

Report of the Strategic Director of Regeneration to the meeting of the Area Planning Panel (KEIGHLEY) to be held on 08 October 2009

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Summary Statement - Part Two

Miscellaneous Items

	<u>No. of Items</u>
Requests for Enforcement/Prosecution Action	(2)
Decisions made by the Secretary of State - Dismissed	(3)
Tree Preservation Order	(2)

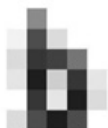
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Portfolio:
Environment and Culture

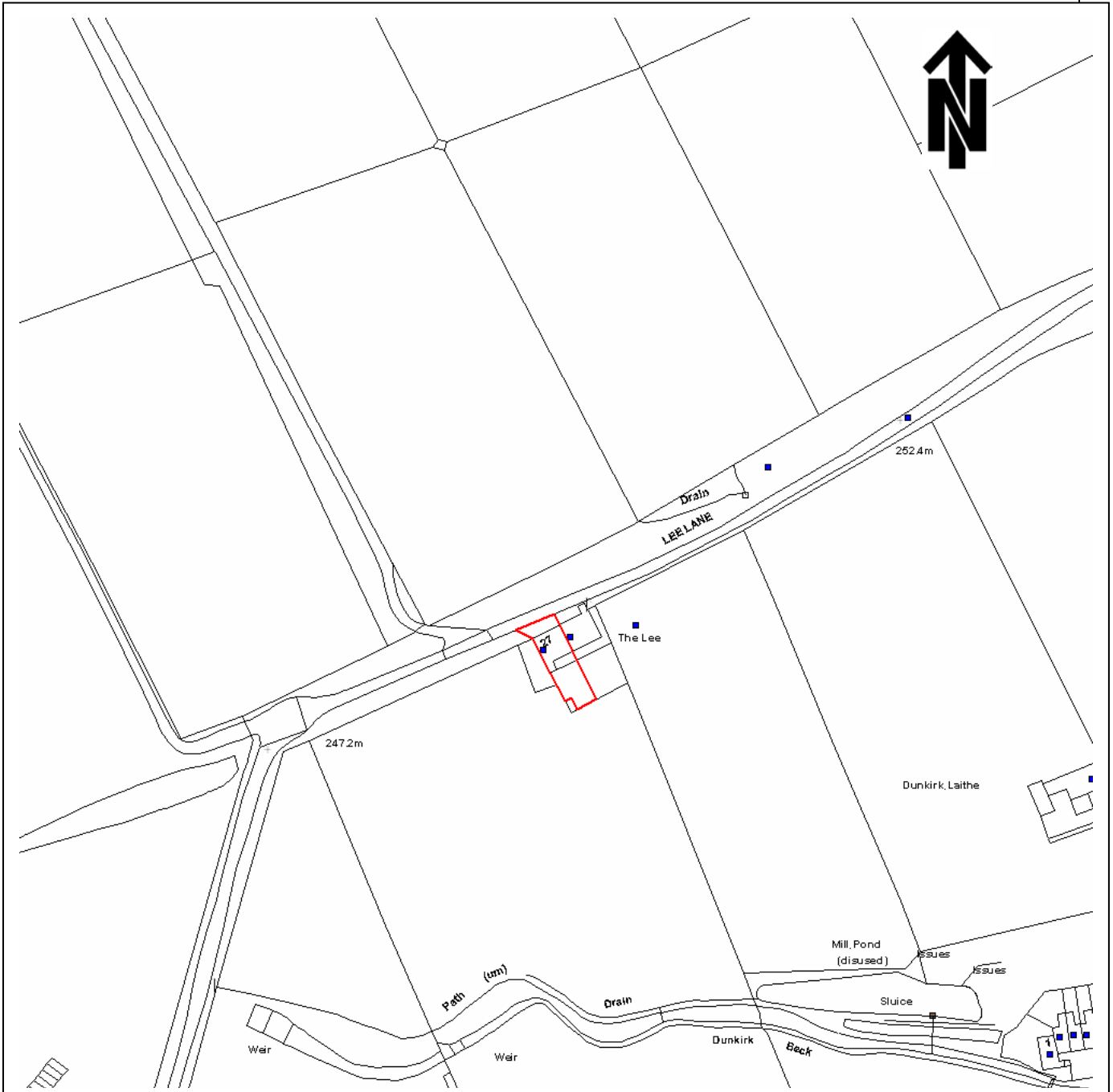
Improvement Committee Area:
Regeneration and Economy



