

Decisions of the Area Planning Panel (Shipley) held on Tuesday 19 October 2010

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

DECISIONS:

1. **108 LOW ASH DRIVE, SHIPLEY**

Windhill & Wrose

Concrete base at 108 Low Ash Drive, Shipley - 10/01504/HOU

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)

2. **67-69 MAIN STREET, BINGLEY**

Bingley

Planning application for change of use of premises from a leisure arcade to a shop selling/buying jewellery and related goods at 67-69 Main Street, Bingley - 10/03527/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.

ACTION: Strategic Director, Regeneration

(Ian Wilson – 01274 434605)

3. **LAND SOUTH EAST OF 16 AYRTON CRESCENT,
MORNINGTON ROAD, BINGLEY**

Bingley

Outline application for residential development of 10 apartments at land to the south east of 16 Ayrton Crescent, Mornington Road, Bingley. All matters are reserved with the exception of access - 10/01189/OUT



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UNIVERSITY OF BRADFORD

Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)



Resolved –

That the application be deferred to a future meeting in order to allow the Strategic Director, Regeneration to undertake consultations to ascertain whether contributions are required in respect of education and recreation.

ACTION: Strategic Director, Regeneration

(Ian Wilson – 01274 434605)

4. LAND WEST OF 14 WOODVILLE STREET, SHIPLEY

Windhill & Wrose

Outline application for the construction of a pair of semi detached dwellings on land to the west of 14 Woodville Street, Windhill, Shipley - 10/03077/REG

Resolved –

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

- (i) That the off street car parking facility shall remain as open car parking spaces and not be built upon; and**
- (ii) That a management plan for the off street parking facility be submitted to and approved by the Local Planning Authority.**

And that the Reserve Matters application be submitted to the Panel for consideration.

ACTION: Strategic Director, Regeneration

(Ian Wilson – 01274 434605)

5. PLOT 3, LAND ADJACENT TO 19 HAZEBROUCK DRIVE, BAILDON

Baildon

An outline planning permission for the construction of one dwelling. Layout and access and submitted for formal consideration with all other matters reserved - 10/03093/OUT

Resolved –

That authority be deferred and delegated to the Strategic Director, Regeneration to grant planning permission subject to the conditions set out in the report and also subject to the submission of new indicative drawings detailing the ridge height of the proposed to not exceed that of No. 10 Hazebrouck Drive.

And that the Reserve Matters application be submitted to the Panel for consideration.

ACTION: Strategic Director, Regeneration

(Ian Wilson – 01274 434605)

6. BINGLEY AUCTION MART, KEIGHLEY ROAD, BINGLEY

Bingley

A full planning application for a retail unit comprising 6174m² with surface car parking, landscaping and service yard at the former Auction Mart, Keighley Road, Bingley - 09/04421/FUL

Resolved –

That the application be refused for the reasons as set out in the Strategic Director, Regeneration’s technical report.

ACTION: Strategic Director, Regeneration

(Ian Wilson – 01274 434605)

7. OTLEY ROAD NEWS, 14 OTLEY ROAD, BAILDON

Baildon

Full application to change the use of the ground floor shop and first floor residential accommodation at 14 Otley Road, Baildon to a hot food takeaway and general office respectively - 09/05982/FUL

Resolved –

That the application be granted as set out below:

- (1) The operation of the proposed use is likely to involve a significant degree of home delivery based business, so relieving demand from customers calling in person at the premises. Given this, and in view of the fact that there is on street parking available in the immediate vicinity of the application property on George Street and Otley Road and also that the applicant has made efforts to obtain some level of off street parking nearby, it is considered that the use will not lead to conditions likely to interfere with the free flow of traffic on Otley Road. Further, with conditions in place to require the provision and retention of ventilation and extraction equipment, and with hours of operation controlled, there is not likely to be any detriment caused to the general or residential amenities of the immediate and surrounding area due to noise, cooking odours and general disturbance. For these reasons, the proposal is considered to be acceptable and in accordance with policies TM2, TM11, TM19A, UR3 and D1 of the Replacement Bradford Unitary Development Plan.

