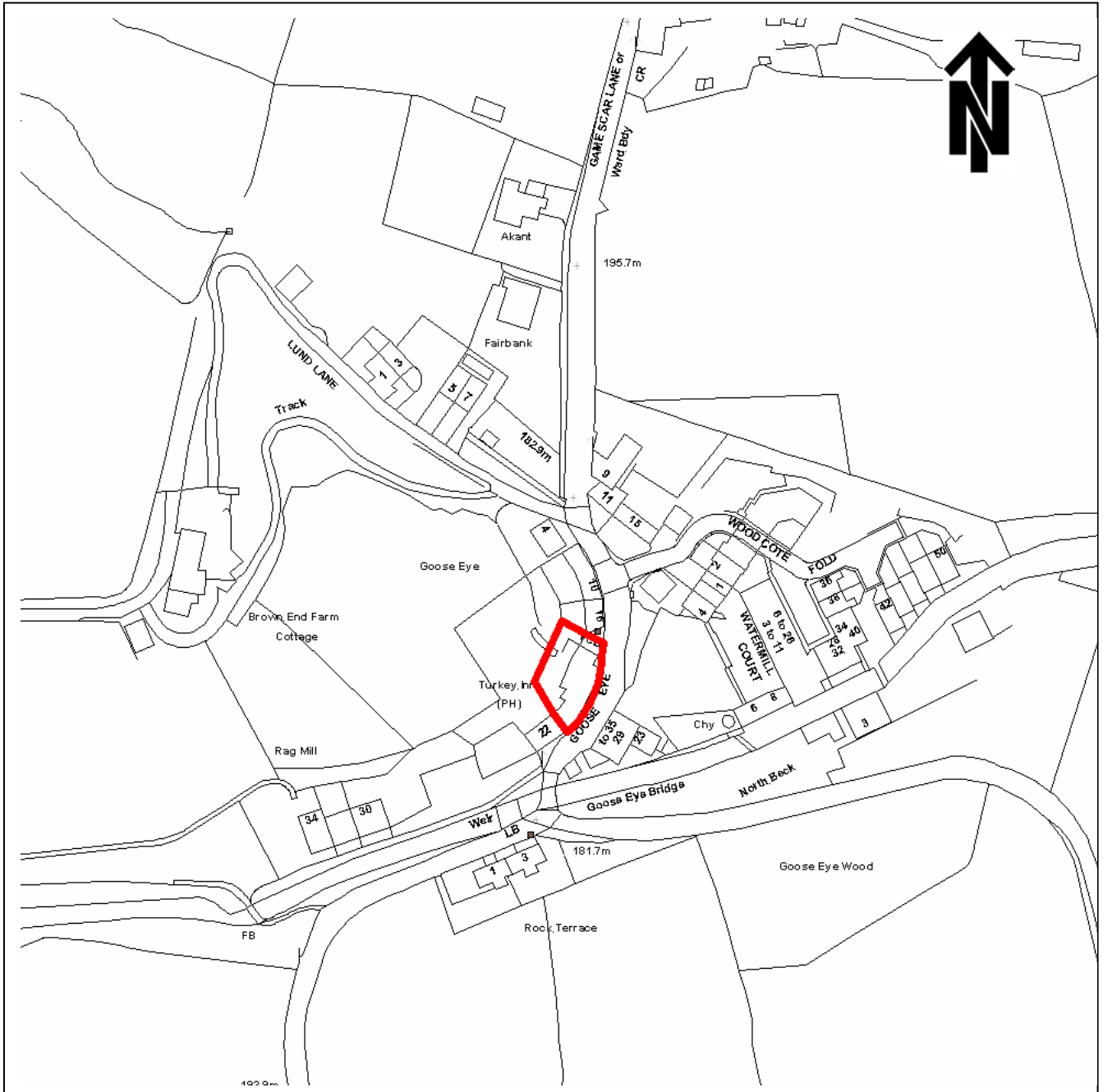
Reason:
It is not considered that this breach of planning control would cause significant amenity issues to warrant further enforcement action.

