

## Decisions of the Area Planning Panel (Shipley) held on Thursday 26 November 2009

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

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### DECISIONS:

1. **7 MOORFIELD ROAD, COTTINGLEY, BINGLEY** **Bingley Rural**

Full planning application for construction of new two storey dwelling in the grounds of 7 Moorfield Road, Cottingley, Bingley – 09/03320/FUL

**Resolved -**

That the application be approved for the reasons and the conditions set out in the Strategic Director, Regeneration's technical report and subject to completion of a Section 106 Agreement in respect of the payment of £6,000 towards the completion of a Traffic Regulation Order and subject to the following additional conditions:

- (i) That the ridge height of the proposed dwelling be no higher than that of No.9 Moorfield Road; and
- (ii) That the tree in the rear garden of No.7 Moorfield Road be retained.

**ACTION: Strategic Director, Regeneration** (Mohammed Yousuf – 01274 434605)

2. **BECKFOOT SCHOOL, WAGON LANE, BINGLEY** **Bingley Rural**

Discharge of condition application. Provision of samples of materials required by condition 02 of application 08/03107/REM for the construction of a new secondary and special school on existing playing fields and provision of new sports facilities at Beckfoot School, Wagon Lane, Bingley – 08/03107/SUB06.

**Resolved –**

That the requirements of Condition 02 be discharged.

**ACTION: Strategic Director, Regeneration** (Mohammed Yousuf – 01274 434605)



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Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)



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3. **24 LAUREL PARK, WILSDEN, BINGLEY**

**Bingley Rural**

Full planning application for development of 3 terrace houses with integral garages at 24 Laurel Park, Wilsden, Bingley – 09/04006/FUL

**Resolved -**

**That the application be granted as set out below:**

**It was considered that that proposal was in accordance with the policies listed in the Strategic Director, Regeneration’s technical report.**

**That the granting of planning permission be deferred and delegated to the Strategic Director, Regeneration in order for the Assistant Director, Corporate Services (City Solicitor) to negotiate the provision of a satisfactory agreement under Section 106 of the Town and Country Planning Act 1990 to;**

- (1) Transfer the open space and a commuted sum to the Parish Council (unless the land and finances for maintenance are transferred direct to the Parish Council before Planning Permission is granted); and**
- (2) Ensure the provision of a financial contribution for street lighting.**

**And also subject to the following conditions:**

- (i) That a Construction Plan be submitted to and approved by the Local Planning Authority prior to the commencement of any development. Approved Construction Plan to be implemented.**
- (ii) Standard hours of construction.**
- (iii) That the existing access from Main Street be closed and the proposed access through Laurel Park be implemented prior to the commencement of any development.**
- (iv) That a drainage plan be submitted to and approved by the Local Planning Authority prior to the commencement of any development. Approved Drainage Plan to be implemented.**
- (v) That the details of the boundary treatments be submitted to and approved by the Local Planning Authority prior to the commencement of any development.**
- (vi) That those conditions recommended by the Council’s Highways Officer and listed within the Strategic Director, Regeneration’s technical report be approved by the Local Planning Authority prior to the commencement of any development.**
- (vii) That plans to place protective fencing around the trees be submitted to and approved by the Local Planning Authority prior to the commencement of any development; and**
- (viii) That the permitted development rights be removed.**

**And that notification of the agreement be presented to a future meeting.**

***ACTION: Strategic Director, Regeneration***

**(Mohammed Yousuf – 01274 434605)**

4. **'DON'T TELL TITUS', 6-7 VICTORIA ROAD, SALTAIRE**

**Shipley**

Retrospective Listed Building Consent application for installation of 2 external roller shutters on the two front doors, 'Don't Tell Titus', 6-7 Victoria Road, Saltaire, BD18 3LA - 09/01238/LBC.

Retrospective full planning application for installation of 2 external roller shutters on the two front doors, 'Don't Tell Titus', 6-7 Victoria Road, Saltaire, BD18 3LA - 09/01239/FUL

**Resolved -**

**That the application be granted as set out below:**

**It was considered that the proposal was in accordance with the policies listed in the Strategic Director, Regeneration's technical reports and the approved Shopfront Design Guide Supplementary Planning Document.**

**That as such the application should be granted subject to the following conditions:**

- (i) **That the shutters be deployed not prior to midnight and raised no later than 0700 hours seven days per week; and**
- (ii) **That the shutters be maintained to a good working standard.**

