

Report of the Strategic Director of Regeneration to the meeting of the Area Planning Panel (SHIPLEY) to be held on 26 November 2009

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Summary Statement - Part Two

Miscellaneous Items

	<u>No. of Items</u>
Items Considered Not Expedient to Pursue	(1)
Requests for Enforcement/Prosecution Action	(4)
Decisions made by the Secretary of State - Dismissed	(3)
Petitions to be Noted	(1)

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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: 26 November 2009
Item Number: 6
Ward: Bingley Rural
Complaint Ref No: 08/00865/ENFUNA
Recommendation: THAT THE REPORT BE NOTED

Description:
Alleged unauthorised tipping of soils

Address:
Land South Of Fieldhead Farm Flappit Springs Halifax Road Bingley BD21 5PT

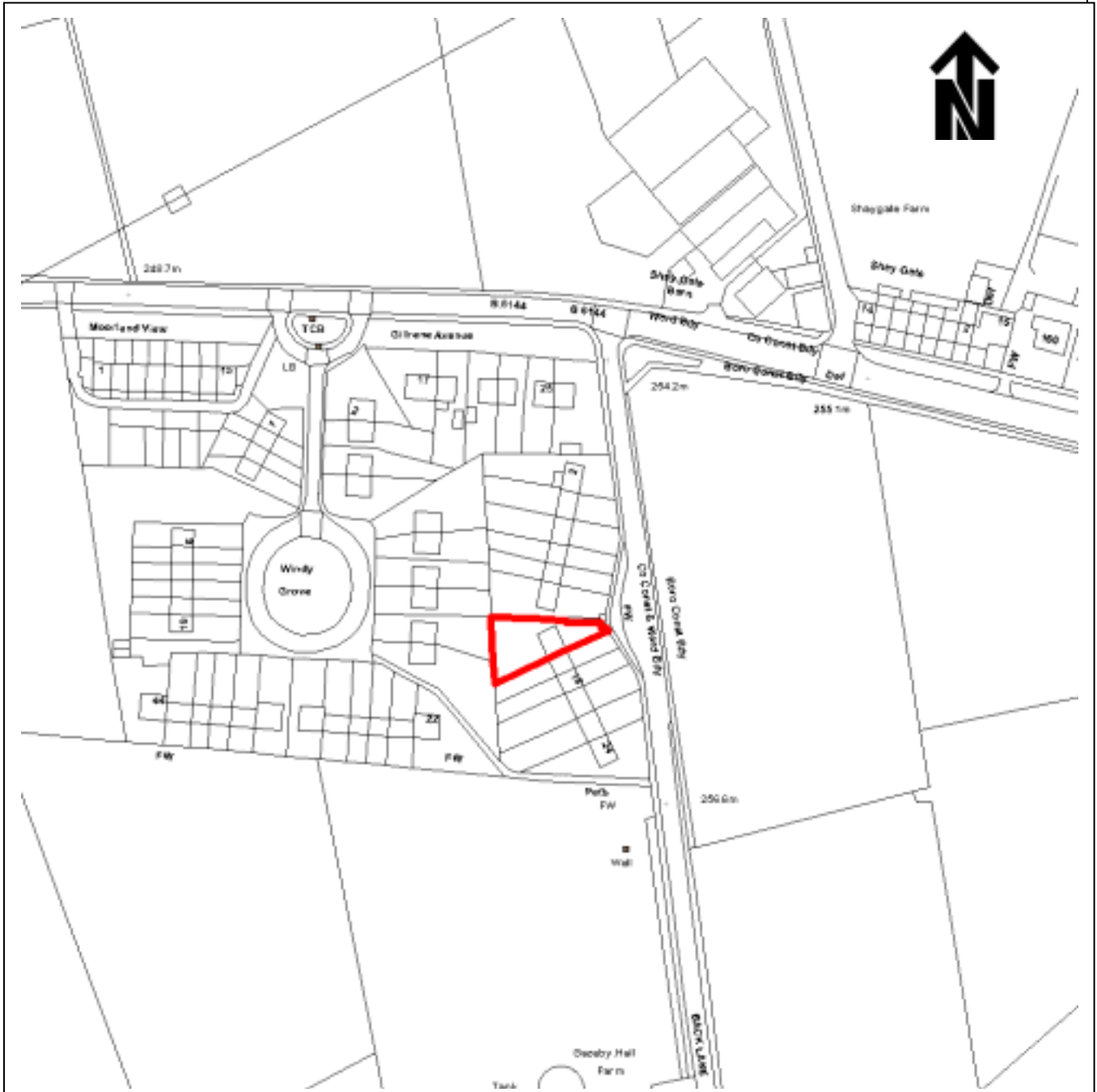
Reason:
It is not considered that this breach of planning control would cause significant amenity or highway safety issues to warrant further enforcement action.