Date Enforcement File Closed: 23 February 2010

Area Planning Panel (Keighley)

09/01332/ENFUNA

25 March 2010



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| ITEM NO. : 11 | LOCATION: 20 Goose Eye Laycock, Keighley |
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25 March 2010

Item Number: 11
Ward: WORTH VALLEY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
09/01332/ENFUNA

Site Location:
Turkey Inn, Goose Eye, Oakworth, Keighley.

Alleged Breaches of Planning Control
Unauthorised erection of a large poly tunnel to the rear.

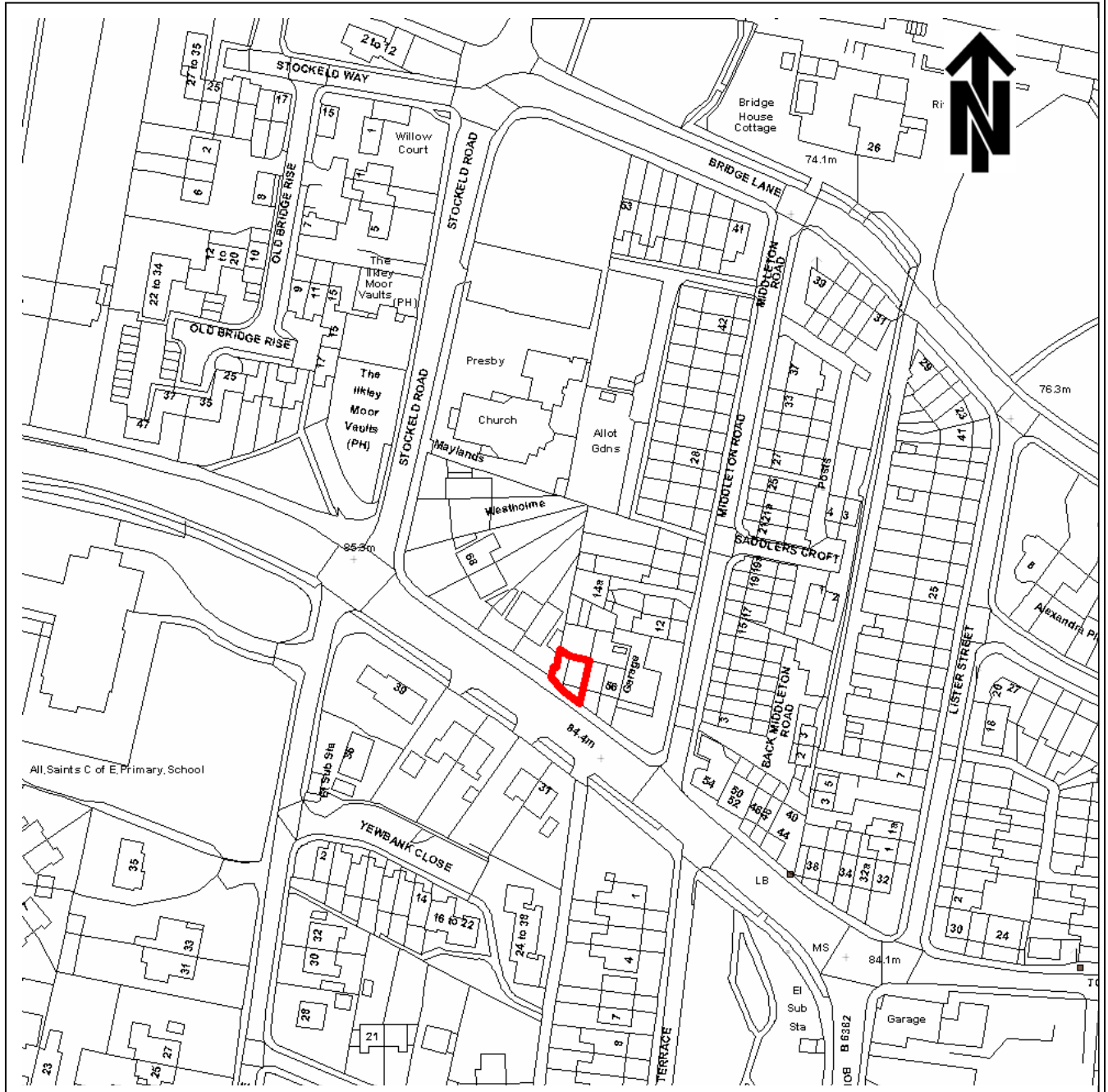
Circumstances:
A large poly tunnel has been erected to the rear of the Turkey Inn. It is considered to be an incongruous, overbearing and intrusive feature within the Goose Eye and Laycock Conservation Area and within an area designated as Green Belt. Despite requests to remove it or submit a retrospective planning application the owner has refused to comply with either.

