

Report of the Strategic Director, Place to the meeting of the Area Planning Panel (KEIGHLEY AND SHIPLEY) to be held on 26 April 2017

T

Summary Statement - Part Two

Miscellaneous Items

	<u>No. of Items</u>
Requests for Enforcement/Prosecution Action	(3)
Decisions made by the Secretary of State - Allowed	(2)
Decisions made by the Secretary of State - Dismissed	(5)

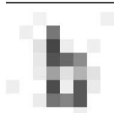
Julian Jackson
Assistant Director (Planning, Transportation and Highways)

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Portfolio:
Regeneration, Planning & Transport

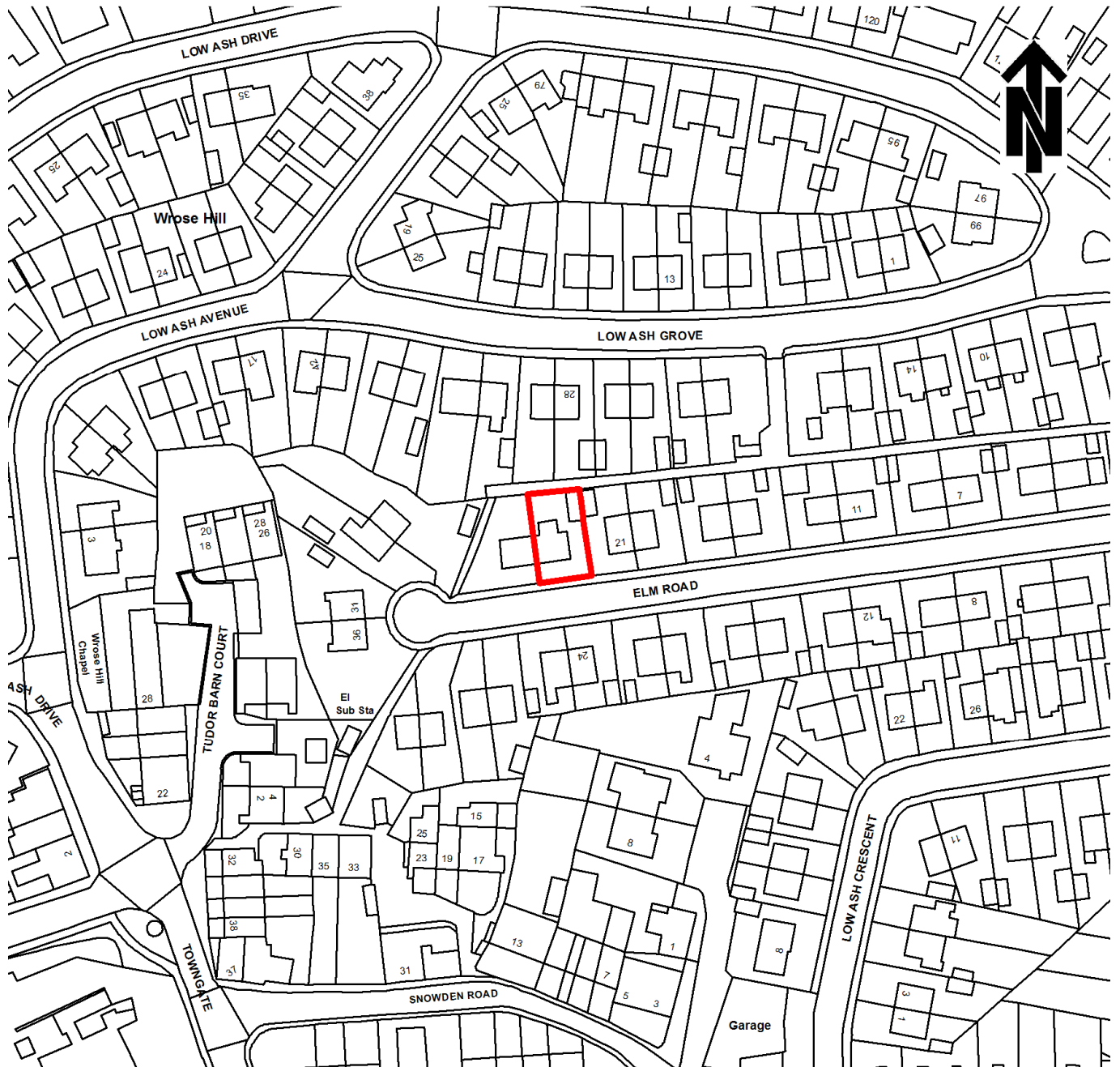
Overview & Scrutiny Committee Area:
Regeneration and Economy



16/00915/ENFUNA

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23 Elm Road
Shipley
BD18 1JN

26 April 2017

Item: A
Ward: WINDHILL AND WROSE
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
16/00915/ENFUNA

Site Location:
23 Elm Road, Wrose, Shipley, BD18 1JN

Breach of Planning Control:
Unauthorised rear extensions.

