

Report of the Strategic Director of Regeneration to the meeting of the Area Planning Panel (KEIGHLEY) to be held on 12 May 2010

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Summary Statement - Part Two

Miscellaneous Items

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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 May 2010

Item Number: 3

Ward: Ilkley

Complaint Ref No: 09/01545/TPOCN

Recommendation: THAT THE REPORT BE NOTED

Description:

Unauthorised pruning of TPO tree - TPO0456

Address:

16 Westwood Rise Ilkley West Yorkshire LS29 9SW

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 April 2010

Item Number: 4
Ward: Ilkley
Complaint Ref No: 09/00759/TPOCN
Recommendation: THAT THE REPORT BE NOTED

Description:
Unauthorised pruning of protected trees

Address:
37 Grange Estate Ilkley West Yorkshire LS29 8NW43 Grange Estate Ilkley West Yorkshire
LS29 8NW

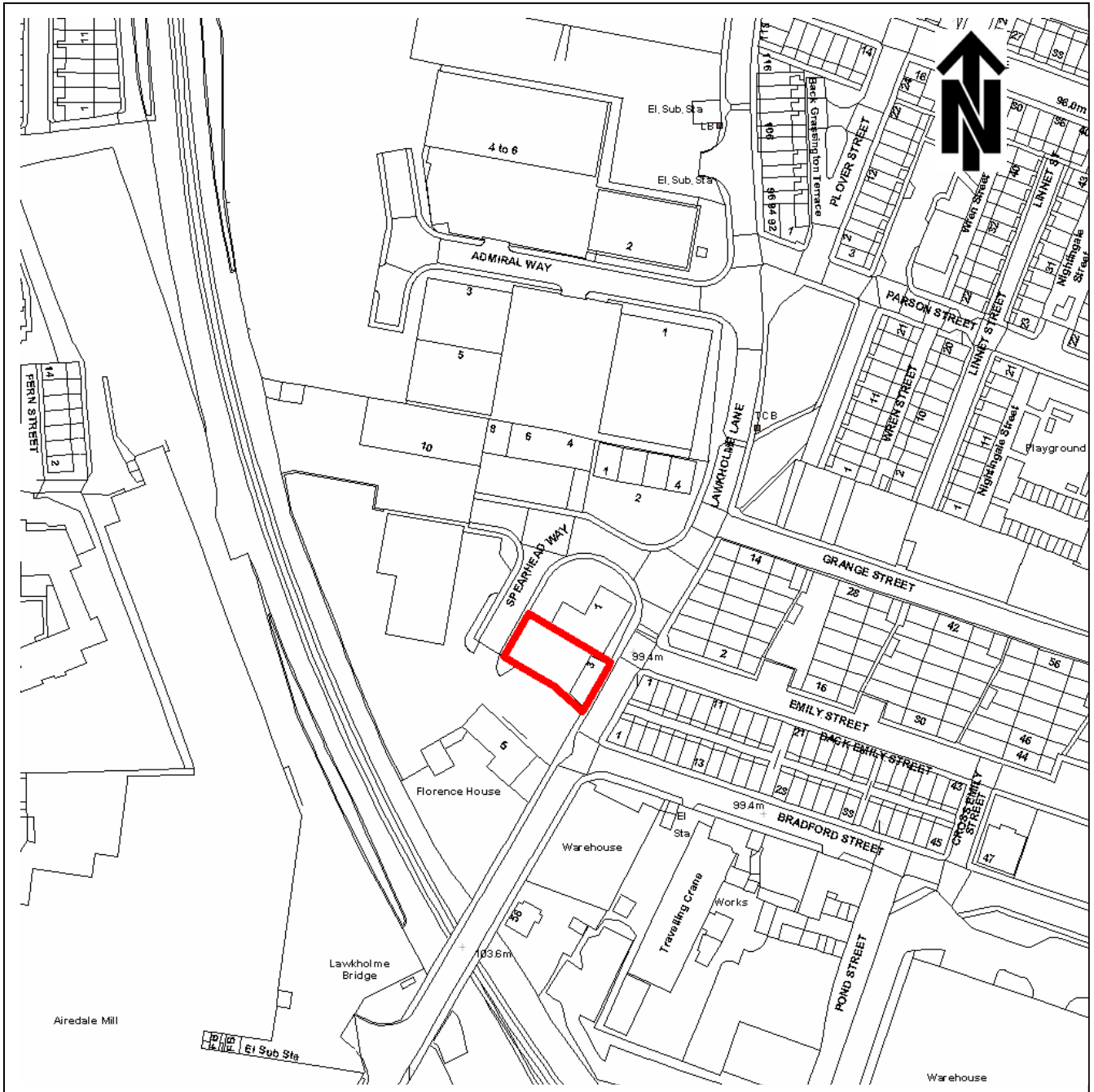
Reason:
It is not considered that this breach of planning control would cause significant amenity issues to warrant further enforcement action.