An enforcement notice was authorised on 11th February 2010.

Area Planning Panel (Keighley)

09/00396/ENFUNA

25 March 2010



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| ITEM NO. : 12 | LOCATION: 60 Skipton Road Ilkley |
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25 March 2010

Item Number: 12
Ward: ILKLEY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
09/00396/ENFUNA

Site Location:
60 Skipton Road, Ilkley.

Alleged Breaches of Planning Control
Unauthorised conservatory to the rear of the property.

Circumstances:
Enforcement Action to remove the conservatory was authorised on 1 March 2010.

DECISIONS MADE BY THE SECRETARY OF STATE

Appeal Allowed

| <u>ITEM No.</u> | <u>WARD</u> | <u>LOCATION</u> |
|-----------------|---------------------------|---|
| 13 | Worth Valley (ward 29) | Dixon Hill Cottage Oldfield Lane Oldfield Keighley BD22 0HY Construction of extension to provide new lounge, bathroom and entrance lobby - Case No: 09/03802/HOU Appeal Ref: 10/00005/APPHOU |

Appeal Dismissed

| <u>ITEM No.</u> | <u>WARD</u> | <u>LOCATION</u> |
|-----------------|----------------------------|---|
| 14 | Craven (ward 09) | 12 Bradley Rise Silsden West Yorkshire BD20 9LZ Construction of 2 storey extension to existing dwelling - Case No: 09/03893/HOU Appeal Ref: 10/00006/APPHOU |
| 15 | Keighley West (ward 17) | 12 Oak Bank Mount Keighley West Yorkshire BD22 7LF Construction of single storey side extension - Case No: 09/04161/HOU Appeal Ref: 10/00007/APPHOU |
| 16 | Craven (ward 09) | Hodson's Barn Straight Lane Addingham West Yorkshire LS29 9JU Construction of a two storey extension - Case No: 09/00671/FUL Appeal Ref: 09/00156/APPFUL |

| <u>ITEM No.</u> | <u>WARD</u> | <u>LOCATION</u> |
|------------------------|----------------------------|---|
| 17 | Bingley Rural (ward 03) | Leeming Wells Hotel Long Causeway Denholme BD22 9SG Construction of extension to hotel to form time share accommodation (14 suites and 3 double bedrooms) and single storey extensions to existing restaurant and main bar - Case No: 08/03110/FUL Appeal Ref: 09/00180/APPFUL |
| 18 | Craven (ward 09) | Rough Holden Farm Holden Lane Silsden West Yorkshire BD20 0LS Construction of an agricultural building for free range hens - Case No: 09/02753/FUL Appeal Ref: 09/00149/APPFUL |
| 19 | Keighley East (ward 16) | Ryding Gate Ilkley Road Riddlesden Keighley West Yorkshire BD20 5RE Alleged unauthorised construction of a swimming pool. - Case No: 06/01260/ENFUNA Appeal Ref: 09/00189/APPENF |