Area Planning Panel (Keighley)

09/00613/ENFCOU

8 October 2009



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LOCATION:

**27 Lee Lane
Oxenhope
Keighley BD22 9RB**

ITEM NO. : 3

8 October 2009

Item Number: 3
Ward: OXENHOPE
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
09/00613/ENFCOU

Site Location:
27 Lee Lane, Oxenhope, Keighley.

Alleged Breaches of Planning Control

Unauthorised change of use of land at 27 Lee Lane, Oxenhope, Keighley.

Circumstances:

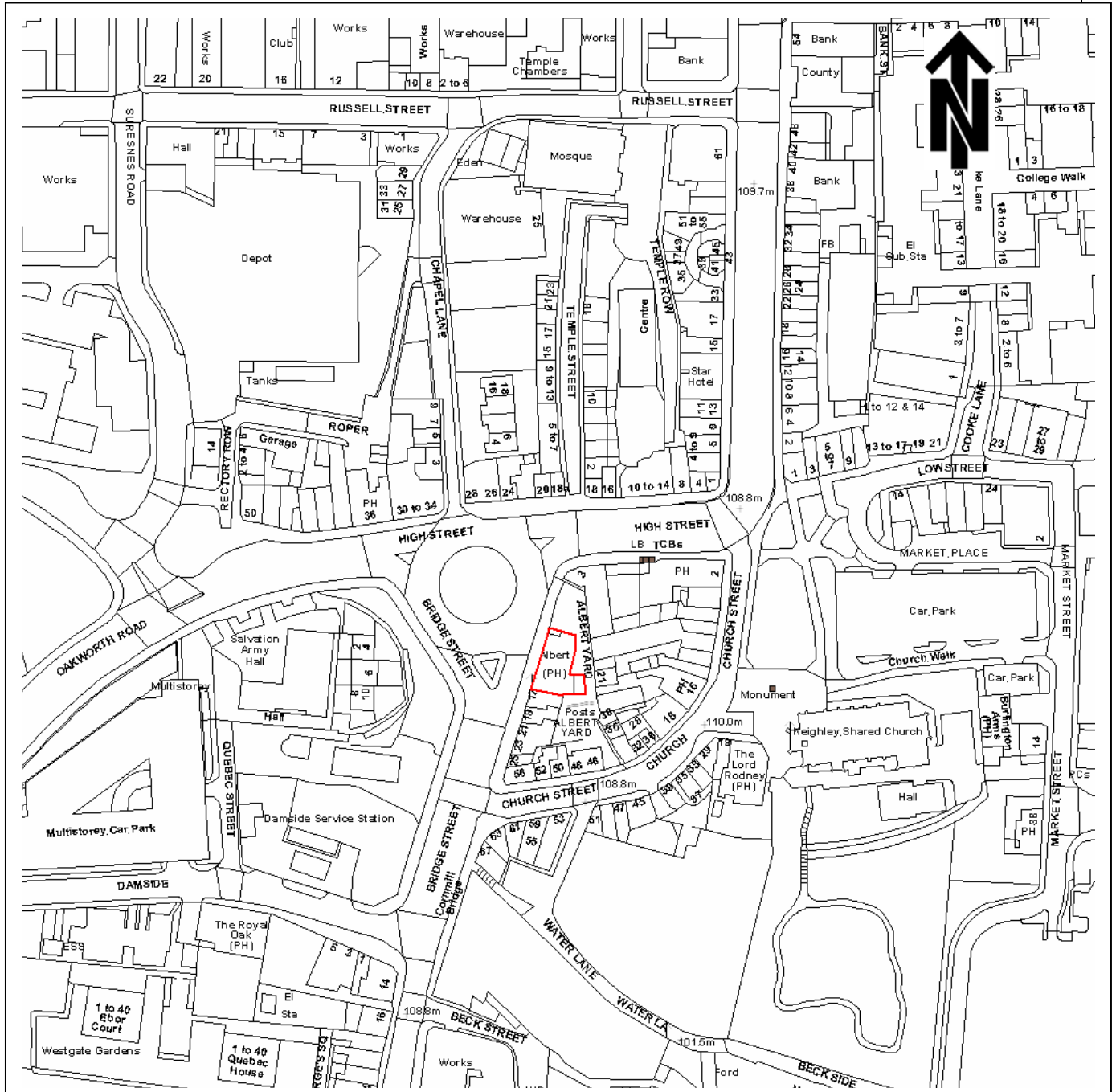
A section of agricultural land has been fenced off and is being used for domestic purposes, including the stationing of a childs play frame.

