

Report of the Strategic Director of Regeneration to the meeting of the Area Planning Panel (KEIGHLEY) to be held on 07 October 2010

F

Summary Statement - Part Two

Miscellaneous Items

	<u>No. of Items</u>
Items Considered Not Expedient to Pursue (page 22)	(9)
Decisions made by the Secretary of State – Allowed (page 27)	(9)
Decisions made by the Secretary of State – Dismissed (page 28)	(9)
Decisions made by the Secretary of State – Withdrawn (page 30)	(1)
Petitions to be Noted (page	(2)

Julian Jackson
Assistant Director (Planning)

Report Contact: Ian Wilson
Phone: 01274 434605

Email: ian.wilson@bradford.gov.uk

Portfolio:
Environment and Culture

Improvement Committee Area:
Regeneration and Economy



**ENFORCEMENT ENQUIRIES CLOSED BY
THE PLANNING MANAGER (ENFORCEMENT & TREES)/SENIOR ENFORCEMENT
OFFICER
AS NOT EXPEDIENT TO PURSUE**

Date: 07 October 2010

Item Number: 4

Ward: Keighley East
Complaint Ref No: 10/00770/ENFUNA
Recommendation: THAT THE REPORT BE NOTED

Description:
Extension

Address:
208A Bradford Road, Riddlesden, Keighley, BD20 5JT

Reason:
It is not considered that the breach should be pursued as there are no significant amenity issues to warrant further enforcement action.

Date Enforcement File Closed: 29 July 2010

Item Number: 5

Ward: Ilkley
Complaint Ref No: 09/00766/TPOCN
Recommendation: THAT THE REPORT BE NOTED

Description:
Excessive pruning

Address:
21 Eaton Road, Ilkley, LS29 9PU

Reason:
The breach of planning control is not expedient to pursue as the case is immune from action due to the time that has lapsed from the damage of the tree.

Date Enforcement File Closed: 23 July 2010

Item Number: 6
Ward: Keighley Central
Complaint Ref No: 10/00058/ENFUNA
Recommendation: THAT THE REPORT BE NOTED

Description:

Small radio aerial to front of property between fascia and first floor sill.

Address:

33 - 35 Church Street, Keighley, BD21 5HT

Reason:

It is not considered that this breach of planning control would cause any significant amenity or highway safety issue to warrant further enforcement action.

Date Enforcement File Closed: 1 September 2010

Item Number: 7
Ward: Worth Valley
Complaint Ref No: 10/00923/ENFAPP
Recommendation: THAT THE REPORT BE NOTED

Description:

Position of access door into integral garage and store relocated from front to side elevation.

Address:

49 Mytholmes Lane, Haworth, Keighley, BD22 8EZ

Reason:

It is not considered that this breach of planning control would cause any significant amenity or highway safety issue to warrant further enforcement action.

Date Enforcement File Closed: 25 August 2010.

Item Number: 8
Ward: Ilkley
Complaint Ref No: 10/00501/ENFUNA
Recommendation: THAT THE REPORT BE NOTED

Description:

Unauthorised 1.25 metre high fence erected to the front of the property.

Address:

84 Kings Road, Ilkley, LS29 9BZ

Reason:

It is considered that the residential amenity of the surrounding environment is not adversely affected as a result of the boundary fence. Any reduction in height of the fence to 1 metre would not significantly increase visibility for vehicles using the driveways of numbers 84 and 86 as there are hedges the same height and higher than the fence at either side.

Date Enforcement File Closed: 6 September 2010

Item Number: 9
Ward: Ilkley
Complaint Ref No: 09/00750/TPOCN
Recommendation: THAT THE REPORT BE NOTED

Description:

Tree felling

Address:

Ben Rhydding Methodist Church, Ben Rhydding Drive, Ilkley, LS29 8AY

Reason:

The breach of planning control is not expedient to pursue as replacement trees have been planted in a suitable location.

Date Enforcement File Closed: 23 July 2010

Item Number: 10
Ward: Worth Valley
Complaint Ref No: 09/01276/ENFUNA
Recommendation: THAT THE REPORT BE NOTED

Description:
Development

Address:
Far Dean Fields, Dean Edge Road, Oldfield, Keighley, BD22 0JP

Reason:
The container has been set into the hillside and turfed over for storage of animal feed. It is not considered that this breach of planning control would cause any significant amenity or highway safety issues to warrant further enforcement action.