Date Enforcement File Closed: 23 April 2010

Area Planning Panel (Keighley)

09/01345/ENFUNA

12 May 2010



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<p>ITEM NO. : 5</p>	<p>LOCATION: 3 Spearhead Way Keighley</p>
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21 April 2010

Item Number: 5
Ward: KEIGHLEY CENTRAL
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
09/01345/ENFUNA

Site Location:
3 Spearhead Way, Keighley.

Alleged Breaches of Planning Control
Unauthorised prefabricated cabins.

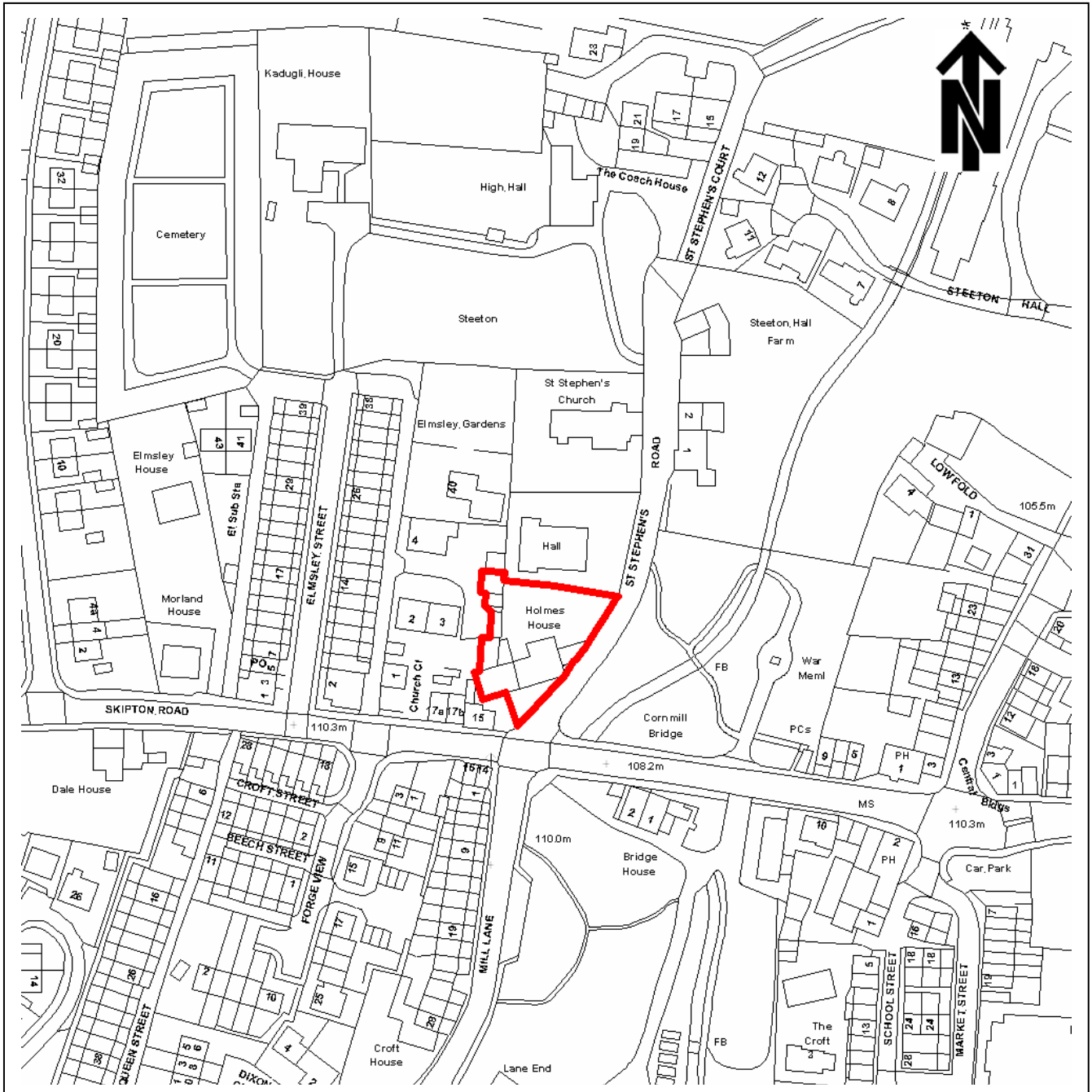
Circumstances:
Two large prefabricated cabins have been placed, one on top of the other, on land to the front of the property at Spearhead way. Despite representations from the Council the owner has neither removed them nor submitted an application for their retention.

