

Report of the Strategic Director, Place to the meeting of the Area Planning Panel (BRADFORD) to be held on 12 April 2017

P

Summary Statement - Part Two

Miscellaneous Items

	<u>No. of Items</u>
Requests for Enforcement/Prosecution Action	(16)
Decisions made by the Secretary of State - Allowed	(2)
Decisions made by the Secretary of State - Dismissed	(4)

Julian Jackson
Assistant Director (Planning, Transportation and Highways)

Report Contact: Mohammed Yousuf
Phone: 01274 434605

Email: mohammed.yousuf@bradford.gov.uk

Portfolio:
Regeneration, Planning & Transport

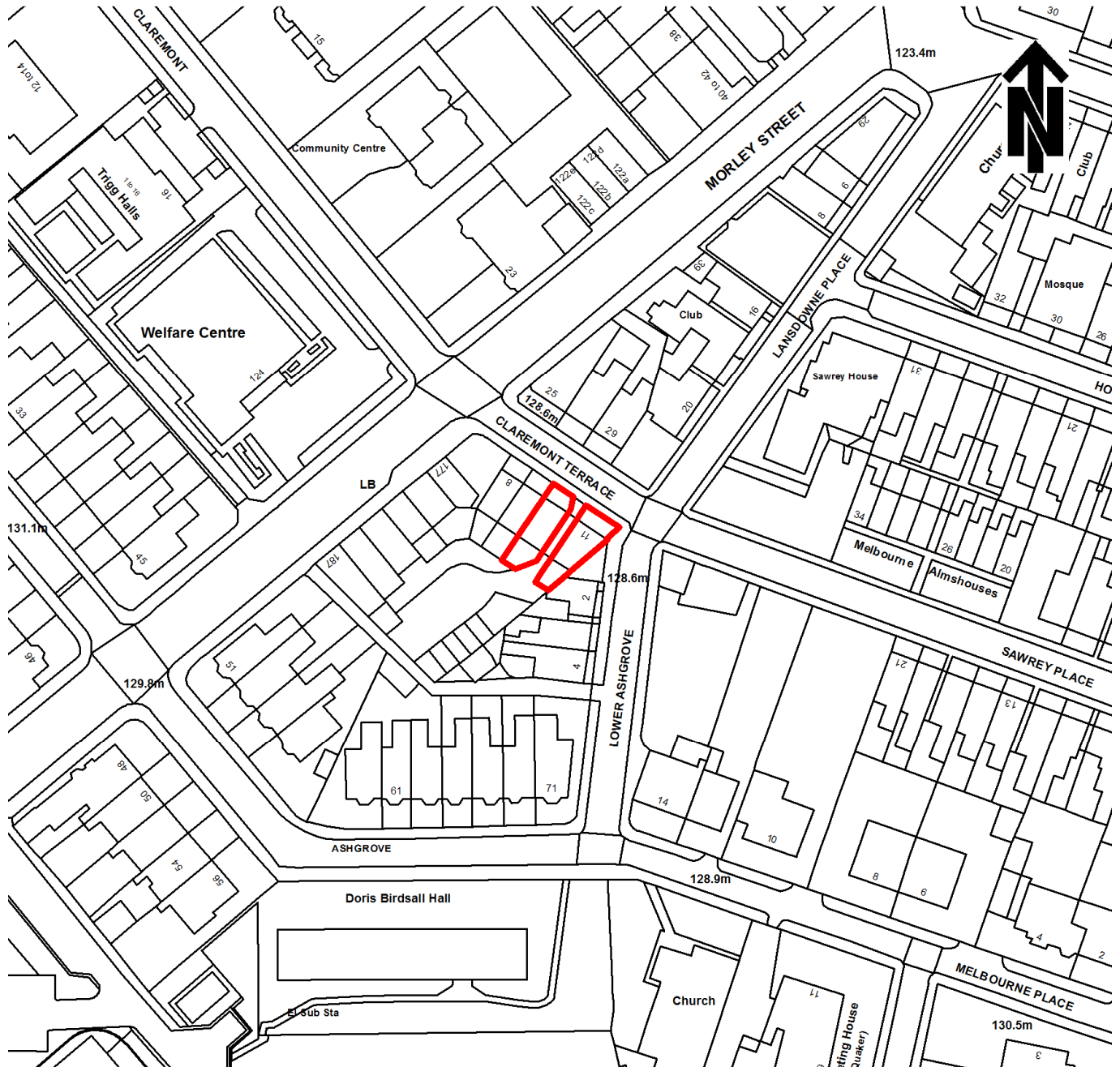
Overview & Scrutiny Committee Area:
Regeneration and Economy



15/00991/ENFUNA

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

10 & 11 Claremont Terrace
Bradford

12 April 2017

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

Enforcement Reference:
15/00991/ENFUNA

Site Location:
10-11 Claremont Terrace, Bradford, BD5 0DE

Breach of Planning Control:
Unauthorised front and rear dormer windows.

Circumstances:
In September 2015 the Local Planning Authority received an enquiry regarding front and rear dormer windows at the property.

An inspection showed that three front dormer windows had been constructed and alterations carried out to the existing rear dormer windows, for which the Council had no record of planning permission having been granted.