Date Enforcement File Closed: 08 July 2009

Area Planning Panel (Shipley)

09/00461/ENFUNA

26 November 2009



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<p>ITEM NO. : 7</p>	<p>LOCATION: 14 Back Lane Wilsden Bingley</p>
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26 November 2009

Item Number: 7
Ward: BINGLEY RURAL
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
09/00461/ENFUNA

Site Location:
14 Back Lane, Wilsden, Bradford.

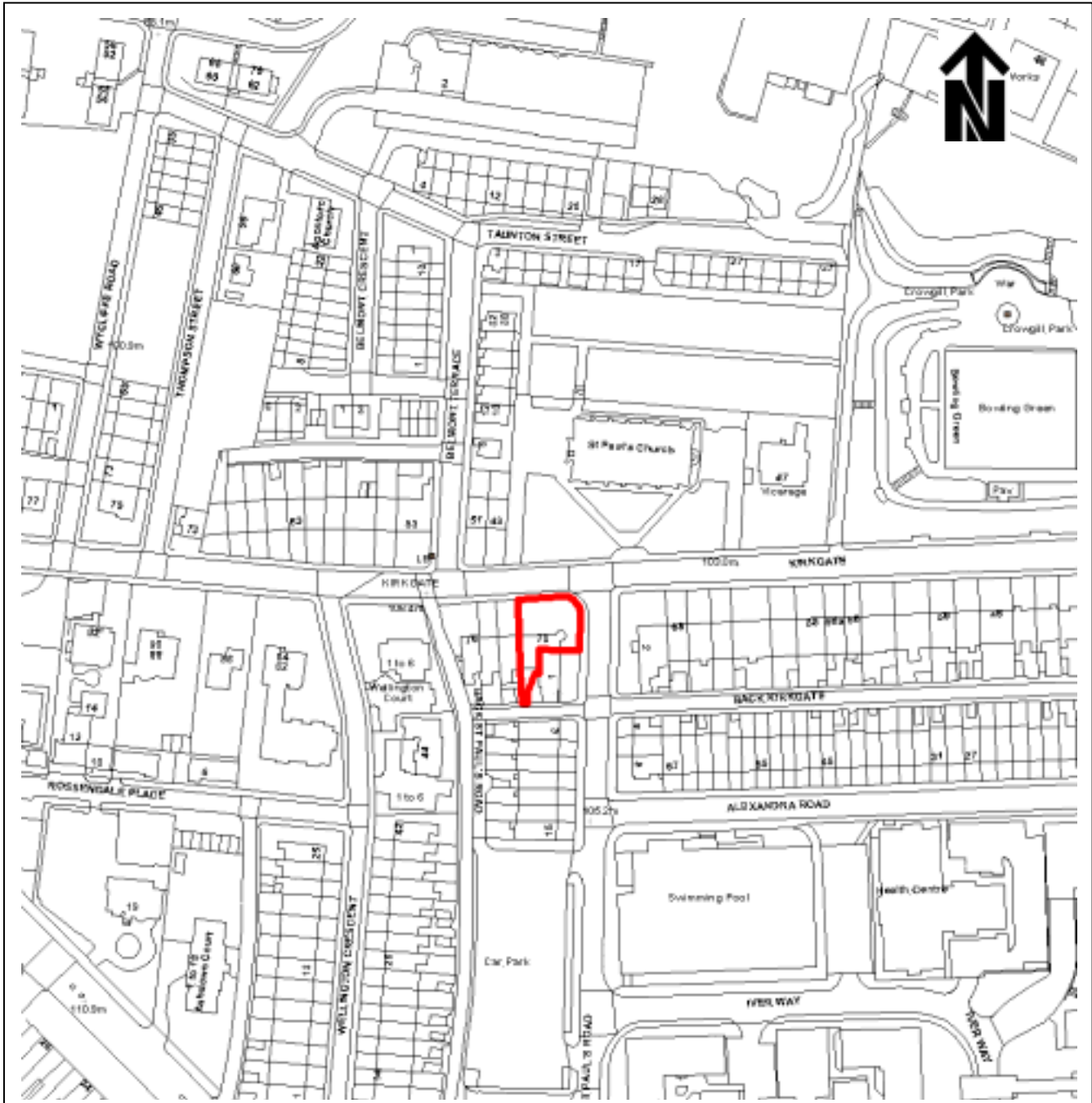
Description:
Unauthorised construction of an extension to the rear of the property.