Date Enforcement File Closed: 23 July 2010

Item Number: 11
Ward: Ilkley
Complaint Ref No: 10/00936/ENFUNA
Recommendation: THAT THE REPORT BE NOTED

Description:
Statue

Address:
St Margarets Church, Queens Road, Ilkley, LS29 9TZ

Reason:
It is not considered that the breach should be pursued as the design, materials used and size of the structure does not cause any detrimental residential amenity issues.

Date Enforcement File Closed: 12 August 2010

Item Number: 12
Ward: Keighley East
Complaint Ref No: 09/01529/ENFUNA
Recommendation: THAT THE REPORT BE NOTED

Description:
Caravans

Address:
Thwaites Garage, Yard Number 2, Thwaites Brow Road, Keighley, BD21 4NA

Reason:
It is not considered that this breach of planning control would cause any significant amenity or highway safety issue to warrant further enforcement action.

Date Enforcement File Closed: 1 September 2010

DECISIONS MADE BY THE SECRETARY OF STATE

Appeal Allowed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
13	Keighley East (ward 16)	284 Bradford Road Riddlesden Keighley BD20 5JU Retrospective planning permission for balcony and steps to the rear of property. - Case No: 09/05160/HOU Appeal Ref: 10/00045/APPHOU
14	Keighley East (ward 16)	3 Thurlestone Court East Morton Keighley BD20 5RG Retrospective application for conservatory to front of property - Case No: 09/05588/HOU Appeal Ref: 10/00042/APPFUL
15	Keighley East (ward 16)	3 Thurlestone Court East Morton Keighley BD20 5RG Unauthorised rear extension - Case No: 09/00186/ENFUNA Appeal Ref: 10/00046/APPENF
16	Keighley Central (ward 15)	36 Broadlands Keighley BD20 6HX Retrospective application for construction of conservatory to rear, conversion of integral garage to form extension to living accommodation. - Case No: 10/00334/HOU1 Appeal Ref: 10/00129/APPHOU
17	Worth Valley (ward 29)	9 Spinners Way Haworth Keighley BD22 8QN Construction of conservatory to rear - Case No: 10/01837/HOU Appeal Ref: 10/00141/APPHOU

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
18	Ilkley (ward 14)	Land At Railway Road And Mayfield Road Ilkley LS29 8JB Construction of replacement Tesco Class A1 food store with car parking, landscaping and associated works - Case No: 09/00857/FUL Appeal Ref: 10/00043/APPFUL
19	Craven (ward 09)	Land North Of Hawthorn Cottage Bar House Lane Keighley Construction of detached house - Case No: 10/00241/FUL Appeal Ref: 10/00083/APPFUL
20	Keighley Central (ward 15)	Second Floor 17 Lawkholme Crescent Keighley BD21 3NR Change of use of top floor from office to taxi control office - Case No: 09/03910/FUL Appeal Ref: 10/00066/APPFUL
21	Ilkley (ward 14)	Tesco Store Springs Lane Ilkley LS29 8UA Mixed use development to provide 5 no single storey B1/B8 class use business units (929sqm), office floor space (1858sqm) and residential care home (60 bedrooms) with associated car parking and landscaping works - Case No: 09/00871/OUT Appeal Ref: 10/00055/APPOUT

Appeal Dismissed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
22	Keighley East (ward 16)	155 Hermit Hole Halifax Road Keighley BD21 5HL Retention of car sales area and hardstanding - Case No: 10/00379/FUL Appeal Ref: 10/00106/APPFUL

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
23	Ilkley (ward 14)	2 Valley Road Ilkley LS29 8LR Construction of two storey dwelling in garden of existing house including demolition of double garage - Case No: 10/00169/FUL Appeal Ref: 10/00072/APPFUL
24	Keighley West (ward 17)	25 Staveley Way Keighley BD22 7ED Construction of 2 detached double garages - Case No: 10/00453/HOU Appeal Ref: 10/00071/APPFUL
25	Keighley East (ward 16)	34 Coles Way Riddlesden Keighley BD20 5DD Conservatory to front - Case No: 10/01400/HOU Appeal Ref: 10/00124/APPHOU
26	Keighley Central (ward 15)	36 Broadlands Keighley BD20 6HX Retrospective application for construction of detached private single garage to front - Case No: 10/00334/HOU Appeal Ref: 10/00092/APPHOU
27	Keighley West (ward 17)	41 Bracken Bank Grove Keighley BD22 7BG Construction of dwelling to side of property - Case No: 10/00079/FUL Appeal Ref: 10/00070/APPFUL
28	Keighley East (ward 16)	56 Redwood Close Long Lee Keighley BD21 4YG First floor extension above existing ground floor extension. - Case No: 10/01279/HOU Appeal Ref: 10/00147/APPHOU
29	Craven (ward 09)	Land To Rear Of 77 Bolton Road Silsden Construction of detached dwelling with associated parking - Case No: 09/05073/FUL Appeal Ref: 10/00041/APPFUL