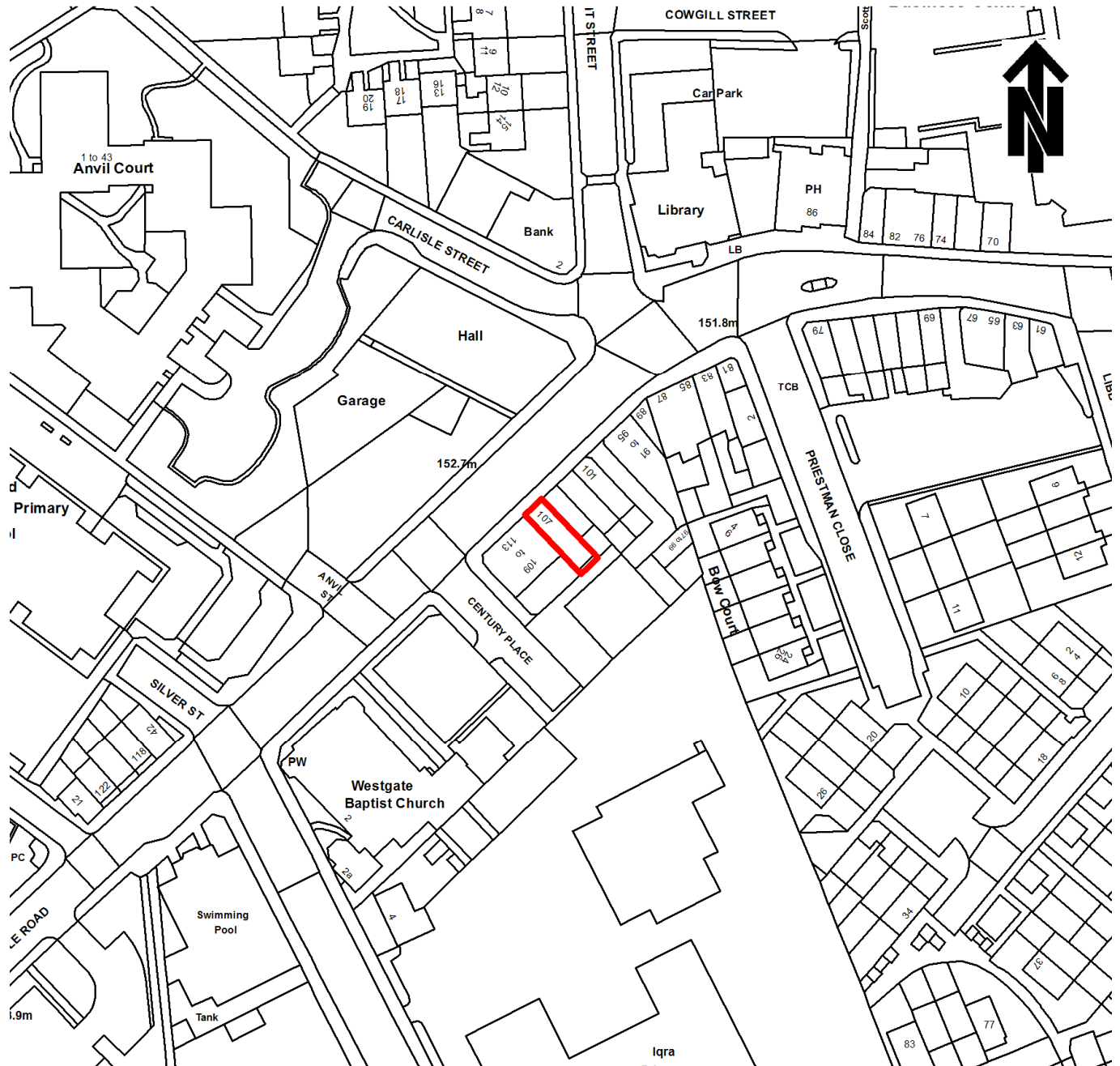
The owner/occupier of the property was requested to rectify the breach of planning control and a retrospective planning application was submitted, reference 16/03595/HOU. The planning application was refused by the Council in August 2016 and no appeal has been made.

The unauthorised front and rear dormer windows remain in place and on 20 March 2017 the Planning Manager (Enforcement & Trees) authorised the issue of Enforcement Notices. 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 BH7, D1, UR3 and UDP3 of the Council's adopted Replacement Unitary Development Plan and the Council's adopted Householder Supplementary Planning Document.

16/01047/ENFUNA

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

**107 Carlisle Road
Bradford
BD8 8BY**

12 April 2017

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

Enforcement Reference:
16/01047/ENFUNA

Site Location:
107 Carlisle Road, Bradford, BD8 8BY

Breach of Planning Control:
Unauthorised structure.

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

An inspection showed that a single storey structure had been attached to the existing rear extension, for which the Council 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 structure remains 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 structure 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.

13/01180/ENFUNA

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

120 Arnccliffe Terrace
Bradford
BD7 3AG

12 April 2017

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

Enforcement Reference:
13/01180/ENFUNA

Site Location:
120 Arncliffe Terrace, Bradford, BD7 3AG

Breach of Planning Control:
Unauthorised timber cladding to shopfront.

Circumstances:
In January 2016 it was noted that timber cladding had been installed to the front and side elevations of the shop property, for which the Local Planning Authority had no record of planning permission having been granted.