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

Area Planning Panel (Shipley)

09/01137/ENFUNA

26 November 2009



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ITEM NO. : 8	LOCATION: 70 Kirkgate Shipley
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26 November 2009

Item Number: 8
Ward: SHIPLEY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
09/01137/ENFUNA

Site Location:
70 Kirkgate, Shipley, Bradford.

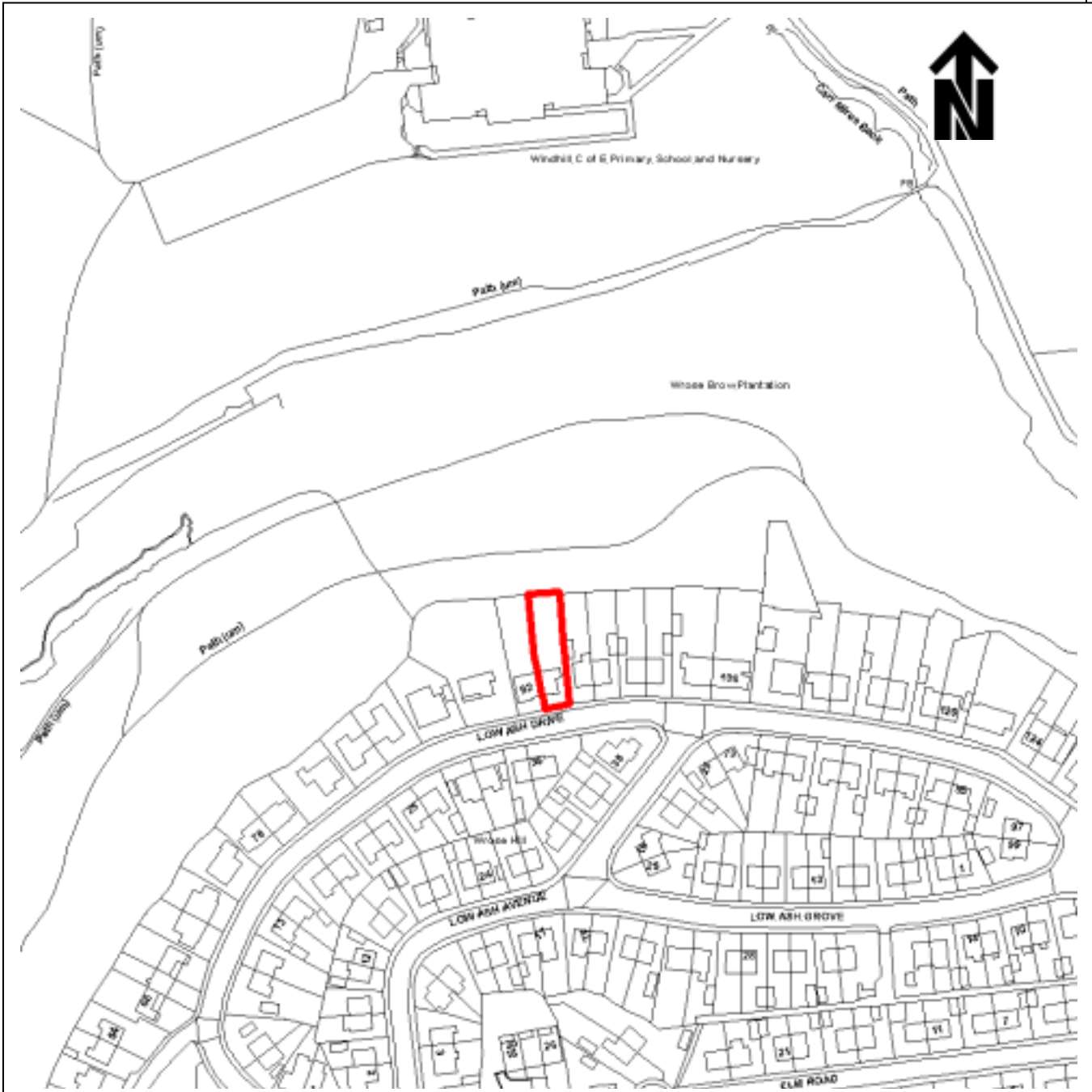
Description:

The local planning authority has received a complaint regarding the erection of gates and gate posts adjacent to the public footpath. Given that these structures exceed the permitted height of 1m planning consent is required. As no planning consent has been granted and the owners have not made any attempt to rectify this breach of planning control, the Planning Manager (Enforcement & Trees) authorised, 10 November 2009, Enforcement action to have these structures removed.

Area Planning Panel (Shipley)

09/00965/ENFUNA

26 November 2009



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ITEM NO. : 9	LOCATION: 94 Low Ash Drive Shipley
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26 November 2009

Item Number: 9
Ward: WINDHILL AND WROSE
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
09/00965/ENFUNA

Site Location:
94 Low Ash Drive, Shipley, Bradford.

Description:
Unauthorised construction of a timber balcony and a timber platform to the rear of the property.

The raised balcony and decking represents 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 is detrimental to the amenity and privacy of existing and future residents.

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

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

Area Planning Panel (Shipley)

09/00019/ENFAPP

26 November 2009



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<p>ITEM NO. : 10</p>	<p>LOCATION: Land At Former 42 Oakwood Drive Bingley</p>
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26 November 2009

Item Number: 10
Ward: BINGLEY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
09/00019/ENFAPP

Site Location:
42 Oakwood Drive, Bingley, Bradford.

Description:
Non-compliance with planning condition 6 attached to planning application 07/03440/FUL.

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 have 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.

DECISIONS MADE BY THE SECRETARY OF STATE

Appeals Allowed

There are no Appeal Allowed Decisions to report this month

Appeal Dismissed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
11	Bingley Rural (ward 03)	2 Milligan Court Harden Bingley West Yorkshire BD16 1UY Construction of single storey rear and first floor side extension - Case No: 09/00982/FUL Appeal Ref: 09/00101/APPFUL
12	Bingley Rural (ward 03)	Beckfoot House Beckfoot Lane Harden Bingley West Yorkshire BD16 1AR Retention of a general purpose agricultural building and adjacent hard standing - Case No: 09/01478/FUL Appeal Ref: 09/00104/APPFUL
13	Baildon (ward 01)	Berwyn 13 Brantcliffe Drive Baildon West Yorkshire BD17 5PA Construction of two storey side extension and single storey rear extension and front porch - Case No: 09/01738/HOU Appeal Ref: 09/00119/APPHOU

