

Agenda for a meeting of the Area Planning Panel (Bradford) to be held on Wednesday, 27 September 2017 at 10.00 am in Committee Room 1 - City Hall, Bradford

Members of the Committee – Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT AND INDEPENDENT
Barker Shaw	S Hussain Wainwright Azam Watson	Stelling

Alternates:

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT AND INDEPENDENT
Ellis Whiteley	Duffy Lal Lee	Griffiths

Notes:

- This agenda can be made available in Braille, large print or tape format on request by contacting the Agenda contact shown below.
- The taking of photographs, filming and sound recording of the meeting is allowed except if Councillors vote to exclude the public to discuss confidential matters covered by Schedule 12A of the Local Government Act 1972. Recording activity should be respectful to the conduct of the meeting and behaviour that disrupts the meeting (such as oral commentary) will not be permitted. Anyone attending the meeting who wishes to record or film the meeting's proceedings is advised to liaise with the Agenda Contact who will provide guidance and ensure that any necessary arrangements are in place. Those present who are invited to make spoken contributions to the meeting should be aware that they may be filmed or sound recorded.
- If any further information is required about any item on this agenda, please contact the officer named at the foot of that agenda item.
- **A legal briefing for all Members will take place at 0930 in Committee Room 1 on the day of the meeting.**
- Applicants, objectors, Ward Councillors and other interested persons are advised that the Committee may visit any of the sites that appear on this Agenda during the day of the meeting, without prior notification. The Committee will then reconvene in the meeting room after any visits in order to determine the matters concerned.
- At the discretion of the Chair, representatives of both the applicant(s) and objector(s) may be allowed to speak on a particular application for a maximum of five minutes in total.

From:

Parveen Akhtar
City Solicitor
Agenda Contact: Claire Tomenson
Phone: 01274 432457
E-Mail: claire.tomenson@bradford.gov.uk

To:

A. PROCEDURAL ITEMS

1. ALTERNATE MEMBERS (Standing Order 34)

The City Solicitor will report the names of alternate Members who are attending the meeting in place of appointed Members.

2. DISCLOSURES OF INTEREST

(Members Code of Conduct - Part 4A of the Constitution)

To receive disclosures of interests from Members and co-opted members on matters to be considered at the meeting. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the Member during the meeting.

Notes:

- (1) Members may remain in the meeting and take part fully in discussion and voting unless the interest is a disclosable pecuniary interest or an interest which the Member feels would call into question their compliance with the wider principles set out in the Code of Conduct. Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (2) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.*
- (3) Members are also welcome to disclose interests which are not disclosable pecuniary interests but which they consider should be made in the interest of clarity.*
- (4) Officers must disclose interests in accordance with Council Standing Order 44.*

3. MINUTES

Recommended –

That the minutes of the meetings held on 12 April and 6 July 2017 be signed as a correct record.

(Claire Tomenson – 01274 432457)

4. INSPECTION OF REPORTS AND BACKGROUND PAPERS

(Access to Information Procedure Rules – Part 3B of the Constitution)

Reports and background papers for agenda items may be inspected by contacting the person shown after each agenda item. Certain reports and background papers may be restricted.

Any request to remove the restriction on a report or background paper should be made to the relevant Strategic or Assistant Director whose name is shown on the front page of the report.

If that request is refused, there is a right of appeal to this meeting.

Please contact the officer shown below in advance of the meeting if you wish to appeal.

(Claire Tomenson - 01274 432457)

5. PUBLIC QUESTION TIME

(Access to Information Procedure Rules – Part 3B of the Constitution)

To hear questions from electors within the District on any matter which is the responsibility of the Panel.

Questions must be received in writing by the City Solicitor in Room 112, City Hall, Bradford, by mid-day on Monday 25 September 2017.

(Claire Tomenson - 01274 432457)

B. BUSINESS ITEMS

6. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL 1 - 14

The Panel is asked to consider the planning applications which are set out in **Document “E”** relating to items recommended for approval or refusal.

The sites concerned are:

- (a) 102 Beechwood Avenue, Bradford (Approve) **Wibsey**
- (b) 71 Beacon Road, Bradford (Approve) **Wibsey**

(Mohammed Yousuf – 01274 434605)

7. MISCELLANEOUS ITEMS

15 - 44

The Panel is asked to consider other matters which are set out in **Document “F”** relating to miscellaneous items:

- (a) – (m) Requests for Enforcement/Prosecution Action
- (n) – (o) Decisions made by the Secretary of State – Allowed
- (p) – (q) Decisions made by the Secretary of State – Dismissed

(Mohammed Yousuf - 01274 434605)

THIS AGENDA AND ACCOMPANYING DOCUMENTS HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER

Report of the Strategic Director of Place to the meeting of the Area Planning Panel (BRADFORD) to be held on 27 September 2017

E

Summary Statement - Part One

Applications recommended for Approval or Refusal

The sites concerned are:

<u>Item</u>	<u>Site</u>	<u>Ward</u>
A.	102 Beechwood Avenue Bradford BD6 3AN - 17/03045/HOU [Approve]	Wibsey
B.	71 Beacon Road Bradford BD6 3ET - 17/03281/FUL [Approve]	Wibsey

Julian Jackson
Assistant Director (Planning, Transportation and Highways)

Report Contact: Mohammed Yousuf
Phone: 01274 434605

Email: mohammed.yousuf@bradford.gov.uk

Portfolio:
Regeneration, Planning and Transport

Overview & Scrutiny Committee:
Regeneration and Economy

17/03045/HOU



1:1,250

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**102 Beechwood Avenue
Bradford
BD6 3AN**

27 September 2017

Item: A
Ward: WIBSEY
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
17/03045/HOU

Type of Application/Proposal and Address:

This is a householder planning application relating to 102 Beechwood Avenue, Bradford, BD6 3AN, where permission is sought for a single storey side extension, a single storey rear extension, a hip to gable roof alteration and front and rear box style dormer windows.

Applicant:

Asif Butt

Agent:

Zeshan Khawaja

Site Description:

102 Beechwood Avenue is one of a pair of like designed semi-detached dwellings set in an established residential street scene comprising dwellings of a similar appearance and character, albeit some are in the form of short terraces. The properties are stone built surmounted by a hipped slate roof. The layout of the street scene is relatively uniform with the properties benefiting from front and rear gardens as well as the majority having good sized driveways running to the side.

Relevant Site History:

Not applicable.

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

The Local Plan for Bradford:

The Core Strategy for Bradford was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents.

Proposals and Policies

DS1 – Achieving Good Design
DS3 – Urban character
DS5 – Safe and Inclusive Places
TR2 – Parking Policy

Parish Council:

Not applicable.

Publicity and Number of Representations:

The application has been publicised by individual neighbour notification letters. The publicity period expired on 13 June 2017. 17 representations have been received, 14 in objection and 3 supporting the proposed works.

Summary of Representations Received:

The representations in objection do so on the following grounds:

- Precedent
- Visual harm
- Out of character
- Traffic issues
- Overshadowing
- Drainage issues
- Impact on the value of properties

The representations received in support cite the following reasons:

- The works are sympathetic to the appearance of the dwelling
- The works bring the dwelling up to modern standards
- There are other similar dormer windows in the Wibsey area

Consultations:

Not applicable.

Summary of Main Issues:

1. Principle.
2. Residential Amenity.
3. Visual Amenity.
4. Highway Safety.
5. Other Issues raised in the representations.

Appraisal:

1. Principle

There are no policies that would seek to resist the principle of extending this domestic property.

It is also worthy of note that the hip to gable roof alteration and the rear dormer window proposed can be constructed without prior planning approval under class B of the General Permitted Development Order 2015. So whilst the roof alteration could be seen to result in a roof form which would unbalance the symmetry of the semi-detached pair of dwellings, as it would constitute permitted development under class B of the General Permitted Development Order, a refusal of the application on this basis would serve little merit.

The side and rear extensions and the front dormer window however fall beyond what could be constructed under the provisions of the General Permitted Development Order 2015.

2. Residential Amenity

As the roof alteration and rear dormer window can be constructed without prior planning approval, any impact from these aspects could not ultimately be resisted, however, notwithstanding, these aspects are not anticipated to result in any harm to the amenity of neighbouring residents. The rear dormer window overlooks the rear garden and has a satisfactory spacing distance between neighbouring gardens and neighbouring habitable rooms so as not to be considered a threat to the occupant's privacy. The distances stipulated in the HSPD are 7m and 17m respectively and these are adequately complied with. The increase in massing from the roof alteration is modest and set approximately 2.7m from the shared boundary, a distance that is approximately doubled to the neighbouring property, at this distance it is unlikely to result in a significant change to the relationship between the two properties or a significant increase in the level of overshadowing experienced.

The front dormer window proposed also comfortably meets the spacing distances required by the HSPD.

In terms of the two extensions proposed, whilst these do require planning permission it should be noted that the reason permission is required is solely down to the heights. Lean-to extensions as proposed could be constructed under class A of the General Permitted Development Order 2015 if the maximum height does not exceed 4m, and the eaves height does not exceed 3m. The proposed extensions remain single storey, but exceed these heights restrictions by approximately 0.7m in both instances. The additional height requirement is due to the difference between internal and external levels, and the desire to provide a single internal floor level and a suitable pitch to the roofs. The increase in height is not anticipated to cause any significant implications for the neighbouring residents. In any event the modest extensions are considered to accord with the design guidance contained within the HSPD. The rear extension projects 3m at a single storey height so would not physically dominate, significantly damage outlook or result in an unacceptable loss of light.

It is also worthy of note that a similar scale conservatory will be replaced to facilitate this aspect of the proposal. In terms of the side extension, there is a window in the side elevation of the neighbouring property, which appears to serve a kitchen, but this window already has restricted outlook and given the separation distance and the single storey height of the proposed side extension this relationship should not be significantly worse. In terms of reducing natural light, the extension will not break a 25 degree line taken from the middle of the window as detailed in the HSPD.

It is therefore concluded that in residential amenity terms the proposal satisfies the requirements of the HSPD and policy DS5 of the Local Plan for Bradford.

3. Visual Amenity

As noted above, whilst the roof alteration could be seen to result in a roof form which would unbalance the symmetry of the semi-detached pair of dwellings, and adversely impact the uniformity of the street scene, as it would constitute permitted development under class B of the General Permitted Development Order, a refusal of the application on this basis would serve little merit. It is noteworthy that under this legislation this type of roof alteration is becoming more and more common place in the Bradford District. The same can be said for the rear dormer window, albeit sited to the rear the visual impact of this aspect is negligible.