***ACTION: Strategic Director, Regeneration*** (Mohammed Yousuf – 01274 434605)

5. **ENFORCEMENT ENQUIRIES CLOSED BY THE PLANNING MANAGER (ENFORCEMENT & TREES)/ SENIOR ENFORCEMENT OFFICER AS NOT EXPEDIENT TO PURSUE**

- (i) **LAND SOUTH OF FIELDHEAD FARM, FLAPPIT SPRINGS, HALIFAX ROAD, BINGLEY** **Bingley Rural**

Alleged unauthorised tipping of soils – 08/00865/ENFUNA

It was 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: 08 July 2009

**Resolved –**

**That the decision be noted.**

***NO ACTION*** (Mohammed Yousuf – 01274 434605)

6. **REQUESTS FOR ENFORCEMENT/PROSECUTION ACTION**

- (i) **14 BACK LANE, WILSDEN** **Bingley Rural**

Unauthorised construction of an extension to the rear of the property - 09/00461/ENFUNA

Enforcement Action to remove the extension was authorised on 21 September 2009

(ii) **70 KIRKGATE, SHIPLEY**

**Shipley**

Complaint regarding the erection of gates and gate posts adjacent to the public footpath - 09/01137/ENFUNA

The structures exceed the permitted height of 1m, therefore planning consent was required. As no planning consent had been granted and the owners had not made any attempt to rectify this breach of planning control, the Planning Manager (Enforcement & Trees) authorised Enforcement action on 10 November 2009, to have these structures removed.

(iii) **94 LOW ASH DRIVE, SHIPLEY**

**Windhill/Wrose**

Unauthorised construction of a timber balcony and a timber platform to the rear of the property - 09/00965/ENFUNA

The raised balcony and decking represented a significant increase in the levels of overlooking, as these developments would allow unrestricted views into neighbouring gardens and habitable room windows. As such the balcony and decking was detrimental to the amenity and privacy of existing and future residents.

Therefore the balcony and garden decking were contrary to Policy UR3 of the Bradford Replacement Unitary Development Plan (2005).

Enforcement Action requiring the removal of both these structures was authorised on 28 September 2009.

(iv) **42 OAKWOOD DRIVE, BINGLEY**

**Bingley**

Non-compliance with planning condition 6 attached to planning application 07/03440/FUL - 09/00019/ENFAPP.

Condition 6 stated: "Before any part of the development is brought into use, the visibility splays hereby approved on plan numbered 129/1; shall be laid out and there shall be no obstruction to visibility exceeding 900mm in height within the splays so formed above the road level of the adjacent highway."

The new owners had moved into the property and planted a new boundary hedge within the protected visibility splay.

Given that the condition was imposed in the interests of Highway Safety, Enforcement Action to seek compliance with conditions 6 was authorised on 30 September 2009.

**Resolved –**

- (1) That the decisions be noted.**
- (2) That the Panel expressed their concern in relation to the leylandii hedge and not the fence at 42 Oakwood Drive, Bingley, Bradford.**

**NO ACTION**

(Mohammed Yousuf – 01274 434605)

## 7. DECISIONS MADE BY THE SECRETARY OF STATE

### APPEALS DISMISSED

- (i) **2 MILLIGAN COURT, HARDEN, BINGLEY** Bingley Rural

Construction of single storey rear and first floor side extension - Case No: 09/00982/FUL

Appeal Ref: 09/00101/APPFUL

- (ii) **BECKFOOT HOUSE, BECKFOOT LANE, HARDEN, BINGLEY** Bingley Rural

Retention of a general purpose agricultural building and adjacent hard standing - Case No: 09/01478/FUL

Appeal Ref: 09/00104/APPFUL

- (iii) **BERWYN, 13 BRANTCLIFFE DRIVE, BAILDON** Baildon

Construction of two storey side extension and single storey rear extension and front porch - Case No: 09/01738/HOU

Appeal Ref: 09/00119/APPHOU

**Resolved –**

**That the decisions be noted.**

**NO ACTION**

(Mohammed Yousuf – 01274 434605)

## 8. PETITION TO BE NOTED

- (i) **20 WELWYN AVENUE, SHIPLEY** Windhill/Wrose

Full planning application for the construction of one detached dwelling on land to the side of 20 Welwyn Avenue, Shipley, Bradford - 09/03353/FUL

The application had been advertised by neighbour notification letters and a site notice. The publicity period expired on 3 November 2009. Eleven representations were received including a 76 signature petition.

The application was refused by a Senior Planning Officer under delegated powers.

**Resolved –**

**That the decision be noted.**

**NO ACTION**

(Mohammed Yousuf – 01274 434605)

FROM: S Hemingway  
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