

# Report of the Strategic Director of Regeneration to the meeting of the Area Planning Panel (SHIPLEY) to be held on 16 December 2009

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## Summary Statement - Part Two

### Miscellaneous Items

	<u>No. of Items</u>
Items Considered Not Expedient to Pursue (page 54)	(3)
Requests for Enforcement/Prosecution Action (page 56)	(3)
Decisions made by the Secretary of State – Allowed (page 62)	(1)
Decisions made by the Secretary of State – Dismissed (page 62)	(2)

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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:** 16 December 2009  
**Item Number:** 5  
**Ward:** Shipley  
**Complaint Ref No:** 09/01050/ENFLBC  
**Recommendation:** THAT THE REPORT BE NOTED

**Description:**  
Alleged unauthorised works to a Listed Building

**Address:**  
35 Dove Street Saltaire Shipley West Yorkshire BD18 3EY

**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:** 1 December 2009

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**Item Number:** 6  
**Ward:** Shipley  
**Complaint Ref No:** 07/00014/ENFLBC  
**Recommendation:** THAT THE REPORT BE NOTED

**Description:**  
Alleged unauthorised development

**Address:**  
Don't Tell Titus 6 - 7 Victoria Road Saltaire Shipley West Yorkshire BD18 3LA

**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:** 30 November 2009

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**Item Number:** 7  
**Ward:** Shipley  
**Complaint Ref No:** 07/00015/ENFLBC  
**Recommendation:** THAT THE REPORT BE NOTED

**Description:**  
Alleged unauthorised development

**Address:**  
Don't Tell Titus 6 - 7 Victoria Road Saltaire Shipley West Yorkshire BD18 3LA

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

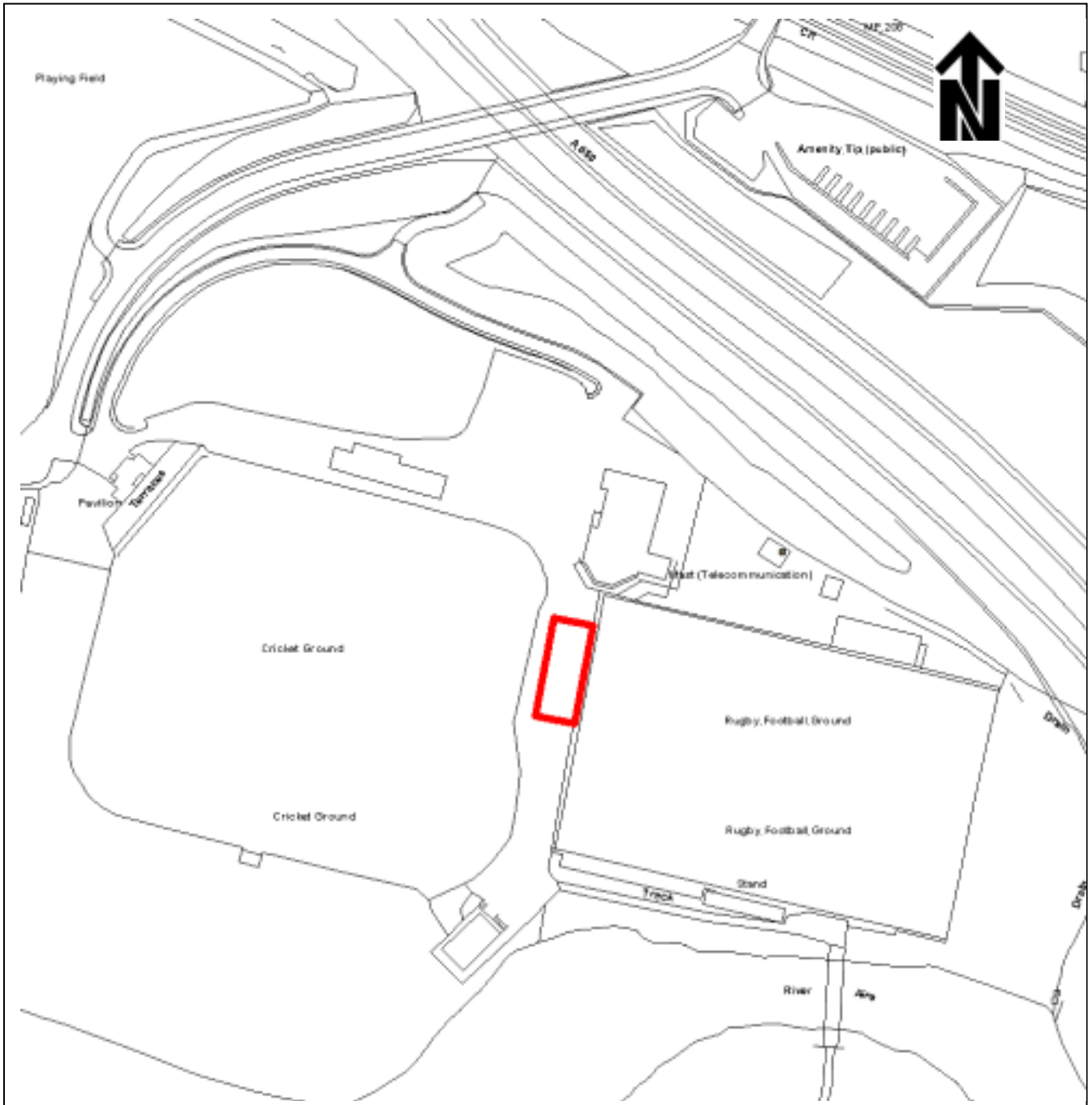
**Date Enforcement File Closed:** 30 November 2009

