

# Report of the Strategic Director, Regeneration to the meeting of the Area Planning Panel (BRADFORD) to be held on 19 October 2016

**F**

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## Summary Statement - Part Two

### Miscellaneous Items

	<u>No. of Items</u>
Requests for Enforcement/Prosecution Action	(7)
Decisions made by the Secretary of State - Allowed	(6)
Decisions made by the Secretary of State - Dismissed	(5)

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**Portfolio:**  
Regeneration, Planning & Transport

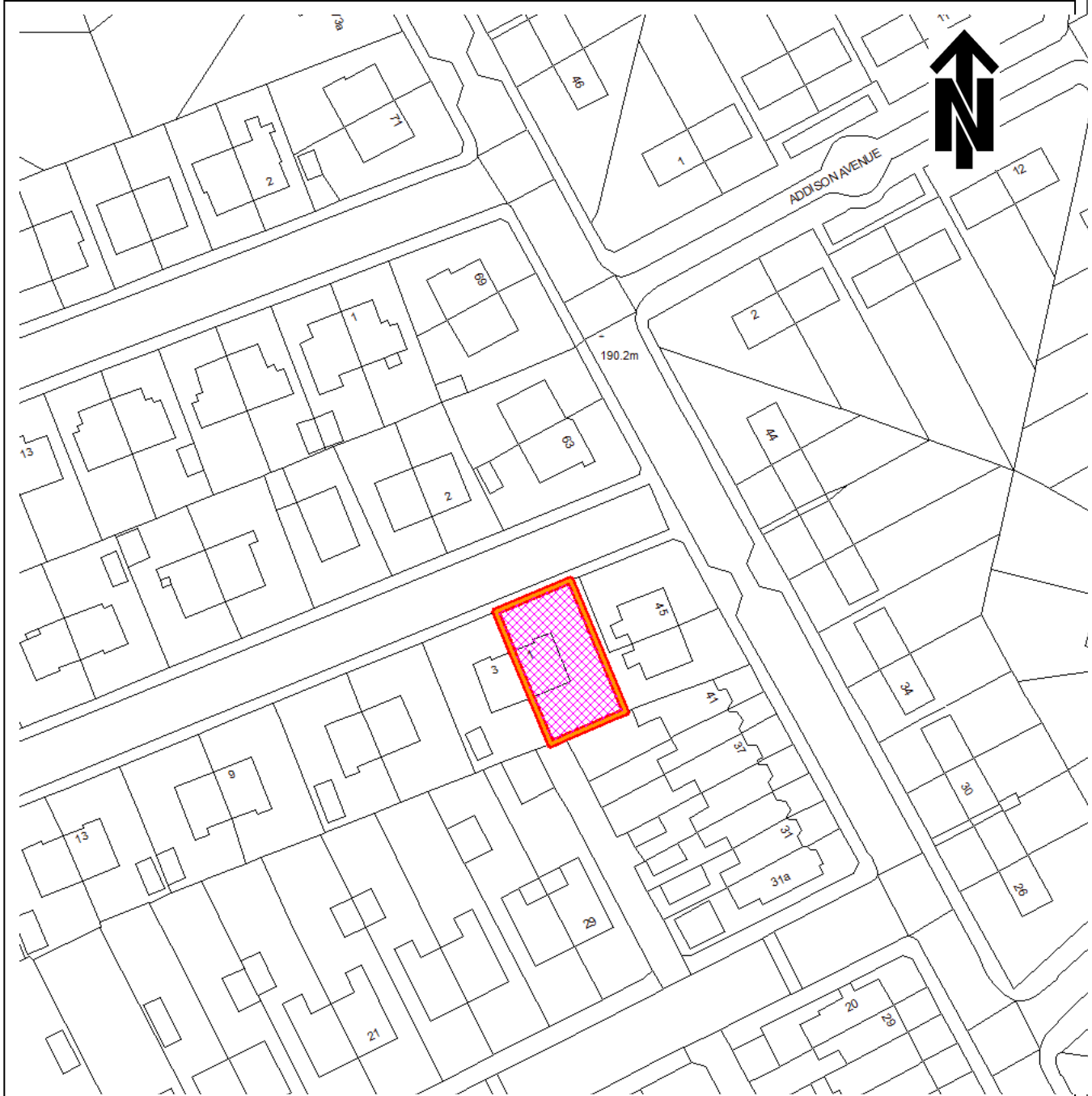
**Overview & Scrutiny Committee Area:**  
Regeneration and Economy



**Area Planning Panel (Bradford)**

**16/00314/ENFUNA**

19 October 2016



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ITEM NO. : a

LOCATION:

**1 Baring Avenue  
Bradford BD3 7ET**

**19 October 2016**

**Item Number:** a  
**Ward:** BRADFORD MOOR  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
16/00314/ENFUNA

**Site Location:**  
1 Baring Avenue, Bradford, BD3 7ET

**Breach of Planning Control:**  
Unauthorised rear dormer window.

**Circumstances:**  
In April 2016 it was noted that a large rear dormer window had been constructed at the property for which the Local Planning Authority had no record of planning permission having been granted.

