

Report of the Strategic Director of Place to the meeting of the Area Planning Panel (KEIGHLEY AND SHIPLEY) to be held on 26 January 2022

H

Summary Statement - Part Two

Miscellaneous Items

	<u>No. of Items</u>
Requests for Enforcement/Prosecution Action	(4)
Decisions made by the Secretary of State - Allowed	(2)

Julian Jackson
Assistant Director (Planning, Transportation and Highways)

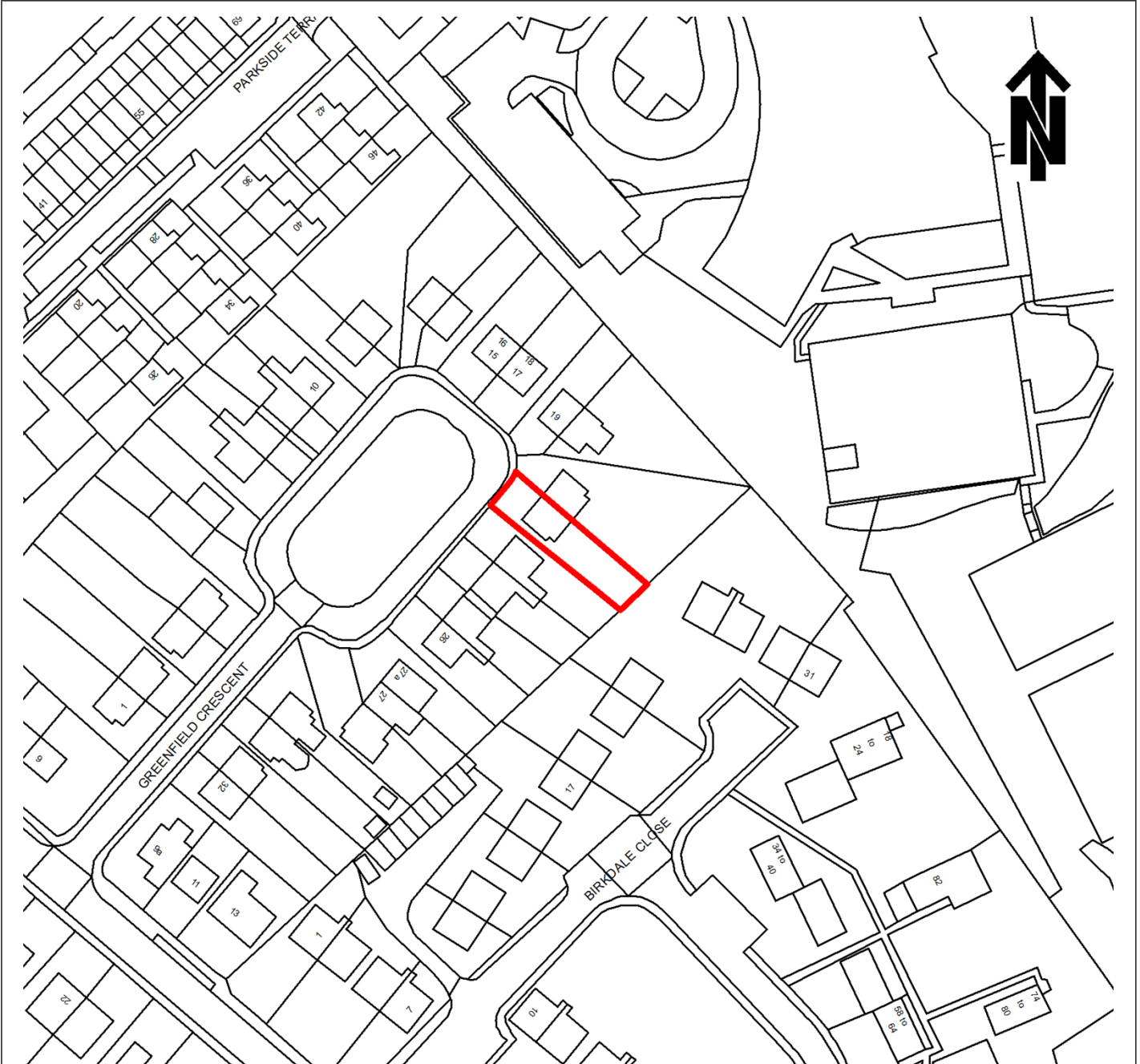
Report Contact: Mohammed Yousuf
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Portfolio:
Regeneration, Planning & Transport

Overview & Scrutiny Committee Area:
Regeneration and Environment

19/00929/ENFUNA



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22 Greenfield Crescent Cullingworth Bingley BD13 5AW	
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26 January 2022

Item Number: A
Ward: BINGLEY RURAL
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
19/00929/ENFUNA

Site Location:
22 Greenfield Crescent Cullingworth Bingley West Yorkshire BD13 5AW

Breach of Planning Control:

Without planning permission, the construction of a fence and gates along the front boundary of the property.