In respect of the front dormer window, the HSPD seeks to create a cohesive approach to new dormer windows where planning permission is required. To this end, Design Principle 1 stipulates the size position and form of dormer windows should maintain or improve the character and quality of the original building and wider area. In order to achieve this the guidance states that box-style dormer windows should have a maximum width of 3m, these should be positioned below the ridge height and back from the front wall, have cladding to the side only and ensure a vertical emphasis in the window layout. Where possible the dormer window should also be aligned with the windows below. The front dormer window proposed is considered to satisfy these requirements.

The proposed rear and side extensions are also considered sympathetic additions to the property, and with the use of matching materials as proposed will again maintain the appearance of the dwelling and wider street scene.

The proposal is considered in accordance with the requirements of the HSPD and policies DS1 and DS3 of the Local Plan for Bradford.

4. Highway Safety

The property will retain off street parking for two vehicles tandem parked on the existing drive which is in accordance with policy TR2 of the Local Development Plan for Bradford. Furthermore, off street parking is also readily available within the locality, as well as good access to public transport links. No highway safety concerns are therefore envisaged.

5. Other Issues raised in the representations

Precedent – Each application is judged on its own merits and against the requirements of national and local planning policy.

Drainage – It is not anticipated that the alterations will have a significant impact on the drainage arrangements, but the implications and any required remedial work will form part through building regulations.

Impact on value of property – This is not a material planning consideration and cannot be considered as part of the planning appraisal.

Community Safety Implications:

There are no apparent community safety implications.

Equality Act 2010, Section 149:

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

Reason for Granting Planning Permission:

The proposed extensions and front dormer window are considered to relate satisfactorily to the character of the existing dwelling and adjacent properties. The impact of the extension upon the occupants of neighbouring properties has been assessed and it is considered that it will not have a significant adverse effect upon their residential amenity. As such this proposal is considered to be in accordance with Policies DS1, DS3 and DS5 of the Local Plan for Bradford and those contained within the Householder Supplementary Planning Document.

The proposed hip to gable roof alteration and rear dormer window whilst not in strict accordance with the HSPD would constitute permitted development under the provision of Class B of the General Permitted Development Order 2015.

Conditions of Approval:

1. 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).

2. The development hereby permitted shall be constructed of facing and roofing materials to match the existing building as specified on the submitted application.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies DS1 and DS3 of the Local Plan for Bradford.

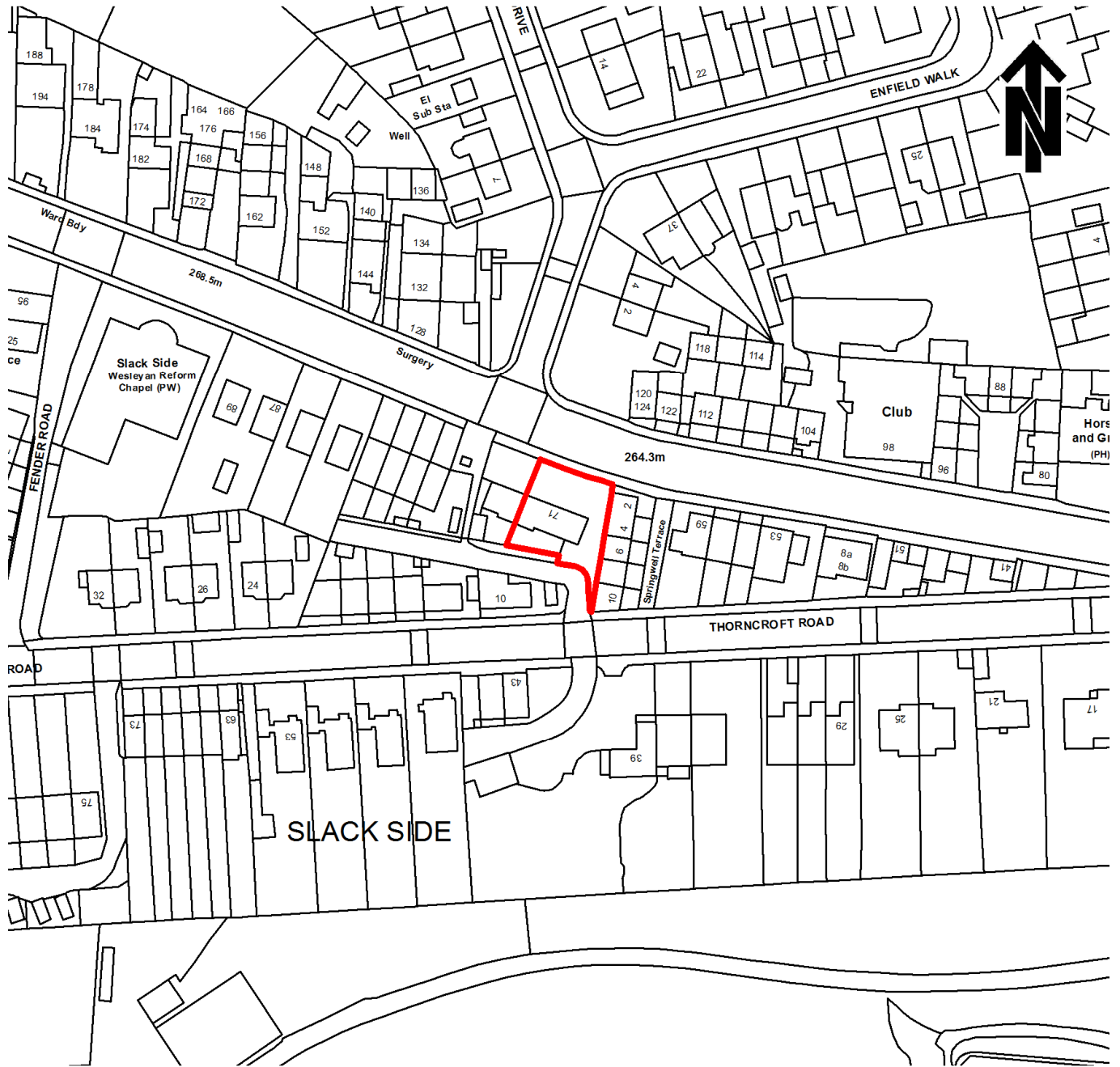
3. The dormer(s) hereby permitted shall be clad in materials to match the roof of the existing building as specified on the submitted application.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies DS1 and DS3 of the Local Plan for Bradford.

4. The new window(s) in the gable elevation(s) hereby permitted shall be glazed in obscure glass prior to the first occupation of the building/extension and thereafter retained.

Reason: To prevent additional overlooking or loss of privacy to adjacent occupiers and to accord with Policy DS5 of the Local Plan for Bradford.

17/03281/FUL



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**71 Beacon Road
Bradford
BD6 3ET**

27 September 2017

Item: "item number"
Ward: WIBSEY
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
17/03281/FUL

Type of Application/Proposal and Address:

A full planning permission is sought for the formation of enlarged existing front porch and a lobby extension to the rear at 71 Beacon Road, Bradford.

Applicant:

Mr Zahoor Ahmed

Agent:

Michael Ainsworth Design Partnership

Site Description:

The site lies south of Beacon Road within a predominately residential setting. The site comprises a two-storey semi-detached building facing onto Beacon Road which appears to be constructed of natural stone and has been painted over with a white masonry paint finish. The adjoining building is in a residential use.

Relevant Site History:

88/00005/COU Change of use of dwelling to doctors surgery with flat over. Planning permission Granted on 25.03.1988.

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

The Local Plan for Bradford

The Core Strategy for Bradford was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. The site is not allocated for any specific land-use in the RUDP. Accordingly, the following adopted Core Strategy and saved RUDP policies are applicable to this proposal.

Proposals and Policies

DS1 – Achieving good design

DS3 – Urban character

DS4 - Street and movement

SC9 – Making great places

TR2 – Parking policy

Parish Council:

Not applicable.

Publicity and Number of Representations:

The application was publicised by way of site notices and neighbour notification letters. The overall expiry date was 12 July 2017. 28 objection letters were received.

Summary of Representations Received:

The following is a summary of the issues raised:

1. Front and rear extension would displace existing parking provisions
2. Works (window grills/signage) have been carried out without the benefit of planning permission/consent. Grills will devalue house prices and would lower tone of area.
3. Application has not been advertised by Site notices and neighbour notification letter. Site notice put up one day before comments close
4. Highway issues including fatalities and accidents have occurred on Beacon Road.
5. Users of the Application building cause various highway issues to nearby residents and other unsocial issues.
6. Other uses including D1 uses have to provide parking provisions and suitable access.
7. Mosque too close to an existing church.
8. Planning permission not been granted for mosque including upstairs which was previously used as a flat.

Consultations:

Drainage: No objections raised.

Highways: No objections raised.

Summary of Main Issues:

Design/appearance and Accessibility.

Highway issues.

Other matters raised by representations.

Appraisal:

Design/Appearance and Accessibility

The proposed front extension is to an existing porch and to the rear a proposed lobby extension area is proposed. Both entrances would incorporate internal ramps to create ease of use with those with mobility impairment. The proposed walling would be reclaimed stone with render and concrete tiles for the roofing. Both the porch and lobby features would be of an acceptable scale and design relative to the host premises and would not unduly disrupt the frontage in terms of character and scale and therefore would comply with Policy DS1, DS3 and SC9 of the Councils Core strategy.

Highway Safety

The proposed porch and lobby would encompass the front and rear of the building extending the footprint of the existing structures. The proposal would not affect the existing parking situation. The small scale additional floor area of 10.8sqm would not lead to an intensification of use of the site. As such there are no highway objections to raise about the proposed development in compliance with Policy DS4 and TR2 of the Councils Core Strategy.

Other matters raised by representations

1. Front and rear extension would displace existing parking provisions.

Comment: The extensions would extend a small area beyond the existing footprint of the existing structures with no adverse impact on existing car parking provisions.

2. Works (window grills/signage) have been carried out without the benefit of planning permission/consent. Grills will devalue house prices and would lower tone of area.

Comment: The Applicants have been challenged on the grills and signage and it is expected that retrospective applications would be forthcoming.

3. Application has not been advertised by Site Notices and neighbour notification letter. Site Notice put up one day before comments close.

