

Decisions of the Area Planning Panel (Keighley) held on 12 May 2010

These decisions are published for information in advance of the publication of the Minutes

DECISIONS:

1. **36A WHEATLEY AVENUE, ILKLEY** **Ilkley**

A full planning application for the construction of a two storey side and single storey rear extension at No. 36A Wheatley Avenue – 10/00836/HOU.

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration's technical report (Document "V") and subject to the following amendment to the suggested condition regarding materials:

- (i) That a sample of the colour of the proposed render to be used shall be submitted to the local planning authority for approval.

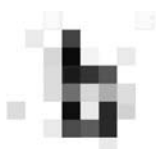
Ian Wilson – 01274 434605

ACTION: *Strategic Director, Regeneration*

2. **LAND TO SOUTH WEST OF 12 ELMWOOD TERRACE, INGROW, KEIGHLEY** **Keighley West**

An outline planning application for the construction of 6 town houses with off-street car parking. Land to the south west of 12 Elmwood Terrace, Ingrow, Keighley – 10/00921/OUT.

Although the submitted drawings show full design and elevation details the application form seeks permission only for the layout of the 6 houses. The design and elevation details were therefore regarded as for illustration purposes only. The application was before the Panel at the request of Keighley Town Council.



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Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)



Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration's technical report (Document "V") and subject to the following additional conditions and footnotes:

- (i) That prior to the commencement of development a scheme for the relocation of the lamp post situated to the front of the development site shall have been submitted to and have secured approval of the local planning authority. The lamp post shall be re-sited in accordance with any approved scheme prior to the commencement of development.
 - (ii) That prior to the commencement of development a scheme for the implementation of a Traffic Regulation Order in order to formalise the one-way access to the development site and the establishment of no entry to prevent vehicular access to the back road shall be submitted to and have secured approval of the local planning authority. The Traffic Regulation Order scheme shall be implemented in accordance with any approved scheme prior to the commencement of development.
- (2) That any subsequent application for approval of reserved matters be referred back to the Panel for consideration.

Footnote:

The permission of the Highway Authority may also be required before the lamp post is relocated in accordance with this permission.

Approval of the Traffic Regulation Order scheme will require the developer to enter into a legal agreement with the Council to pay the full cost of obtaining and implementing the Traffic Regulation Order scheme and prior authority of the Council's Traffic Regulation Authority.

Ian Wilson – 01274 434605

ACTION: Strategic Director, Regeneration

3. ENFORCEMENT ENQUIRIES CLOSED BY THE PLANNING MANAGER (ENFORCEMENT AND TREES)/SENIOR ENFORCEMENT OFFICER AS NOT EXPEDIENT TO PURSUE

(i) **16 Westwood Rise, Ilkley** **Ilkley**

Unauthorised pruning of TPO tree – TPO0456 – 09/01545/TPOCN.

Date Enforcement File Closed: 23 April 2010.

(ii) **37 Grange Estate, Ilkley** **Ilkley**

Unauthorised pruning of protected trees – 09/00759/TPOCN.

Date Enforcement File Closed: 23 April 2010.

Resolved –

That the reports be noted.

(Ian Wilson – 01274 434605)

ACTION: Strategic Director, Regeneration

4. ENFORCEMENT MATTERS

(i) 3 Spearhead Way, Keighley

Keighley Central

Unauthorised prefabricated cabins - 09/01345/ENFUNA.

Two large prefabricated cabins had been placed, one on top of the other, on land to the front of the property at Spearhead Way and despite representations from the Council the owner had neither removed them nor submitted an application for their retention.

Enforcement action had therefore been authorised for the removal of these cabins.

(ii) Holmes House, Skipton Road, Steeton with Eastburn

Craven

Unauthorised change of use for residential to a mixed use of residential and business use – 09/01504/ENFCOU.

The owners of the property were running a business on a scale that was considered unacceptable to the character of the use of the property as a single dwelling by virtue of the number of employees, deliveries and visitors to the dwelling. Enforcement action had therefore been authorised.