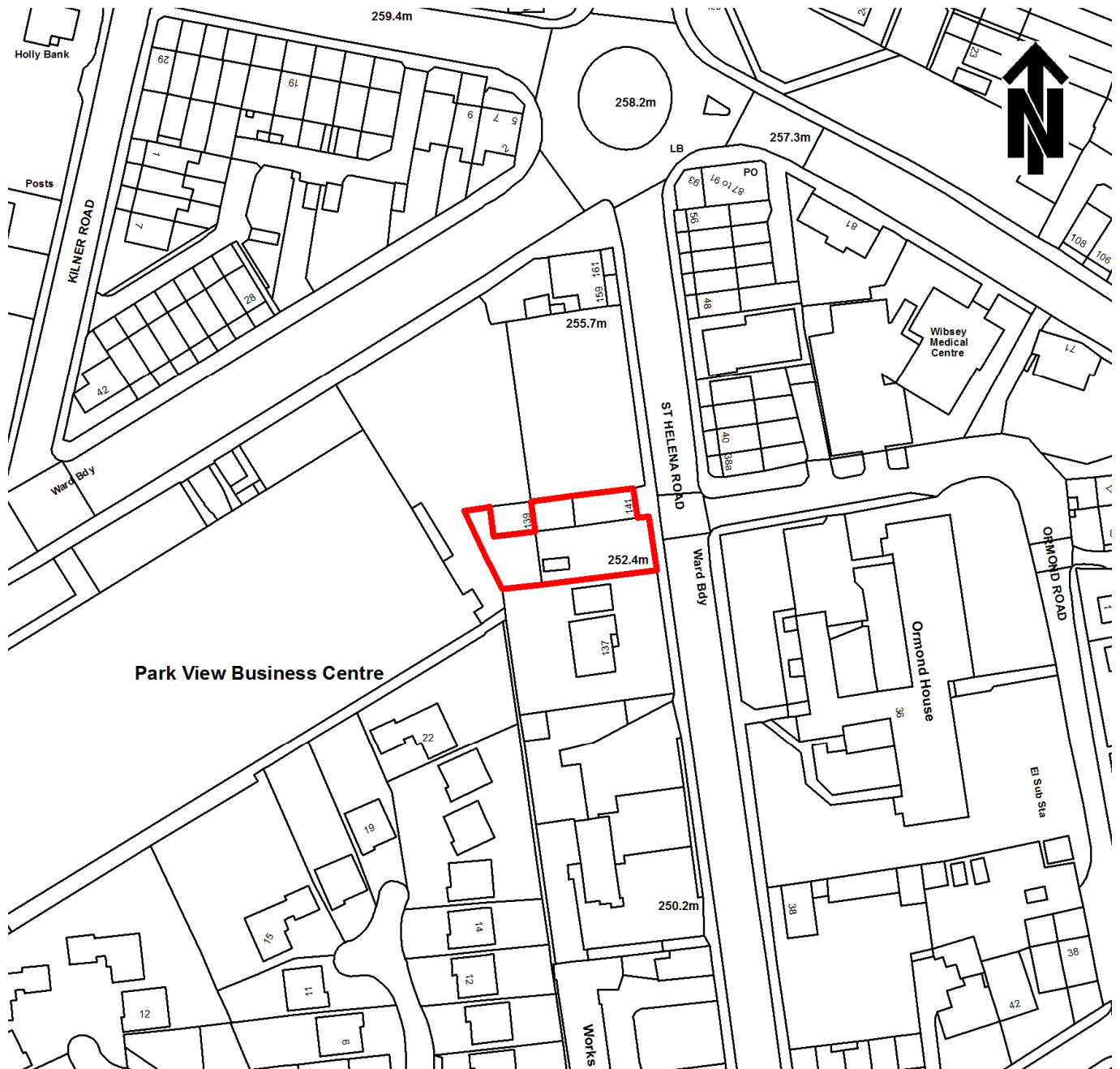
Retrospective planning applications 16/01893/FUL and 16/04778/FUL for the timber cladding were refused by the Council in April 2016 and August 2016 respectively. No appeals have been made against the Council's decisions.

The unauthorised timber cladding remains in place and on 1 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 timber cladding is detrimental to visual amenity by virtue of its design and appearance, contrary to Policies D1 and UR3 of the Council's adopted Replacement Unitary Development Plan.

17/00027/ENFCOU

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

139 St Helena Road
Bradford
BD6 1TB

12 April 2017

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

Enforcement Reference:
17/00027/ENFCOU

Site Location:
Land and Workshop at 139 and 141 St Helena Road, Wibsey, Bradford.

Breach of Planning Control:
Unauthorised use of land for a mixture of uses consisting of: The sale, supply and fitting of tyres/The washing and valeting of motor vehicles.

Circumstances:
It was brought to the attention of the Local Planning Authority that the use of a yard and workshop at the premises had changed. No planning application has been made for the change of use and it has been necessary to move to formal action.

The unauthorised mixed use referred to in the breach is inappropriate and unsustainable in this location and causes unacceptable levels of noise and disturbance and is therefore contrary to Policies UDP3 and UR3, of the Councils Replacement Unitary Development Plan and the National Planning Policy Framework.

