

Report of the Strategic Director of Regeneration to the meeting of the Area Planning Panel (KEIGHLEY) to be held on 19 January 2011



Summary Statement

Miscellaneous Item

14 Nab View, Silsden

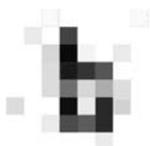
Julian Jackson
Assistant Director (Planning, Transportation and Highways)

Report Contact: Ian Wilson
Phone: 01274 434605

Email: ian.wilson@bradford.gov.uk

Portfolio:
Environment and Culture

Improvement Committee Area:
Regeneration and Economy



2006-2007
Improving Rural Services
Empowering Communities



INVESTOR IN PEOPLE

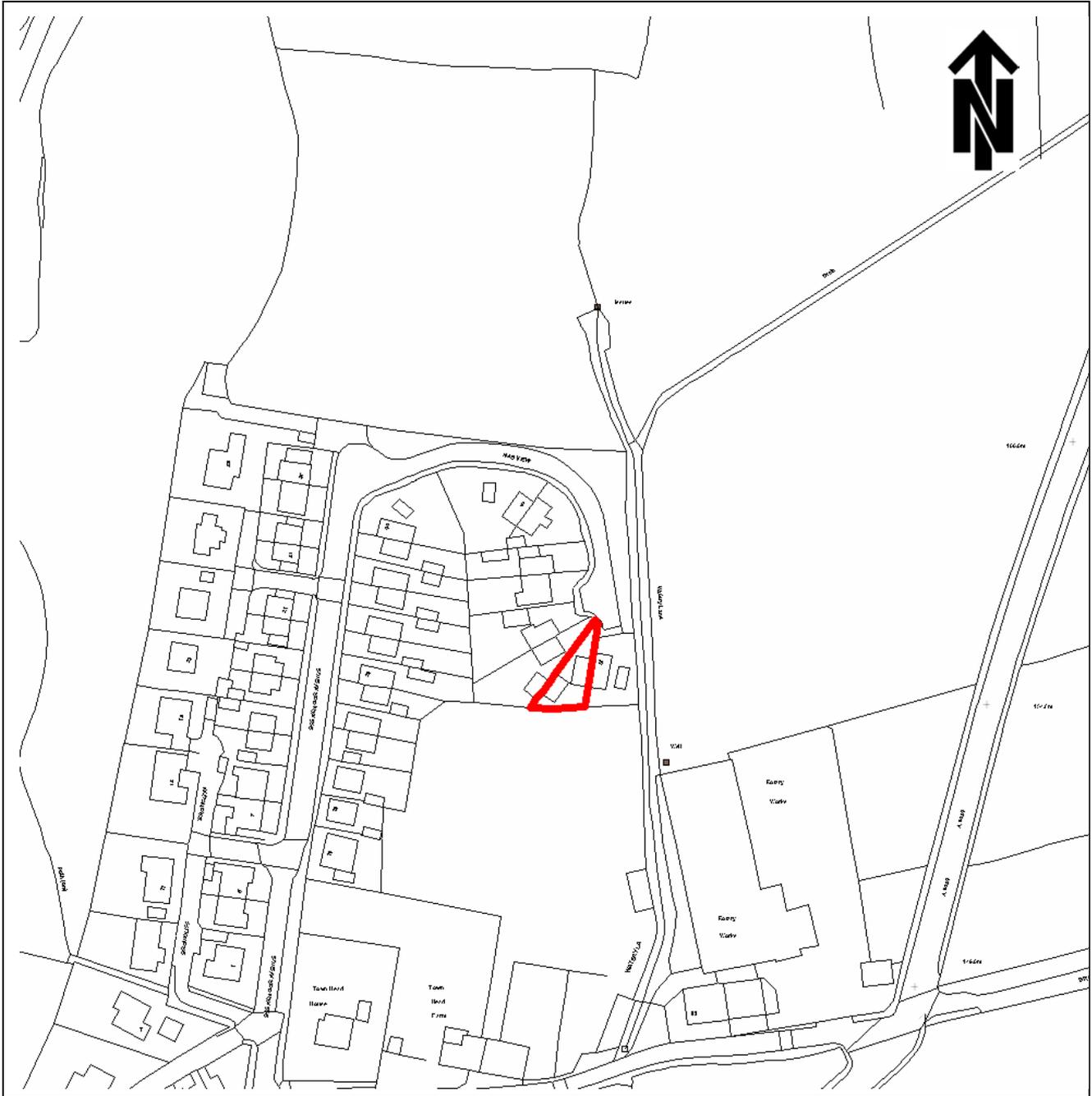
Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)



Area Planning Panel (Keighley)

10/00842/ENFCON

19 January 2011



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Misc Item	LOCATION: 14 Nab View Silsden
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19 January 2011

Ward: CRAVEN

Recommendation:

Options available for members are:

1. Close the file as not expedient to pursue enforcement action to have the ramp and decking removed.
2. Instigate enforcement action.

Enforcement Reference:

10/00842/ENFCON

Site Location:

14 Nab View, Silsden.

Conservation Area:

No

Alleged Breaches of Planning Control:

1. The owner has constructed elevated decking to the rear of the dwelling. The decking is 0.75m in height and extends 3.7m from the back wall of the dwelling. The overall width, including a ramp, is 5.150m. The decking was constructed without the benefit of planning permission.
2. A retrospective planning application was submitted. However following indications that it was unlikely to be supported due to size and overlooking a revised plan was submitted substantially reducing the depth from 3.7m to 2.2m and proposing a 1.8m high fence to prevent overlooking into the rear garden of the adjoining neighbour. The revised application was approved on 27th April 2010 with a condition that the decking should be reduced in size to comply with the condition within 56 days.
3. The period of 56 days has now expired and the alterations to the structure to comply with the approved plans have not been undertaken.

When Breach First Occurred:

14 July 2009

Circumstances:

The local planning authority received a complaint on 10th September 2009 with regard to the erection of decking and a ramp accessed from patio windows to the rear of the property. The decking and associated ramp has been erected by the owner for the purpose of improving the quality of life for his wife who is severely disabled. The owner's wife has suffered a subarachnoid haemorrhage caused by a cerebral aneurysm and is now totally dependant on others for her care.

No action has been taken to comply with the permission dated 27th April 2010.

Why is it Not Considered Not Expedient to Serve a Notice:

In view of the owner's wife's severe disabilities it is not considered expedient to pursue this matter further and serve an enforcement notice. (The owner could have constructed a single storey extension to a depth of 3m and a total height of no more than 4m under permitted development regulations).

List of Documents Available:

Copies available on the day of the Committee:

1. Decision Notice.
 2. Photograph of decking and ramp.
 3. Letter regarding Mrs Throup's health (closed document).
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