Circumstances:

The Local Planning Authority received an enquiry regarding the above development. Despite a request from the Local Planning Authority the owners/occupiers of the property have taken no action to rectify the breach and the matter remains unresolved.

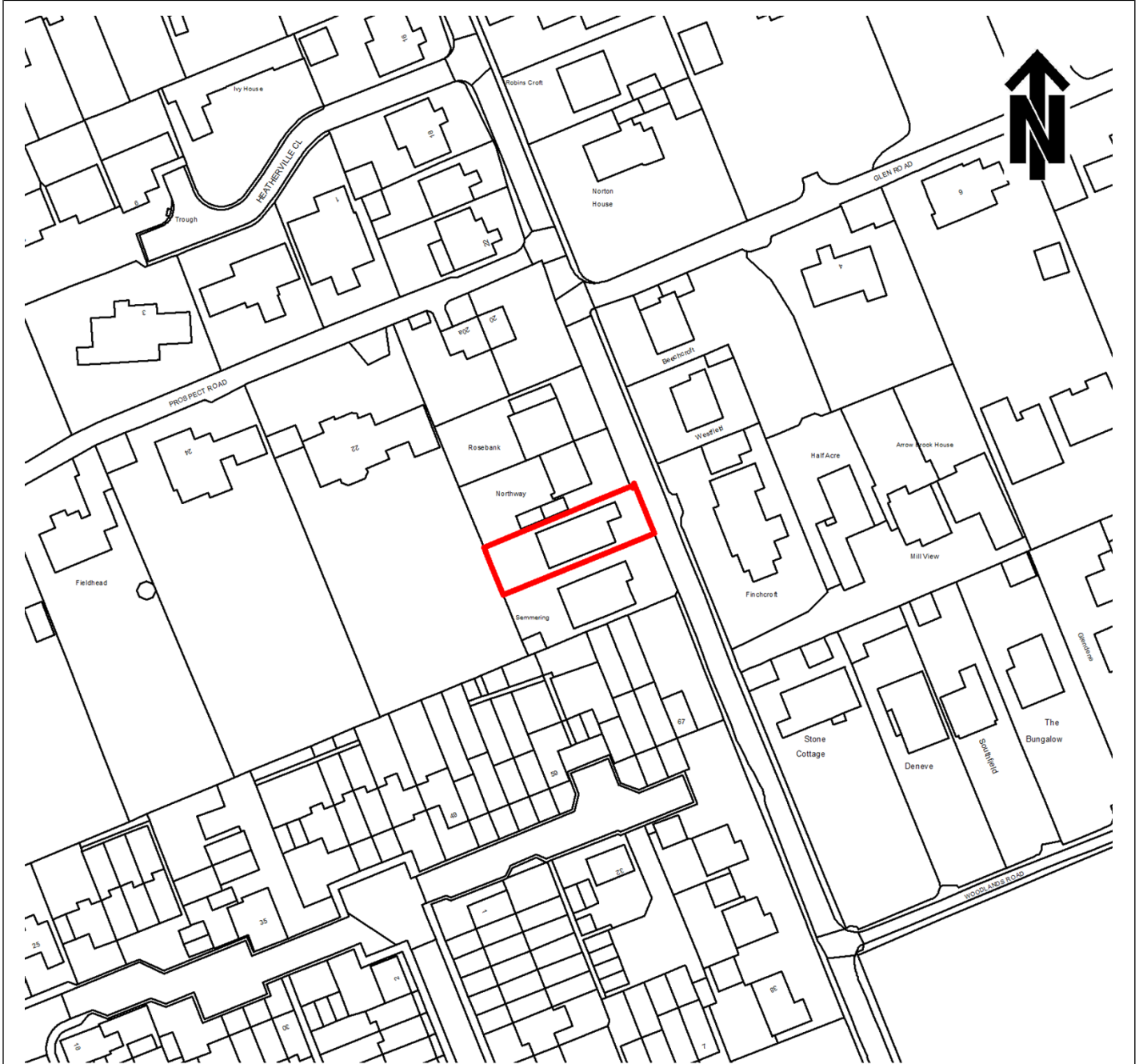
It is considered expedient to issue an Enforcement Notice because the fence and gates by reason of their height, position and appearance represent an unwelcome and strident feature visually incongruous with the prevailing character of the locality. The means of enclosure is harmful to the appearance of the street scene, and is unacceptable when measured against policy DS1 of the Core Strategy Development Plan Document.