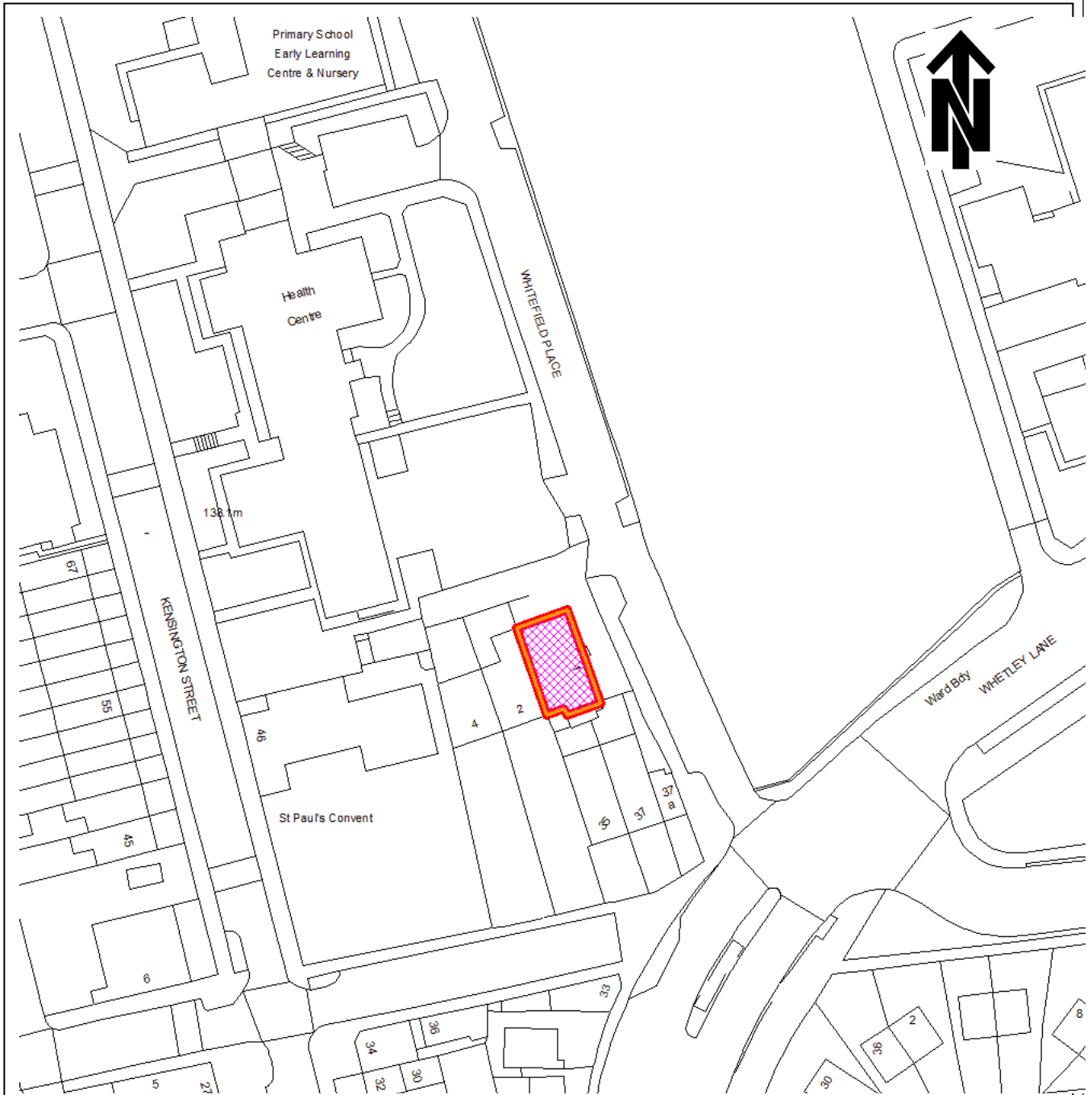
The owner/occupier of the property has been requested to rectify the breach of planning control, however no action has been taken.

On 9 September 2016 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to take Enforcement (Legal) Action as the unauthorised rear dormer window is detrimental to visual amenity by virtue of its design and appearance, 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.

