

# Report of the Strategic Director of Regeneration to the meeting of the Area Planning Panel (SHIPLEY) to be held on 19 October 2010

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## Summary Statement - Part Two

### Miscellaneous Items

	<u>No. of Items</u>
Items Considered Not Expedient to Pursue (page 55)	(3)
Requests for Enforcement/Prosecution Action (page 57)	(3)
Decisions made by the Secretary of State – Allowed (page 63)	(1)
Decisions made by the Secretary of State – Dismissed (page 63)	(2)
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**Portfolio:**  
Environment and Culture

**Improvement Committee Area:**  
Regeneration and Economy



<p style="text-align: center;"><b>ENFORCEMENT ENQUIRIES CLOSED BY THE PLANNING MANAGER (ENFORCEMENT &amp; TREES)/SENIOR ENFORCEMENT OFFICER AS NOT EXPEDIENT TO PURSUE</b></p>
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**Date:** 19 October 2010

**Item Number:** 8

**Ward:** Bingley Rural

**Complaint Ref No:** 10/00130/ENFADV

**Recommendation:** THAT THE REPORT BE NOTED

**Description:**  
Advertisement

**Address:**  
143 Main Street Wilsden Bingley West Yorkshire BD15 0AQ

**Reason:**  
The breach of the Advertisements Regulations is not expedient to pursue as the sign has no impact on visual amenity. Should an application be submitted to retain the sign Officers would be likely to support it.

**Date Enforcement File Closed:** 17 August 2010

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**Item Number:** 9

**Ward:** Bingley Rural

**Complaint Ref No:** 10/00656/ENFAPP

**Recommendation:** THAT THE REPORT BE NOTED

**Description:**  
Not in accordance with the approved plans

**Address:**  
Buck Park Farm Whalley Lane Denholme West Yorkshire BD13 4LQ

**Reason:**  
It is 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

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**Item Number:** 10

**Ward:** Wharfedale

**Complaint Ref No:** 09/01446/ENFUNA

**Recommendation:** THAT THE REPORT BE NOTED

**Description:**

Lighting column

**Address:**

Menston Garage 46 Bradford Road Menston Ilkley West Yorkshire LS29 6DE

**Reason:**

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 is 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.

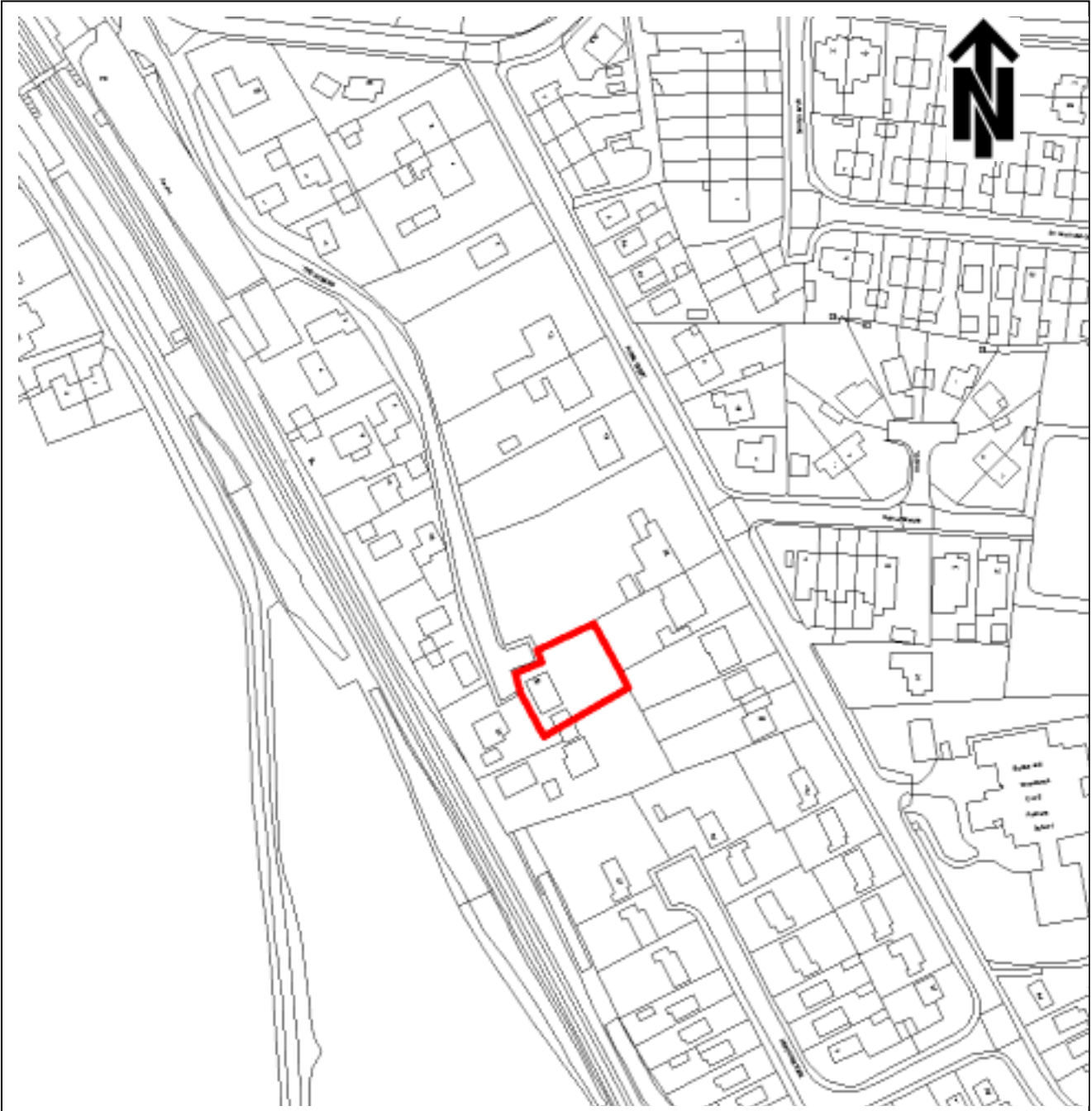
**Date Enforcement File Closed:** 6 September 2010