The Planning Manager (Enforcement and Trees) authorised enforcement action on the 14 October 2021 requiring the owner of the property to remove the unauthorised fence and gate from the front boundary of the property or reduce the height of the fence and gate so that no point exceeds 1 metre in height from the original ground level.

19/00763/ENFAPP



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Former Site Semmering
Sheriff Lane
Eldwick
Bingley

26 January 2022

Item Number: B
Ward: BINGLEY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
19/00763/ENFAPP

Site Location:
Former Site Semmering Sheriff Lane Eldwick Bingley West Yorkshire

Breach of Planning Control:
Breach of condition 3 of planning permission 18/00139/FUL and condition 2 of 18/02365/VOC.

Circumstances:
In March 2018 planning permission was granted for the construction of one dwelling, car parking and landscaping on the land. In July 2018 planning permission was granted to vary that permission under reference 18/02365/VOC. The variation related to changing the construction materials.

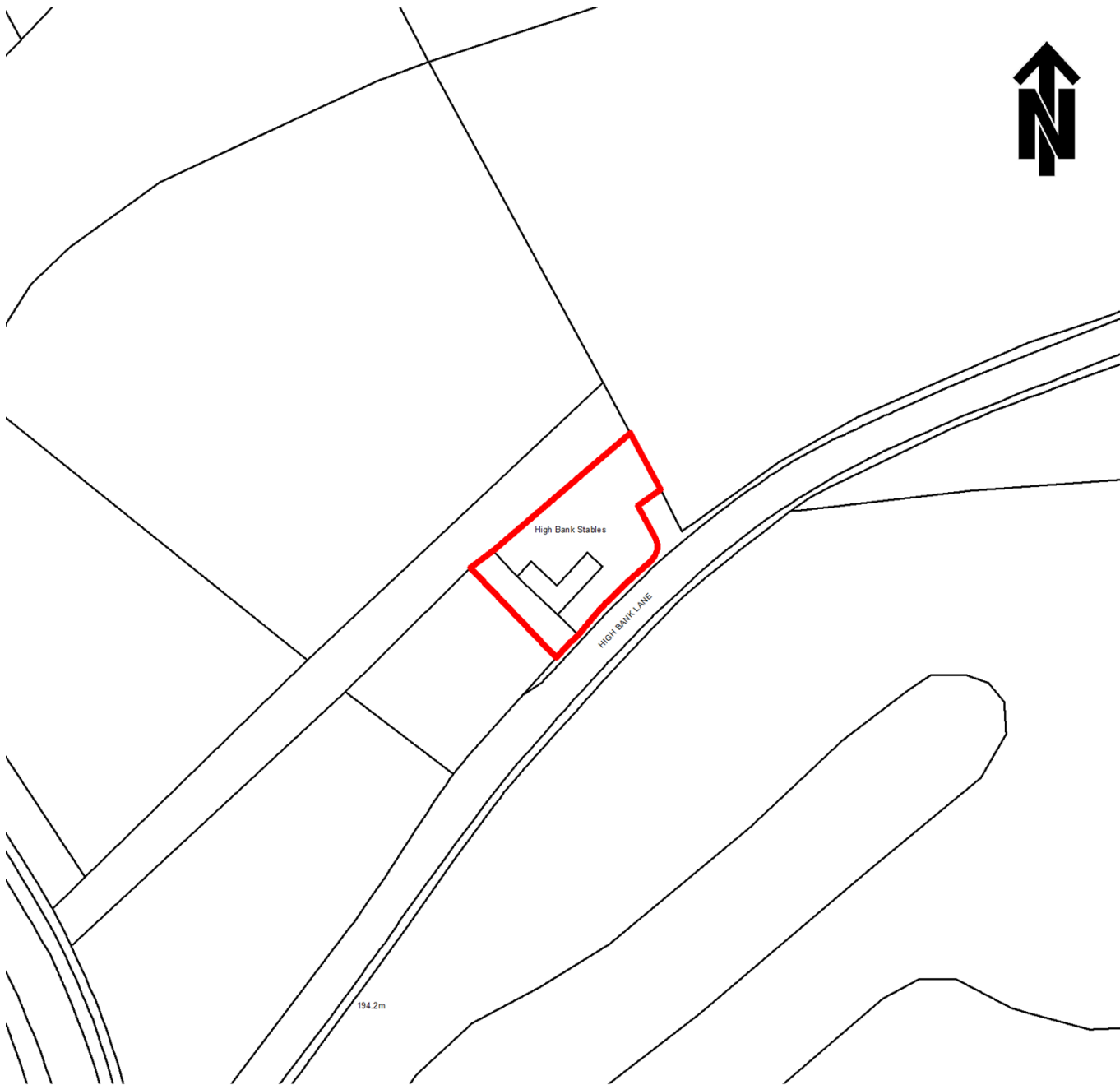
Condition 3 of planning permission 18/00139/FUL and condition 2 of 18/02365/VOC required the first floor windows in the north and south elevations of the dwelling to be glazed in obscure glass prior to the first occupation of the building. The dwelling is occupied and the windows have not been obscure glazed.