Circumstances:
In December 2016 the Local Planning Authority received an enquiry regarding development work at the property.

An inspection was made and it was noted that single storey rear extensions had been built, for which the Local Planning Authority had no record of planning permission having been granted.

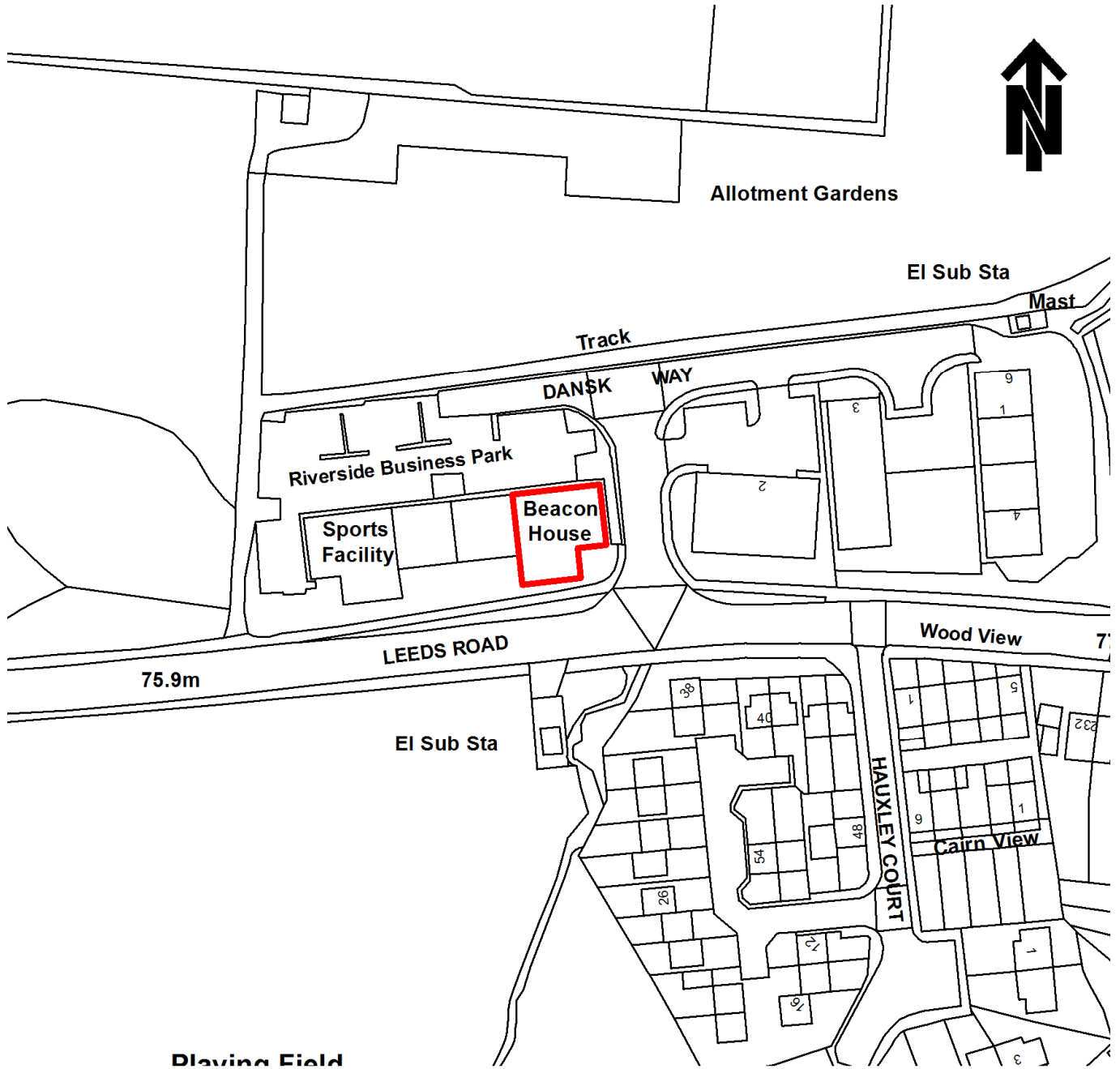
The owner/occupier of the property has been requested to rectify the breach of planning control, however no action has been taken.