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**Area Planning Panel (Shipley)**

**09/01061/ENFUNA**

19 October 2010



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**LOCATION:**

**ITEM NO. : 11**

**26 The Robins  
Burley In Wharfedale  
Ilkley**

**19 October 2010**

**Item Number: 11**  
**Ward: WHARFEDALE**  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
**09/01061/ENFUNA**

**Site Location:**  
26 The Robins, Burley in Wharfedale, Ilkley, West Yorkshire, LS29 7PR.

**Description:**  
Construction of an unauthorised raised decking platform and timber tree house to the rear of the property.

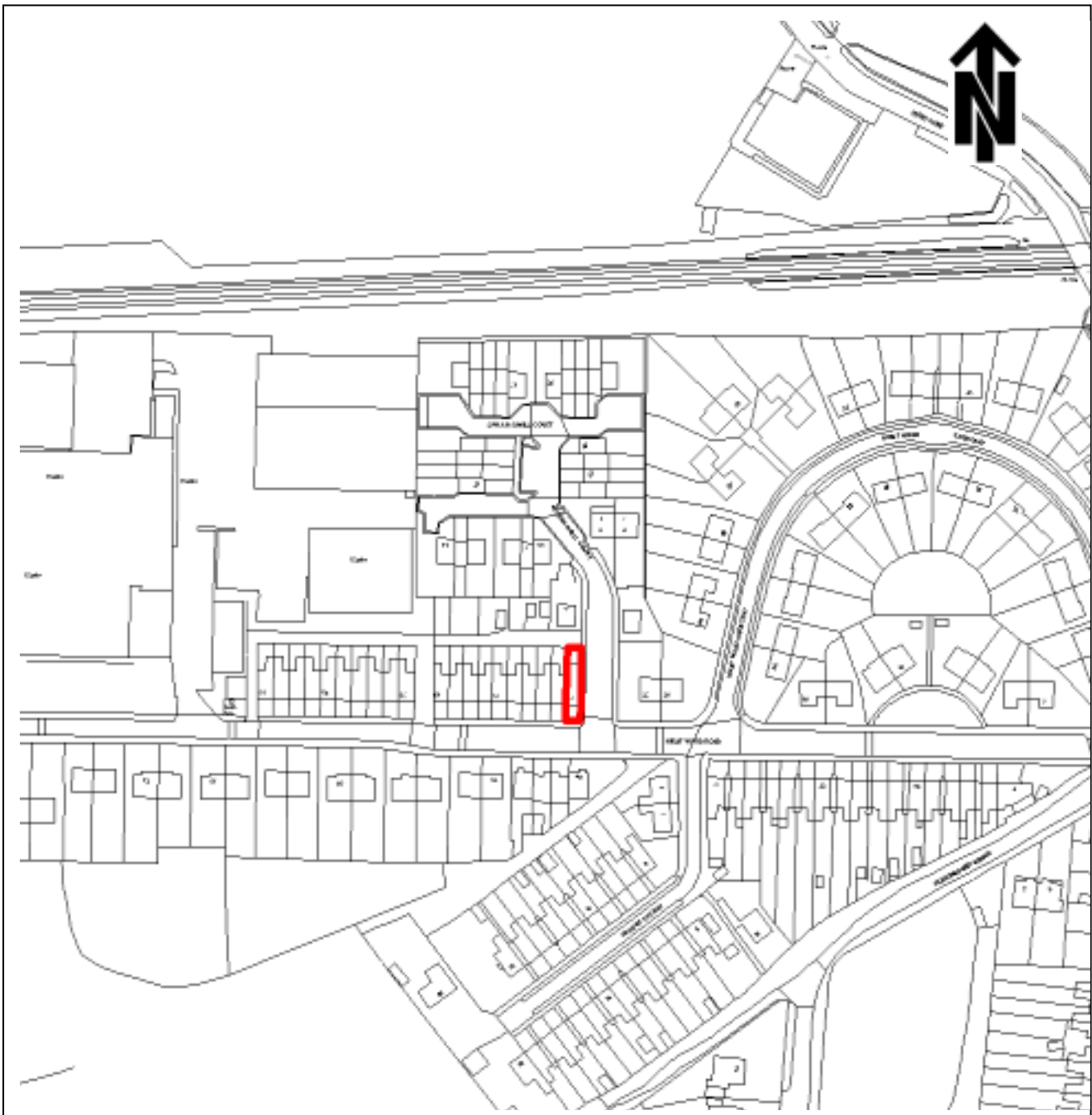
Enforcement Action to remove the raised decking platform and timber tree house was authorised on 29<sup>th</sup> September 2010 as it is considered that the decking and tree house as built are detrimental to visual amenity introducing unsympathetic and incongruous features into the locality. They also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