On 14 October 2021 the Planning Manager (Enforcement & Trees) authorised proceedings to issue a Breach of Condition Notice. It is considered expedient to instigate enforcement action, as the breach of condition is detrimental to residential amenity.

21/00269/ENFUNA



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**Land Adjacent To
High Bank Lane
Shipley**

26 January 2022

Item Number: C
Ward: SHIPLEY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
21/00269/ENFUNA

Site Location:
Land Adjacent To High Bank Lane Shipley West Yorkshire

Breach of Planning Control:
Unauthorised single storey building and timber structures

Circumstances:
In March 2021 it was noted that a single storey building and timber structures had been sited on the Green Belt land, for which the Council had no record of planning permission having been granted.

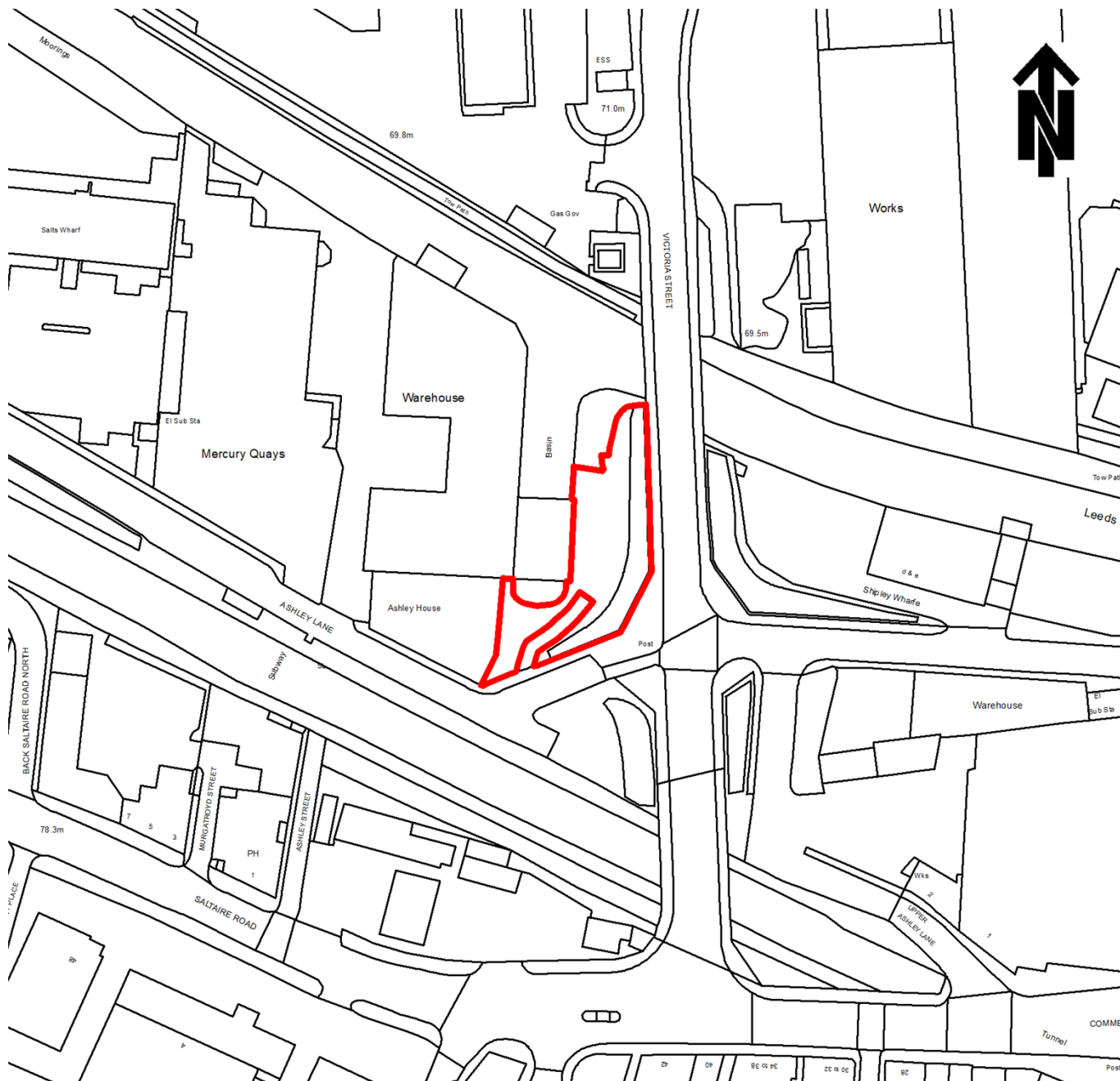
The land owner/occupier has been requested to take action to rectify the breach of planning control, however no action has been taken.