Area Planning Panel (Bradford)

16/00673/ENFUNA

19 October 2016



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ITEM NO. : b

LOCATION:

**1A Whitefield Place  
Bradford BD8 9JB**

**19 October 2016**

**Item Number:**       b  
**Ward:**               TOLLER  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
16/00673/ENFUNA

**Site Location:**  
1a Whitefield Place, Bradford, BD8 9JB

**Breach of Planning Control:**  
Unauthorised cold store unit.

**Circumstances:**  
In April 2016 the Local Planning Authority received an enquiry regarding a structure at the property.

An inspection showed that a cold store unit had been sited on land within the curtilage of the property, for which the Council had no record of planning permission having been granted.

Planning applications for an extension to the premises to replace the unauthorised cold store unit were refused by the Council in May 2016 and September 2016.

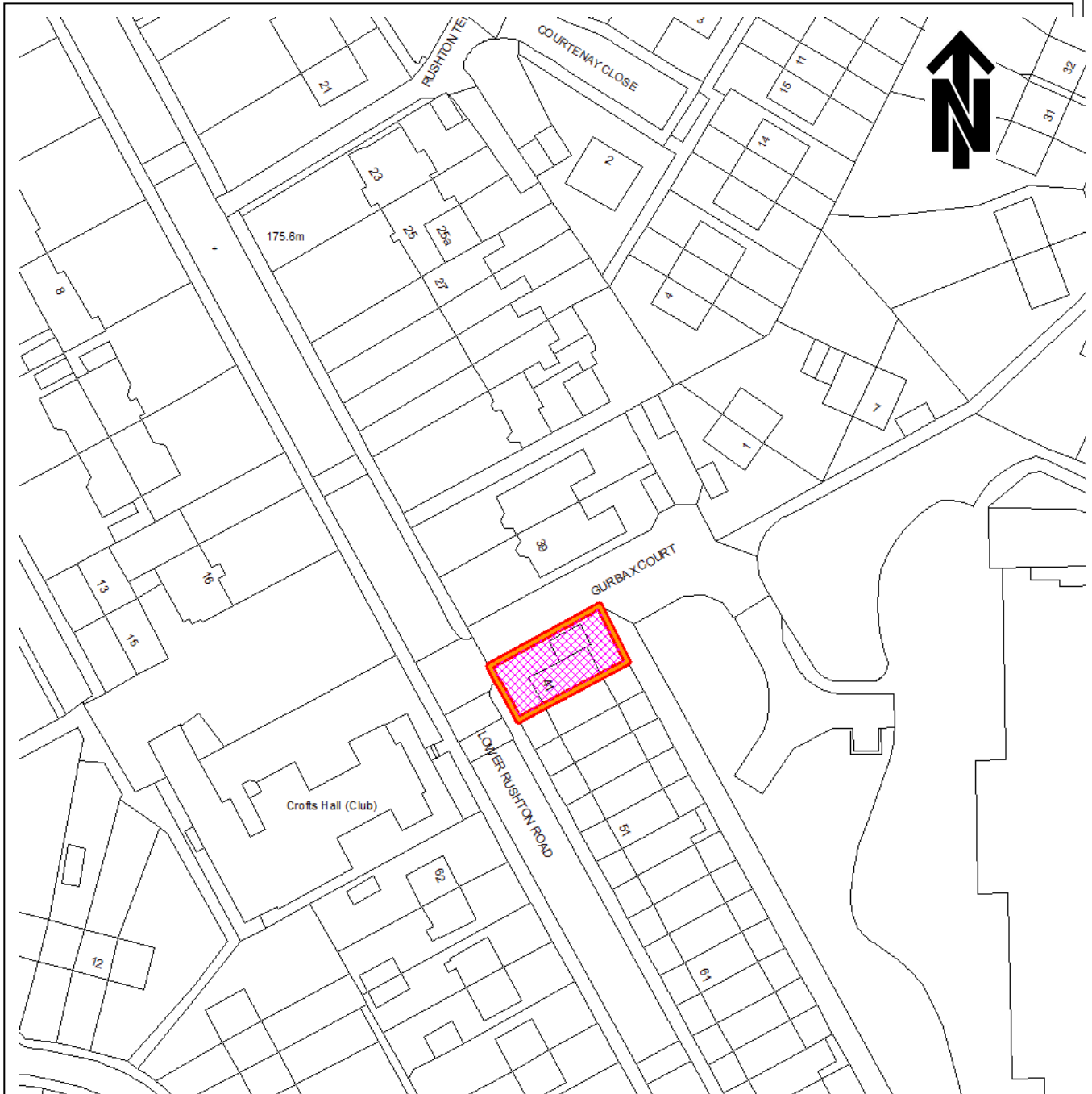
The unauthorised cold store unit remains in place and on 9 September 2016 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised cold store unit is detrimental to visual and residential amenity by virtue of its design, appearance and position, contrary to Policies D1, UR3 and UDP3 of the Council's adopted Replacement Unitary Development Plan.