Comment: The application was advertised by way of neighbour notification letters and a site notice was placed on a nearby lamppost on 16 July 2017. Representations are considered up to the time of the decision and representations received after the publicity period have indeed been recorded in this report.

4. Highway issues including fatalities and accidents have occurred on Beacon Road.

Comment: On Beacon Road, within 100m of the site, there has been one accident recorded within the last five years at its junction with Enfield Drive. There have been no accidents recorded on Thorncroft Road or the back access within the last five years. Highway issues have been addressed in the body of the report in particular the proposals would be unlikely to affect the existing parking situation.

5. Users of the application building cause various highway issues to nearby residents and other unsocial issues.

Comment: There is an expectation that all road users abide by the Highway Code.

6. Other uses including D1 uses have to provide parking provisions and suitable access.

Comment: All applications for new uses are considered on their respective merit.

7. Mosque too close to an existing church.

Comment: Officers agree with the observation that the mosque and a church are located in the area.

8. Planning permission has not been granted for a mosque.

Comment: The previous planning history is detailed above under relevant planning history.

Community Safety Implications:

There are no apparent community safety implications. The safety implications expressed via representations have been addressed.

Equality Act 2010, Section 149:

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance quality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

Reason for Granting Planning Permission:

The proposed development would not result in significant harm in terms of residential amenity and highway safety. The proposed development therefore accords with policies DS1, DS3, SC9, DS4 and TR2 Councils Core Strategy.

Conditions of Approval:

1. 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).

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Report of the Strategic Director of Place to the meeting of the Area Planning Panel (BRADFORD) to be held on 27 September 2017

F

Summary Statement - Part Two

Miscellaneous Items

	<u>No. of Items</u>
Requests for Enforcement/Prosecution Action	(13)
Decisions made by the Secretary of State - Allowed	(2)
Decisions made by the Secretary of State - Dismissed	(2)

Julian Jackson
Assistant Director (Planning, Transportation and Highways)

Report Contact: Mohammed Yousuf
Phone: 01274 434605

Email: mohammed.yousuf@bradford.gov.uk

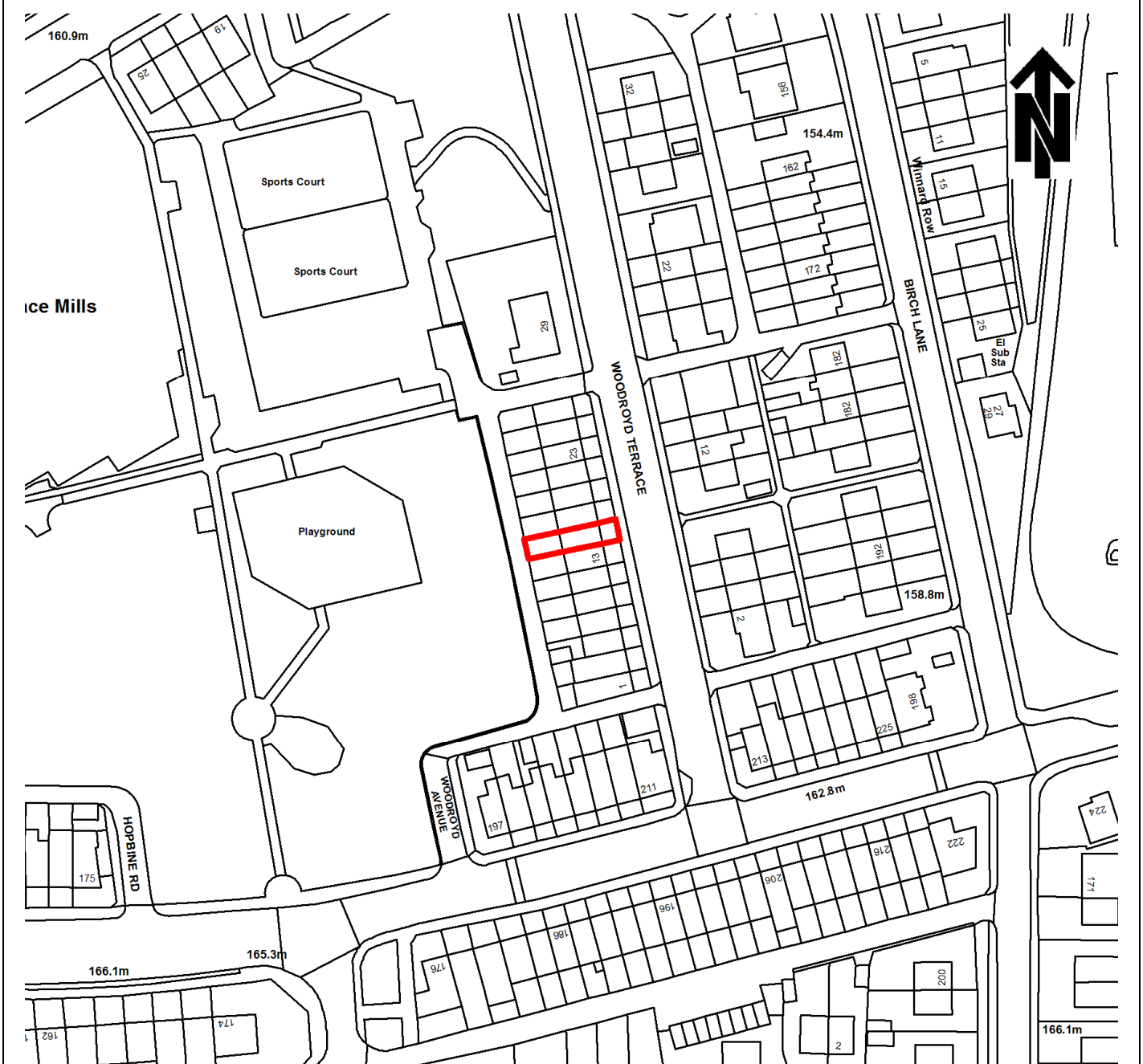
Portfolio:
Regeneration, Planning and Transport

Overview and Scrutiny Committee:
Regeneration and Economy

16/00524/ENFUNA



City of
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METROPOLITAN DISTRICT COUNCIL



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15 Woodroyd Terrace
Bradford
BD5 8PQ

27 September 2017

Item: A
Ward: LITTLE HORTON
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
16/00524/ENFUNA

Site Location:
15 Woodroyd Terrace, Bradford, BD5 8PQ.

Breach of Planning Control:
Without planning permission the erection of a porch to the front of the property.

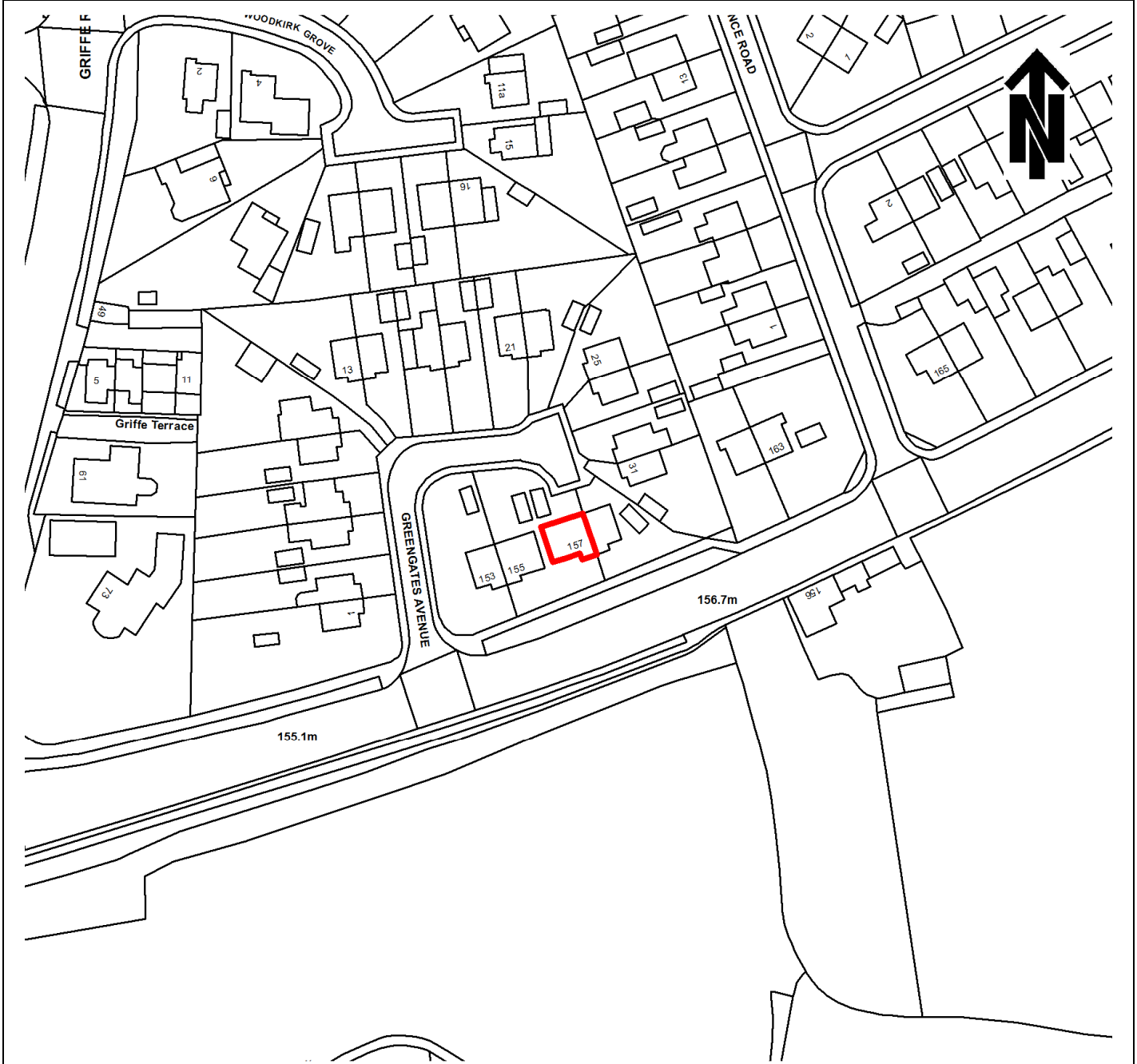
Circumstances:
The Council has received a complaint regarding the above development for which planning permission is required and has not been obtained.