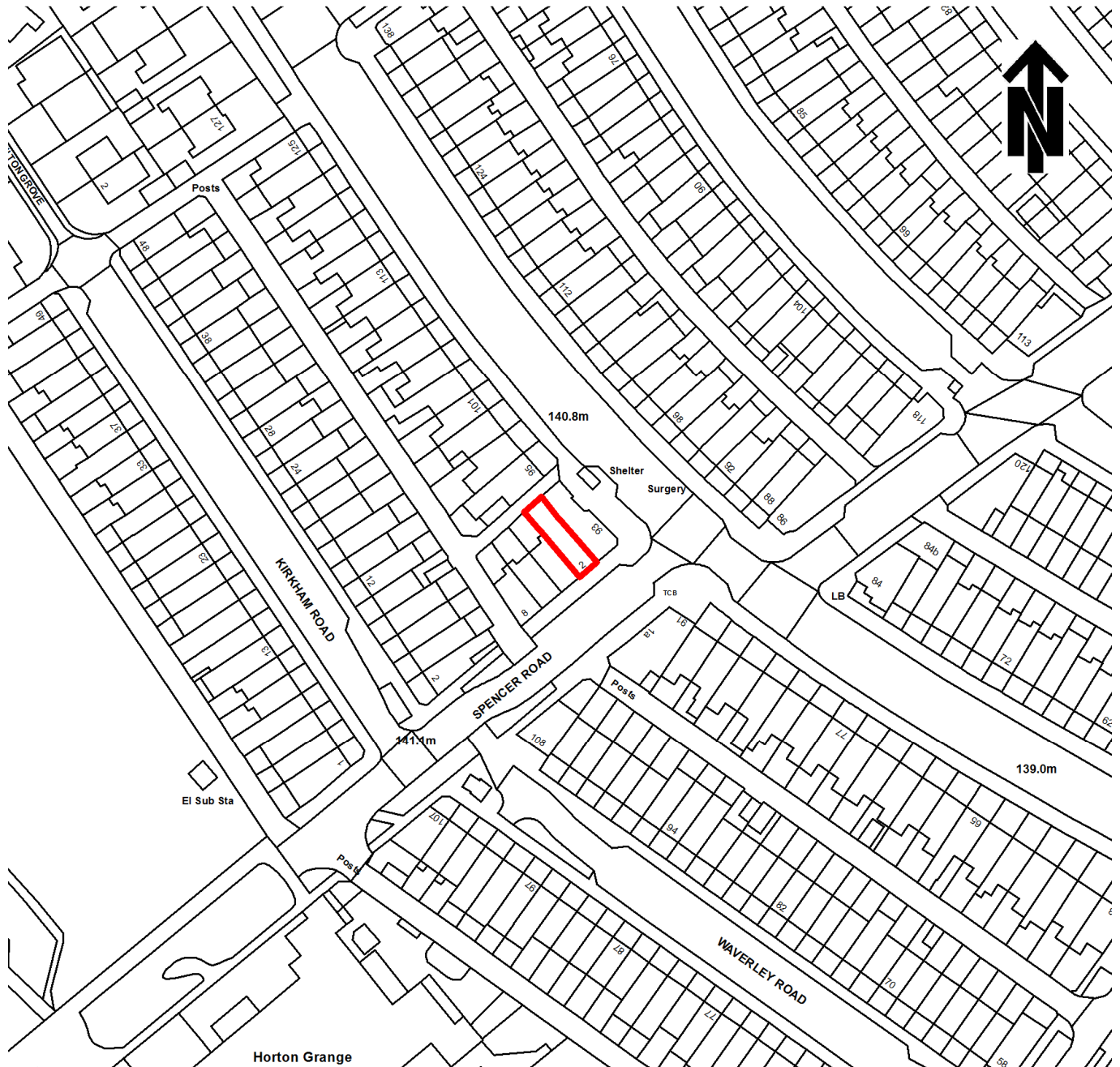
The unauthorised mixed use referred to in the breach has unsatisfactory arrangements for parking, vehicular access and egress and unsatisfactory internal layout and manoeuvring and is harmful to pedestrian and highway safety contrary to policies TM2 and TM19A of the Councils Replacement Unitary Development Plan and the National Planning Policy Framework.

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers, on 16 March 2017.

15/01243/ENFCOU

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

**2 Spencer Road
Bradford
BD7 2DH**

12 April 2017

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

Enforcement Reference:
15/01243/ENFCOU

Site Location:
2 Spencer Road, Bradford, BD7 2DH

Breach of Planning Control:
Unauthorised Class A5 hot food takeaway use.

Circumstances:
In June 2015 the Local Planning Authority received an enquiry regarding the use of the shop property.

An inspection showed that in addition to the authorised Class A1 retail use, the property was also being used as a Class A5 hot food takeaway, for which the Council had no record of planning permission having been granted.

