

Decisions of the Area Planning Panel (Shipley) held on Tuesday 22 February 2011

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

DECISIONS:

1. **26 HILL CRESCENT, BURLEY IN WHARFEDALE, ILKLEY** Wharfedale

Full planning application for demolition of existing single storey house and construction of a pair of semi-detached houses at 26 Hill Crescent, Burley-in-Wharfedale, Ilkley - 10/05381/FUL

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration and Culture's technical report.

ACTION: Strategic Director, Regeneration (Ian Wilson – 01274 434605)

2. **8 CLEASBY ROAD, MENSTON** Wharfedale

A Householder application for the construction of a first floor side extension over an existing ground floor extension at No 8, Cleasby Road, Menston - 10/04812/HOU

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration and Culture's technical report.

ACTION: Strategic Director, Regeneration (Ian Wilson – 01274 434605)

3. **ERRINGTON HOUSE, 15 MICKLETHWAITE LANE, BINGLEY** Bingley

Outline application for the demolition of the existing building and the construction of 14 dwellings at Errington House, Micklethwaite Lane, Crossflatts, Bingley. Means of access and layout are to be considered within this application - 10/06048/RG4



2006-2007
Improving Rural Services
Empowering Communities



UNIVERSITY OF BRADFORD

Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)



BRADFORD
METROPOLITAN DISTRICT COUNCIL

Resolved –

- (1) That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration and Culture’s technical report and also subject to amendments prior to the completion of a S106/278 unilateral undertaking requiring:
- (i) the improvement of existing highways in the vicinity of the site namely: all necessary alterations to the existing carriageways, footways and provision of visibility splays to The Drive and Micklethwaite Lane. The widening of the existing access point on The Drive and the provision of new access point and closure of existing access point on Micklethwaite Lane. All of which works indicatively shown on drawing no. 2980(P)02F;
 - (ii) payment prior to occupation of any dwellings of the sum of £6,120 towards subsidising the cost of providing the occupiers of residential apartments, proposed to be constructed as part of the Development, Metro Cards issued by the West Yorkshire Passenger Transport Executive;
 - (iii) payment prior to commencement of development of the sum of £44,146 towards the cost of improving or enhancing primary and secondary school education facilities in the Bingley or adjoining local electoral wards;
 - (iv) payment prior to commencement of development of the sum of £5,000 (increased by the Indexation Factor) towards the implementation of traffic regulation orders restricting parking on Micklethwaite Lane; and
 - (v) payment prior to commencement of development of the sum of £13,902 (increased by the Indexation Factor) towards the cost of improving or enhancing recreational facilities in the Bingley or adjoining local electoral wards.
- (2) That the planning obligation to contain such other ancillary provisions as the Strategic Director, Regeneration and Culture (after consultation with the City Solicitor) considers appropriate.
- (3) That a suitably worded additional condition be attached to the permission requiring photographic records of the building be taken for archival recording purposes prior to demolition.

ACTION: Strategic Director, Regeneration

(Ian Wilson – 01274 434605)

4. LAND AT GRID REF 415993 436281, THORNHILL AVENUE, Windhill/Wrose SHIPLEY

An outline planning permission for the construction of 21 dwellings. Landscaping is reserved with all other matters submitted for formal consideration - 10/02066/MAO

Resolved –

- (1) That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration and Culture’s technical report and also subject to amendments prior to the completion of a S106 Agreement requiring:
- (i) the contributions as set out in the technical report to be distributed for the benefit of the Windhill and Wrose Ward (or adjoining wards);

- (ii) contributions towards the cost of obtaining an implementation of necessary Traffic Regulation Orders on Thornhill Avenue prior to commencement of development; and
- (iii) the approval and subsequent implementation of a scheme for the management and maintenance of the proposed parking spaces to ensure that at least four of the spaces are for the benefit of the existing residents living on Thornhill Road in the vicinity of the site.

(2) That the planning obligation to contain such other ancillary provisions as the Strategic Director, Regeneration and Culture (after consultation with the City Solicitor) considers appropriate.