A retrospective planning application for the aforementioned development was refused 14 February 2017.

The porch is detrimental to the visual character of the street scene and the uniform terraced row due to its footprint and width across the front of the property in a very prominent position.

On 8 September 2017 the Planning Manager (Enforcement and Trees) authorised enforcement action requiring the demolition of the porch and removal of the resulting materials.

16/01124/ENFUNA



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157 Whitehall Road
Wyke
Bradford
BD12 9LE

27 September 2017

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

Enforcement Reference:
16/01124/ENFUNA

Site Location:
157 Whitehall Road, Wyke, Bradford, BD12 9LE

Breach of Planning Control:
Without planning permission the construction of a rear dormer window.

Circumstances:
Following a complaint received in this office; a site visit revealed that a dormer window had been constructed to the rear of the premises for which planning permission was required but not obtained.

A retrospective planning application for the dormer window was refused on 29 August 2017.

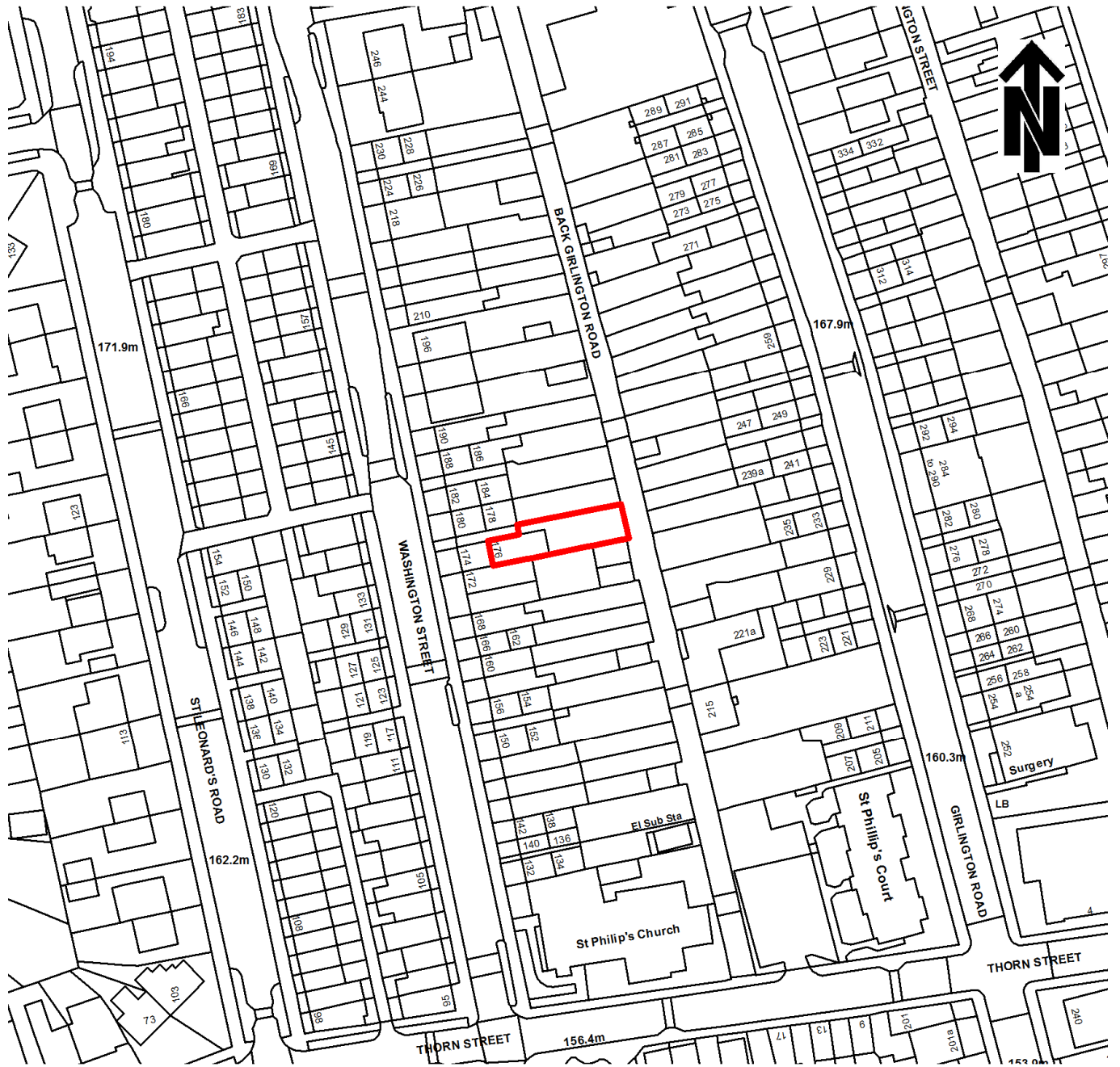
The rear dormer window presents an incongruous and visually dominant feature in the street scene to the detriment of the visual appearance of the locality due to its scale, design and materials.

Enforcement action was authorised by the Planning Manager (Enforcement and Trees) on 8 September 2017 requiring the demolition of the rear dormer window and reinstatement of the roof plane.

16/00665/ENFUNA



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176 Washington Street
Bradford
BD8 9QR

27 September 2017

Item: C
Ward: TOLLER
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
16/00665/ENFUNA

Site Location:
176 Washington Street, Bradford, BD8 9QR

Breach of Planning Control:
Without planning permission the erection of an outbuilding to the front of the property.

Circumstances:
Following complaints received in this office, a site visit revealed that an outbuilding had been erected at the above premises without the necessary planning permission. Despite requests, the owners of the premises have taken no action to rectify the breach of planning permission.

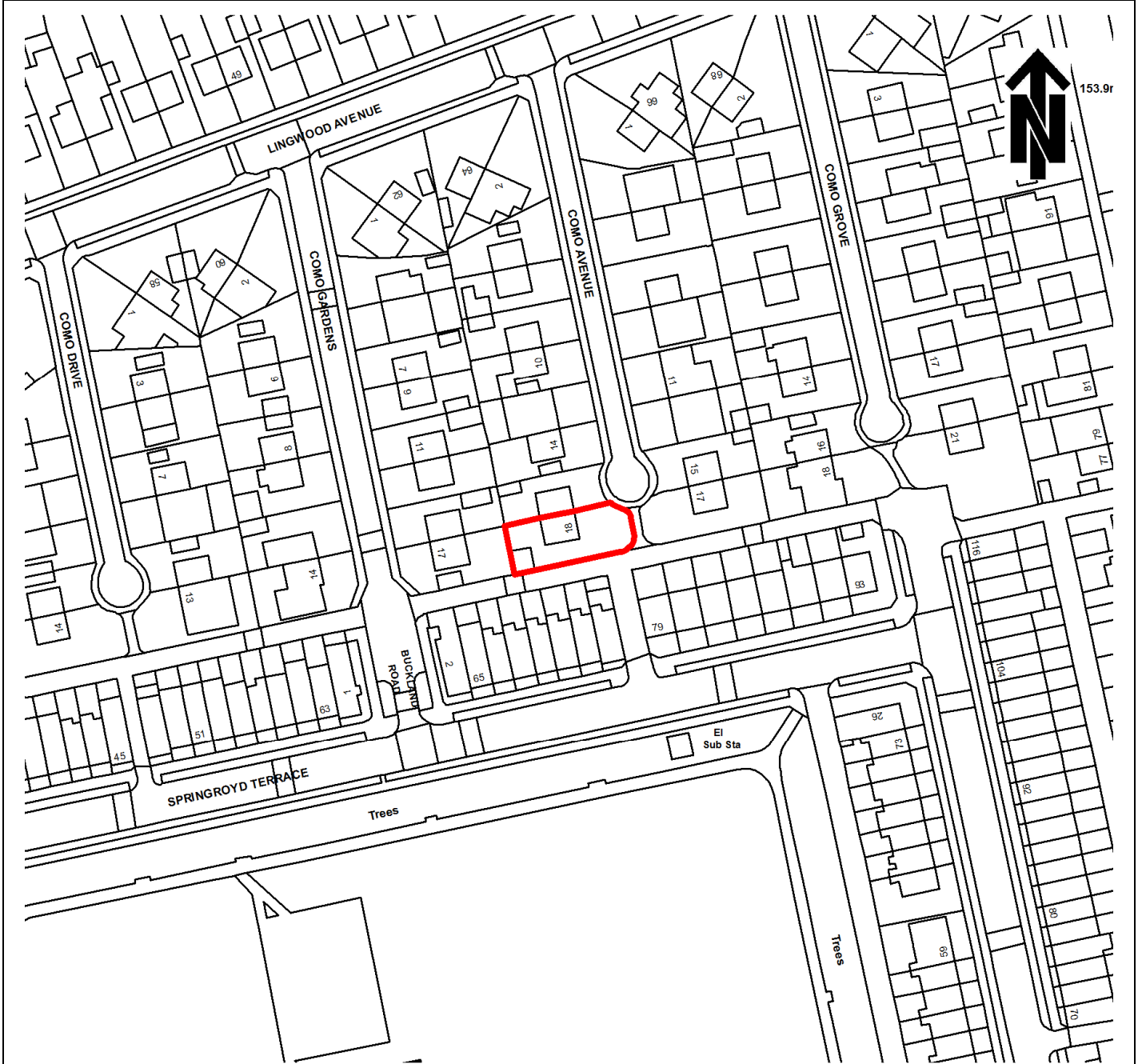
The detached outbuilding is located within a prominent position in the street scene, its scale, design and proximity to the highway result in an obtrusive and over dominant visual appearance within the street scene and is detrimental to its predominantly open character.

On 26 July 2017 the Planning Manager (Enforcement and Trees) authorised Enforcement Action requiring the demolition of the outbuilding and removal of the resulting materials.

14/00734/ENFUNA



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METROPOLITAN DISTRICT COUNCIL



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18 Como Avenue
Bradford
BD8 9PZ

27 September 2017

Item: D
Ward: TOLLER
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
14/00734/ENFUNA

Site Location:
18 Como Avenue, Bradford, BD8 9PZ.

Breach of Planning Control:

Without planning permission the construction of a two storey side and rear extension that does not accord strictly with the terms of planning permission 14/03339/HOU.

Circumstances:

Following complaints received in this office, a site visit revealed that the two storey side and rear extension has not been constructed strictly in accordance with the terms of the planning permission granted.