The unauthorised single storey rear extensions remain in place and on 15 March 2017 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised single storey rear extensions are detrimental to residential and visual amenity by virtue of their design and position, contrary to Policies D1, UR3 and UDP3 of the Council's adopted Replacement Unitary Development Plan and the Council's adopted Householder Supplementary Planning Document.

16/00542/ENFCON

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Beacon House
Riverside Business Park
Dansk Way
Ilkley LS29 8JZ

26 April 2017

Item: B
Ward: ILKLEY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
16/00542/ENFCON

Site Location:
Heavy Metal Gym, Beacon House, Riverside Business Park, Dansk Way, Ilkley, LS29 8JZ

Breach of Planning Control:
Breach of Condition 2 attached to planning approval 15/02269/FUL.

Circumstances:
Planning application number 15/02269/FUL was granted conditionally for the use of the above premises in connection with power/weight lifting. Condition 2 prohibited any other use falling within use class D2 including the provision of fitness classes.

Following complaints received by the Local Planning Authority, a site visit confirmed that fitness classes have been operated from the premises for over nine months. A retrospective planning application was submitted to remove condition 2, this was subsequently refused for the following reasons (paraphrased):

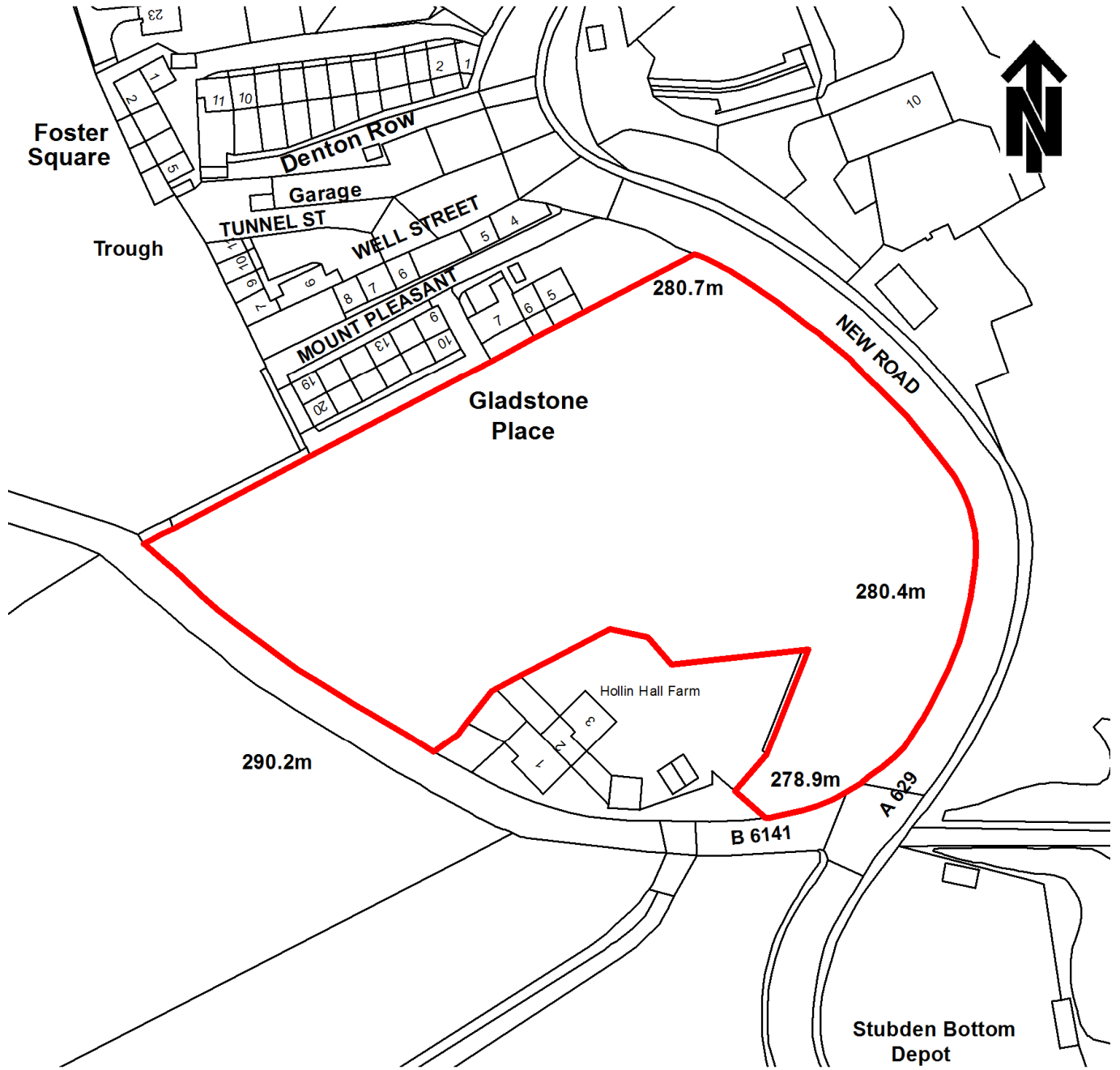
In order that the Local Planning Authority retains control over future changes of use with particular regard to the availability of car parking at the site and in order to control the impact of out of town centre leisure facilities on the vitality and viability of nearby centres and to accord with Policies TM11, TM19A and CL3 of the Replacement Unitary Development Plan.