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
30	Craven (ward 09)	Land West Of 89 - 115 Thornhill Road Steeton With Eastburn Construction of bungalow with detached garage and landscaping - Case No: 09/04778/FUL Appeal Ref: 10/00047/APPFUL

Appeals Upheld

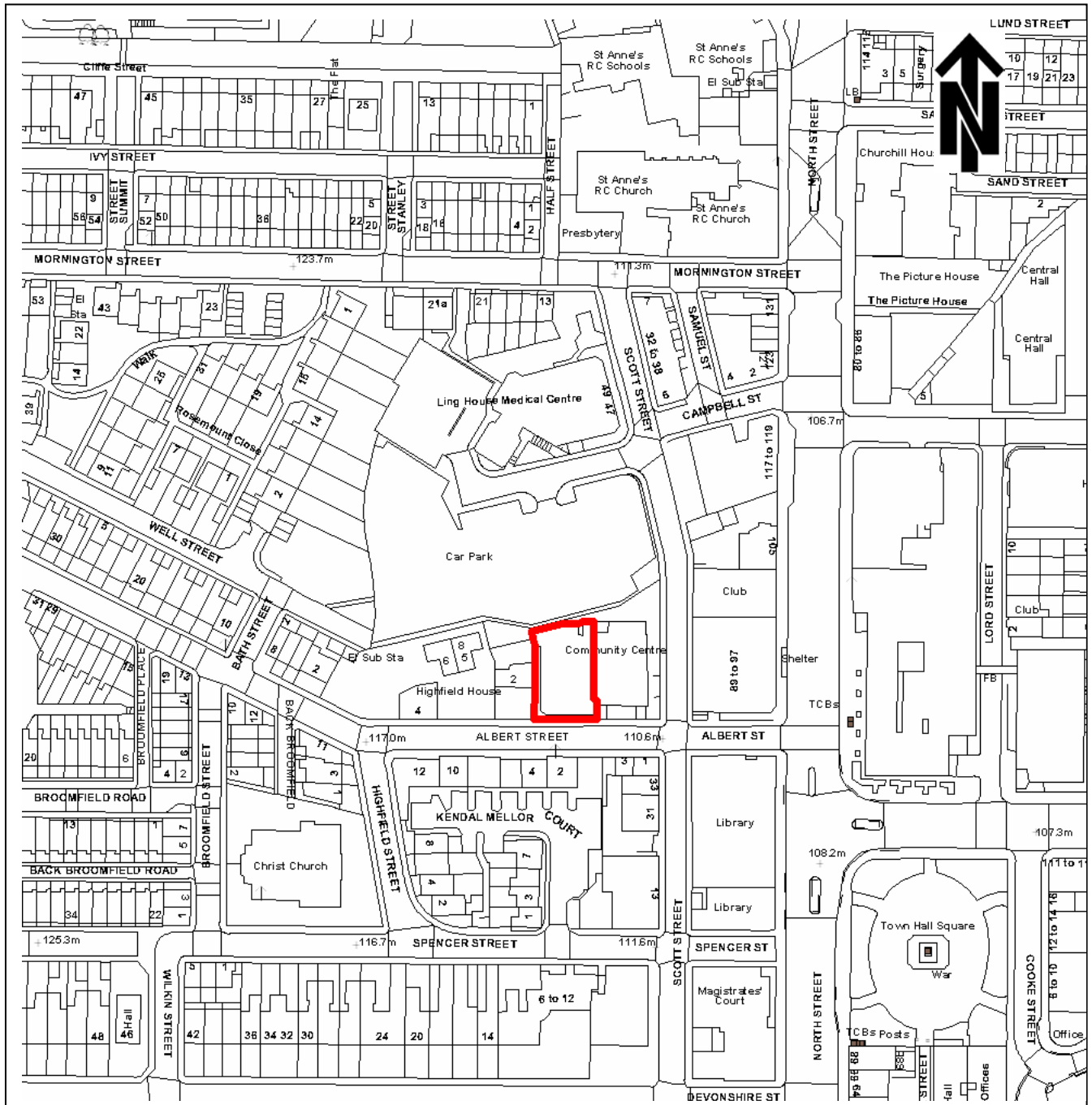
There are no Appeal Upheld Decisions to report this month