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

Area Planning Panel (Keighley)

09/01504/ENFCOU

12 May 2010



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ITEM NO. : 6	LOCATION: Holmes House Skipton Road, Steeton With Eastburn
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21 April 2010

Item Number: 6
Ward: CRAVEN
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
09/01504/ENFCOU

Site Location:
Holmes House, Skipton Road, Steeton.

Alleged Breaches of Planning Control

Unauthorised change of use for residential to a mixed use of residential and business use.

Circumstances:

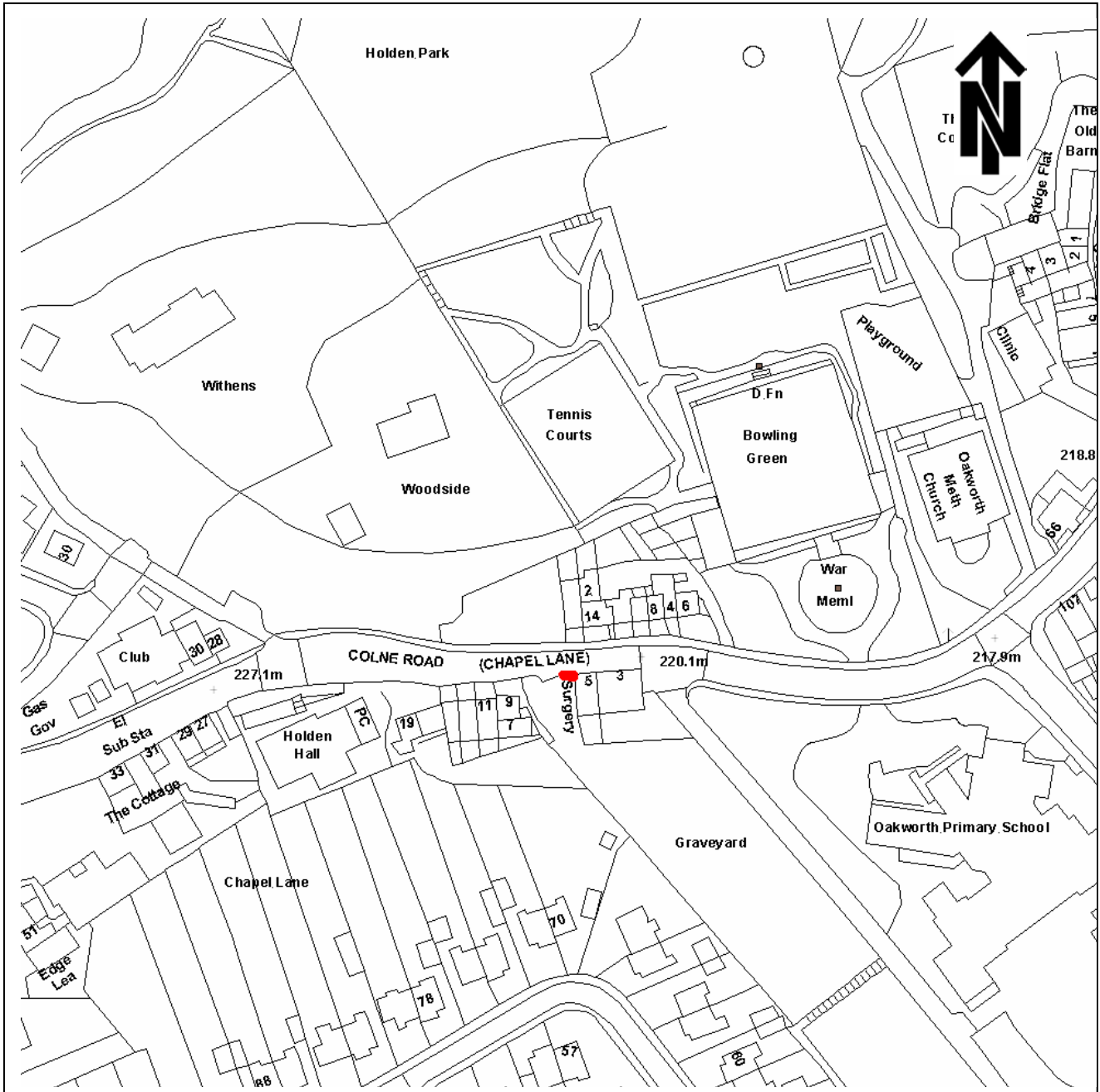
The owners of the property are running a business on a scale that is considered unacceptable to the character of the use of the property as a single dwelling by virtue of the number of employees, deliveries and visitors to the dwelling.