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**Area Planning Panel (Shipley)**

**10/00238/ENFUNA**

19 October 2010



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ITEM NO. : 12

**LOCATION:**

**Hirst Wood Stores  
43 Hirst Wood Road  
Saltire  
Shipley**

**19 October 2010**

**Item Number: 12**  
**Ward: SHIPLEY**  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
**10/00238/ENFUNA**

**Site Location:**  
Hirstwood Stores, 43 Hirstwood Road, Shipley, BD18 4BU.

**Description:**  
Unauthorised siting, storage and commercial takeaway use of a storage container sited to the front of the property.

The local planning authority has received complaints regarding the unauthorised siting of a storage container at the front of the retail unit. The unit is used as a hot food takeaway. The owners of the property have been contacted and they have advised that it is 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 has 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 has an adverse impact on neighbours due to noise and general disturbance.

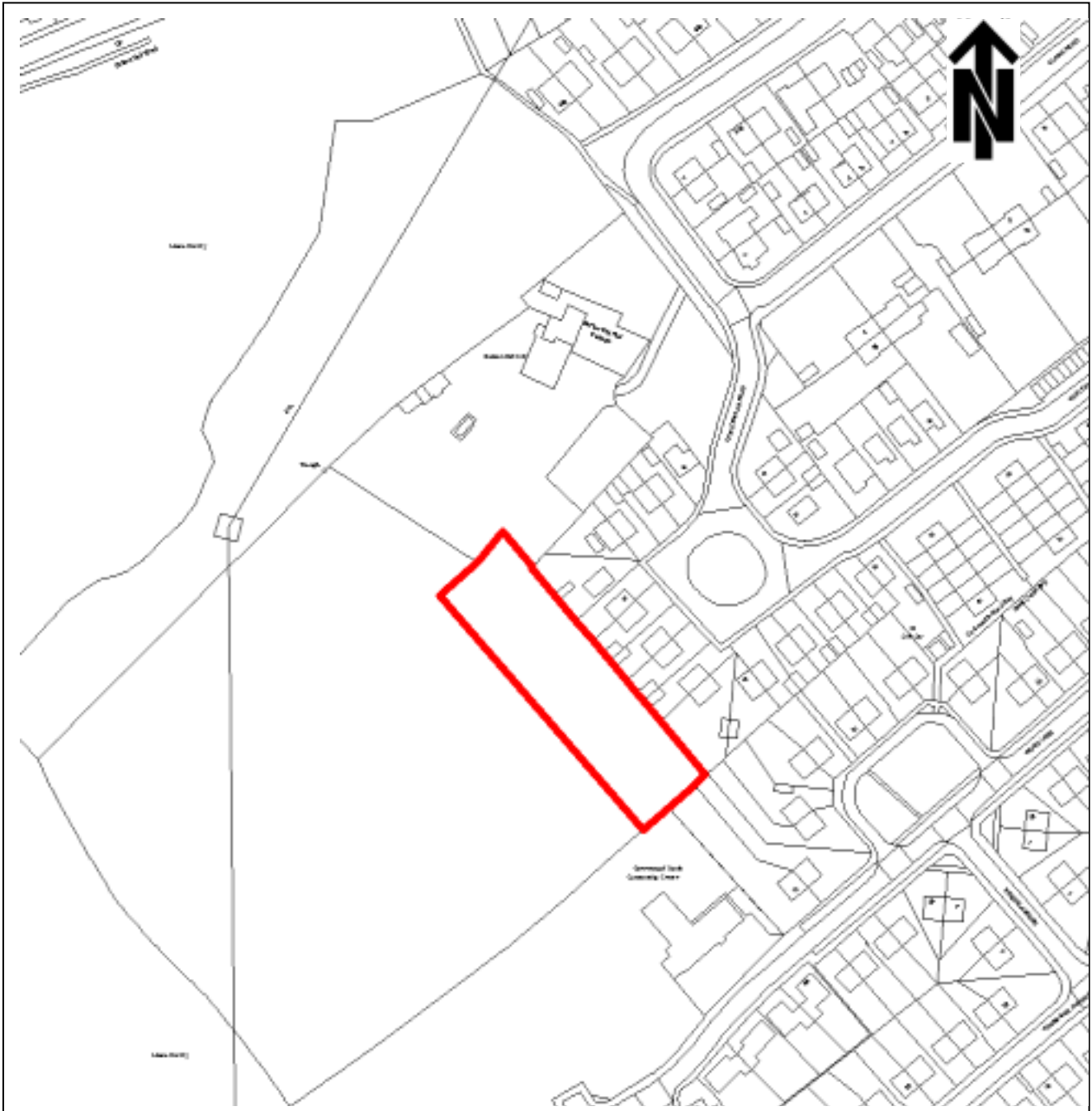
Therefore the Planning Manager (Enforcement & Trees) authorised, 15 September 2010, Enforcement action to have the storage unit removed.

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**Area Planning Panel (Shipley)**

**09/01538/ENFUNA**

19 October 2010



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**LOCATION:**

**ITEM NO. : 13**

**Land South West Of 28 - 40  
Cheltenham Road  
Bradford**



**19 October 2010**

**Item Number:** 13  
**Ward:** WINDHILL AND WROSE  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
09/01538/ENFUNA

**Site Location:**  
Land to the Rear of 34 Cheltenham Road, Bradford, West Yorkshire.

**Description:**  
Construction of unauthorised stables.

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

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## DECISIONS MADE BY THE SECRETARY OF STATE

### Appeal Allowed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
14	Bingley Rural (ward 03)	23 New Brighton Cottingley Bingley West Yorkshire BD16 1UR  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

### Appeal Dismissed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
15	Bingley (ward 02)	4 Ayrton Crescent Mornington Road Bingley West Yorkshire BD16 2PB  Construction of raised timber deck - Case No: 10/01872/HOU  Appeal Ref: 10/00121/APPHOU
16	Shipley (ward 22)	41 Nab Lane Shipley West Yorkshire BD18 4HQ  Construction of single dwelling - Case No: 09/05020/FUL  Appeal Ref: 10/00080/APPFUL

