

Decisions of the Area Planning Panel (Shipley) held on Thursday 23 October 2008

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

DECISIONS:

1. **CLARKE HOUSE, KEIGHLEY ROAD, BINGLEY** Bingley

Planning permission is sought for the change of use of the ground floor of Clarke House, Keighley Road, Bingley from a hairdressers (use Class A1) to a restaurant (use Class A3) – 08/03937/COU.

Resolved –

That the application be approved for the reasons and with the conditions set out in the Strategic Director, Regeneration's technical report subject to the completion of a Section 106 Agreement to prevent future residential occupation of the first floor accommodation at Clarke House and also subject to the following:

- (i) That Condition 2 of the Strategic Director, Regeneration's technical report be amended to read as follows: "The restaurant use hereby approved shall only operate between the hours of 5pm and 11.30pm, seven days per week."
- (ii) That prior to commencement of development the developer shall, submit details of the permanent 'keep clear' marking scheme to be implemented and maintained at the access way from the vehicular area associated with Clarke House through to the (gate/entrance to the) railway line for approval by the Local Planning Authority ("the Scheme").

Once approved the Scheme shall be implemented prior to initial occupation of the development and the affected land identified in the Scheme shall at all times remain free from obstruction and available for the passing and re-passing of pedestrian and vehicular traffic.



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Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)



BRADFORD
METROPOLITAN DISTRICT COUNCIL

Reason: In order to enable unimpeded access to the railway line in the interests of public safety and to comply with policies TM2 and UR3 of the Replacement Bradford Unitary Development Plan (2005).

ACTION: Strategic Director, Regeneration

(Ian Wilson – 01274 434605)

2. NAB WOOD SERVICE STATION, BINGLEY ROAD, SHIPLEY

Shipley

Full application to construct ten apartments and two semi detached dwellings on the former Nab Wood Service Station, Bingley Road, Shipley – 08/01956/FUL.

Resolved –

That the application be approved for the reasons and subject to the completion of a Section 106 and 278 Agreement to secure a lay-by on Bradford Road and also subject to the conditions set out in the Strategic Director, Regeneration’s technical report as amended to require that following approval of relevant conditions by the Local Planning Authority the said conditions shall be implemented in accordance with the terms of any approval given by the Local Planning Authority.

ACTION: Strategic Director, Regeneration

(Ian Wilson – 01274 434605)

3. LAND AT ALTON GROVE, SHIPLEY

Shipley

Full application for the demolition of the existing building and garage and construction of 10 townhouses at land at Alton Grove, Shipley – 08/02080/FUL.

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration’s technical report , save that prior to the issuing of any permission the Strategic Director, Regeneration be given delegated authority to specify the precise wording of the conditions set out in the Strategic Director, Regeneration’s technical report with particular emphasis on clarifying the periods when each condition shall be implemented or complied with and

that the wording of the 10th condition set out in the Strategic Director, Regeneration’s technical report be amended to require the following:

- (i) That details of all of the works to the site access Alton Grove including details of any resurfacing, kerbing, footways surface-water drainage, gullies and lighting shall be submitted to and approved by the Local Planning authority prior to commencement of development and thereafter implemented as approved.**
- (ii) That the site access and works to Alton Grove be constructed to base course level prior to the commencement of development.**
- (iii) That the works to the site access and Alton Grove be completed to an adoptable standard prior to initial occupation of any dwelling within the development.**

And that there shall be an additional condition imposed restricting the use of roof lights to the rear of the dwellings.

ACTION: Strategic Director, Regeneration

(Ian Wilson – 01274 434605)

4. DECISIONS MADE BY THE SECRETARY OF STATE

APPEAL ALLOWED

(i) UNIT 5, OLD MILL YARD, WILSDEN

Bingley Rural

Installation of new first-floor windows in the front and rear elevations to illuminate a new mezzanine floor – 08/00113/FUL.

APPEALS DISMISSED

(ii) 1 BELMONT AVENUE, BAILDON

Baildon

Demolition of the existing dwelling and the construction of 3 four bedroom detached dwellings with integral gardens – 08/00244/FUL.

(iii) 24 HINCHCLIFFE AVENUE, BAILDON

Baildon

Appeal against an Enforcement Notice served for an unauthorised dormer window extension to the side of the house and a roof with a ridge height that exceeds the ridge height of the original house.

Appeal dismissed and Enforcement Notice upheld. The requirements of the notice are to remove the unauthorised dormer extension, reduce the height of the roof to a height which does not exceed that of the original dwellinghouse, to make good any damage caused by the above works and to remove all resultant materials from the land.

The period for compliance with these requirements is 3 months – 08/00098/APPENF.

(iv) STONECROFT, BURLEY LANE, MENSTON

Wharfedale

Single storey extension to the side of the property forming a larger kitchen and utility room – 08/00672/FUL.