**Area Planning Panel (Bradford)**

**13/00612/ENFUNA**

19 October 2016



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**LOCATION:**

**ITEM NO. : c**

**41 Lower Rushton Road  
Bradford BD3 8PU**

**19 October 2016**

**Item Number:** c  
**Ward:** BRADFORD MOOR  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
13/00612/ENFUNA

**Site Location:**  
41 Lower Rushton Road, Bradford, BD3 8PU

**Breach of Planning Control:**  
Unauthorised dormer windows.

**Circumstances:**  
In July 2013 the Local Planning Authority received an enquiry regarding development works at the property. An inspection showed that front and rear dormer windows had been constructed, for which the Local Planning Authority had no record of planning permission having been granted.

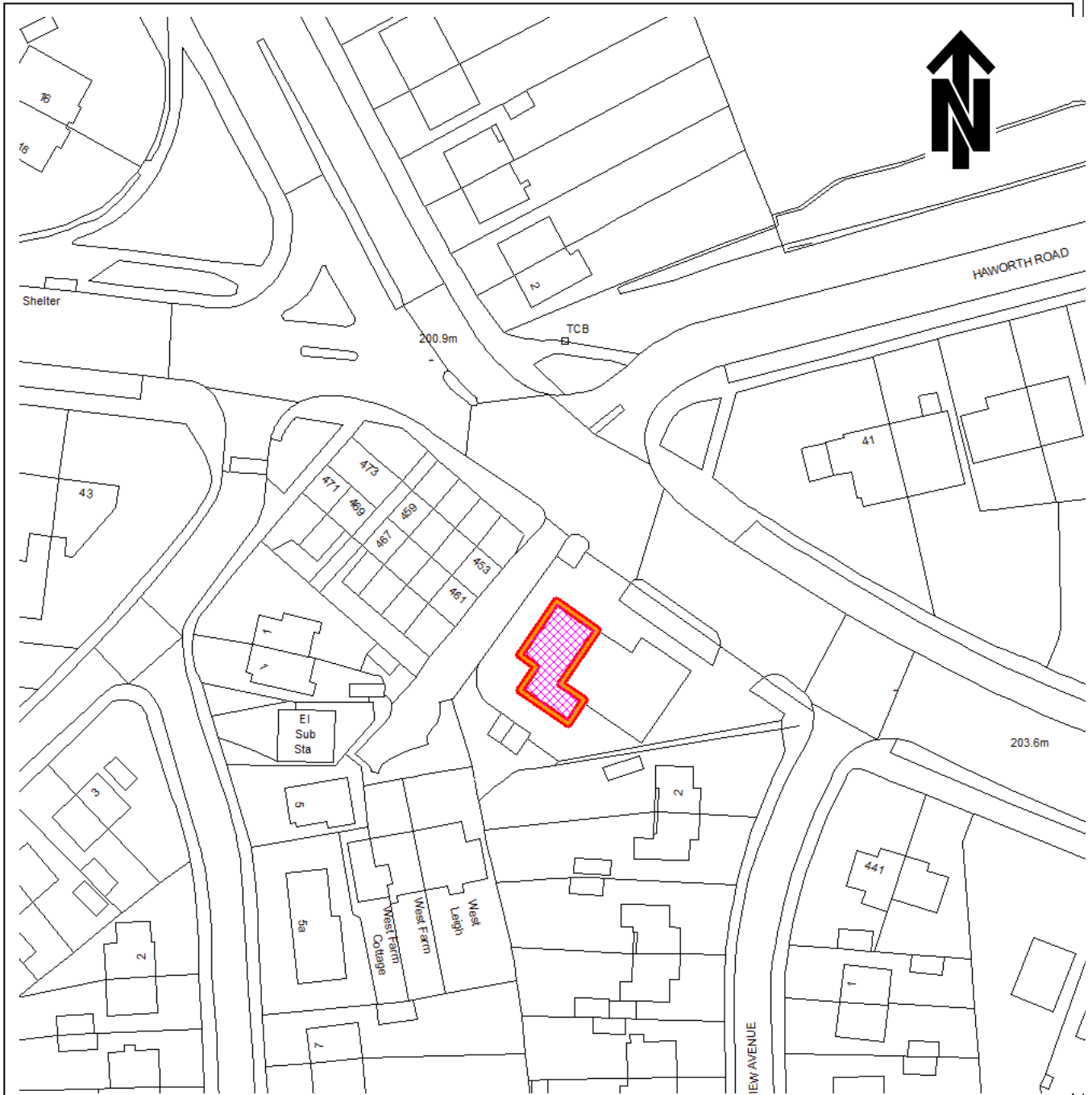
A retrospective planning application for the development work as carried out was refused by the Council in May 2014. An appeal against the Council's decision was dismissed in March 2015. Following the appeal decision the owner was requested to rectify the breach of planning control.