ACTION: Strategic Director, Regeneration

(Ian Wilson – 01274 434605)

5. **LAVERLY HOUSE, WEST LANE, SHIPLEY**

Baildon

An outline planning permission for the construction of six detached dwellings. Scale, landscaping and appearance are reserved - 10/05005/OUT

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 condition:

- (i) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any subsequent equivalent legislation) no further windows, including dormer windows, or other openings shall be formed in the rear south-facing elevations of plots 3 and 4 without prior written permission of 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)

6. **MENSTON HALL, LOW HALL ROAD, MENSTON, ILKLEY**

Wharfedale

Full planning permission for 30 two bedroom flats was approved on 11 February 2010. New application to approve the previous scheme with an increased roof ridge height of 1 metre to the crescent shaped block - 11/00450/FUL

Resolved –

That authority be delegated to the Strategic Director, Regeneration and Culture to approve the application after giving due consideration to any further representations raising new material issues that may be received before the end of the publicity period on 3 March 2011 and the completion of a Section 106 Agreement.

ACTION: Strategic Director, Regeneration

(Ian Wilson – 01274 434605)

7. REEVADALE, CLARENCE DRIVE, MENSTON, ILKLEY

Wharfedale

Full application, as amended, for the demolition of existing dwelling and coach house/garage and construction of three detached houses, utilising existing access at Reevadale, Clarence Drive, Menston, Ilkley - 10/03370/FUL

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration and Culture’s technical report.

ACTION: Strategic Director, Regeneration

(Ian Wilson – 01274 434605)

8. ECCLESHILL SPORTS AND SOCIAL CLUB, KINGSWAY, BRADFORD

Windhill/Wrose

An outline application for the change of use from a redundant football training ground (D2) to residential use (C3) incorporating an element of affordable housing units at Eccleshill United, Kingsway, Bradford. All matters have been reserved for consideration at a later stage - 10/05087/OUT

Resolved –

That the application be referred to the Regulatory and Appeals Committee with a recommendation for approval as it is believed that there are very special circumstances justifying the loss of part of the allocated recreational open space area in this case; in particular it is recognised that the Club plays an important role in supporting and developing local community sports in the locality and that this benefit to the community is in danger of being lost due to the current financial circumstances of the Club. It is also noted that the partial loss of the designated open space will be partially ameliorated by proposed improvements to the existing facilities on Gaisby Lane, Wrose that can be secured by a Section 106 planning obligation. The principle of the proposed residential development would relate satisfactorily to the character of the surrounding area, subject to more detailed consideration of issues of visual amenity and residential amenity at reserved matters stage. As such the proposal, subject to the proposed conditions and Section 106 Legal Agreement is considered to accord with the aims of policies UR2, UR3, TM2, TM12, TM19A, D1, D4, OS3, OS5, H7, H8, H9, NE4, NE5, NE19, CF2 and NR19 of the Replacement Unitary Development Plan (2005) and also subject to the following:

Heads of Terms for the S106 Agreement:

- (i) Education - payment of a commuted sum of £176,583 to improve existing educational infrastructure in the vicinity of the site, split into £91,320 for primary level and £85,263 for secondary level;**
- (ii) Recreation – provision of upgraded facilities at Gaisby Lane which shall be provided prior to the commencement of any development.**
- (iii) Affordable Housing – provision of 15% of net developable floor area to a Registered Social Landlord nominated by the Council at a 35% discount on the open market.**
- (iv) Highways – the installation of hard standing and raised kerbs at bus stop numbers 24047 and 24048 and the provision of Metro Cards at discounted provision to 60% of the total number of units on the site over a three year**

period on a first come first served basis.