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

Area Planning Panel (Keighley)

08/01173/ENFCAC

12 May 2010



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ITEM NO. : 7	LOCATION: Land To The West Side Of 5 Chapel Lane, Oakworth
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21 April 2010

Item Number: 7
Ward: WORTH VALLEY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
08/01173/ENFCAC

Site Location:
Land west of 5 Chapel Lane, Oakworth, (Oakworth Methodist Cemetery).

Alleged Breaches of Planning Control

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.

The Council had reason to believe that the owner of the land was Paul Rose and that he had instructed James Templeton of JT Groundwork's to undertake the final demolition and removal. The Council were aware that in 2006 Paul Rose, as owner of the land, made a planning application to erect two houses on the site. This application was refused and a subsequent appeal dismissed. There has been one further planning application for one house, this was also refused and an appeal dismissed.

Enquiries with the Nottingham Land Registry confirmed that Paul Rose was the owner of the site. As a consequence of these unauthorised works the Planning Manager authorised legal proceedings by way of an enforcement notice on 24 September 2008. This notice was duly served upon Paul Rose and this required him to rebuild the walls, gate piers and wrought iron gates. This could be achieved either by restoring the original stone and gates or constructing matching replacements. This work was required to be carried out no later than 15 December 2008. The notice was not complied with or appealed against.

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 Sec 9 (as applied by Sec 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 trial involving Paul Rose lasted a full day. After hearing all the evidence the Magistrates found Paul Rose guilty of failing to comply with the requirement of the enforcement notice. The Magistrates fined Paul Rose £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

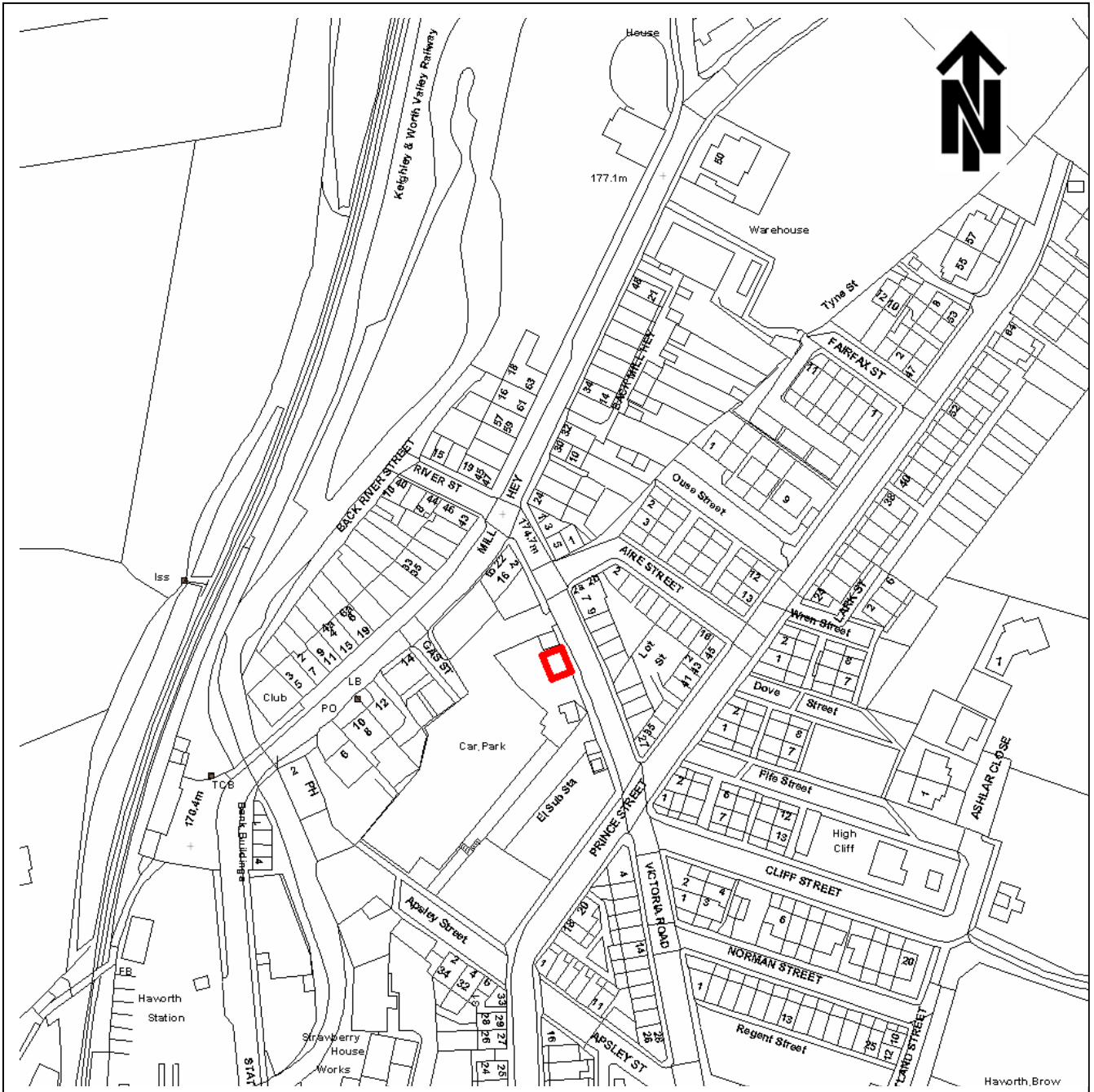
Templeton was given a 12 month conditional discharge and ordered him to pay £600 towards the Council's costs.