The unauthorised front and rear dormer windows remain in place and on 8 September 2016 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to take Enforcement (Legal) Action as the unauthorised dormer windows are detrimental to visual amenity by virtue of their design and appearance, contrary to Policies D1 and UR3 of the Council's adopted Replacement Unitary Development Plan and the Council's adopted Householder Supplementary Planning Document.

Area Planning Panel (Bradford)

15/00470/ENFUNA

19 October 2016



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LOCATION:

ITEM NO. : d

**451 Toller Lane  
Bradford BD9 5NX**



**19 October 2016**

**Item Number:** d  
**Ward:** TOLLER  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
15/00470/ENFUNA

**Site Location:**  
451 Toller Lane, Bradford, BD9 5NX

**Breach of Planning Control:**  
Unauthorised portable building.

**Circumstances:**  
In May 2015 the Local Planning Authority received an enquiry regarding works at the former petrol station premises. An inspection showed that a portable building had been sited on land within the curtilage of the property, for which the Local Planning Authority had no record of planning permission having been granted.

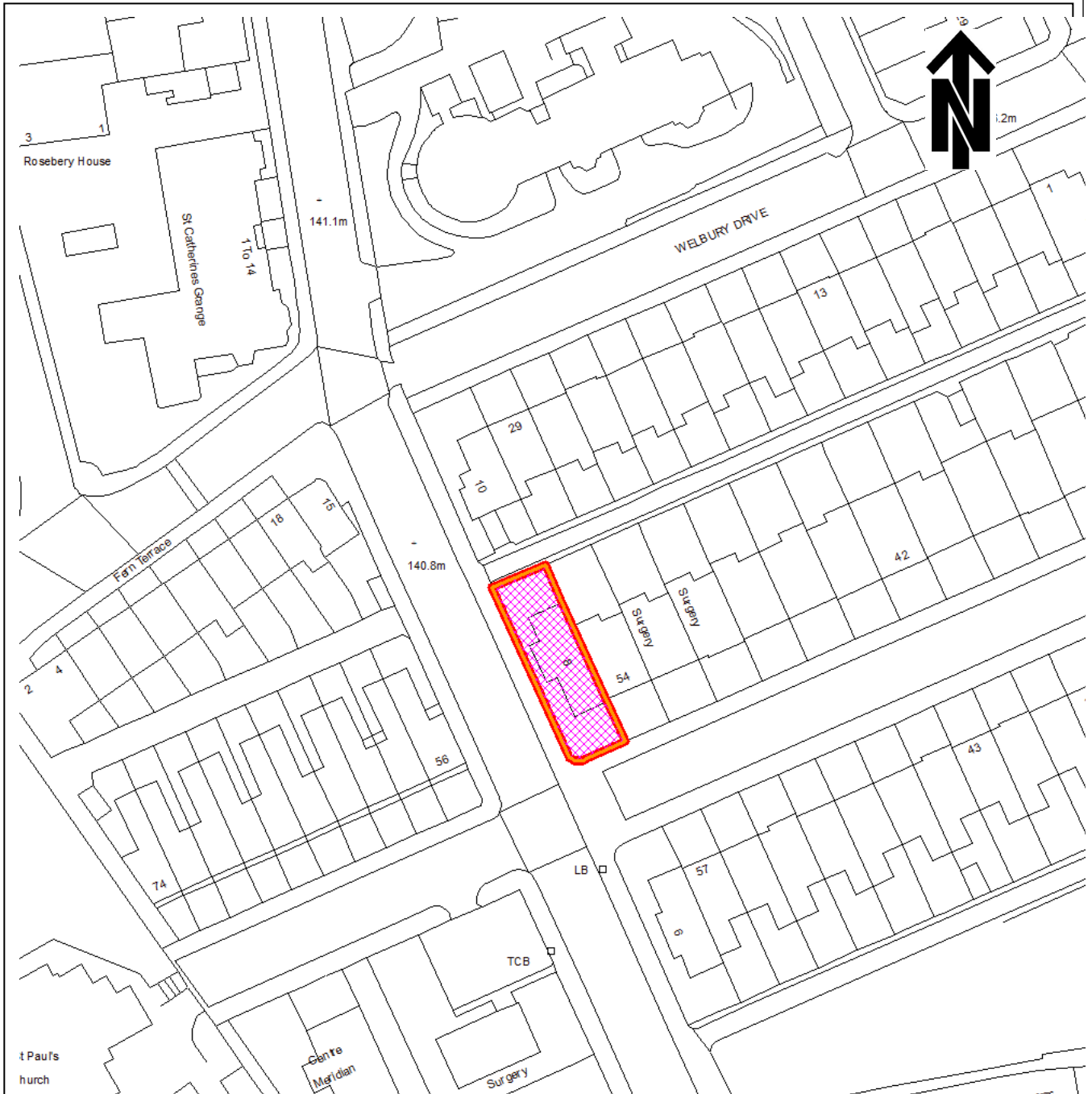
The owner of the premises has been requested to rectify the breach of planning control, however no action has been taken.