Appeal Withdrawn

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
31	Craven (ward 09)	2 Springfield Mount Addingham LS29 0JB Demolition of existing dwelling and construction of 2 detached dormer bungalows - Case No: 09/04880/FUL Appeal Ref: 10/00112/APPFUL

Area Planning Panel (Keighley)

7 October 2010



© Crown copyright 2000. All rights reserved (SLA 100019304)

<p>ITEM NO. : 32</p>	<p>LOCATION:</p> <p>Balti House Restaurant Brooks Building, Albert Street Highfield Lane, Keighley</p>
----------------------	--

7 October 2010

Item Number: 32
Ward: KEIGHLEY CENTRAL
Recommendation:
THAT THE PETITION BE NOTED

Report:

A petition dated 5 September has been received relating to the Balti House Restaurant, Albert Street, Keighley, BD21 2AT.

The petition, signed by 15 local residents, states:

We the undersigned wish to object any attempt to bring into use the first floor by the Balti House Restaurant or construction of a fire exit to bring the first floor into use. We the residents and the public are already adversely affected by the breach of conditions of opening hours and level of noise and nuisance from the customers and staff of the Balti House. During the week restaurant remains open for business until 12.00am and at weekend up to 2.00am. Any further extension will compound the problem and suffering of near by and local residents and will have grossly effect the quality of life.

The situation is as follows.

Planning permission for “change of use of property to restaurant” at Brooks Building, Albert Street (i.e. the building now occupied as ‘The Balti House’) was granted by decision notice dated 4 April 2003 (ref: 03/00267/COU).

Planning permission for “formation of a restaurant at first floor of property with internal alterations” was granted by decision notice dated 18 August 2003 (ref: 03/01930/FUL). This permission included change of use of the first floor to restaurant and operational development comprising a physical extension to provide an uplift in floor space from 550m² (existing) to 760m² (proposed) (figures taken from application form).

Both permissions carried conditions stating the premises ‘shall not be open for business between the hours of midnight and 0800 and no customer shall be served or otherwise make use of the premises between these hours’.

The Senior Planning Officer, by letter dated 15 July 2005, confirmed that an external fire escape staircase and external alterations to a first floor balustrade were accepted as amendments to approved plan ref: 03/01930/FUL. The letter noted that such acceptance was "subject to the fire escape being used only for that purpose and the balcony area not being used as a sitting out area for conservatory at first floor level".

The first floor extension approved under permission ref: 03/01930/FUL was implemented within the prescribed five years from the date of decision and is therefore lawful. Since that permission also authorised use of the first floor as a restaurant, that use may also commence at any time without further planning permission being required. The external fire escape staircase (approved by letter dated 15 July 2005) may also be constructed.

There is currently some uncertainty as to whether the approved amendment staircase can be constructed due to site limitations. The Balti House have been advised that a new application would be required if it was found that the approved stair could not be constructed. Building Control officers are also currently reconsidering the escape requirements at the property.