On 16th December 2021 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 building and timber structures are sited on designated Green Belt land and do not fall within any of the exceptions set out in National Planning Policy Framework paragraph 149. The single storey building and adjacent timber structures are considered to be inappropriate development in the Green Belt and to have a detrimental effect on the character of the landscape by virtue of their position, design and appearance, contrary to Policies SC7 and EN4 of the Council's adopted Core Strategy Development Plan Document.

21/00278/ENFCOU



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Land East Of Ashley House
Ashley Lane
Shipley
BD17 7DB

26 January 2022

Item Number: D
Ward: SHIPLEY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
21/00278/ENFCOU

Site Location:
Land East Of Ashley House Ashley Lane Shipley West Yorkshire BD17 7DB

Breach of Planning Control:
unauthorised use of land for the storage, processing and transfer of waste tyres.

Circumstances:
Inherent within the unauthorised use are issues of bulk storage and loading and unloading of bulk shipments. The use is over spilling the building leading to highway obstructions and harms pedestrian and highway safety as it restricts the free passage and manoeuvring of vehicles and leads to conflict between road users.

There are design and layout concerns and a fear of crime due to the over spilling and the location of the site in close proximity to a main railway line.

The unauthorised use spills out into the open and harms the character and appearance of the Leeds/Liverpool Canal conservation area and the setting of the Saltaire World Heritage Site

The unauthorised use is therefore contrary to the following policies of the Councils Local Development Plan Document, WDM1 unallocated sites (waste), WDM2 site specific criteria (waste) and relevant policies SC9, EN8, DS1, DS5 and EN3.

DECISIONS MADE BY THE SECRETARY OF STATE

Appeal Allowed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
E.	Wharfedale (ward 26)	11 Moss Brook Court Burley In Wharfedale Ilkley West Yorkshire LS29 7RZ Determination under Section 191 that the occupiers of the land and the previous owners of 11 Moss Brook Court, Burley In Wharfedale have been using the land as their garden continually since 2002 – 2003 - Case No: 21/00646/CLE Appeal Ref: 21/00073/APPCLE
F.	Wharfedale (ward 26)	51 Grangefield Avenue Burley In Wharfedale Ilkley West Yorkshire LS29 7HA Replace existing front dormer - Case No: 21/02894/HOU Appeal Ref: 21/00119/APPHOU

Appeals Dismissed

There are no Appeal Dismissed Decisions to report this month

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

Notice Upheld

There are no Notice Upheld to report this month

Notice Varied and Upheld

There are no Notice Varied and Upheld to report this month