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

Area Planning Panel (Keighley)

09/00579/ENFUNA

12 May 2010



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<p>ITEM NO. : 8</p>	<p>LOCATION: Land West Victoria Road, Haworth</p>
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21 April 2010

Item Number: 8
Ward: WORTH VALLEY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
09/00579/ENFUNA

Site Location:
Land at Victoria Road, Haworth.

Alleged Breaches of Planning Control
Unauthorised static caravan.

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

Enforcement action has therefore been authorised for its removal.

DECISIONS MADE BY THE SECRETARY OF STATE

Appeal Allowed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
9	Worth Valley (ward 29)	West View Hill Top Road Hainworth Keighley BD21 5QN Alleged unauthorised building - Case No: 08/00328/ENFUNA Appeal Ref: 10/00008/APPENF
10	Keighley East (ward 16)	Wyvern Elam Wood Road Riddlesden Keighley West Yorkshire BD20 5QL Retrospective application for reinforcements to bank and repairing of hardstanding and garage - Case No: 09/02862/HOU Appeal Ref: 09/00175/APPFUL

Appeal Dismissed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
11	Keighley East (ward 16)	14 Barley Cote Road Riddlesden Keighley West Yorkshire BD20 5QA Construction of dwelling and formation of two new parking - Case No: 09/04369/FUL Appeal Ref: 09/00207/APPFUL
12	Bingley Rural (ward 03)	9 Cragg Lane Denholme West Yorkshire BD13 4HP Construction of a detached two-storey dwelling - Case No: 09/01317/OUT Appeal Ref: 09/00192/APPOUT

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
13	Ilkley (ward 14)	Four Winds Panorama Drive Ilkley West Yorkshire LS29 9RA First floor extension over existing garage with addition of balcony to rear. - Case No: 07/07160/FUL Appeal Ref: 09/00213/APPFUL
14	Worth Valley (ward 29)	Moor Lodge Two Laws Road Stanbury Keighley West Yorkshire BD22 0JL Change of use of former outbuilding to dwelling and construction of extension - Case No: 09/03857/FUL Appeal Ref: 09/00188/APPFUL
15	Worth Valley (ward 29)	The 3 Acres Public House Bingley Road Keighley West Yorkshire BD21 5QE Retrospective planning application for car park extension - Case No: 09/03061/FUL Appeal Ref: 09/00218/APPFUL
16	Craven (ward 09)	Tomling Cote Farm Holden Lane Silsden West Yorkshire BD20 0LT Construction of an extension - Case No: 09/05180/HOU Appeal Ref: 10/00030/APPHOU

Appeals Upheld

There are no Appeal Upheld Decisions to report this month

Appeals Withdrawn

There are no Appeal Withdrawn Decisions to report this month