Appeals Upheld

There are no Appeal Upheld Decisions to report this month

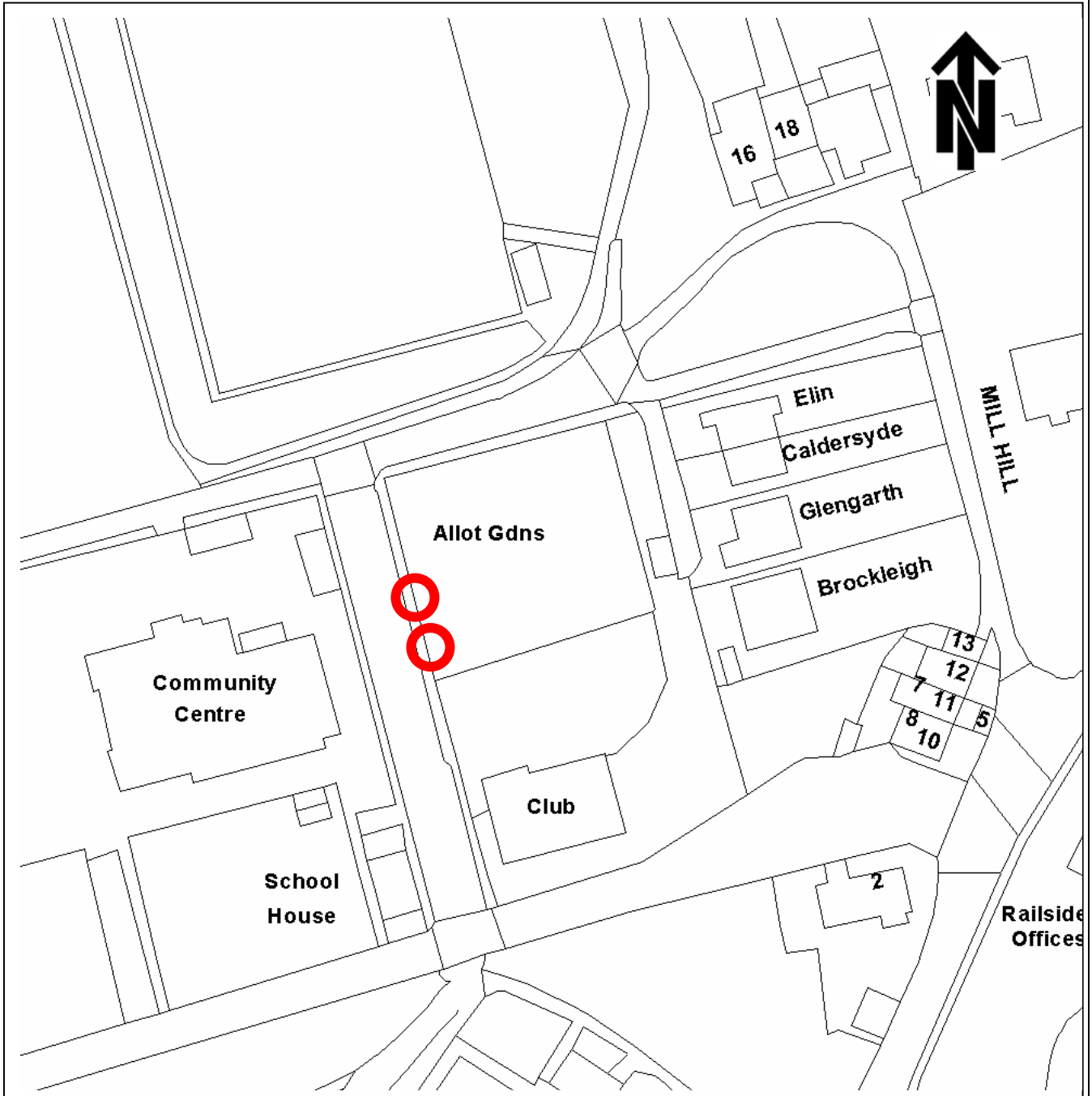
Appeals Withdrawn

There are no Appeal Withdrawn Decisions to report this month

Area Planning Panel (Keighley)

09/00062/I

25 March 2010



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| <p>ITEM NO. : 20</p> | <p>LOCATION: Allotment Gardens North Of Parkside Social Club Butt Lane Haworth</p> |
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25 March 2010

Item Number: 20
Ward: WORTH VALLEY
Subject:
CONSIDERATION OF AN OBJECTION TO
TREE PRESERVATION ORDER 09/00062/I
SECTION 201 TOWN AND COUNTRY PLANNING ACT 1990

Site:
Land Adjacent to Parkside Social Club, Butt Lane, Haworth.