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Area Planning Panel (Shipley)

09/00205/ENFUNA

16 December 2009



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<p>ITEM NO. : 8</p>	<p>LOCATION: <b>Bradford And Bingley Sports Club Limited</b> <b>Wagon Lane</b> <b>Bingley</b></p>
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**16 December 2009**

**Item Number:** 8  
**Ward:** BINGLEY RURAL  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
09/00205/ENFUNA

**Site Location:**  
Bradford & Bingley Rugby Club, Wagon Lane, Bingley, BD16 1LT.

**Alleged Breaches of Planning Control**  
Unauthorised erection/siting of a permanent Marquee

**Circumstances:**  
A retrospective planning application was refused on 6 July 2009. Two of the reasons for refusal were GB1, Green Belt, and UR3, Residential Amenity.

The Marquee remains in situ.

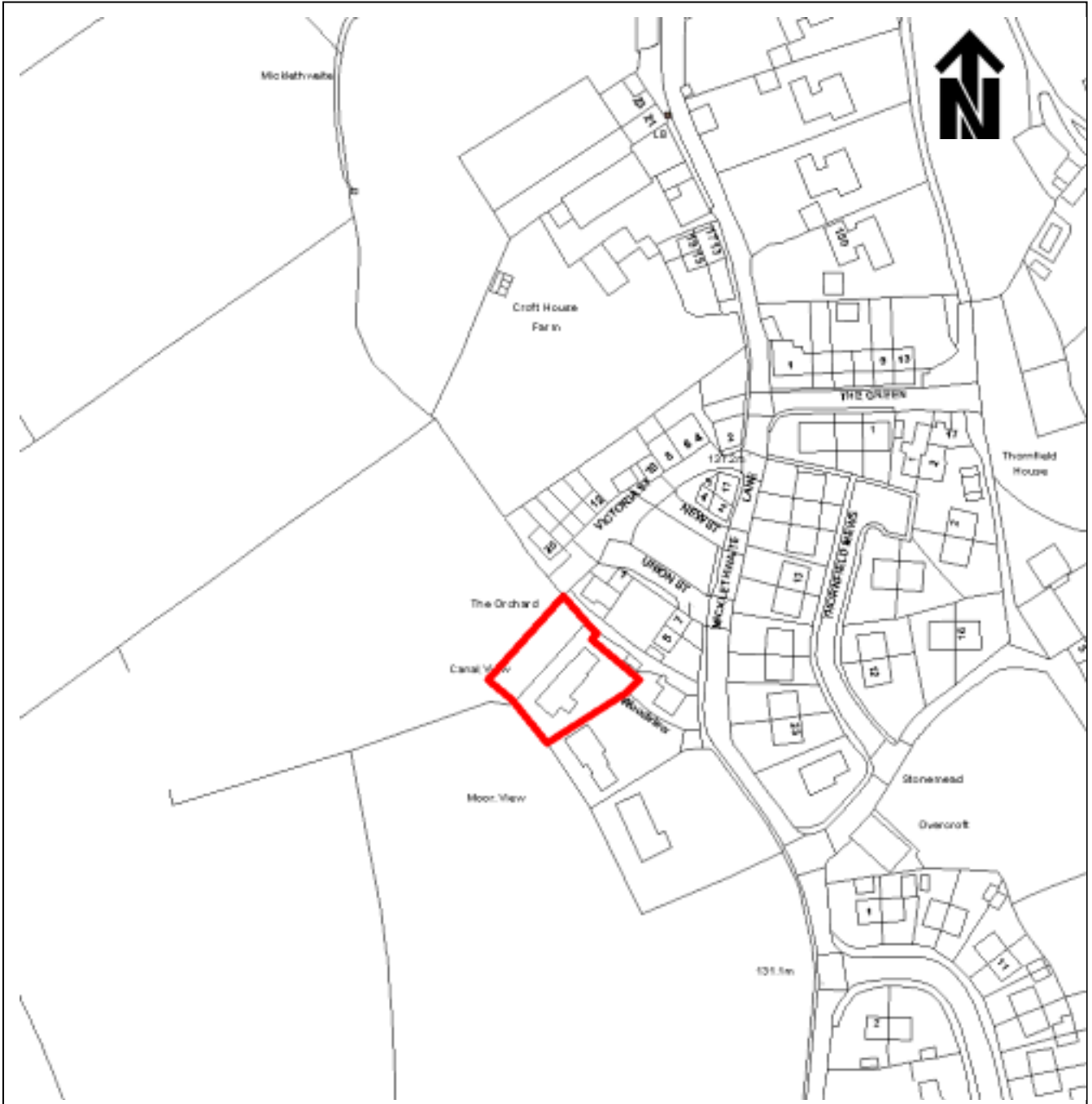
Therefore the Planning Manager (Enforcement & Trees) authorised, 19 November 2009, Enforcement action to have the Marquee removed.