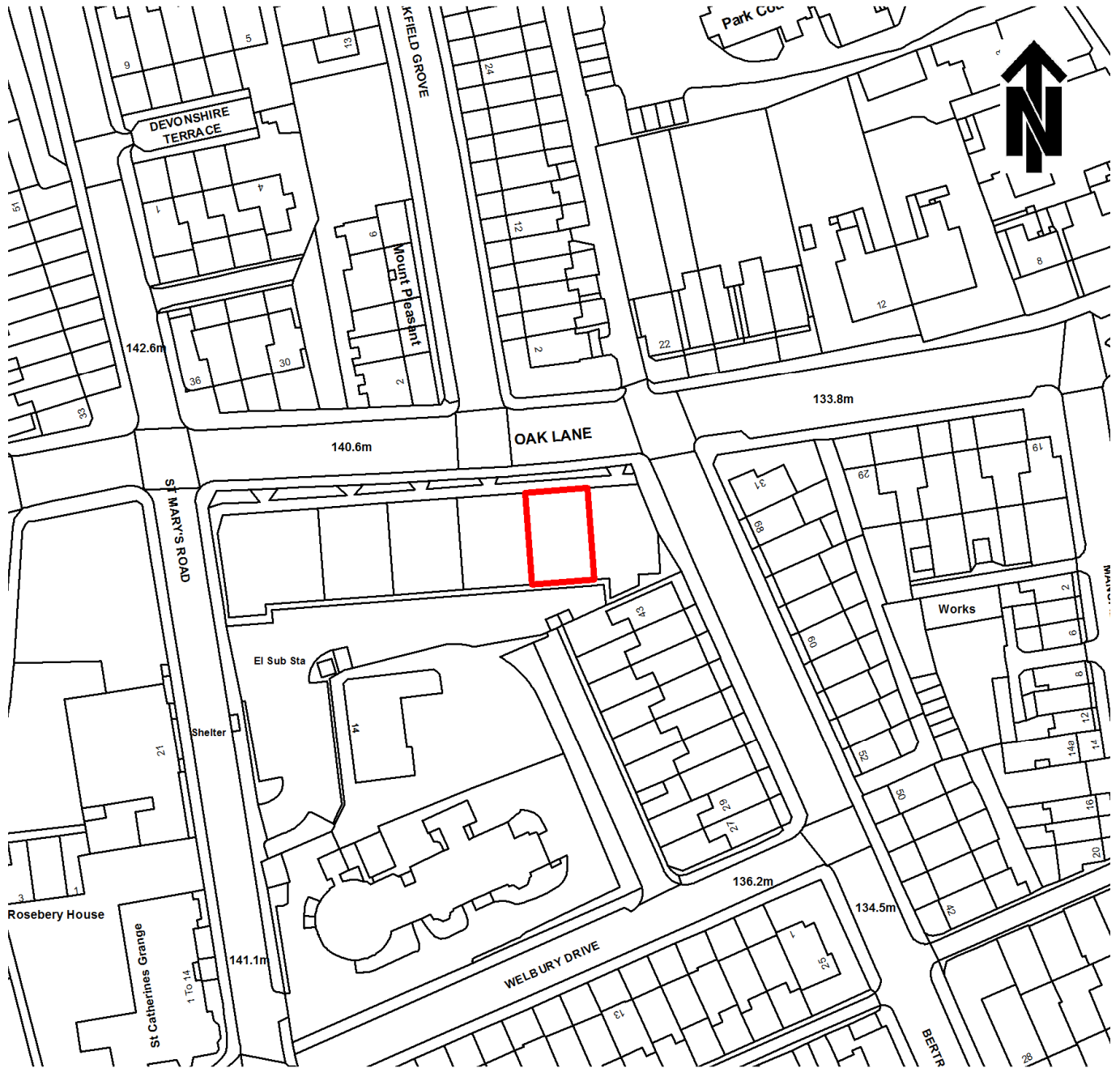
Retrospective planning application 16/00947/FUL for the mixed Class A1 retail and Class A5 hot food takeaway use of the property was refused by the Council in April 2016. No appeal was made against the Council's decision.

The unauthorised Class A5 hot food takeaway use of the property is continuing and on 1 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 Class A5 hot food takeaway use is contrary to the Council's adopted Hot Food Takeaways SPD and policies D1, UR3, TM2 and TM11 of the Council's adopted Replacement Unitary Development Plan.

16/00590/ENFCON

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

35 Oak Lane
Bradford
BD9 4QB

12 April 2017

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

Enforcement Reference:
16/00590/ENFCON

Site Location:
35 Oak Lane, Bradford, BD9 4QB

Breach of Planning Control:

Failure to comply with the requirement of condition 2 of planning permission 09/02875/FUL which states: The premises the subject of this decision 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.

Reason: In order to safeguard the amenity of nearby residents and to accord with the requirements of the council's policy for cafes, restaurants and takeaways and to accord with Policy UR3 of the Replacement Unitary Development Plan.

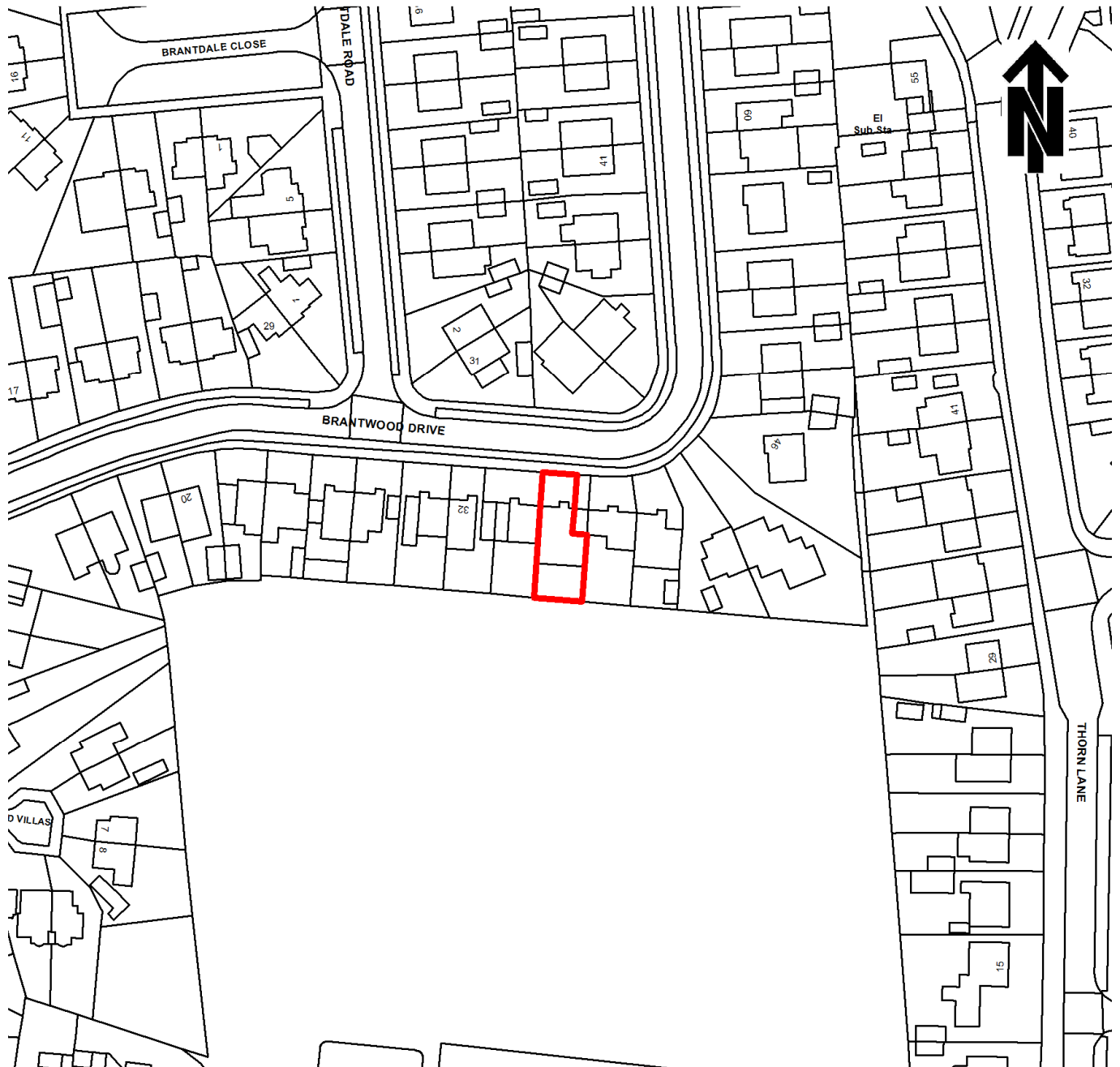
Circumstances:

The Council has received complaints that the premises is operating outside the approved hours. The use is therefore operating in breach of the requirements of the approved application. Therefore on 10 February 2017 the Planning Manager (Enforcement and Trees) authorised Enforcement Action requiring the owners/operators to comply with the requirement of condition 2 by restricting the use of the premises to between 0800 and midnight.

14/00291/ENFUNA

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

36 Brantwood Drive
Bradford
BD9 6QS

12 April 2017

Item: G
Ward: HEATON
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
14/00291/ENFUNA

Site Location:
36 Brantwood Drive, Bradford, BD9 6QS

Breach of Planning Control:
The construction without planning permission of a single storey side and rear extension.

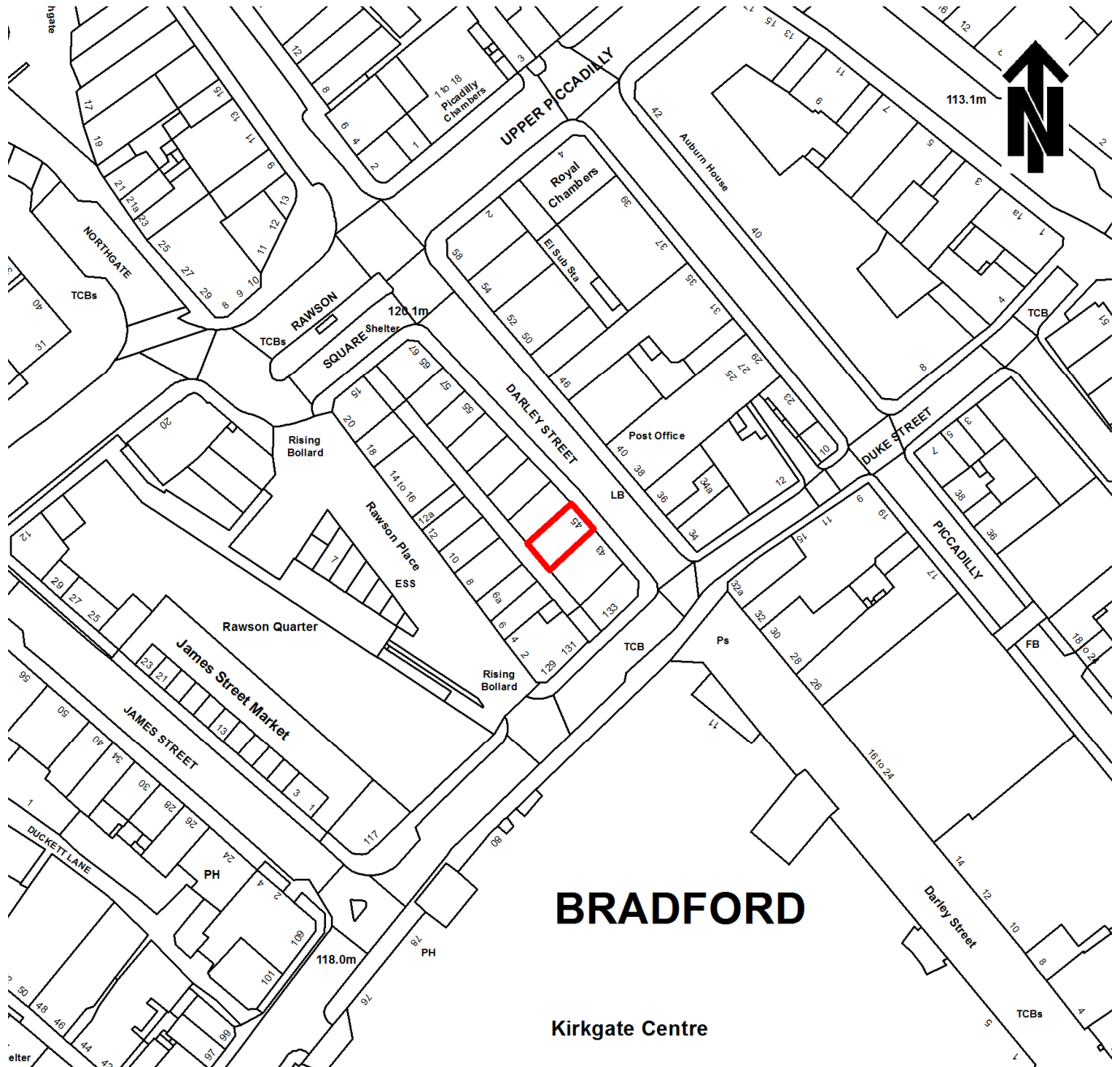
Circumstances:
It was brought to the attention of the local planning authority that a single storey side and rear extension has been constructed at the above property for which planning permission was required and has not been obtained. A retrospective planning application for the extension has been refused and no further action has been taken by the owner/occupier.

