

## REPORT OF THE STRATEGIC DIRECTOR REGENERATION TO THE MEETING OF THE AREA PLANNING PANEL (SHIPLEY) TO BE HELD ON 21 JANUARY 2009

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### SUMMARY STATEMENT – PART ONE

Items include three decisions made by the Secretary of State, a miscellaneous report to update Members on an enforcement issue and a report of enforcement complaints closed by the Area Planning Manager as Not Expedient to Pursue.

The sites concerned are:

1	46 Oakdale Road, Wrose	(Page 2)	<b>Windhill/Wrose</b>
2	2 Wesley Way, Eldwick	(Page 2)	<b>Bingley</b>
3	The Laurels and Land at Lonk House Lane, Baildon	(Page 2)	<b>Baildon</b>
4	Buck Park Quarry, Whalley Lane, Denholme	(Page 3)	<b>Bingley Rural</b>
5	Not expedient to pursue enforcement cases	(Page 4)	<b>Various</b>

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**Improvement Area**  
Environment & Waste Management



## DECISIONS MADE BY SECRETARY OF STATE

Item No	Ward	Location
<b>APPEALS ALLOWED</b>		
<b>APPEALS DISMISSED</b>		
1	Windhill/Wrose	<p>46 Oakdale Road, Wrose</p> <p>New residential dwelling (bungalow) in the garden. 07/06009/FUL</p>
2	Bingley	<p>2 Wesley Way, Eldwick</p> <p>Construction of a Victorian style conservatory to the south facing elevation 07/10229/FUL</p>
3	Baildon	<p>The Laurels, and land at Lonk House Lane, Baildon</p> <p>Certificate of Lawful Use for residential land and building 07/06947/CLE, and</p> <p>Appeal against Enforcement Notice issued to cease the mixed use of the land as a builder's yard, storage of builders' materials, storage of JCB, metal container, portakabin and polytunnel, remove all materials and make good any damage caused to the land.</p> <p>The Inspector ruled that there was no evidence to suggest that the premises had been used as a builders yard, but dismissed the appeal and upheld the Enforcement Notice in all other respects 08/00163/APPENF</p>

21 January 2009

## REPORT TO THE SHIPLEY AREA PLANNING PANEL

**Item No:** 4  
**Ward:** BINGLEY RURAL  
**Recommendation:** THAT THE REPORT BE NOTED

**Site:** Buck Park Quarry, Whalley Lane, Denholme, Bradford

**Enforcement Reference:** 07/00317/ENFUNA

### Introduction

This report is to update the Planning Panel regarding enforcement action taken in accordance with the Panel resolutions dated 21<sup>st</sup> June 2007.

The action was put in abeyance following a Judicial Review challenge by the developer. The Judicial Review was heard at the High Court in September 2008. The Developer was unsuccessful in their challenge and the action was taken out of abeyance in September 2008.

### Summary of action

A topographical survey of the land was undertaken by the Council surveyor in October 2007.

Detailed assessments of the site were then undertaken and the Council's Landscape Architect in consultation with the Minerals and Waste Planning Team drew up a set of restoration/remediation requirements.

The relevant enforcement notices were then drawn up and approved for service on the 7th January 2008, to be served by Legal week commencing the 12 January 2008.

### The key features of the notices include:

Returning the main fields affected by the construction of a new access track to previous levels and grassing over. This includes the grading out of the soil bunds around the perimeter of the fields.

A cut and fill operation on the overburden mounds covering a significant area of the former quarry. Grassing over of resulting slopes.

Significant areas of tree planting and aftercare to ensure trees become established.

Breaking up of remaining hard surfaces such as the access road to the quarry weighbridge and the removal of remaining plant and machinery.

### The final notices

A copy of any enforcement notices issued are routinely placed on the relevant enforcement notice register as a public record.

**ENFORCEMENT ENQUIRIES CLOSED BY THE  
PLANNING MANAGER (ENFORCEMENT & TREES) AS NOT EXPEDIENT  
TO PURSUE**

**ITEM NO:** 5

**Date:** 21 January 2009

**Address:** 63 Main Street Bingley

**Ward:** Bingley (02)

**Complaint Ref No:** 08/00084/ENFADV

**Recommendation:** That the report be noted

**Description:** Unauthorised projecting sign

**Reason:**

It is considered that the breach of advertisement control would not cause significant amenity issues to warrant Enforcement (Legal) Action.

**Date Enforcement File Closed:** 16<sup>th</sup> December 2008

**Site Location:** 3 Thornfield Bingley

**Ward:** Bingley (ward 02)

**Complaint Ref No:** 06/00467/TPOCN

**Recommendation:** That the report be noted.

**Description:** Damage to protected trees

**Reason:** It is not considered that there is a clear breach of planning control which would warrant further Enforcement Action

**Date Enforcement File closed:** 02 January 2009