

Decisions of the Area Planning Panel (Shipley) held on Wednesday 11 April 2012

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

DECISIONS:

1. **CRACK LANE, WILSDEN, BINGLEY** Bingley Rural

A full application for the construction of 73 dwellings on land at Crack Lane, Wilsden - 11/04517/MAF

Resolved –

That the application be refused on the following grounds:

- (1) The proposed development includes the provision of off-site highway improvement works which comprise a new junction arrangement at the Crack Lane and Lingfield Road junction, including a specific requirement to include no parking restrictions under the terms of a Traffic Regulation Order (TRO). Specifically the required TRO would result in the displacement of local residents parking with no provision for replacement spaces to the detriment of highway safety and residential amenity and contrary to policies TM2 and UR3 of the Replacement Unitary Development Plan and contrary to advice contained in the National Planning Policy Framework (paragraph 32).
- (2) The proposed development includes inadequate provision for the disposal of surface water generated from the site leading to the possibility of local flooding and contrary to policy NR16 of the Replacement Unitary Development Plan and advice contained in the National Planning Policy Framework (paragraph 100).
- (3) The proposed development is not considered to be satisfactory in terms of design and would not include sufficient measures to secure a satisfactory form of sustainable development. In particular the following matters are considered totally inadequate:
 - (i) The proposal fails to include satisfactory appropriate quality of urban design, including the layout of development, the treatment of elevations, the creation of a strong sense of place and attention to matters of local distinctiveness.



- (ii) The proposal fails to include a satisfactory mix of size of residential units to meet local needs and to create a quality development.
- (iii) The proposal fails to include measures to demonstrate that this is a sustainable development including specific measures of acknowledged merit to ensure lower energy use throughout the life of the development and to ensure that this is a lower carbon development.

The proposal is thereby contrary to policies UR2, UR3, D1 and D3 of the Replacement Unitary Development Plan and advice contained in the National Planning Policy Framework (paragraphs 50, 56 to 58 inclusive, 60, 61, 64, 93 and 98).

ACTION: Strategic Director, Regeneration and Culture

(Mohammed Yousuf – 01274 434605)

2. HOYLE COURT PRIMARY SCHOOL, FYFE GROVE, BAILDON Baildon

Application for the removal of condition 4 attached to planning approval 11/00726/FUL to proceed with development without the erection of an acoustic fence - 12/00824/VOC

Resolved –

That the applicant be requested to withdraw the application to remove Condition 4 on the understanding that the Local Planning Authority would not enforce the undertaking of the condition unless it became necessary and if the applicant does not agree to withdraw the application then the matter be referred back to the Panel for a decision.

ACTION: Strategic Director, Regeneration and Culture

(Mohammed Yousuf – 01274 434605)

3. LAND AT THORNTON MOOR, FORESIDE LANE, DENHOLME Bingley Rural

Full application for installation of a 60m high cable stayed wind monitoring mast for a period of 3 years at Land at Thornton Moor, Foreside Lane, Denholme - 12/00106/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 and also subject to the following amendments:

- (i) That the reason for approval be amended to include a reference to the fact that consideration had been given to the Green Belt, biodiversity, protected species, residential amenity, highways and drainage and that the proposal be considered acceptable in relation to these interests of acknowledged importance.
- (ii) That condition 3 be amended to include the reinstatement of the land to its previous condition with soil seeding.

- (iii) That an additional condition be added requiring bird surveys in accordance with a survey plan agreed in writing by the Local Planning Authority.

ACTION: Strategic Director, Regeneration and Culture

(Mohammed Yousuf – 01274 434605)

4. REQUESTS FOR ENFORCEMENT/PROSECUTION ACTION

(i) **25 BILSDALE WAY, BAILDON**

Baildon

Construction of an unauthorised balcony at first floor level - 11/00574/ENFUNA

Enforcement Action to remove the balcony was authorised on 14 March 2012.

(ii) **27 GREENFIELD CRESCENT, CULLINGWORTH, BINGLEY**

Bingley Rural

Non-compliance with condition relating to external treatment of dormer window - 09/00905/ENFUNA

Enforcement Action requiring compliance with the condition was authorised on 12 March 2012.

Resolved –

That the decisions be noted.

NO ACTION

(Mohammed Yousuf – 01274 434605)

5. DECISIONS MADE BY THE SECRETARY OF STATE

APPEAL ALLOWED

(i) **17 THE ORCHARDS, BINGLEY**

Bingley

Re-submission of refused application 09/05629/FUL for a new detached dwelling on a vacant plot - Case No: 11/00977/FUL

Appeal Ref: 11/00198/APPFUL

APPEALS DISMISSED

(i) **15 VICTORIA PARK, SHIPLEY**

Shipley

Construction of dormer and roof terrace to rear - Case No: 11/04056/HOU

Appeal Ref: 11/00212/APPCON

(ii) **40 MARKET SQUARE, SHIPLEY**

Shipley

Change of use from class A1 shop to class A2 financial and professional services to include new shopfront and installation of air conditioning unit to rear elevation and satellite dish to roof - Case No: 11/03509/FUL

Appeal Ref: 11/00214/APPFUL

(iii) **BUCK PARK QUARRY, WHALLEY LANE, DENHOLME**

Bingley Rural

Construction of new junction and access road, extraction of remaining mineral reserves, landfill engineering with non-hazardous waste and restoration - Case No: 10/04255/FUL

Appeal Ref: 11/00099/APPFUL

Resolved –

That the decisions be noted.

NO ACTION

(Mohammed Yousuf – 01274 434605)

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