The unauthorised extension due to its excessive depth causes overshadowing and over-dominance to the detriment of the residential amenity of the present and future occupiers of No 34 Brantwood Drive. The extension is contrary to policies UR3 and D1 of the Replacement Unitary Development Plan and the Council's adopted 'Householder Supplementary Planning Document'. Therefore on 19 January 2017 the Planning Manager (Enforcement and Trees) authorised Enforcement Action requiring the demolition of the unauthorised single storey extension.

16/00959/ENFLBC

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

45 Darley Street
Bradford
BD1 3HN

12 April 2017

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

Enforcement Reference:
16/00959/ENFLBC

Site Location:
45 Darley Street, Bradford, BD1 3HN

Breach of Planning Control:
Unauthorised alterations to Listed Building.

Circumstances:
In March 2015 it was noted that green coloured cladding and signage had been installed to the front elevation of the Listed Building, for which the Council had no record of Listed Building Consent having been granted.

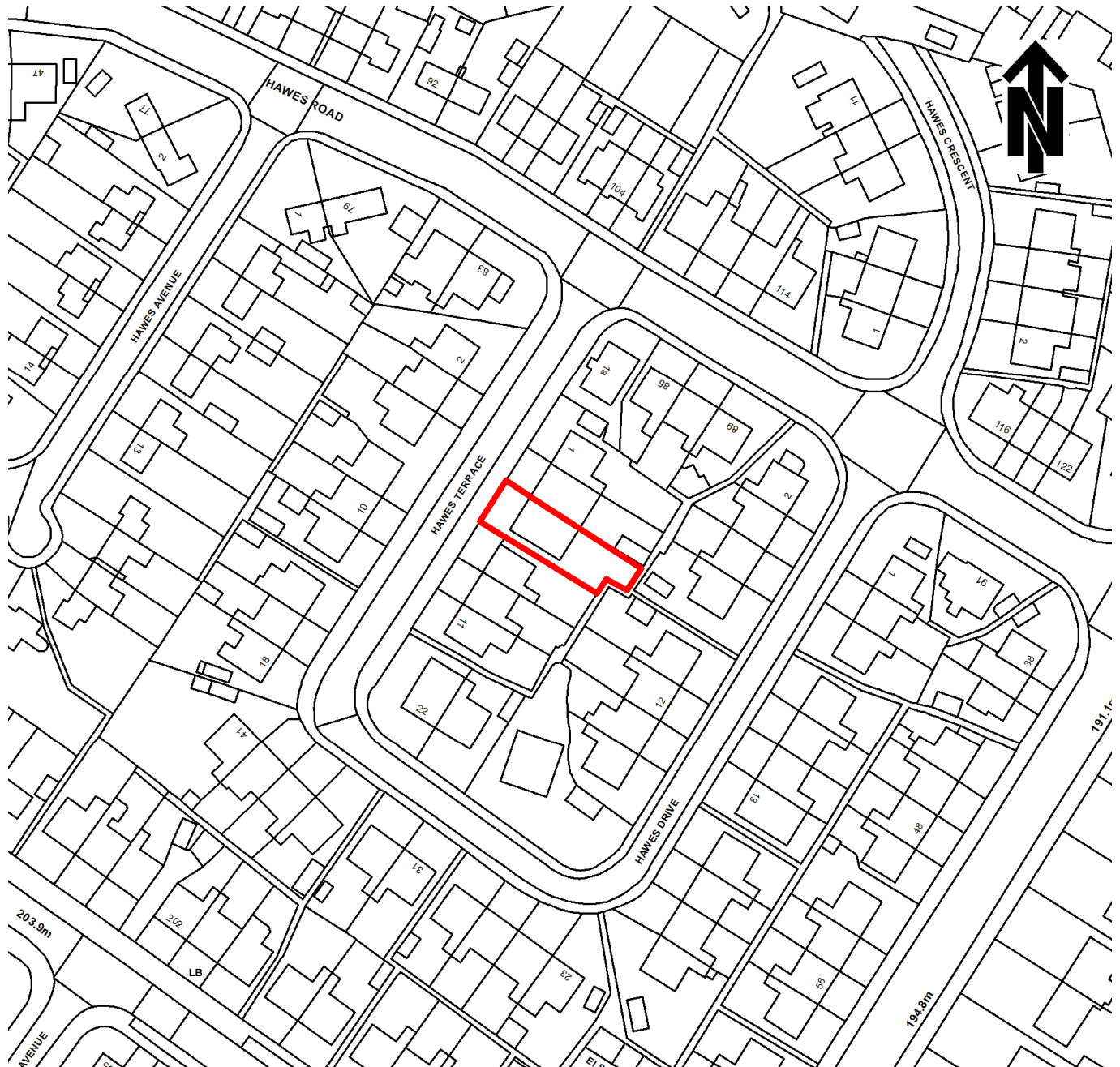
The owner and advertiser have been requested to rectify the breach of planning control, however no action has been taken to date.