(v) 44 THE OVAL, BINGLEY

Bingley

Timber decking/patio to rear (retrospective) -07/10254/FUL.

(vi) 74 MAIN STREET, MENSTON

Wharfedale

Garage, utility room, kitchen and dining room extension with bedroom and bathroom above and room in roof space – 08/00520/FUL.

Resolved –

That the decisions be noted.

NO ACTION

(Ian Wilson – 01274 434605)

5. **7 MOORFIELD ROAD, COTTINGLEY**

Bingley Rural

The construction of a new two-storey dwelling on land at 7 Moorfield Road, Cottingley – 08/03684/FUL.

A petition signed by 24 people had been received objecting to the above proposal.

The application was refused under delegated powers on the following grounds:

1. contrary to the adopted Replacement Unitary Development Plan;
2. inadequate information supplied with regard to the proposed siting of the dwelling;
3. adverse impact on the occupiers of 7 Moorfield Road; and
4. harmful to visual amenity.

As the decision was in line with the objectors' wishes, Members were asked to note the petition and the outcome of the application.

Resolved –

That the petition and decision be noted.

NO ACTION

(Ian Wilson – 01274 434605)

6. **DECISION MADE BY AREA PLANNING MANAGER**

(i) **LAND AT KEIGHLEY ROAD, HARDEN**

Bingley Rural

Unauthorised construction of a prefabricated garage structure and the unauthorised change of use from agricultural to a use for indoor and outdoor dog training.

Resolved to issue an Enforcement Notice to cease the unauthorised use and remove from the site the prefabricated garage structure.

Time period for compliance: 28 days.

Resolved –

That the decision be noted.

NO ACTION

(Ian Wilson – 01274 434605)

7. **ENFORCEMENT COMPLAINT CLOSED BY THE AREA PLANNING MANAGER AS NOT EXPEDIENT TO PURSUE**

(i) **57 COLLIER LANE, BAILDON**

Baildon

Unauthorised detached garage – 08/01140/ENFUNA

It is considered that the breach of planning control would not cause significant amenity issues to warrant Enforcement Action.

Date Enforcement File Closed: 30 September 2008

Resolved -

That the decision be noted.

NO ACTION

(Ian Wilson – 01274 434605)

8. GARAGE AT 46 BRADFORD ROAD, MENSTON

Wharfedale

Full retrospective application for the re-cladding and refurbishment of the existing car dealership showroom and workshop buildings and a single storey rear extension to form wash bay, valeting bay and tool store at the existing car dealership at 46 Bradford Road, Menston – 08/03897/FUL.

Resolved -

That the application be deferred in order to investigate, amongst other issues, the wash bay structure and position, and distances between hedges and buildings, any overlooking fenestration; and that the application be re-submitted to the Panel for further consideration.

ACTION: Strategic Director, Regeneration

(Ian Wilson – 01274 434605)

9. UNITS 11A-11B 5RISE DEVELOPMENT, CHAPEL LANE, BINGLEY

Bingley

Application for change of use from A1 (retail) to A2 (betting office) of Units 11A and 11B of the proposed 5Rise development. The proposed units are part of the approved plans for the redevelopment of the Myrtle Walk shopping centre and are intended to be sited on Chapel Lane adjacent to the existing covered market area at the entrance to Myrtle Walk – 08/05299/COU.

Resolved -

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration's technical report.

ACTION: Strategic Director, Regeneration

(Ian Wilson – 01274 434605)

10. TELECOMS MAST, WARREN LANE, BINGLEY

Bingley

Prior notification application for telecommunications development consisting of the installation of 3 additional antennae in new dual leg mounts to be installed at a height of 10.3 metres on an existing 15 metre high mast, an additional cabinet at ground level and ancillary electrical cabling within the existing compound at Gilstead Moor Edge, Bingley – 08/05747/PNT.

Resolved -

That prior approval be given.

ACTION: Strategic Director, Regeneration

(Ian Wilson – 01274 434605)

11. **TRENCH WOOD BARN, HIGHER COACH ROAD, BAILDON**

Shipley

Outline application for the construction of detached two storey dwelling in stone and render with artificial stone slate roof tiles with attached garage and parking at Trench Wood Barn, Higher Coach Road, Baildon – 08/04678/OUT.

This application involves development in the green belt and as such is a departure application as it does not accord with the policies set out in the Councils Replacement Unitary Development Plan; as such the Panel is invited to make a recommendation to the Regulatory & Appeals Committee on the Local implications of the proposal.

Resolved -

That the application be referred to the Regulatory and Appeals Committee with a recommendation for refusal for the reasons and subject to the conditions set out in the Strategic Director, Regeneration’s technical report.

ACTION: Strategic Director, Regeneration

(Ian Wilson – 01274 434605)

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