

Decisions of the Area Planning Panel (Keighley and Shipley) on Wednesday, 27 April 2016

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publication of the Minutes

DECISIONS:

1. **126 MAIN STREET, WILSDEN**

Bingley Rural

Application for variation of condition 4 - to extend the permitted opening hours imposed under planning permission 12/03274/FUL dated 13.11.2012: Change of use from retail (A1) to cafe (A3) at 126 Main Street, Wilsden - 16/01411/VOC

Resolved –

That the application to vary condition 4 under planning permission 12/03274/FUL be approved as amended below:

The premises the subject of this decision shall not be open for business outside the hours of:

Monday to Wednesday: 07.30 to 18.00

Thursday and Friday: 07.30 to 22.00

Saturday: 09.00 to 22.00

Sundays and Bank or Public holidays: 10.00 to 16.00

No customer shall be served or otherwise make use of the premises outside these hours.

Reason: In order to safeguard the amenity of nearby residents and to accord with Policy UR3 of the Replacement Unitary Development Plan.

ACTION: Strategic Director, Regeneration

(Mohammed Yousuf – 01274 434605)



2. **HINDLEIGH, GAWTHORPE LANE, BINGLEY**

Bingley

Full application for construction of a detached house and garage at Hindleigh, Gawthorpe Lane, Bingley - 16/01240/FUL

Resolved –

That consideration of the application be deferred to a future meeting in order to allow further amendments and investigations into the roof design; finished levels and clarification of the impact on sunlight/daylight to the adjoining property through natural light surveys.

ACTION: Strategic Director, Regeneration

(Mohammed Yousuf – 01274 434605)

3. **LAND TO THE REAR OF ST MATTHEW'S CLOSE, WILSDEN**

Bingley Rural

Outline application with all matters reserved for the construction of 6 dwellings on 0.7Ha of land at Moorside Farm to the rear of St Matthews Close, Wilsden - 16/00540/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.

ACTION: Strategic Director, Regeneration

(Mohammed Yousuf – 01274 434605)

4. **LAND WEST OF 3 DEWHIRST STREET, WILSDEN**

Bingley Rural

Full (retrospective) planning application for the retention of two dwellings at land West of 3 Dewhirst Street, Wilsden - 15/07009/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 additional conditions:

- (i) The off street parking area adjoining the dwellings shall be resurfaced using porous materials, or made to direct run off to a permeable or porous area within 3 months of the date of this permission (unless the Local Planning Authority has agreed to an alternative timetable for completion). The type and colour of these permeable materials shall first be agreed in writing by the Local Planning Authority.**

Reason: In the interests of highway safety, and to secure satisfactory sustainable drainage to accord with policies UR3, TM12 and NR16 of the Replacement Unitary Development Plan.

- (ii) The off street car parking spaces shown on the approved site plan shall be marked into numbered bays allocated to the two dwellings and shall be kept available for this use whilst ever the dwellings are occupied. The car parking facility so provided shall not be used for any other purpose.

Reason: To ensure provision of adequate off street parking for the use, in the interests of highway safety and to accord with Policy TM12 of the Replacement Unitary Development Plan.

ACTION: *Strategic Director, Regeneration*

(Mohammed Yousuf – 01274 434605)

5. LOW LODGE, BELGRAVE ROAD, KEIGHLEY

Keighley Central

Full application for the construction of a pair of semi-detached dwellings on land at Low Lodge, Belgrave Road, Keighley - 16/00163/FUL

Resolved –

That the application be approved for the following reason:

The proposed development would not be visually intrusive or incongruous and not cause substantial harm to the setting of the listed building or the conservation area. The benefit obtained by enabling a disabled person and their family to remain within the community would outweigh the less than substantial harm to the heritage assets. The materials used and the trees may be protected by conditions. The development would therefore comply with the Council's Replacement Unitary Development Plan and the National Planning Policy Framework.

And that the application be subject to the following conditions:

- (i) The development to which this notice relates must be begun not later than the expiration of three years beginning with the date of this notice.

Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act, 1990 (as amended).

- (ii) Notwithstanding details of materials specified on the approved drawings, the dwellings shall be constructed using coursed natural stone and timber framed windows. Before development commences on site, arrangements shall be made with the Local Planning Authority for the inspection of all facing and roofing materials to be used in the development hereby permitted. The samples shall then be approved in writing by the Local Planning Authority and the development constructed in accordance with the approved details.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to safeguard the appearance of the Conservation Area in which it is located and to accord with Policies UR3, D1 and BH7 of the Replacement Unitary Development Plan.