### Appeals Upheld

There are no Appeal Upheld Decisions to report this month

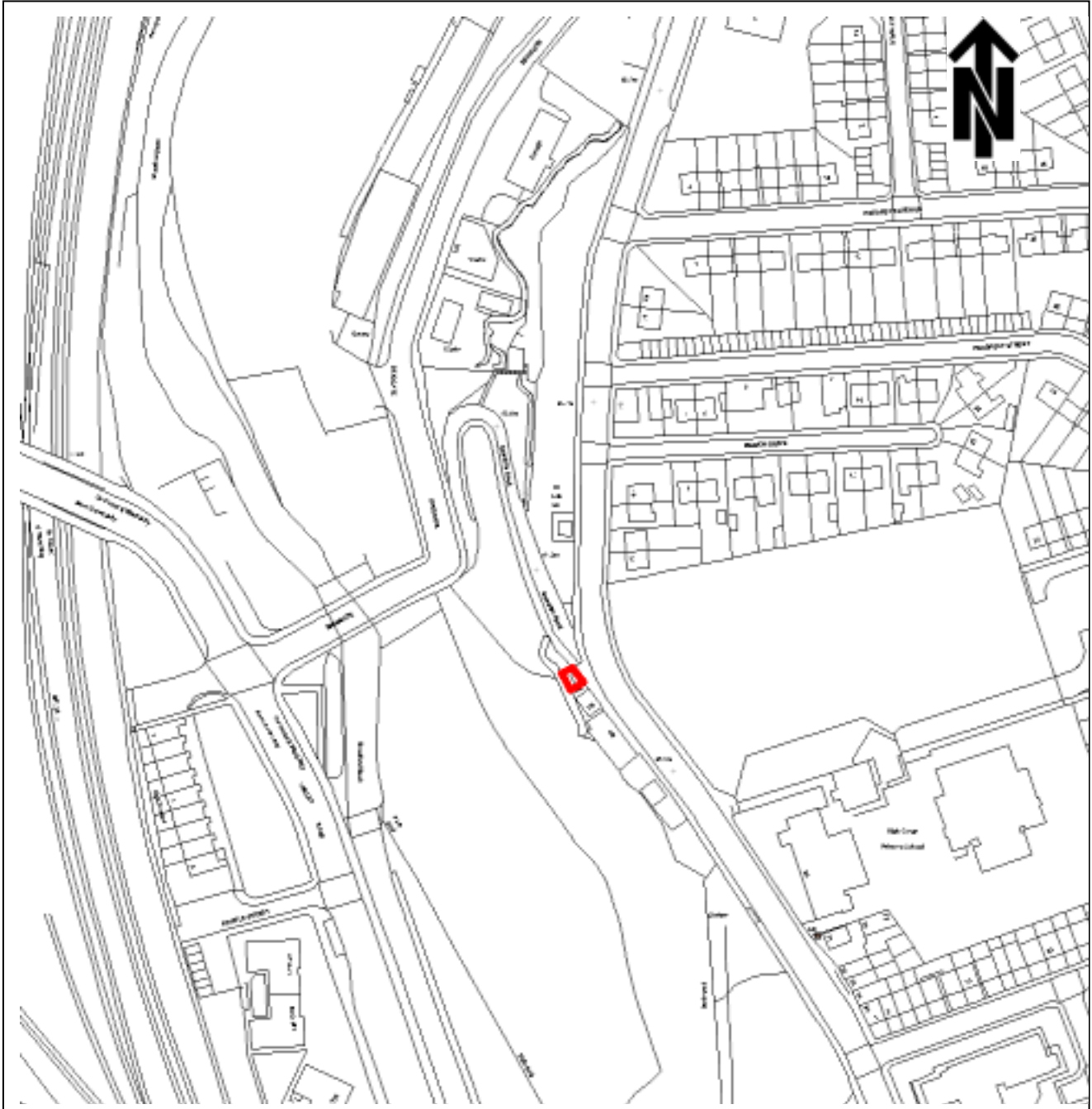
### Appeals Withdrawn

There are no Appeal Withdrawn Decisions to report this month

**Area Planning Panel (Shipley)**

**10/03316/FUL**

19 October 2010



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**ITEM NO. : 17**

**LOCATION:**

**116 Crag Road  
Shipley**

**19 October 2010**

**Item Number: 17**  
**Ward: WINDHILL AND WROSE**  
**Recommendation:**  
**PETITION TO BE NOTED**

**Application Number:**  
10/03316/FUL

**Type of Application/Proposal and Address:**

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.

**Details:**

The application was publicised by the Council through the display of a site notice and posting out of neighbour notification letters. On the 12<sup>th</sup> of August the Council received a 20-name petition opposing the proposal for the following reasons.

Unsafe retaining wall  
No need for a takeaway  
Traffic and parking leading to safety issues  
Anti-social behaviour

The application was refused on 27<sup>th</sup> August 2010 under the delegated powers of the Area Planning Manager of Development Services and the decision notice issued on the same day. The reasons for refusal were:-

Lack of information regarding the retaining wall  
Harm to amenity due to the External Roller shutters  
Harm to amenity due to the External Flue

**Recommendation:**

That receipt of the petition is noted.

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