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**Area Planning Panel (Shipley)**

**06/01052/ENFCOU**

16 December 2009



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<p>ITEM NO. : <b>9</b></p>	<p>LOCATION: <b>Canal View Micklethwaite Lane Bingley</b></p>
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**16 December 2009**

**Item Number: 9**  
**Ward: BINGLEY**  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
06/01052/ENFCOU

**Site Location:**  
Land at Canal View Micklethwaite Lane Bingley

**Alleged Breaches of Planning Control**

The unauthorised change of use from agricultural land to residential garden

**Circumstances:**

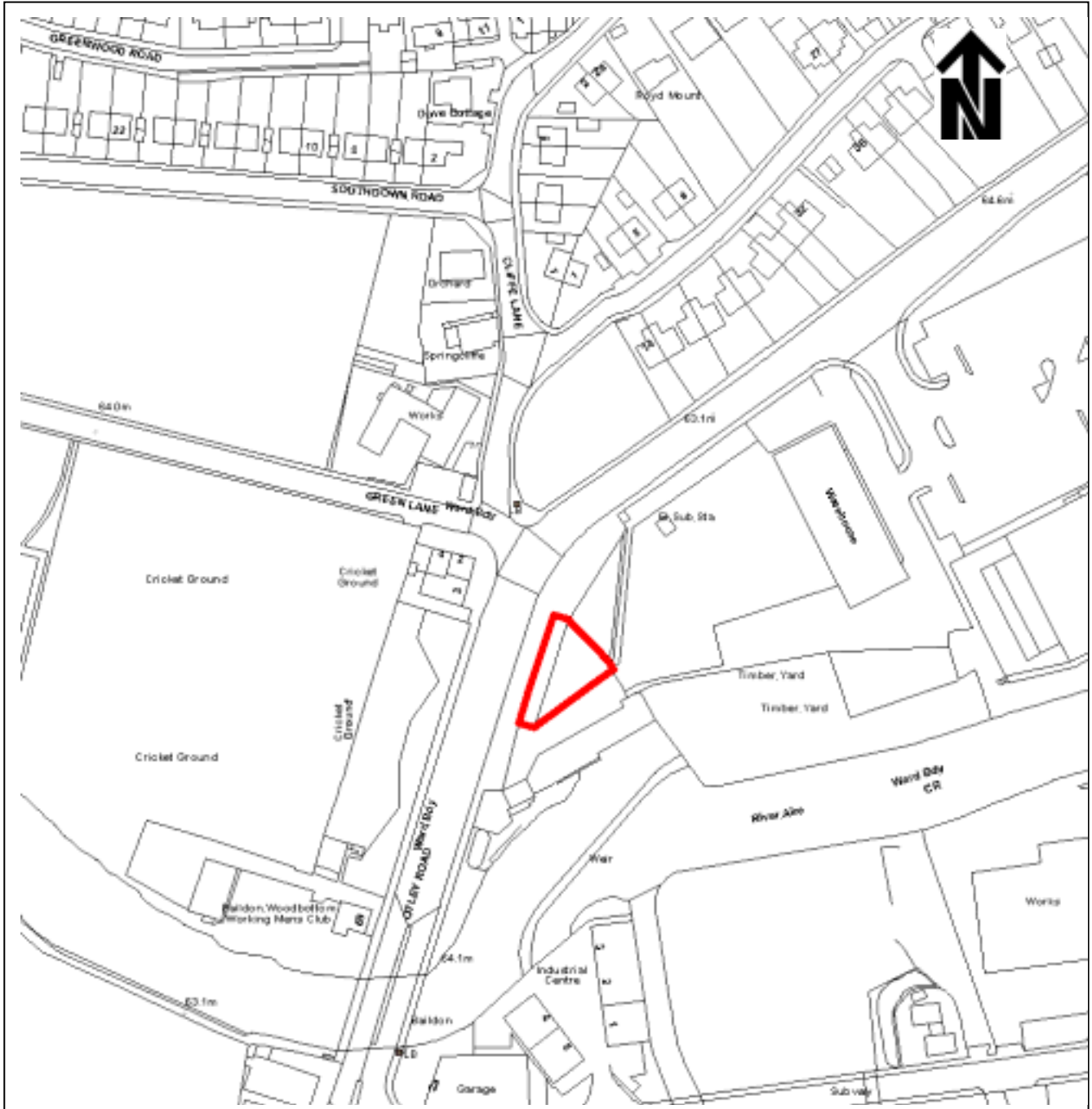
The original complaint arose due to a small amount of diggings arising next to a site with permission for the conversion of farm buildings Ref: 03/03939/FUL. It was alleged that the land would be varied to a garden and the curtilage of the converted property extended. The landowner was challenged and maintained that the use would not be changed to a garden. Subsequently fencing was erected and a lawn laid, an ornamental gate was erected and steps laid down to the lawn. The land took on the character and appearance of a garden.

Enforcement action was authorised on 13 November 2009 requiring the cease of use of the land as a garden and for any residential use or purposes ancillary to residential use. A time period of 28 days for compliance is proposed.

Area Planning Panel (Shipley)

09/01318/ENFCOU

16 December 2009



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<p>ITEM NO. : 10</p>	<p>LOCATION: <b>Fry Carpets Otley Road Baldon BD17 7DY</b></p>