**(iii) Land to the West Side of 5 Chapel Lane, Oakworth,
(Oakworth Methodist Cemetery), Keighley**

Worth Valley

Alleged breaches of planning control – 08/01173/ENFCAC.

On 17 September 2008 the Council received a complaint that the walls at the entrance to the former Methodist Cemetery at Chapel Lane, Oakworth were in the process of being demolished. These walls were protected by virtue of being situated within the Oakworth Conservation Area. Although work initially ceased, through the intervention of Council Officers, the walls, piers and wrought iron gates were demolished and removed from the site on Saturday 20 September 2008.

On 7 October 2008 the Development Manager authorised legal proceedings against James Templeton as the person who undertook the work to demolish the walls, gate piers and remove the gates contrary to Section 9 (as applied by Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Summonses were issued in respect of both offences. Both matters were heard before Bradford Magistrates Court on Thursday 25 March 2010 when James Templeton pleaded guilty and Paul Rose pleaded not guilty.

The Magistrates found Paul Rose guilty of failing to comply with the requirement of the enforcement notice and fined him £1,945 and ordered him to pay a victim surcharge of £15. He was further ordered to pay the Council's costs of £2,055 making a total cost of

£4,015. James Templeton was given a 12 month conditional discharge and ordered to pay £600 towards the Council's costs.

The Council were still pursuing action against Mr Rose to ensure that the enforcement notice was fully complied with.

(iii) **Land at Victoria Roaf, Haworth**

Worth Valley

Unauthorised static caravan – 09/00579/ENFUNA.

A large static caravan had been placed on land at Victoria Road, Haworth. Despite representations from the Council the owner/occupiers had neither removed the caravan nor submitted an application for its retention.

Enforcement action had therefore been authorised for its removal.

Resolved –

(1) **That the reports be noted.**

(ii) **That in respect of the enforcement issue concerning land to the west of 5 Chapel Lane, Oakworth officers be thanked for the work they have done to ensure a successful prosecution in this matter and that another report be submitted to the Panel in six months time to update them on any further action that has taken place in respect of this issue.**

(Ian Wilson – 01274 434605)

ACTION: Strategic Director, Regeneration

5. DECISIONS MADE BY THE SECRETARY OF STATE

Appeals Allowed

(i) **West View Hill Top Road, Hainworth, Keighley**

Worth Valley

Alleged unauthorised building – Case No: 08/00328/ENFUNA.

Appeal Ref: 10/00008/APPENF.

(ii) **Wyvern Elam Wood Road, Riddlesden, Keighley**

Keighley East

Retrospective application for reinforcements to bank and repairing of hardstanding and garage – Case No: 09/02862/HOU.

Appeal Ref: 09/00175/APPFUL.

Appeals Dismissed

(iii) 14 Barley Cote Road, Riddlesden, Keighley

Keighley East

Construction of dwelling and formation of two new parking spaces - Case No: 09/04369/FUL.

Appeal Ref: 09/00207/APPFUL.

(iv) 9 Cragg Lane, Denholme

Bingley Rural

Construction of a detached two storey dwelling - Case No: 09/01317/OUT.

Appeal Ref: 09/00192/APPOUT.

(v) Four Winds, Panorama Drive, Ilkley

Ilkley

First floor extension over existing garage with addition of balcony to rear - Case No: 07/07160/FUL.

Appeal Ref: 09/00213/APPFUL.

(vi) Moor Lodge, Two Laws Road, Stanbury, Keighley

Worth Valley

Change of use of former outbuilding to dwelling and construction of extension - Case No: 09/03857/FUL.

Appeal Ref: 09/00188/APPFUL.

(vii) The 3 Acres Public House, Bingley Road, Keighley

Worth Valley

Retrospective planning application for car park extension - Case No: 09/03061/FUL.

Appeal Ref: 09/00218/APPFUL.

(viii) Tomling Cote Farm, Holden Lane, Silsden

Craven

Construction of an extension - Case No: 09/05180/HOU.

Appeal Ref: 10/00030/APPHOU.

Resolved –

That the decisions be noted.

(Ian Wilson – 01274 434605)

NO ACTION

FROM: S Hemingway
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