The unauthorised extension introduces windows at first floor level which overlook and are overlooked by habitable room windows of the existing properties at close quarters to the detriment of the residential amenity and privacy of existing and future residents.

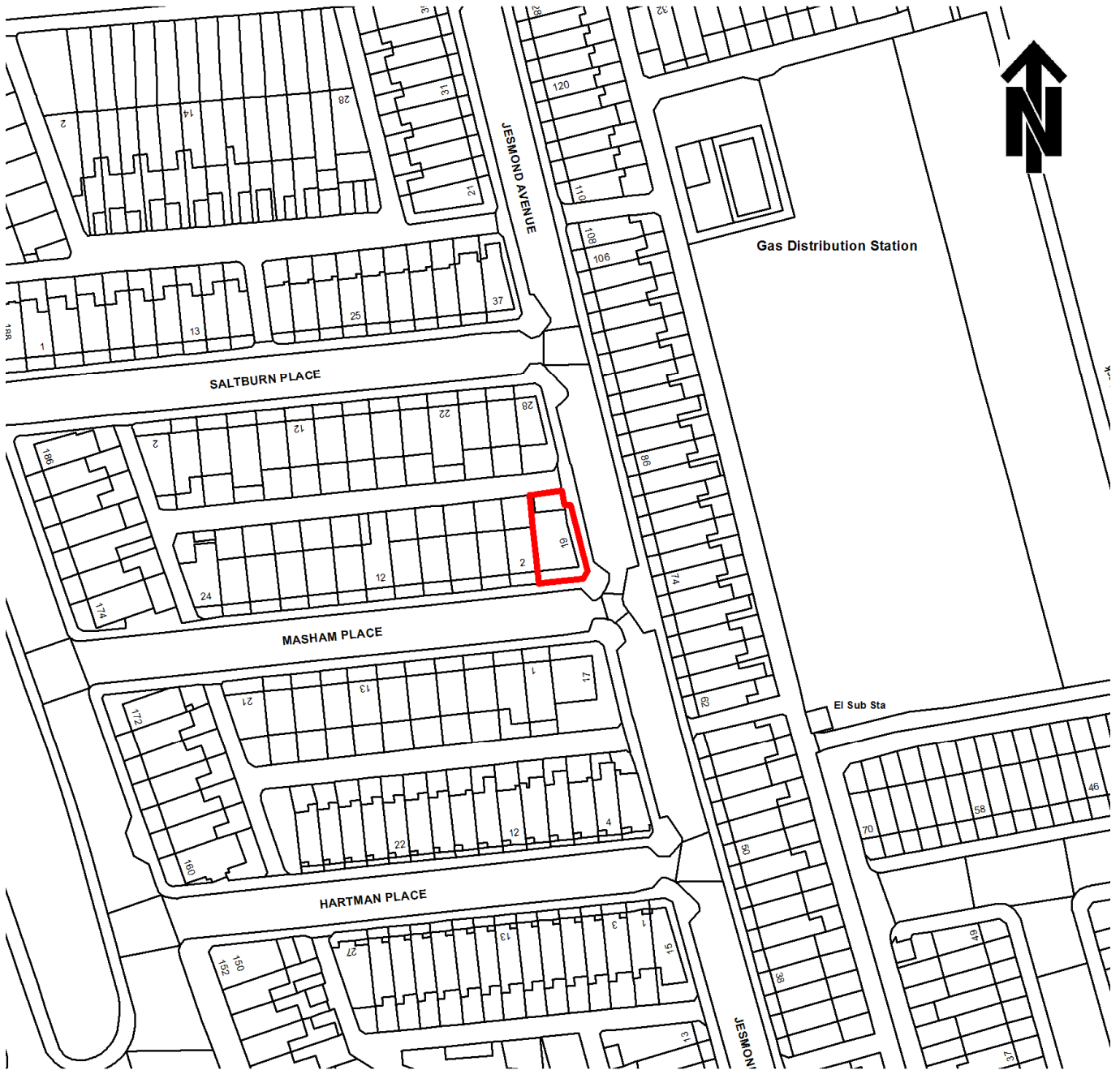
The Planning Manager (Enforcement and Trees) authorised enforcement action on 26 July 2017, requiring either:

- The demolition of the extensions and removal of the resulting materials and make good any damage caused to the property as a result of the demolition;
- or
- Block up the bedroom windows within the rear elevation of the extension and replace with high level cill windows as shown on drawing No. 22/13/01A attached to the planning permission.
-

16/00610/ENFUNA



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METROPOLITAN DISTRICT COUNCIL



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19 Jesmond Avenue
Bradford
BD9 5DJ

27 September 2017

Item: E
Ward: TOLLER
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
16/00610/ENFUNA

Site Location:
19 Jesmond Avenue, Bradford, BD9 5DJ

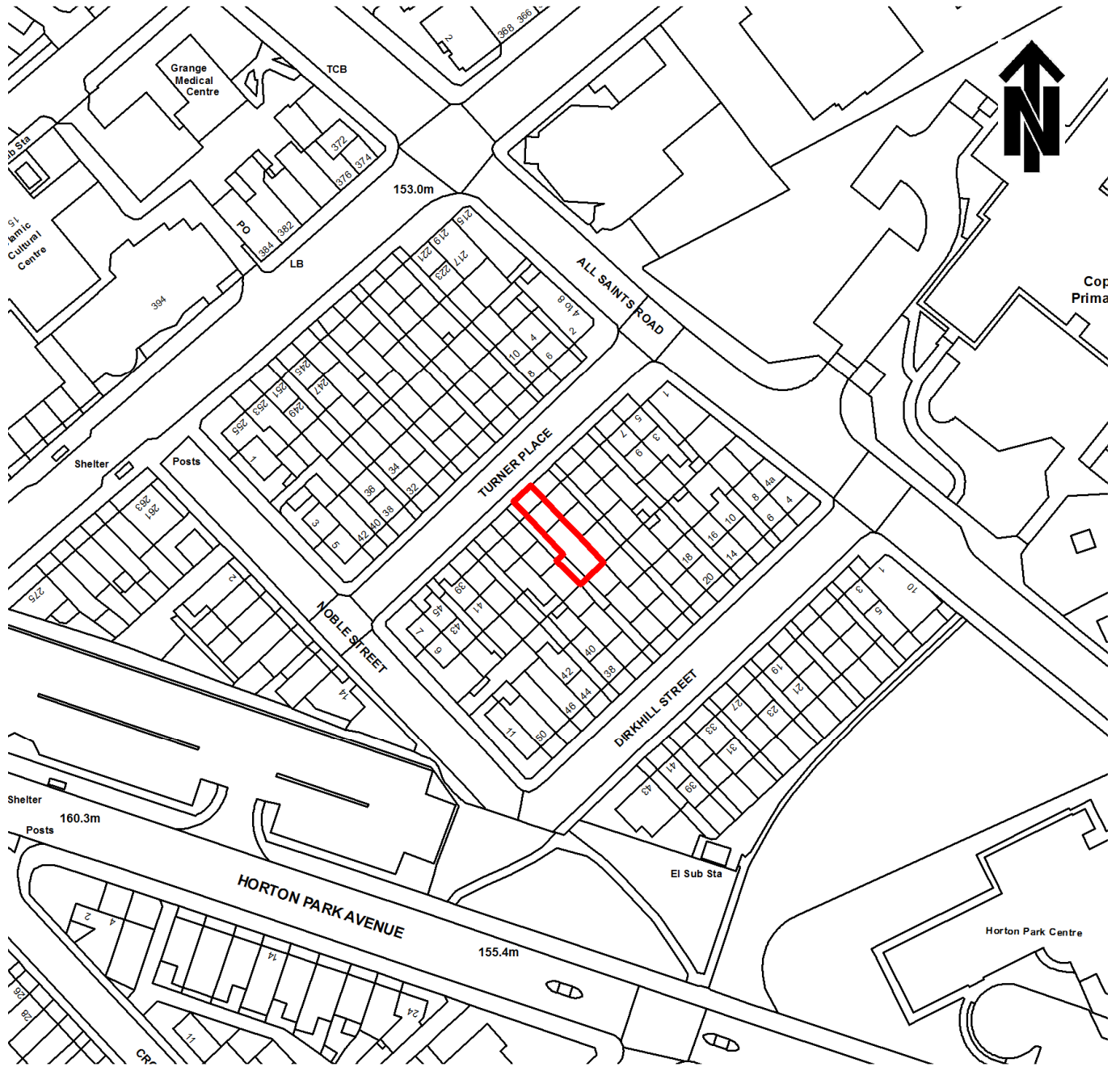
Breach of Planning Control:
Without planning permission the erection of a single storey side extension and timber framed shelter.

Circumstances:
Following a complaint received in this office, a site visit carried out revealed that the above development had been carried out for which planning permission is required but not obtained. Despite requests, the owner of the property has taken no action to rectify the breach of planning control.

The extension and timber framed shelter does not enhance or contribute to the amenity of the surrounding area and the design and materials used in the construction is inappropriate and unsympathetic to the parent building.

The Planning Manager (Enforcement and Trees) authorised enforcement action on 8 September 2017, requiring the demolition of the unauthorised single storey extension and removal of all the resulting materials.