Appeals Upheld

There are no Appeal Upheld Decisions to report this month

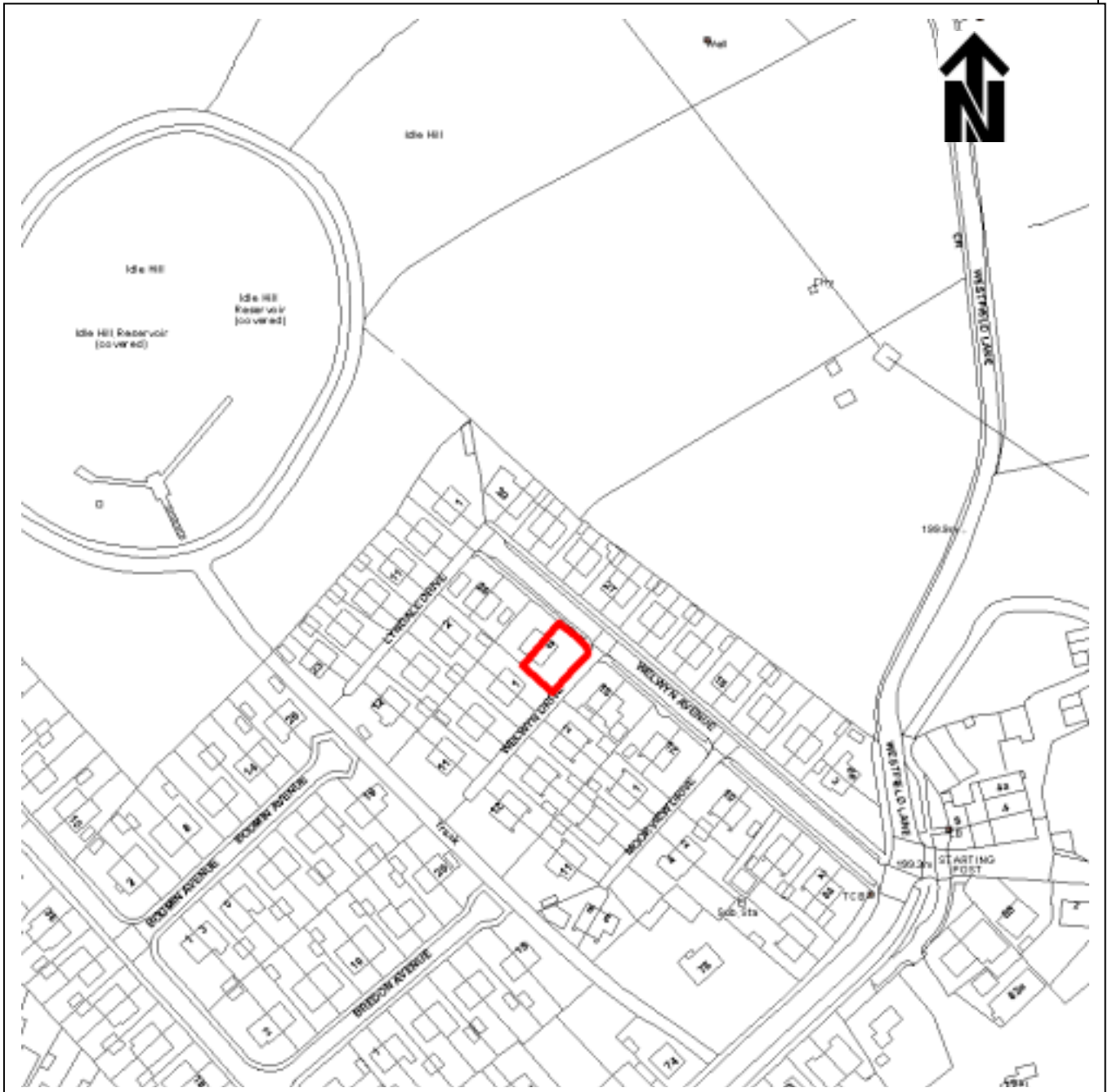
Appeals Withdrawn

There are no Appeal Withdrawn Decisions to report this month

Area Planning Panel (Shipley)

09/03353/FUL

26 November 2009



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ITEM NO. : 14	LOCATION: Adj 20 Welwyn Avenue Shipley
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26 November 2009

Item Number: 14
Ward: WINDHILL AND WROSE
Recommendation:
THAT THE PETITION BE NOTED

Application Number:
09/03353/FUL

Type of Application/Proposal and Address:

This is a full planning application for the construction of one detached dwelling on land to the side of 20 Welwyn Avenue, Shipley, Bradford.

Details:

The application has 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 main concerns of the objectors were:

- Proposal is out of character with locality.
- Proposal will increase pressure for parking and will result in obstruction for emergency and service vehicles.
- Proposal will endanger pedestrian and children safety due to increased on-street car parking.
- Proposed development would overshadow and overpower the adjacent property and streetscene.

Decision:

The application was refused by a Senior Planning Officer under delegated powers on for the following reason:

1. The proposed development would relate poorly with the surrounding area as it breaks a building line on Welwyn Avenue and results in an obtrusive feature in the streetscene. The harm to visual amenity is further exacerbated by the steeply sloping nature of the locality and the very narrow road network in the area. The proposal is therefore contrary to Policies UR3 and D1 of the Replacement Unitary Development Plan.
2. The sole reliance on a single roof-light to the first-floor rear bedroom in the proposed dwelling fails to provide adequate outlook from this habitable room, which would result in harm to the residential amenity of the prospective occupants. This would be contrary to policies UR3 and D1 of the Replacement Unitary Development Plan.