Conditions:

- (i) Application for approval of the matters reserved by this permission for subsequent approval by the Local Planning Authority shall not be made later than the expiration of three years;**
- (ii) The development shall only be carried out in accordance with approved plans 5158 SK02 and 5158 SK02 Rev A;**
- (iii) The development must commence no later than the expiration of two years from the date of the approval of the reserved matters, or the date of the final approval of the last of such matters to be approved;**
- (iv) Prior to any development plans detailing the appearance, landscaping, layout and scale must be submitted to and approved in writing by the Local Planning Authority;**
- (v) Development shall not commence until a surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority and the scheme shall subsequently be implemented in accordance with the approved details before the development is completed;**
- (vi) The site shall be developed with separate systems of drainage for foul and surface water on and off the site;**
- (vii) Unless agreed in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to the completion of the approved foul drainage works;**
- (viii) Surface water from the vehicle parking and/or manoeuvring areas shall be drained using gullies which shall be installed before the development is brought into use;**
- (ix) Before development commences, arrangements shall be made with the Local Planning Authority for the inspection of all facing and roofing materials to be used. The samples shall then be approved in writing by the Local Planning Authority and the development constructed in accordance with the approved details;**
- (x) Prior to any development commencing a Phase 2 Intrusive Site Investigation Report shall be submitted to the Local Planning Authority for approval in writing;**
- (xi) Prior to any development commencing a landfill gas monitoring scheme shall be submitted to and be approved in writing by the Local Planning Authority;**
- (xii) Before the commencement of development a quantitative risk assessment for the site together with a Remediation Strategy shall be submitted to and agreed in writing by the Local Planning Authority;**
- (xiii) No dwellings shall be occupied until the works specified in the quantitative risk assessment have been completed in accordance with the Remediation Strategy and a validation report has been submitted to and agreed in writing by the Local Planning Authority; and**
- (xiv) The commencement of any development, or demolition, site preparation, groundworks, materials or machinery be brought on to the site until a Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority.**

ACTION: Strategic Director, Regeneration

(Ian Wilson – 01274 434605)

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

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

Bingley Rural

Garage – 10/00460/ENFUNA

The case was not expedient to pursue because the garage does not represent inappropriate development in the green belt, was of an appropriate design and massing and was not harmful to neighbouring occupiers.

Date Enforcement File Closed: 14 January 2011

(ii) **3 GLEN DENE, COTTINGLEY, BINGLEY**

Bingley Rural

Stream diversion works – 10/01326/ENFUNA

Planning permission issued for diversion subject to complying with Environment Agency permit. Works completed in accordance with permit and verified by Environment Agency.

Date Enforcement File Closed: 29 November 2010

(iii) **INSPIRE PROPERTY LIMITED, SAFETY HOUSE,
NORWOOD AVENUE, SHIPLEY**

Shipley

Demolition and groundworks without conditioned protective fencing approved or installed. One tree significantly damaged – 11/00016/TPOCN

It was likely that permission would have been granted for some tree works on the site, the significant boundary trees had not been damaged. The breach of planning condition was not expedient to pursue.

Date Enforcement File Closed: 21 January 2011

(iv) **STONELEIGH, LONGWOOD AVENUE, BINGLEY**

Bingley

Garden not landscaped in accordance with the approved plans – 10/00601/ENFAPP

The case was not expedient to pursue because the unauthorised works compliment the parent building and had not resulted in any additional overlooking beyond that already accepted by the local planning authority.

Date Enforcement File Closed: 9 December 2010

Resolved –

That the decisions be noted.

NO ACTION

(Ian Wilson – 01274 434605)

10. **DECISIONS MADE BY THE SECRETARY OF STATE**

APPEAL ALLOWED

(i) **27 GREENFIELD CRESCENT, CULLINGWORTH, BINGLEY** **Bingley Rural**

Construction of rear conservatory and dormer window - Case No: 10/00480/HOU

Appeal Ref: 10/00230/APPHOU

APPEAL DISMISSED

(i) **3 KINGSWAY, BINGLEY** **Bingley**

Change of use of ground floor office to fish and chip takeaway - Case No: 10/00641/FUL

Appeal Ref: 10/00183/APPFUL

Resolved –

That the decisions be noted.

NO ACTION

(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

i:\decsheets\areaplanpanel2010-11/pls22Feb