16/00074/ENFUNA



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23 - 25 Turner Place
Bradford
BD7 3BE

27 September 2017

Item: F
Ward: CITY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
16/00074/ENFUNA

Site Location:
23 – 25 Turner Place, Bradford, BD7 3BE

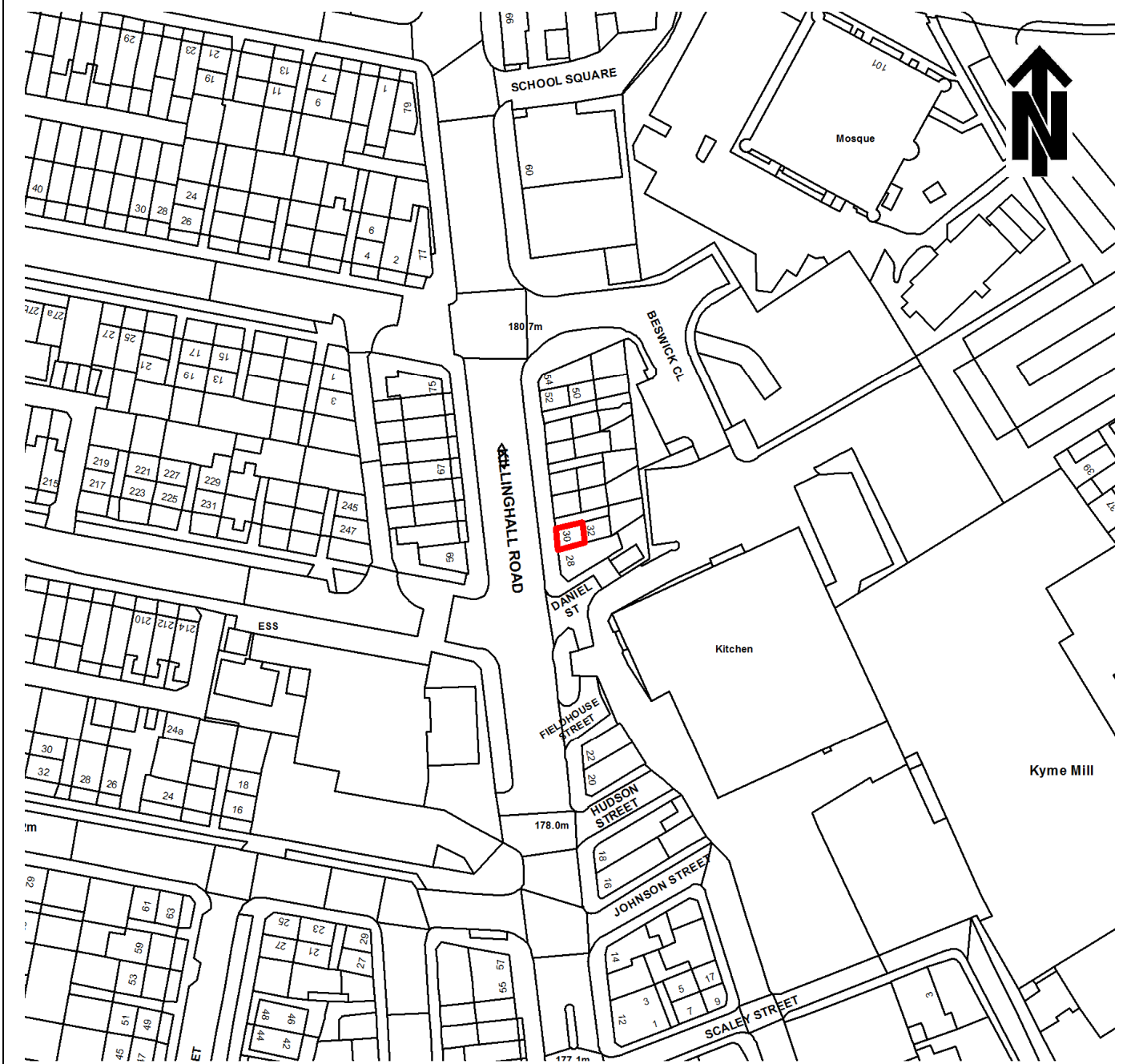
Breach of Planning Control:
Without planning permission the erection of a single storey extension to the rear of the property that extends over the ginnel.

Circumstances:
Following complaints received in this office, a site visit revealed that the above development had taken place for which planning permission is required but not obtained. Despite requests, the owners of the premises have taken no action to rectify the breach of planning control.

The extension does not enhance or contribute to the amenity of the surrounding area and the design and materials used in its construction are inappropriate and unsympathetic to the existing building.

The Planning Manager (Enforcement and Trees) authorised Enforcement Action on 7 August 2017, requiring the demolition of the unauthorised extension and the removal of the resulting materials.

17/00333/ENFCON



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**30 Killinghall Road
Bradford
BD3 8DT**

27 September 2017

Item: G
Ward: BRADFORD MOOR
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
17/00333/ENFCON

Site Location:
30 Killinghall Road, Bradford, BD3 8DT

Breach of Planning Control:
Breach of condition 3 of planning permission 14/01761/FUL.

Circumstances:
In November 2014 planning permission 14/01761/FUL was granted on appeal to use the property as a shop. Condition 3 of the planning permission restricts the permitted business hours of the shop.

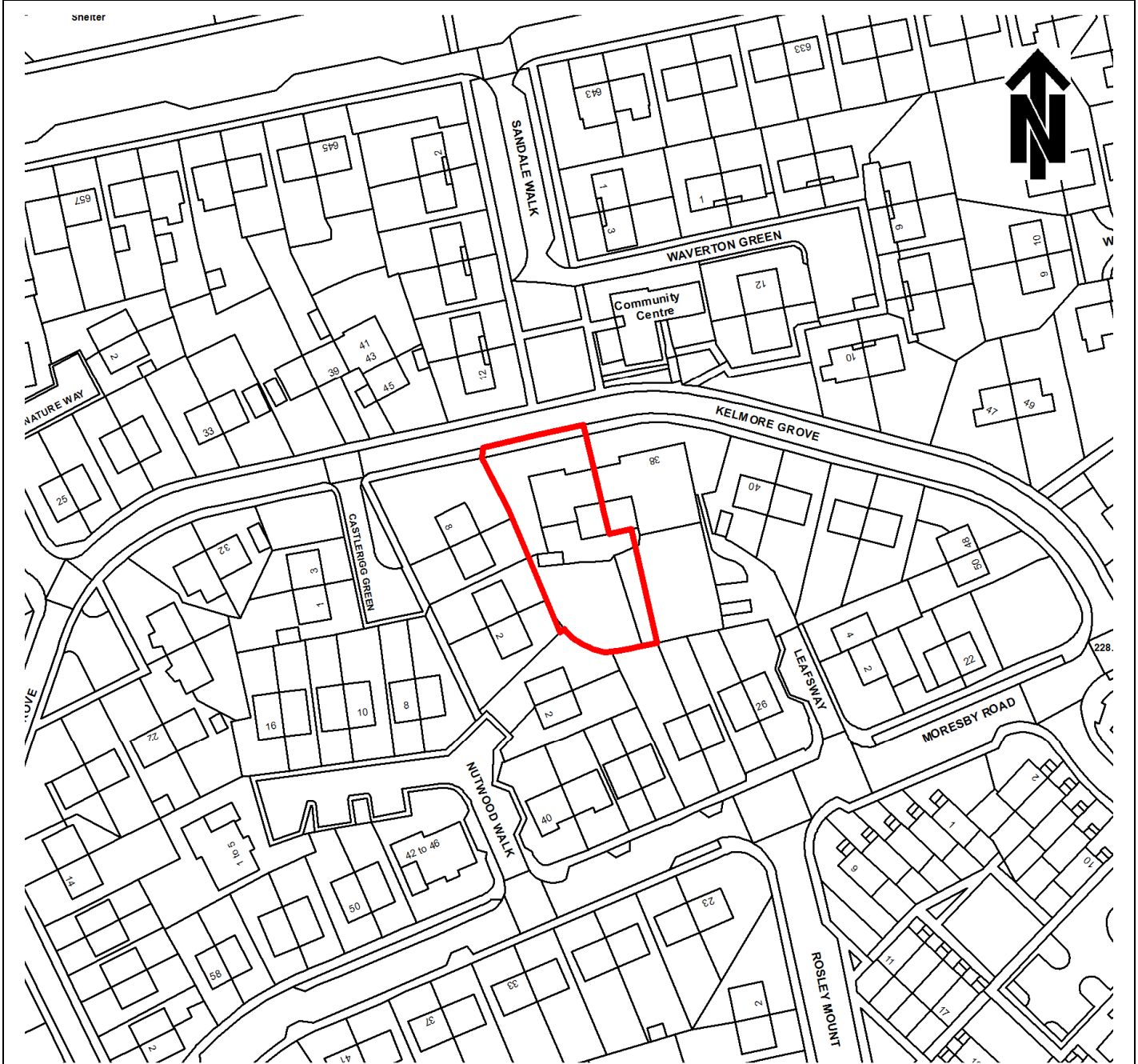
An enquiry regarding the business hours of the shop was received in April 2017 and the occupier was advised to comply with condition 3 of the planning permission. A planning application to extend the business hours of the shop, reference 17/02965/VOC, was refused by the Council in July 2017.

It would appear that condition 3 of the planning permission is continuing to be breached and on 24 August 2017 the Planning Manager (Enforcement & Trees) authorised the issue of a Breach of Condition Notice.

16/00900/ENFCOU



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



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34 Kelmore Grove
Bradford
BD6 2QZ

27 September 2017

Item: H
Ward: ROYDS
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
16/00900/ENFCOU

Site Location:
34 Kelmere Grove, Bradford, BD6 2QZ

Breach of Planning Control:

Without planning permission the material change of use of the building from retail to a mixed hot food takeaway/cafe, tanning salon and bouncy castle hire use.

Circumstances:

Following complaints received in this office, a site visit revealed that the above development had taken place. Planning permission is required and has not been obtained or the use. Despite requests, the owner/occupier has taken no action to rectify the breach of planning control.

The hot food takeaway/café falls within 400 metres of schools, youth-centred facilities and public open spaces, the use is therefore contrary to guidance contained within the Hot Food Takeaway Supplementary Planning Document which seeks to support the healthy eating agenda.