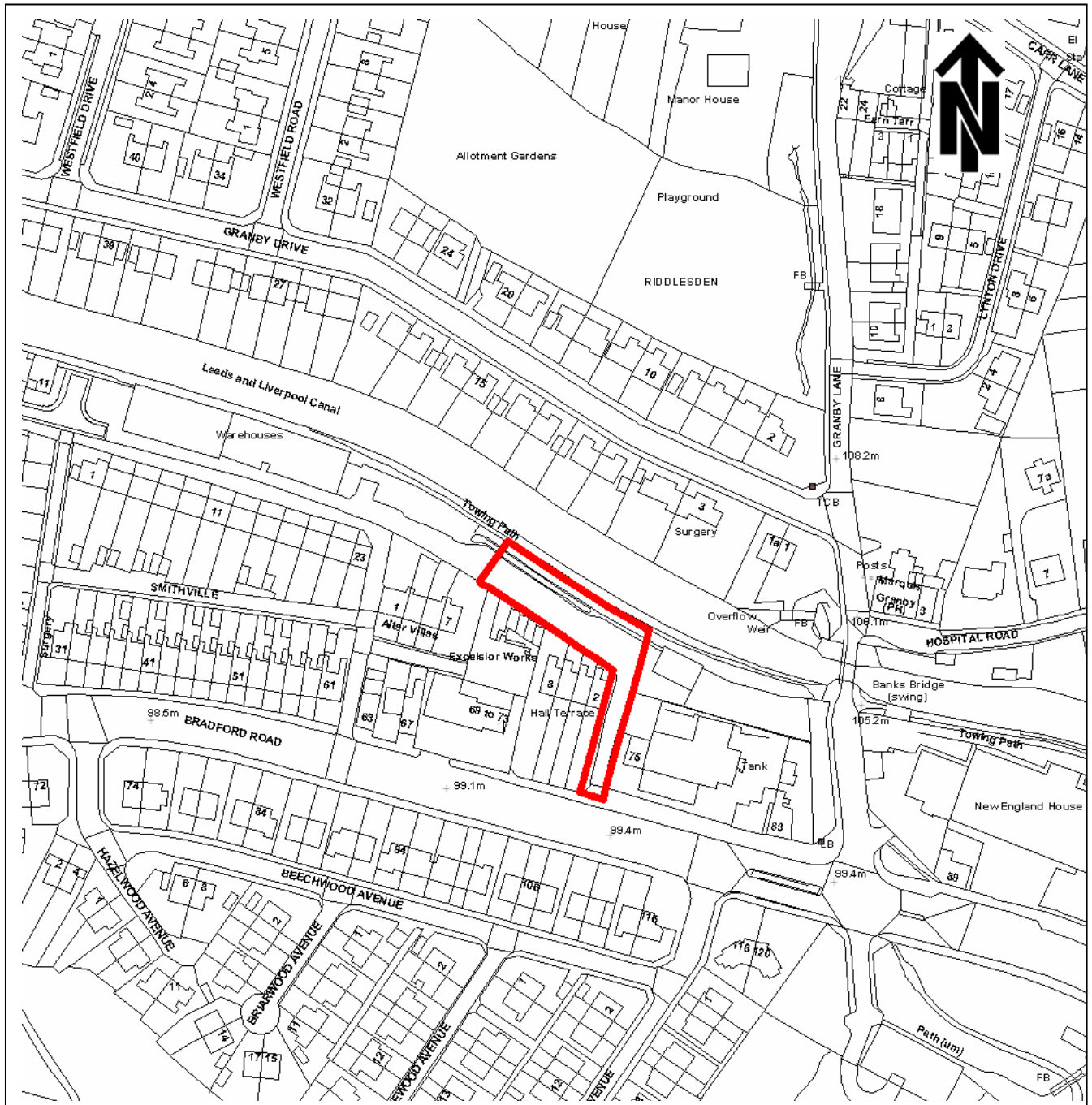
Alleged breaches relating to hours of operation are currently being investigated under enforcement reference 10/00412/ENFUNA.

In conclusion, it is recommended that Members note the petition.

Area Planning Panel (Keighley)

10/03401/FUL

7 October 2010



© Crown copyright 2000. All rights reserved (SLA 100019304)

<p>ITEM NO. : 33</p>	<p>LOCATION: Land North Of Hall Terrace Bradford Road, Riddlesden Keighley</p>
-----------------------------	--

7 October 2010

Item Number: 33
Ward: KEIGHLEY EAST
Recommendation:
RECEIPT OF TWO PETITIONS TO BE NOTED

Application Number:
10/03401/FUL

Type of Application/Proposal and Address:

Construction of 3 no dwellings on land north of Hall Terrace, Bradford Road, Riddlesden, Keighley.

Report:

Two petitions were received on 8 September 2010 objecting to the above planning application.

One petition – containing 61 signatures – objects on the grounds that the development would remove access between the canal towpath and Hall Terrace. The other – 85 signatures – that it would severely restrict vehicular access for residents and businesses in Hall Terrace, that new residents might complain about engines and stoves from moored boats so threatening the canal mooring site, and that the development would reduce local amenity. It also notes that the existing access to the towpath from Hall Terrace should be maintained.

The proposal has also generated 89 letters of objection to date.

Not all signatories/objectors live locally.

The application raises a number of concerns for officers relating to adverse impact on the character and appearance of the Leeds and Liverpool Canal Conservation Area; loss of residential amenity for neighbours; traffic and congestion concerns; and inaccurate drawings. Accordingly, as the views of the petitioners correspond with the recommendation of the case officer to refuse the application, the application will be refused under officer's delegated powers.

However, in accordance with established protocols receipt of the petitions are being referred to the Panel for noting.