On 9 September 2016 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to take Enforcement (Legal) Action as the unauthorised portable building is detrimental to visual amenity by virtue of its design and appearance, contrary to Policies D1, UR3 and UDP3 of the Council's adopted Replacement Unitary Development Plan.

Area Planning Panel (Bradford)

15/00260/ENFUNA

19 September 2016



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LOCATION:

ITEM NO. : e

**8 St Marys Road  
Manningham BD8 7LR**

**19 October 2016**

**Item Number:** e  
**Ward:** MANNINGHAM  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
15/00260/ENFUNA

**Site Location:**  
8 St Marys Road, Bradford, BD8 7LR

**Breach of Planning Control:**  
Unauthorised wall, gate and roller shutters to rear boundary.

**Circumstances:**  
In March 2015 it was noted that a wall, gate and roller shutters had been installed to the rear boundary of the property, for which the Local Planning Authority had no record of planning permission having been granted.

During 2015 and 2016 four retrospective planning applications for the wall, gate and roller shutters have been refused by the Council. No appeals have been made against the Council's decisions.

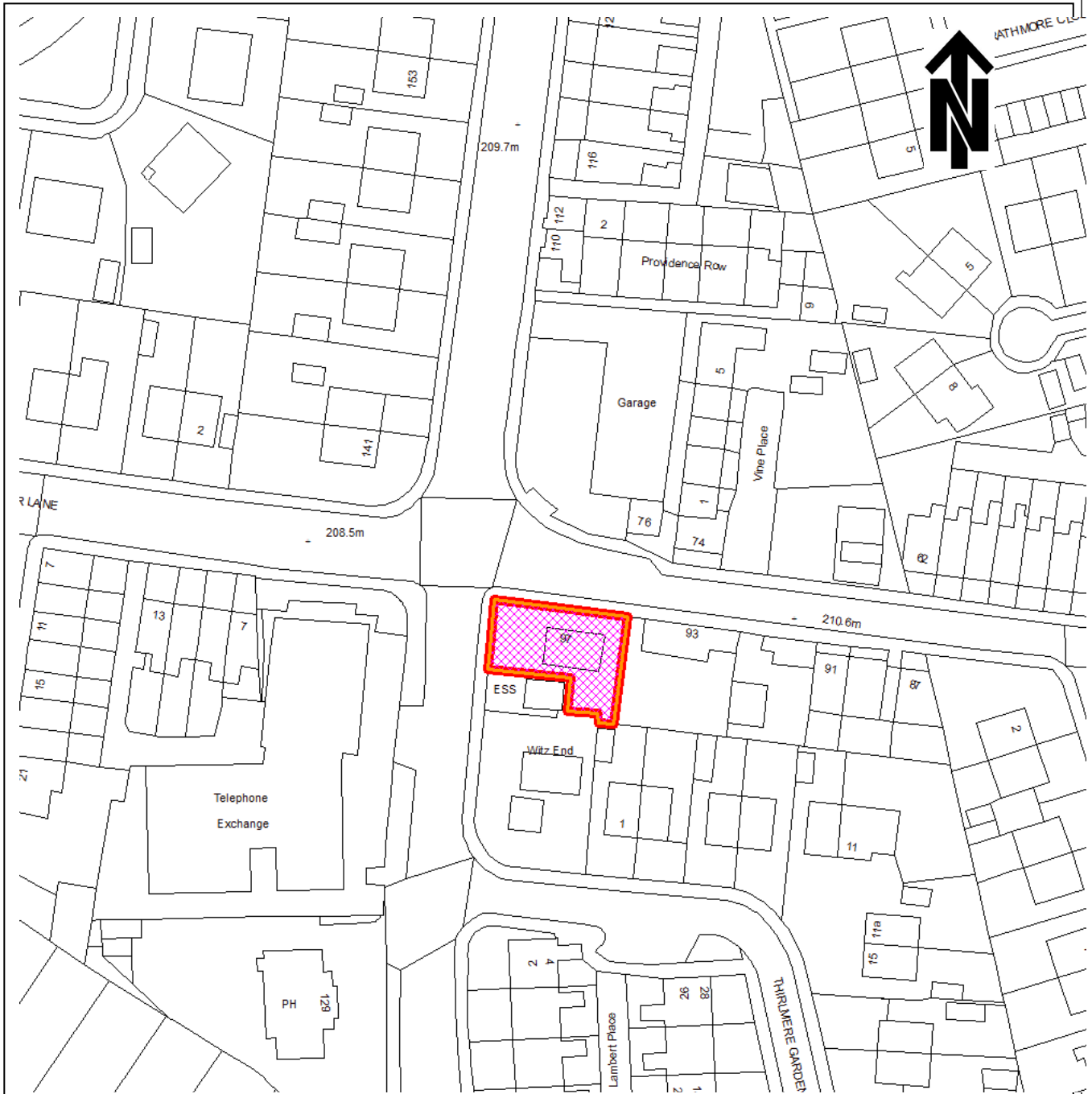
The unauthorised wall, gate and roller shutters remain in place and on 5 September 2016 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised wall, gate and roller shutters are detrimental to visual amenity by virtue of their design and appearance, contrary to Policies BH7, D1, UR3 and UDP3 of the Council's adopted Replacement Unitary Development Plan.