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**16 December 2009**

**Item Number: 10**  
**Ward: BAILDON**  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
09/01318/ENFCOU

**Site Location:**  
Otley Road Garage (Fry Carpets) Otley Road, Baildon, West Yorkshire, BD17 7DY

**Alleged Breaches of Planning Control:**  
Unauthorised change of use from Retail to a mixed use of Retail and Hand Car Wash.

**Circumstances:**  
A retrospective planning application is currently under consideration but given the serious highway safety concerns the Planning Manager (Enforcement & Trees) authorised, 23 November 2009, Enforcement action requiring the owners to cease the unauthorised Hand Car Wash use.

The Bradford Unitary Development Plan policies quoted are TM19A, TM2, TM11 and UR3.

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## DECISIONS MADE BY THE SECRETARY OF STATE

### Appeal Allowed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
11	Shipley (ward 22)	10 Fern Hill Road Shipley BD18 4RW Retention of conservatory as built - Case No: 08/03498/FUL Appeal Ref: 09/00097/APPFUL

### Appeal Dismissed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
12	Baildon (ward 01)	6 Moorfield Drive Baildon West Yorkshire BD17 6LQ Construction of single storey bungalow in rear garden - Case No: 09/01724/FUL Appeal Ref: 09/00111/APPFUL
13	Ilkley (ward 14)	Red Garth 20 Manley Road Ilkley West Yorkshire Conversion of basement to form self contained flat - Case No: 09/00054/FUL Appeal Ref: 09/00137/APPFUL

### Appeals Upheld

There are no Appeal Upheld Decisions to report this month

### Appeals Withdrawn

There are no Appeal Withdrawn Decisions to report this month