The department of Legal and Democratic Services have therefore been instructed to issue an enforcement notice.

Area Planning Panel (Keighley)

08/01317/ENFUNA

8 October 2009



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<p>ITEM NO. : 4</p>	<p>LOCATION: Albert Hotel Bridge Street Keighley BD21 1AA</p>
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8 October 2009

Item Number: 4
Ward: KEIGHLEY CENTRAL
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
08/01317/ENFUNA

Planning Permission/Site Location:
Unauthorised smoking shelter at The Albert Hotel, Bridge Street, Keighley.

Circumstances:
Enforcement action was approved on 24 June 2009 for the removal of an unauthorised smoking shelter to the rear of the property.

The unauthorised shelter has now been removed from the site.

DECISIONS MADE BY THE SECRETARY OF STATE

Appeals Allowed

There are no Appeal Allowed Decisions to report this month

Appeal Dismissed

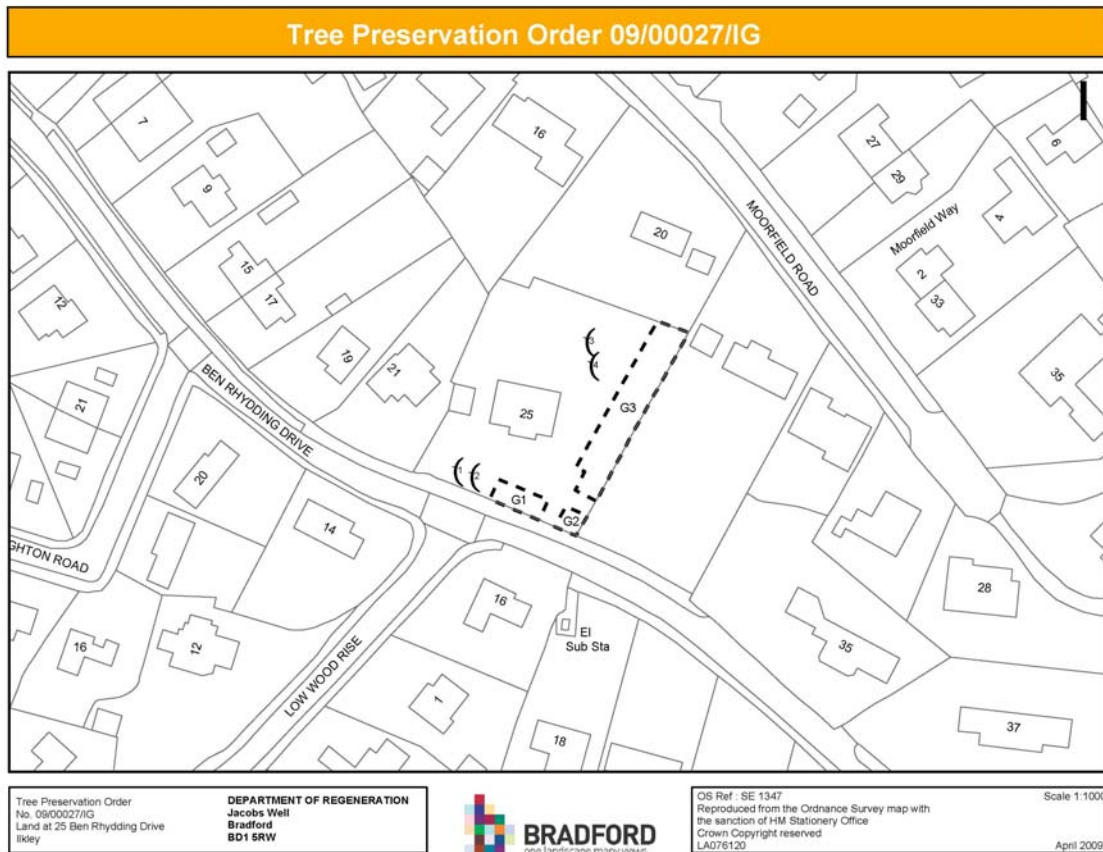
<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
5	Ilkley (ward 14)	24 Bridge Lane Ilkley West Yorkshire LS29 9HN Change of use of public highway to private garden and parking with associated walls and railings - Case No: 09/01668/FUL Appeal Ref: 09/00100/APPFUL
6	Worth Valley (ward 29)	24 Sun Street Haworth Keighley BD22 8BP Construction of a detached garage and turning area - Case No: 08/06095/FUL Appeal Ref: 09/00060/APPFUL
7	Worth Valley (ward 29)	51 Haworth Road Cross Roads Keighley West Yorkshire BD22 9DL Change of use from retail shop to Use Class A5 fish and chips hot food takeaway and installation of new extractor flue to gable - Case No: 09/00243/FUL Appeal Ref: 09/00072/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