Area Planning Panel (Bradford)

16/00317/ENFUNA

19 October 2016



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ITEM NO. : f

LOCATION:

**97 Wellington Road  
Bradford BD2 3AH**

**19 October 2016**

**Item Number:** f  
**Ward:** BOLTON & UNDERCLIFFE  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
16/00317/ENFUNA

**Site Location:**  
97 Wellington Road, Bradford, BD2 3AH

**Breach of Planning Control:**  
Unauthorised fence and vehicular access.

**Circumstances:**  
In April 2016 it was noted that solid timber fencing had been erected atop the existing boundary wall at the property, for which the Local Planning Authority had no record of planning permission having been granted. It was also noted that an unauthorised vehicular access was still in place adjacent to a classified road and in close proximity to a mini-roundabout.

The boundary wall had previously been reduced in height for visibility purposes following a previous enforcement case.

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

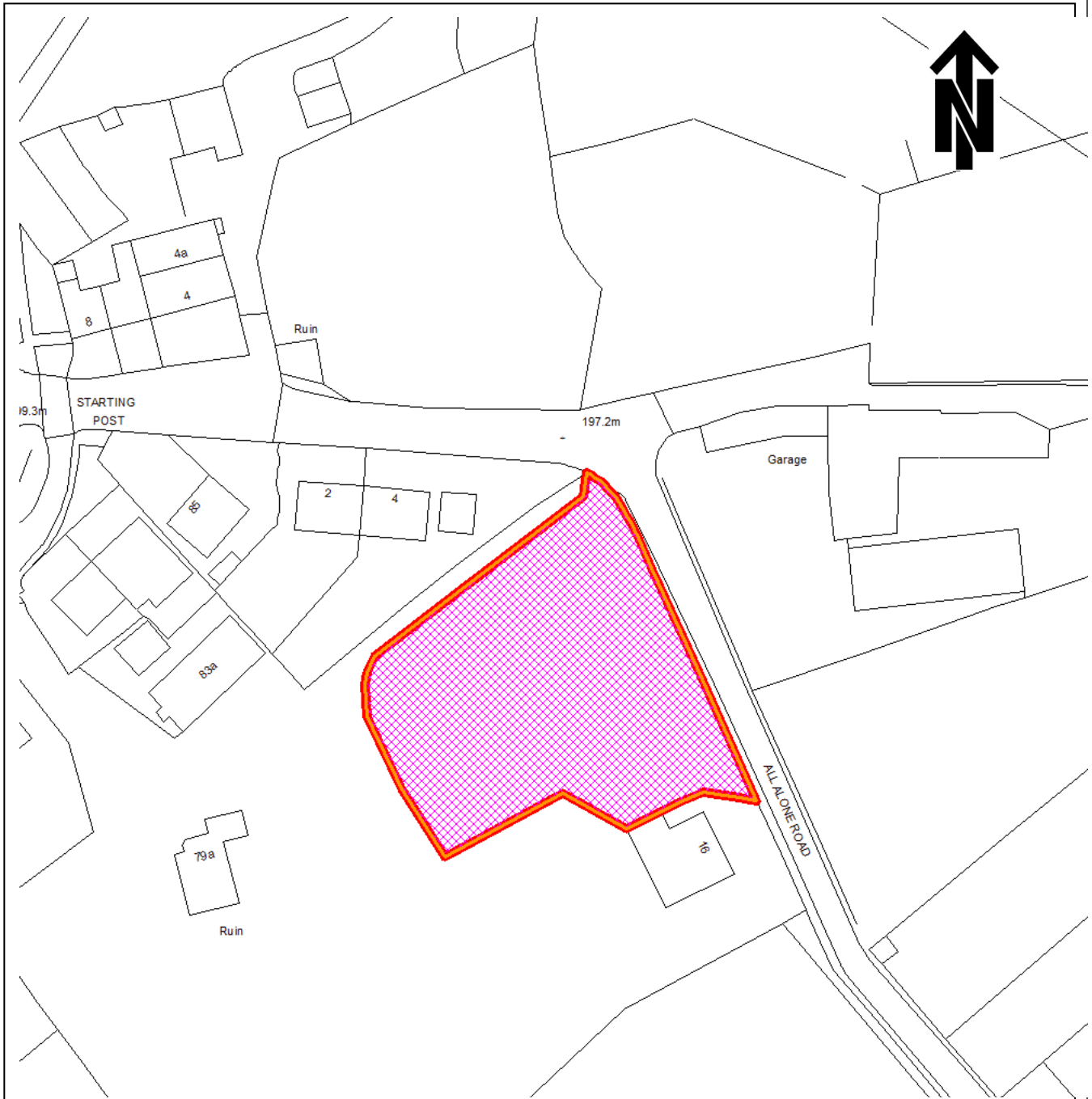
On 9 September 2016 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised fencing and vehicular access are detrimental to highway safety, contrary to Policy TM19a of the Council's adopted Replacement Unitary Development Plan.