And that the application be subject to the following conditions:

- (i) that the commencement of development must take place within 3 years of the granting of permission;
 - (ii) that approval be limited to the plans received by the Council on 15 December 2010;
 - (iii) that the premises shall only be open for business between the hours of 11.00 and 23.00 on Monday to Friday inclusive and between 11.00 and midnight on Saturday, Sunday and Bank Holidays; and
 - (iv) that the approved extraction flue shall be installed and made available for use prior to the first opening of the premises.
- (2) That the Shipley Area Committee be requested to review the requirement of the double yellow lines on George Street.

ACTION: Strategic Director, Regeneration

(Ian Wilson – 01274 434605)

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

(i) **143 MAIN STREET, WILSDEN, BINGLEY**

Bingley Rural

Advertisement – 10/00130/ENFADV

The breach of the Advertisements Regulations was not expedient to pursue as the sign had no impact on visual amenity.

Date Enforcement File Closed: 17 August 2010

(ii) **BUCK PARK FARM, WHALLEY LANE, DENHOLME**

Bingley Rural

Not in accordance with the approved plans – 10/00656/ENFAPP

It was not considered that this breach of planning control would cause any significant amenity or highway safety issue to warrant further enforcement action.

Date Enforcement File Closed: 25 August 2010

(iii) **MENSTON GARAGE, 46 BRADFORD ROAD, MENSTON, ILKLEY**

Wharfedale

Lighting column – 09/01446/ENFUNA

Whilst planning consent was retrospectively refused the owners have removed some lights and altered others, the remaining columns and light fittings no longer cause concern to the Council's Environmental Health Department. Therefore, it was not considered that the breach should be pursued as the siting and location of the remaining columns and light fittings do not cause any residential amenity issues.

Date Enforcement File Closed: 6 September 2010

Resolved –

That the decisions be noted.

NO ACTION

(Ian Wilson – 01274 434605)

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

(i) **26 THE ROBINS, BURLEY IN WHARFEDALE, ILKLEY**

Wharfedale

Construction of an unauthorised raised decking platform and timber tree house to the rear of the property - 09/01061/ENFUNA

Enforcement Action to remove the raised decking platform and timber tree house was authorised on 29 September 2010 as it was considered that the decking and tree house as built were detrimental to visual amenity introducing unsympathetic and incongruous features into the locality. They also had an adverse impact on the amenity of occupants of the neighbouring properties by reason of intensifying the perception of being overlooked.

(ii) **HIRSTWOOD STORES, 43 HIRSTWOOD ROAD, SHIPLEY**

Shipley

Unauthorised siting, storage and commercial takeaway use of a storage container sited to the front of the property - 10/00238/ENFUNA

The local Planning Authority had received complaints regarding the unauthorised siting of a storage container at the front of the retail unit. The unit was used as a hot food takeaway. The owners of the property had been contacted and they had advised that it was their son who owns and operates the unit, the son does not reside at the property. Despite repeated requests to remove the unit it still remains in situ. The unit had an adverse impact on visual amenity due to its poor design, materials and close proximity to other residential properties. Furthermore, when in use the unit had an adverse impact on neighbours due to noise and general disturbance.

Therefore the Planning Manager (Enforcement & Trees) authorised Enforcement Action on 15 September 2010 to have the storage unit removed.

(iii) **LAND TO THE REAR OF 34 CHELTENHAM ROAD,
BRADFORD**

Windhill and Wrose

Construction of unauthorised stables - 09/01538/ENFUNA

Enforcement Action to remove the stables was authorised on 22 September 2010. It was considered that the stables had an adverse impact on visual amenity due to their poor design, size and their close proximity to the residential properties on Cheltenham Road.

Resolved –

That the decisions be noted.

NO ACTION

(Ian Wilson – 01274 434605)

10. DECISIONS MADE BY THE SECRETARY OF STATE

APPEAL ALLOWED

(i) **23 NEW BRIGHTON, COTTINGLEY, BINGLEY**

Bingley Rural

Demolition of existing single storey flat roof side extension. Construction of new two storey extension to provide additional first floor bedrooms with redevelopment of existing ground floor layout with new entrance - Case No: 10/01008/HOU

Appeal Ref: 10/00142/APPHOU

APPEALS DISMISSED

(i) **4 AYRTON CRESCENT, MORNINGTON ROAD, BINGLEY**

Bingley

Construction of raised timber deck - Case No: 10/01872/HOU

Appeal Ref: 10/00121/APPHOU

(ii) **41 NAB LANE, SHIPLEY**

Shipley

Construction of single dwelling - Case No: 09/05020/FUL

Appeal Ref: 10/00080/APPFUL

Resolved –

That the decision be noted.