The Planning Manager (Enforcement and Trees) authorised the issuing of a Breach of Condition Notice under delegated powers on 27 March 2017.

17/00085/ENFCON

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Land At Grid Ref 406671 433624
New Road
Denholme Bradford

26 April 2017

Item: C
Ward: BINGLEY RURAL
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
17/00085/ENFCON

Site Location:
Land at New Road, Denholme, West Yorkshire.

Breach of Planning Control:
Breach of Planning Condition 6 attached to Planning Approval 15/03020/MAF.

Circumstances:
Planning permission was granted conditionally for the residential development of the above land.

Following complaints received, it was noted that the developers were not complying with condition 6 which restricts working hours on the site between 0730 and 1800 Mondays to Fridays and 0730 and 1300 on Saturdays and at no time on Sundays, Bank Holidays, unless specifically agreed in writing by Local Planning Authority.

The condition was attached to the planning permission to protect the amenity of the occupants of nearby dwellings and to accord with Policy UR3 of the Replacement Unitary Development Plan.

Despite correspondence from the LPA regarding this matter the developers continue to breach the aforementioned condition.

The Planning Manager (Enforcement and Trees) authorised the issuing of a Breach of Condition Notice under delegated powers on 3 April 2017.

DECISIONS MADE BY THE SECRETARY OF STATE

Appeal Allowed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
D	Wharfedale (ward 26)	23 Lawn Avenue Burley In Wharfedale Ilkley LS29 7ET Demolition of outhouse and detached garage, proposed rear extension - Case No: 16/08294/HOU Appeal Ref: 17/00009/APPHOU
E	Ilkley (ward 14)	Orion Hebers Ghyll Drive Ilkley West Yorkshire LS29 9QH Construction of detached garage - Case No: 16/03160/HOU Appeal Ref: 17/00001/APPEN2

Appeal Dismissed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
F	Shipley (ward 22)	13 Whitlam Street Saltaire Shipley BD18 4PE Appeal against Enforcement Notice - Case No: 15/00701/ENFLBC Appeal Ref: 16/00116/APPENF
G	Keighley Central (ward 15)	2 View Road Keighley BD20 6JE Appeal against Enforcement Notice - Case No: 15/00043/ENFUNA Appeal Ref: 16/00078/APPENF
H	Baildon (ward 01)	21 Belmont Avenue Baildon BD17 5AJ Construction of detached house - Case No: 16/07173/FUL Appeal Ref: 16/00134/APPFL2

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
I	Keighley Central (ward 15)	21 Wardle Crescent Keighley BD21 2RS Two storey side and rear extension with balcony at upper ground level - Case No: 16/08990/HOU Appeal Ref: 17/00014/APPHOU
J	Keighley East (ward 16)	Bradup Farm Ilkley Road Riddlesden Keighley Demolition of existing house and construction of new two storey house with stables - Case No: 16/03347/FUL Appeal Ref: 16/00138/APPFL2

Appeals Upheld

There are no Appeal Upheld Decisions to report this month

Appeals Upheld (Enforcements Only)

There are no Appeal Upheld Decisions to report this month

Appeals Withdrawn

There are no Appeal Withdrawn Decisions to report this month

Appeal Allowed in Part/Part Dismissed

There are no Appeals Allowed in Part/Part Dismissed to report this month