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

Background:

A Tree Preservation Order was made on 15th October 2009 on 2 Sycamore trees as a result of a Conservation Area notice of intent (ref: 09/04465/CPN) to fell three trees in total. The two trees covered by the order were proposed to be removed for development purposes. The two trees are significant trees within the Conservation Area adjacent to Parkside Social Club and the adjacent site has little other tree cover.

A planning application (ref: 09/02789/FUL) for development of the land was refused on 12th August 2009.

It is accepted that these are not high quality trees in terms of condition. They do however provide significant visual amenity value.

The loss of these trees will impact unacceptably on the amenity value of the Conservation Area.

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 Conservation Area.

There has been 1 letter of objection made in relation to the order on the following grounds:-

Summary of objection received:

- The trees T1 and T2 are in such a condition that they are not worthy of a Tree Preservation Order.

Officer comments in relation to the points of objection:

- It is accepted that these trees are not high quality in terms of condition however they are considered to be viable for 10 to 20 years.
- The retention categories within BS5837:2005 are subjective.
- The Tree preservation Order will enable replacement planting to be enforced should consent be given for removal.

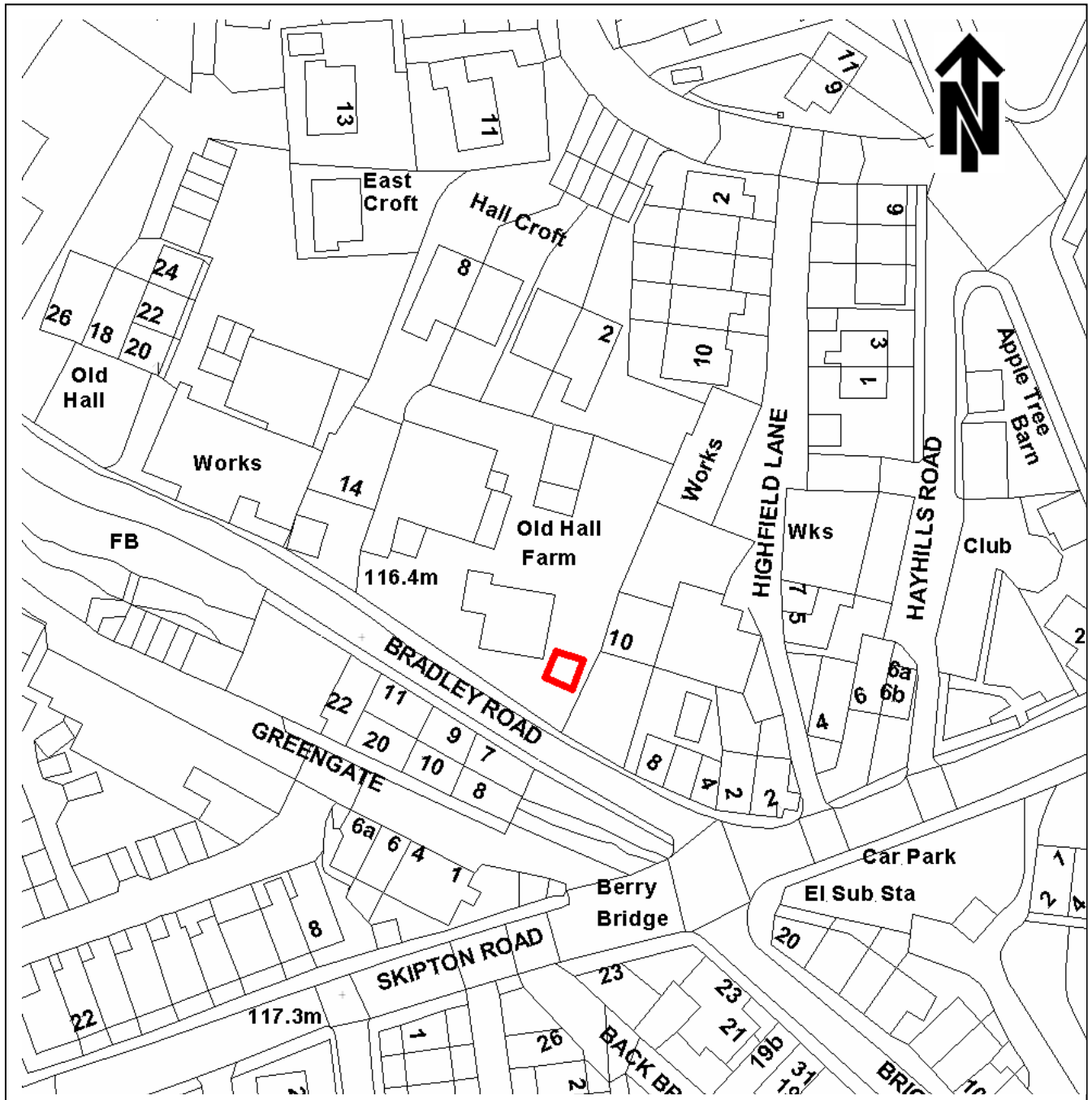
Recommendation:

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

Area Planning Panel (Keighley)

09/00067/G

25 March 2010



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| <p>ITEM NO. : 21</p> | <p>LOCATION: Old Hall Farm Bradley Road Silsden</p> |
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25 March 2010

Item Number: 21
Ward: CRAVEN
Subject:
CONSIDERATION OF AN OBJECTION TO
TREE PRESERVATION ORDER 09/00067/G
SECTION 201 TOWN AND COUNTRY PLANNING ACT 1990

Site:
Land at Old Hall Farm, Bradley Road, Silsden.

Recommendation:
TO OVER-RULE THE OBJECTION AND CONFIRM THE TREE PRESERVATION ORDER
WITH MODIFICATION

Background:

A Tree Preservation Order was made on 12th November 2009 on 2 Beech trees as a result of a Conservation Area notice of intent to fell the trees. A consent was subsequently granted to remove the poorer of the two trees (see 09/06052/TPO 18th December 2009). The remaining Beech is of significant amenity value located in a prominent position within the Conservation Area and highly visible from Bradley Road.

The proposed felling of both trees was considered unacceptable as there was considered to be insufficient evidence to support removal.

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

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

Summary of objection received:

- Expresses concern is for public safety and the tree is close to dwellings, boundary walls and near to Bradley Road.
- Expresses concern is health and safety, arguing that winds are generally in a Westerly direction and with climate change the strong winds seem to be more frequent and severe and the leaves block the drains and guttering.
- The Eastern stem due to the way the tree has grown makes this tree liable to failure and damage to the adjoining property.
- It has become too large within the confines of the properties.
- Objectors are pensioners now and due to ill health we are unable to carry out the maintenance made necessary by the trees branches, leaves and general debris.
- The roots are likely to be undermining the drains under the properties.

Officer comments in relation to the points of objection:

- Consent has been granted to remove the eastern stem retaining the larger more evenly balanced specimen. Minor pruning works have been granted to the retained tree that will reduce the nuisance of the tree to the property.
- The tree is close to dwellings/boundary walls however there is no evidence of damage to such.

- The retained tree at the time of inspection appeared in good condition and there has been no further information provided by the applicant on the condition of the tree to suggest otherwise.
- There has been no evidence of damage to drains.
- Leaf fall and debris does occur naturally with trees and this is generally a routine maintenance issue.

Recommendation:

It is requested that the objections be overruled and the Tree Preservation Order be confirmed with modification as the tree has significant amenity value in forming part of the character setting of the built environment and it is expedient to confirm in order to restrict the possibility the remaining tree is felled to the detriment of the local landscape. The modification is in the form of amending the plan and schedule to indicate one individual tree (T1) rather than the group of two (G1).