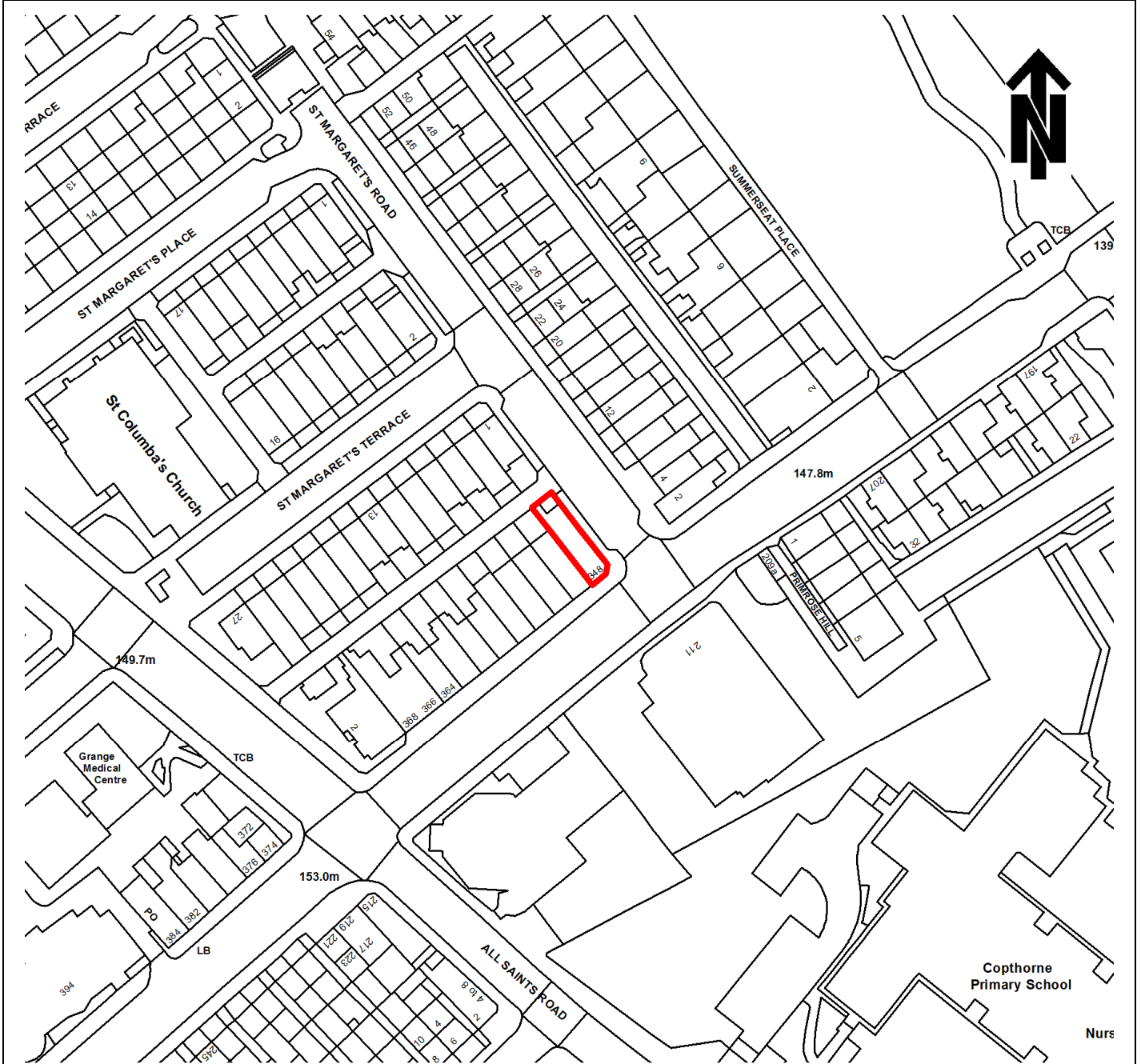
The activity associated with this mixed use has an unacceptable adverse impact on the residential amenity of the occupiers of neighbouring properties due to increased vehicle and customer activity and noise, fumes from the extraction system.

On 8 September 2017, the Planning Manager (Enforcement and Trees) authorised Enforcement Action requiring cessation the unauthorised use and removal from the building all equipment associated with the unauthorised use.

16/00748/ENFUNA



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METROPOLITAN DISTRICT COUNCIL



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**348 Great Horton Road
Bradford
BD7 1QJ**

27 September 2017

Item: I
Ward: CITY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
16/00748/ENFUNA

Site Location:
348 Great Horton Road, Bradford, BD7 1QJ

Breach of Planning Control:
Unauthorised extractor flue.

Circumstances:
In August 2016 the Local Planning Authority received an enquiry regarding the installation of an extractor flue at the property.

An inspection was made and it was noted that an extractor flue had been installed to the side elevation of the property, for which the Local Planning Authority had no record of planning permission having been granted.

Retrospective planning application 16/07635/FUL for the extractor flue was refused by the Council in November 2016. No appeal has been made.

On 24 August 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 extractor flue is detrimental to visual amenity by virtue of its design and appearance, contrary to Policies DS1 and DS3 of the Council's adopted Local Plan for Bradford and the policies contained in the National Planning Policy Framework.

27 September 2017

Item: J
Ward: City
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
16/00969/ENFCOU

Site Location:
Campus House, 10 Hey Street, Bradford, BD7 1DQ

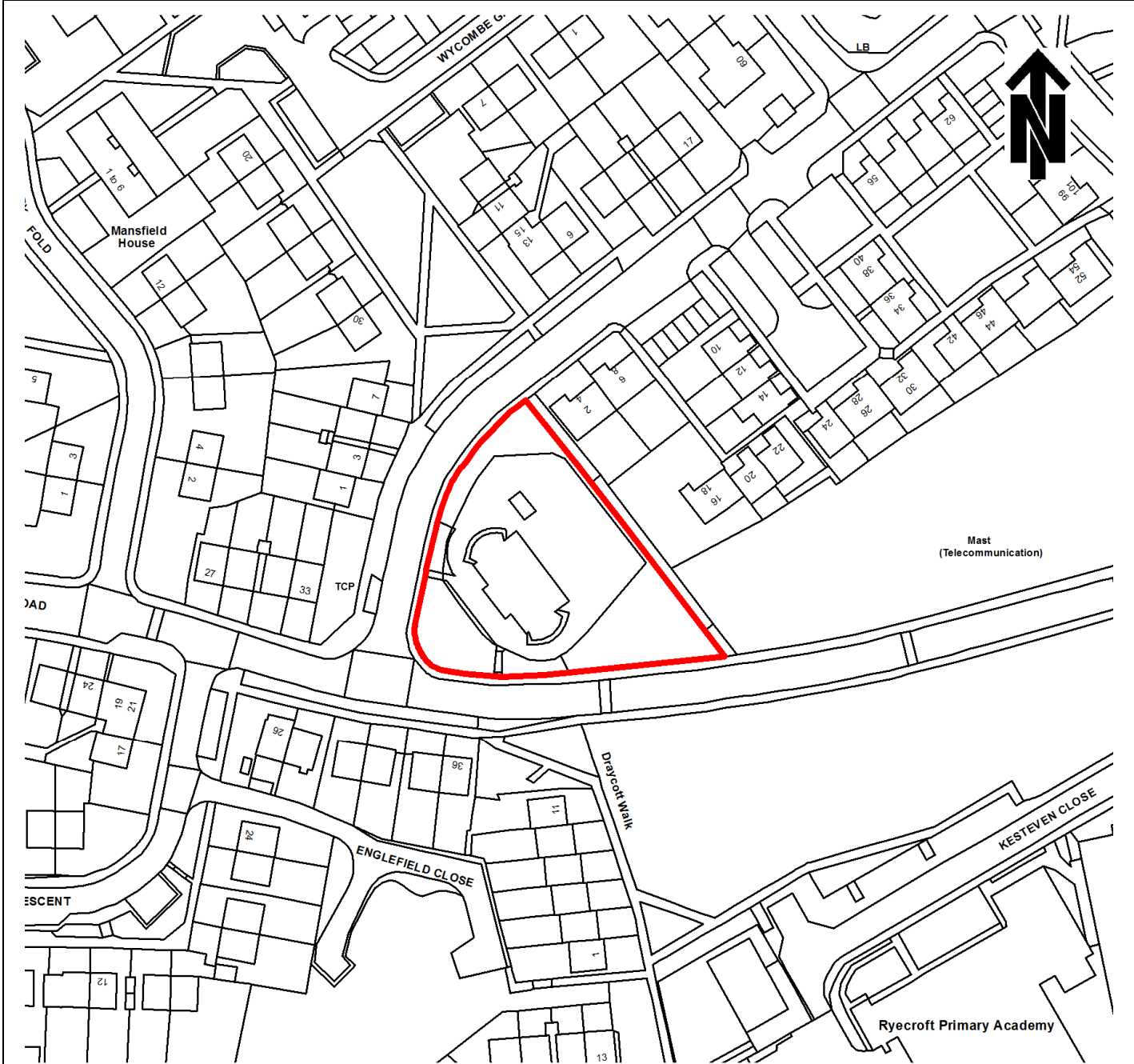
Breach of Planning Control:
Without planning permission the material change of use of the building on the land to a sui generis use as a night club and shisha lounge.

Circumstances:
The Council received a complaint regarding the material change of use of the building to a night club and shisha lounge for which planning permission is required and has not been obtained. Despite requests, the owner/occupier of the property has taken no action to rectify the breach of planning control.

The unauthorised use has an unacceptable adverse impact on the residential amenity of the occupiers of residential properties within close proximity by reason of noise disturbance particularly late at night and into the early hours of the morning.

On 8 September 2017 the Planning Manager (Enforcement and Trees) authorised Enforcement Action requiring the cessation of the unauthorised use and removal from the land and building all materials and equipment associated with the unauthorised use.

14/00551/215DS



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**Former Site The Tempest
Kesteven Road
Bradford
BD4 0AD**

27 September 2017

Item: K
Ward: TONG
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
14/00551/215DS

Site Location:
Land at Kesteven Road, Bradford, BD4 0AD

Breach of Planning Control:
Untidy Land – Land adversely affecting the amenity of the area.

Circumstances:
The property is the former Tempest Public House which was fire damaged in 2010/2011. The owner of the land submitted a Notice to the Council Building Control Department in 2011 of his intention to demolish the building.

No works were carried out to demolish the building; its poor state resulting in complaints from local residents about its dilapidated appearance.