**Area Planning Panel (Bradford)**

**16/00473/ENFCOU**

19 October 2016



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**LOCATION:**

**ITEM NO. : g**

**Stone Yard 16 All Alone Road  
Bradford BD10 8TX**

**19 October 2016**

**Item Number:** g  
**Ward:** WINDHILL AND WROSE  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
16/00473/ENFCOU

**Site Location:**  
Land at 16 All Alone Road, Bradford

**Breach of Planning Control:**  
Stoneyard

**Circumstances:**  
The enforcement case concerns the use of land adjoining a bungalow at 16 All Alone Road. There is a history of various unauthorised uses in the yard area adjoining the bungalow. A wall stone manufacturing company commenced on site in 2011 and since this time the character of the site has changed with extensive stone cutting and other heavy industrial operations affecting nearby residential properties. No relevant planning application has been received to date and it has been necessary to commence formal enforcement action. The Planning Manager (Enforcement and Trees) authorised formal action on 30 August 2016.

## DECISIONS MADE BY THE SECRETARY OF STATE

### Appeals Allowed

<b><u>ITEM No.</u></b>	<b><u>WARD</u></b>	<b><u>LOCATION</u></b>
<b>h</b>	<b>Royds (ward 21)</b>	<b>17 Ascot Parade Bradford BD7 4NJ</b>  <b>Construction of two storey extension and alterations to include garage conversion – Case No: 16/02251/HOU</b>  <b>Appeal Ref: 16/00085/APPHOU</b>
<b>i</b>	<b>Bradford Moor (ward 06)</b>	<b>25 Leeds Old Road Bradford BD3 8JX</b>  <b>Appeal against Enforcement Notice - Case No: 15/00347/ENFUNA</b>  <b>Appeal Ref: 16/00071/APPENF</b>
<b>j</b>	<b>Wibsey (ward 27)</b>	<b>27 Enfield Parade Bradford BD6 3HX</b>  <b>Appeal against Enforcement Notice - Case No: 14/00690/ENFUNA</b>  <b>Appeal Ref: 16/00069/APPENF</b>
<b>k</b>	<b>Toller (ward 24)</b>	<b>46 - 48 Duckworth Lane Bradford BD9 5HB</b>  <b>Appeal against Enforcement Notice - Case No: 14/00999/ENFUNA</b>  <b>Appeal Ref: 16/00033/APPENF</b>
<b>l</b>	<b>Idle And Thackley (ward 13)</b>	<b>5 Kenstone Crescent Bradford BD10 8RY</b>  <b>Construction of single storey side extension - Case No: 15/06941/CLP</b>  <b>Appeal Ref: 16/00013/APPCLP</b>
<b>m</b>	<b>Idle And Thackley (ward 13)</b>	<b>5 Kenstone Crescent Bradford BD10 8RY</b>  <b>Construction of side extension to widen the existing living room - Case No: 16/00369/CLP</b>  <b>Appeal Ref: 16/00051/APPCLP</b>



## **Appeals Dismissed**

<b><u>ITEM No.</u></b>	<b><u>WARD</u></b>	<b><u>LOCATION</u></b>
n	Clayton And Fairweather Green (ward 08)	19 Oaks Drive Bradford BD15 7RY Construction of detached dwelling with garden store to rear - Case No: 15/02339/FUL Appeal Ref: 16/00073/APPFL2
o	City (ward 07)	3 Southbrook Terrace Bradford BD7 1AB Appeal against Enforcement Notice - Case No: 14/00554/ENFLBC Appeal Ref: 16/00010/APPENF
p	Bradford Moor (ward 06)	52 - 54 Killinghall Road Bradford BD3 8DT Appeal against Enforcement Notice - Case No: 15/00268/ENFUNA Appeal Ref: 16/00029/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