8 October 2009

Item Number: 8

Ward: ILKLEY

Subject:

**CONSIDERATION OF AN OBJECTION TO
TREE PRESERVATION ORDER 09/00027/IG
SECTION 201 TOWN AND COUNTRY PLANNING ACT 1990**

Site:

25 Ben Rhydding Drive, Ilkley

Recommendation:

**TO OVER-RULE THE OBJECTION AND CONFIRM THE TREE PRESERVATION ORDER
WITHOUT MODIFICATION**

Background:

A Tree Preservation Order was made on 23rd April 2009 as a result of the surveying out of an Area Order which was previously made due to the potential impact of an adjacent planning application subsequently refused on the trees at the above property. This application (ref: 08/01315/FUL) was subsequently refused on 9th September 2008 and the appeal dismissed on 19th January 2009.

The order includes 23 trees (4 individuals and 3 groups).

It is considered expedient to confirm this order as if not confirmed the trees could be removed as there are no other restrictions on these trees which are outside the Conservation Area.

There has been one letter of objection made in relation to G1,T1,T2,T3,T4 on the following grounds:-

Summary of objection received:

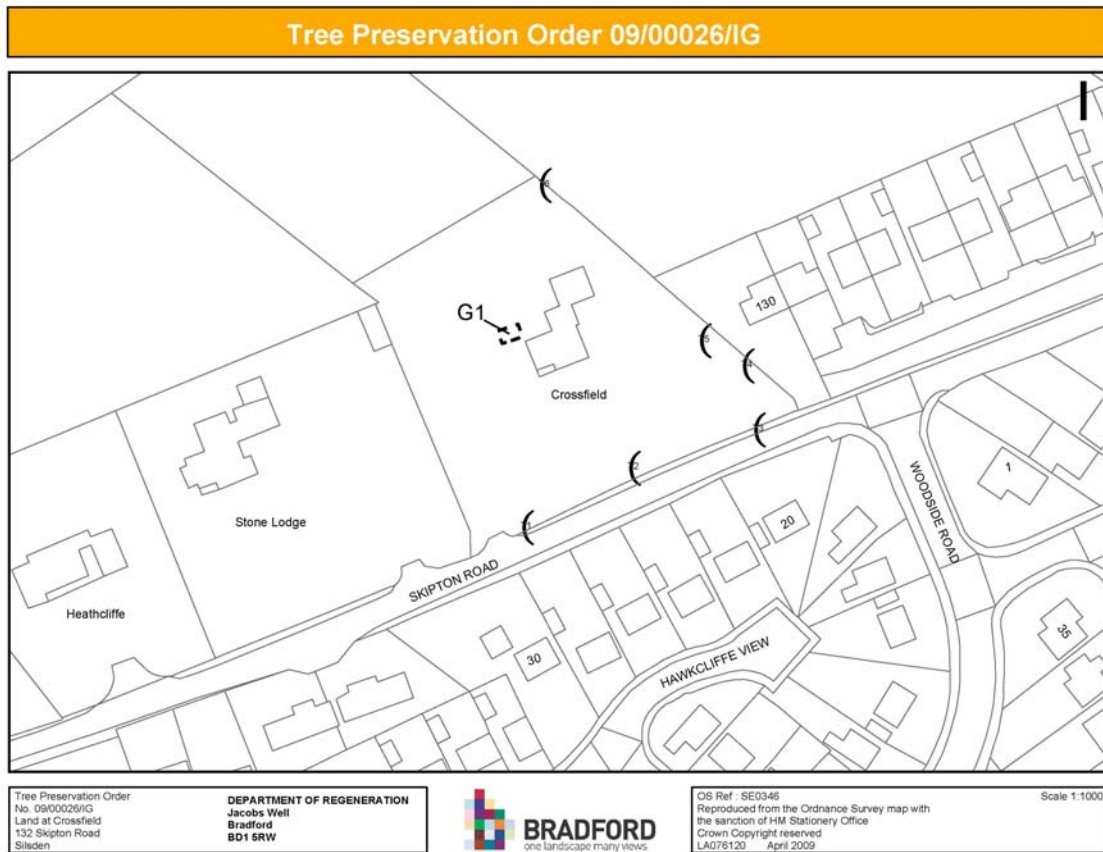
- My wife and I are tree friendly, have lived at the property for 21 years and have never cut down or removed any trees.
- We are being treated as if we are not trusted and we do not consider that while we live at the property a legal order is required. We promise to let you know in advance if we ever plan to move or transfer the property ownership to others.

Officer comments in relation to the points of objection :

- The order is not intended to suggest any lack of trust and seeks to ensure a consistent approach to the long term management of the treescape within the site.
- On surveying the site a number of trees that were close to the property which may cause a nuisance were not included in the Tree Preservation Order having had discussions with the owner.
- The trees the subject of this objection are significant trees forming part of the character setting of the built environment.

Recommendation:

It is requested that the objection be overruled and the Tree Preservation Order be confirmed without modification as the trees have significant amenity value in forming part of the character setting of the built environment and it is expedient to confirm in order to restrict the possibility the trees are felled to the detriment of the local landscape.



8 October 2009

Item Number: 9
Ward: ILKLEY
Subject:
CONSIDERATION OF AN OBJECTION TO
TREE PRESERVATION ORDER 09/00026/IG
SECTION 201 TOWN AND COUNTRY PLANNING ACT 1990

Site:
Land at Crossfield, 132 Skipton Road, Silsden

Recommendation:
TO OVER-RULE THE OBJECTION AND CONFIRM THE TREE PRESERVATION ORDER
WITHOUT MODIFICATION

Background:

A Tree Preservation Order was made on 23rd April 2009 as a result of a planning application 09/00747/FUL subsequently withdrawn which resulted in the excessive loss of trees on and to the boundaries of the site.

The order includes 8 trees (6 individuals and 1 group)

It is considered expedient to confirm this order as if not confirmed the trees could be removed as there are no other restrictions on these trees which are outside the Conservation Area.

There has been one letter of objection made in relation to G1 (2 Pines) on the following grounds:-

Summary of objection received:

- The objection trees have no presence in the public domain nor because of their size and position can they contribute to the enjoyment of the adjoining properties.
- The proximity of the two pines to Crossfield which will be retained should be noted.

Officer comments in relation to the points of objection :

- It is accepted that these trees are semi-mature and of low significance when viewed from outside the site however subject to the type of development may become a prominent feature within the site with an estimated lifespan of 80 to 100 years.
- There is no evidence of damage to the existing property being caused by these trees.
- Should the loss of these trees be acceptable under a subsequent planning application the Tree Preservation Order will ensure that replacement planting can be required.

Recommendation:

It is requested that the objection be overruled and the Tree Preservation Order be confirmed without modification as the trees are considered to be of significant visual amenity value and if not confirmed the trees could be removed to the detriment of the local landscape.