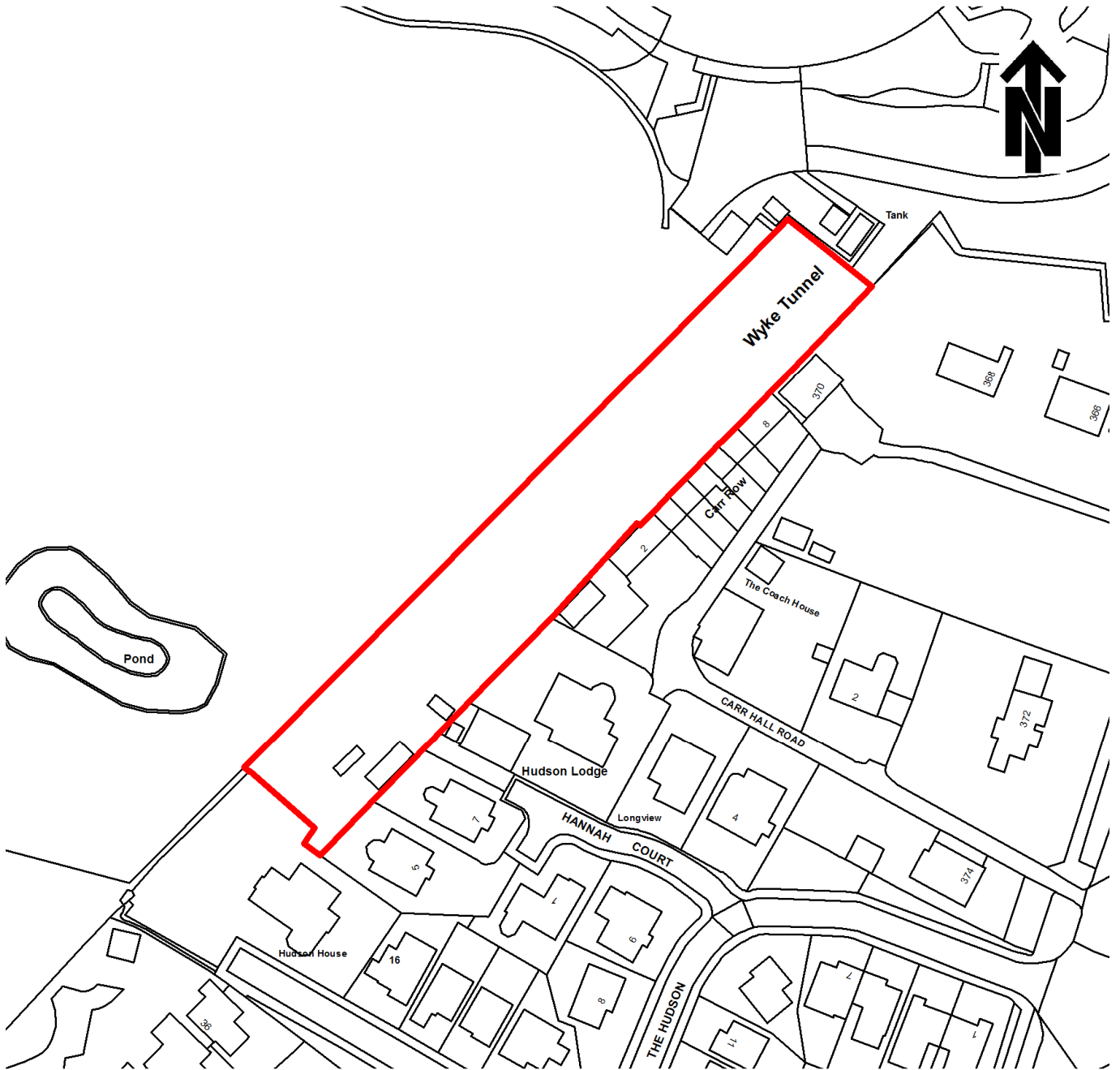
A site visit revealed that the land and structure thereon was in a very poor state with its missing roof, partly boarded up windows and various items dumped within its curtilage.

Despite letters to the owner requesting the demolition of the building and the tidying up of the site no action has been taken.

The Planning Manager Enforcement and Trees under delegated powers authorised the issuing of a Section 215 Notice which was issued on 29 June 2017.

The Notice requires the demolition of the building and removal of the materials resulting from the demolition.

16/00312/ENFCOU



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Land Adj Hannah Court
Wyke
Bradford

27 September 2017

Item: L
Ward: WYKE
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
16/00312/ENFCOU

Site Location:
Land adjacent Hannah Court, Wyke, Bradford.

Breach of Planning Control:
Without planning permission the material change of use of the land to timber processing and storage.

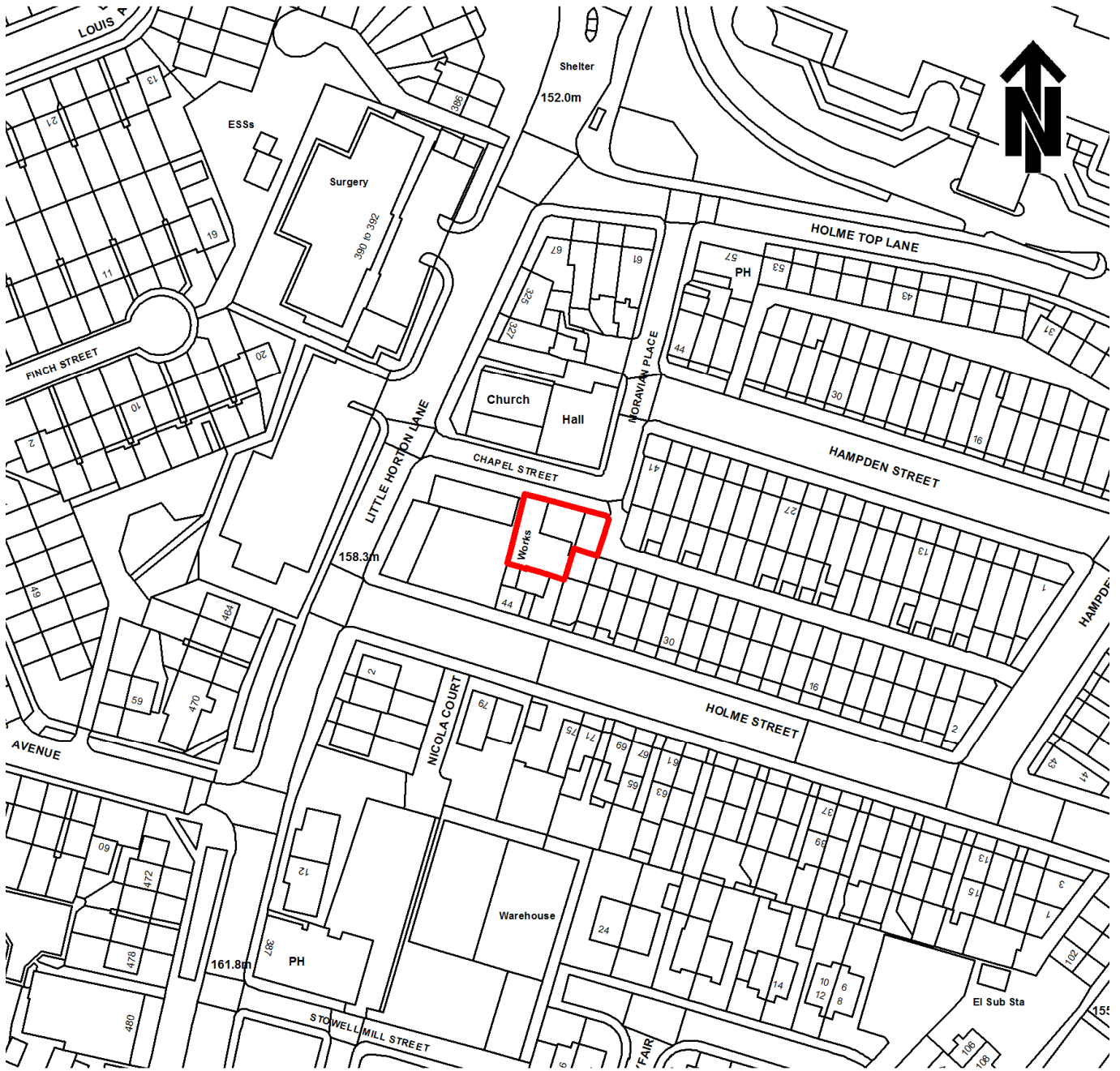
Circumstances:
Following complaints received in this office a site visit revealed that the land was being used for timber processing and storage without planning permission. The owner/occupiers of the land have taken no remedial action to remedy the breach of planning control.

The unauthorised use in this predominantly residential area is detrimental to the amenity by reason of noise and general disturbance and loss of outlook.

Therefore on 7 August 2017 the Planning Manager (Enforcement and Trees) authorised Enforcement Action requiring the owners/occupiers to:

Cease the unauthorised material use of the land and remove from the land all timber and equipment connected with the unauthorised material change of use.

16/00467/ENFCOU



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Quote Us Insurance Services
Chapel Street
Bradford
BD5 0LF

27 September 2017

Item: M
Ward: LITTLE HORTON
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
16/00467/ENFCOU

Site Location:
Annexe Building, Chapel Street, BD5 0LF

Breach of Planning Control:

Without planning permission the material change of use of the land and building from A2 (office) to B2 (vehicle repairs and maintenance) and construction of a single storey extension.

Circumstances:

Following complaints received in this office regarding the unauthorised use of the land and construction of a single storey extension for which planning permission is required and has not been obtained. The owner/occupier of the property has taken no action to rectify the breach and the matter remains unresolved.

The unauthorised B2 use in this densely developed area within close proximity to residential properties is detrimental to the amenity of those nearby residents due to disturbance from general business activity and vehicle manoeuvres. It fails to meet Car Parking Standards of the Local Plan for Bradford District, detrimental to pedestrian and highway safety.

The single storey extension is located within a prominent position in the street scene and its scale, design and poor quality materials result in an obtrusive and over dominant feature and detrimental to appearance of the parent building. It has an adverse overbearing and overshadowing effect, detrimental to residential amenity.

The Planning Manager (Enforcement and Trees), authorised enforcement action on 7 August 2017, requiring the cessation of the unauthorised use and the removal from the land of all materials and equipment associated with the unauthorised use, demolition of the single storey extension and removal of resulting materials.

DECISIONS MADE BY THE SECRETARY OF STATE

Appeal Allowed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
N	Wyke (ward 30)	26 Carr Lane Bradford BD12 0QS Construction of granny annex to rear garden (resubmission) - Case No: 17/00440/HOU Appeal Ref: 17/00072/APPHOU
O	Heaton (ward 12)	266 Bradford Road Shipley BD18 3AE Two storey extension to side and rear - Case No: 17/00645/HOU Appeal Ref: 17/00078/APPHOU

Appeal Dismissed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
P	Toller (ward 24)	1 Wheatlands Square Bradford BD9 5LX Front dormer window, including gable end conversion, rear dormer window, enlargement of existing front porch and bay window and separate double garage with playroom over - Case No: 16/09087/HOU Appeal Ref: 17/00031/APPHOU
Q	Toller (ward 24)	1A Whitefield Place Bradford BD8 9JB Appeal against Enforcement Notice - Case No: 16/00673/ENFUNA Appeal Ref: 17/00041/APPENF

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

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