NO ACTION

(Ian Wilson – 01274 434605)

11. PETITION TO BE NOTED

(i) **116 CRAG ROAD, SHIPLEY**

Windhill and Wrose

A full planning application for the construction of an attached single storey building forming a takeaway and associated works to the retaining wall at 116 Crag Road, Shipley - 10/03316/FUL

Resolved –

That the petition be noted.

NO ACTION

(Ian Wilson – 01274 434605)

12. FORESIDE MILL, HALIFAX ROAD, DENHOLME

Bingley Rural

Full application for the demolition of the industrial buildings and construction of 35 dwellings at Foreside Mill, Halifax Road, Denholme - 10/03362/MAF

Resolved –

- (1) **That the application be referred to the Regulatory and Appeals Committee with a recommendation that there are very special circumstances justifying approval in that the proposal would create a substantial reduction in the extent of building on the site which would lead to a significant increase in the openness of the Green Belt and that the application be subject to the conditions set out in the Strategic Director, Regeneration's technical report with amendments to Conditions 3 and 23 as follows:**

3. Notwithstanding the details shown on the approved plans full details of all facing and roofing materials for each plot shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement development. The development shall be constructed in the approved materials or as may be agreed in writing by the Local Planning Authority.

23. The development hereby approved shall only be carried out in accordance with the recommendations of the Hepworth Acoustics noise and vibration consultants. In particular, the identified acoustic barrier shall be erected along the boundary of the site with Halifax Road, plots 1-17 shall have acoustic vents in all noise sensitive

rooms and 10:12:6.4 laminate glazing in bedrooms and plots 19-22 shall have acoustic vents in the proposed bedrooms.

(2) That approval should be subject also to the completion of a legal planning obligation under Section 106 of the Town and Country Planning Act 1990 which shall require as follows:

- (i) Payment of contribution of £53,290 towards the provision or enhancement of education infrastructure within the wards of Bingley Rural, Bingley, Thornton and Allerton and/or Worth Valley;
- (ii) Provision of 25% of the dwellings on the site as affordable housing at a discount of 35% on open market values for transfer to a Registered Social Landlord as affordable housing;
- (iii) Payment of Contribution of £10,000 towards provision of a bus shelter to the north bound carriageway in front of the development site and £3,000 towards provision of a raised kerb;
- (iv) Transfer to the existing Cricket Ground on the eastern parcel of land to the Denholme Cricket Club free of charge upon terms approved by the Council; and
- (v) Agreement that all the areas identified on the submitted plan as green open space/informal village green space remain as such in perpetuity and that such areas are managed via a management plan.

(3) That approval should be subject also to the developer entering into a S278/38 highway works agreement prior to commencement of development to facilitate the following off-site highway works:

- (i) Provision of a suitable Traffic Regulation Order (TRO) restricting parking along the frontage of the development. The Council to use its best endeavours to promote the TRO;
- (ii) Provision of a pedestrian central refuge including appropriate signing with all associated pedestrian facilities including dropped crossing and tactile paving;
- (iii) Provision of right turn lane in central hatching including central refuges to protect right turn lane and alteration of central hatching white lining to facilitate above right turn lane, central refuges and pedestrian central refuge;
- (iv) Provision of new 2m wide footway along eastern edge of Halifax Road to allow safe passage from new pedestrian central refuge to new bus stop;
- (v) Provision of revised junction including footways and visibility splays at junction Foreside Lane and Halifax Road to allow safe access / egress to Foreside Lane and the new development. Revised junction work to include but not limited to relocation of redundant highway drainage, amendments to existing street lighting along site frontage and around revised junction to allow safe function of junction. Appropriate advanced warning signage and road markings for new junction; and
- (vi) All above work to be in accordance with and as indicatively shown on drawing no. 4084-SK6 but subject to detailed design and approval.

- (4) That the planning obligation and section 278/38 Agreement to contain such other ancillary provisions as the Strategic Director, Regeneration (after consultation with the Assistant Director, Corporate Services (City Solicitor)) considers appropriate.

ACTION: Strategic Director, Regeneration

(Ian Wilson – 01274 434605)

FROM: S Hemingway
Assistant Director Corporate Services (City Solicitor)
City of Bradford Metropolitan District Council

Committee Secretariat Contact: Claire Tomenson – 01274 432457

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