- (iii) The development shall not be begun, nor shall there be any works of site preparation, groundworks, or materials or machinery brought on to the site until

temporary Tree Protective Fencing has been erected around the canopy spreads of all protected trees to be retained within and adjoining the development site.

The protective fencing shall meet specifications contained in BS 5837 Trees In Relation To Construction, and shall be installed in accordance with a detailed Arboricultural Method Statement setting out tree protection measures and appropriate working practices that shall be prepared in accordance with the recommendation in the applicant's Arboricultural Impact Analysis by Skerratt Tree Consultants Reference 392 B (dated 10.12.2015).

Upon completion of the tree protection measures, the Local Planning Authority shall be informed in writing and no work shall be begun until it has confirmed in writing that the tree protection measures are satisfactory.

The Tree Protection measures shall remain in location for the duration of the development. No excavations, engineering works, service runs and installations shall take place between the temporary Tree Protective Fencing and the protected trees without written consent of the Local Planning Authority.

Reason: To ensure trees are protected during the construction period and in the interests of visual amenity. To safeguard the visual amenity provided by the trees and to accord with Policies NE4, NE5 and NE6 of the Replacement Unitary Development Plan.

- (iv) Before any part of the development hereby permitted is brought into use, the off-street car parking facility shall be constructed of porous materials, or made to direct run-off water from a hard surface to a permeable or porous area within the curtilage of the site, and laid out in accordance with approved drawing 633-201F with a gradient no steeper than 1 in 15.

Reason: In the interests of highway safety, drainage and to accord with policies UR3, TM12 and NR16 of the Replacement Unitary Development Plan.

ACTION: *Strategic Director, Regeneration*

(Mohammed Yousuf – 01274 434605)

6. REQUESTS FOR ENFORCEMENT/PROSECUTION ACTION

- (i) **79 GOOSE COTE LANE, KEIGHLEY** Keighley West

A timber and plastic boundary enclosure - 15/00490/ENFUNA

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers on 8 March 2016.

- (i) **CATTON WOODS, STEAD HALL FARM,
BURLEY IN WHARFEDALE** Wharfedale

Paintballing and the siting of ancillary structures, tyres, barrels, netting and fencing - 13/00303/ENFCOU

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers on 31 March 2016.

(iii) **LAND AT THORNHILL ROAD, STEETON WITH EASTBURN** **Craven**

Breach of hours of construction - 16/00056/ENFCON

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers 18 March 2016.

(iv) **LAND AT LOW LODGE, BELGRAVE ROAD, KEIGHLEY** **Keighley Central**

Siting of a metal container on the land - 14/00737/ENFUNA

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers on 15 March 2016.

Resolved –

That the decisions be noted.

NO ACTION

(Mohammed Yousuf – 01274 434605)

7. DECISIONS MADE BY THE SECRETARY OF STATE

The Panel noted the following appeal decisions taken by the Secretary of State:

APPEAL ALLOWED

(i) **10 DRYSDALE WAY, HAWORTH, KEIGHLEY** **Worth Valley**

Appeal against Enforcement Notice - Case No: 15/00374/ENFUNA

Appeal Ref: 15/00146/APPENF

APPEALS DISMISSED

(ii) **178 SKIPTON ROAD, KEIGHLEY** **Keighley Central**

Appeal against Enforcement Notice - Case No: 12/00723/ENFAPP

Appeal Ref: 15/00106/APPENF

(iii) **2 VIEW ROAD, KEIGHLEY** **Keighley Central**

Retrospective planning application for demolition of existing pre-fabricated garage and construction of new garage - Case No: 15/06624/HOU

Appeal Ref: 16/00016/APPHOU

(iv) **21 BELMONT AVENUE, BAILDON**

Baildon

Construction of detached house - Case No: 15/02461/FUL

Appeal Ref: 15/00135/APPFL2

(v) **6 TODLEY HALL FARM, TODLEY HALL ROAD,
LAYCOCK, KEIGHLEY**

Worth Valley

Retention of a replacement conservatory and replacement of windows and rear door - Case No: 15/06091/HOU

Appeal Ref: 16/00014/APPHOU

(vi) **THE HAVEN, ST MARY'S ROAD, RIDDLESDEN, KEIGHLEY**

Keighley East

Construction of detached dwelling - Case No: 15/00628/FUL

Appeal Ref: 15/00138/APPFL2

Resolved –

That the decisions be noted.

NO ACTION

(Mohammed Yousuf – 01274 434605)

FROM: M Sullivan-Gould
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