The unauthorised cladding and signage are still in place and on 1 March 2017 the Planning Manager (Enforcement & Trees) authorised the issue of a Listed Building Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised cladding and signage are inappropriate to the Listed Building, contrary to Policies BH4 and BH6 of the Council's adopted Replacement Unitary Development Plan.

15/00936/ENFAPP

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

**5 Hawes Terrace
Bradford
BD5 9AZ**

12 April 2017

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

Enforcement Reference:
15/00936/ENFAPP

Site Location:
5 Hawes Terrace, Bradford, BD5 9AZ

Breach of Planning Control:
Non-compliance with planning permission 13/05152/HOU: Construction of two front dormer windows and a rear dormer window.

Circumstances:
It was brought to the attention of the Local Planning Authority that the owner of the above site has not built the front dormer windows and rear dormer window in accordance with the approved planning permission 13/05152/HOU.

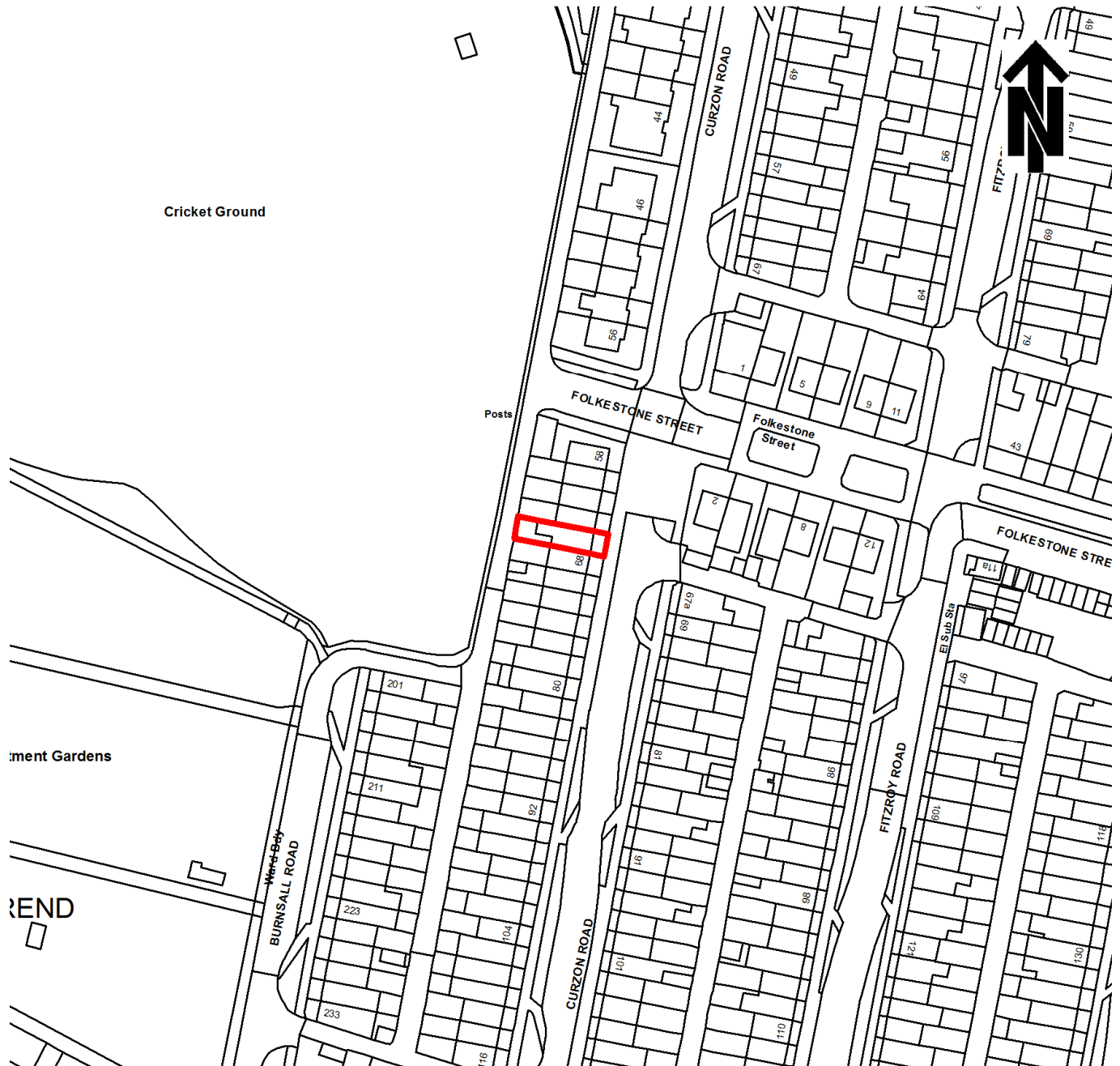
The unauthorised dormer windows by reason of their scale and construction material detract from the visual amenity of the property and the surrounding street scene. The development is contrary to the Councils Householder Supplement Planning Document, Policies UR3 and D1 of the Replacement Unitary Development Plan and national policy set out in the National Planning Policy Framework.

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers, on 14 February 2017.

16/00725/ENFUNA

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

66 Curzon Road
Bradford
BD3 9EH

12 April 2017

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

Enforcement Reference:
16/00725/ENFUNA

Site Location:
66 Curzon Road, Bradford, BD3 9EH

Breach of Planning Control:
Unauthorised rear extensions and walling.

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

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

Retrospective planning application 16/07928/HOU for the rear extensions and walling as built was refused by the Council in November 2016. No appeal has been made against the Council's decision.

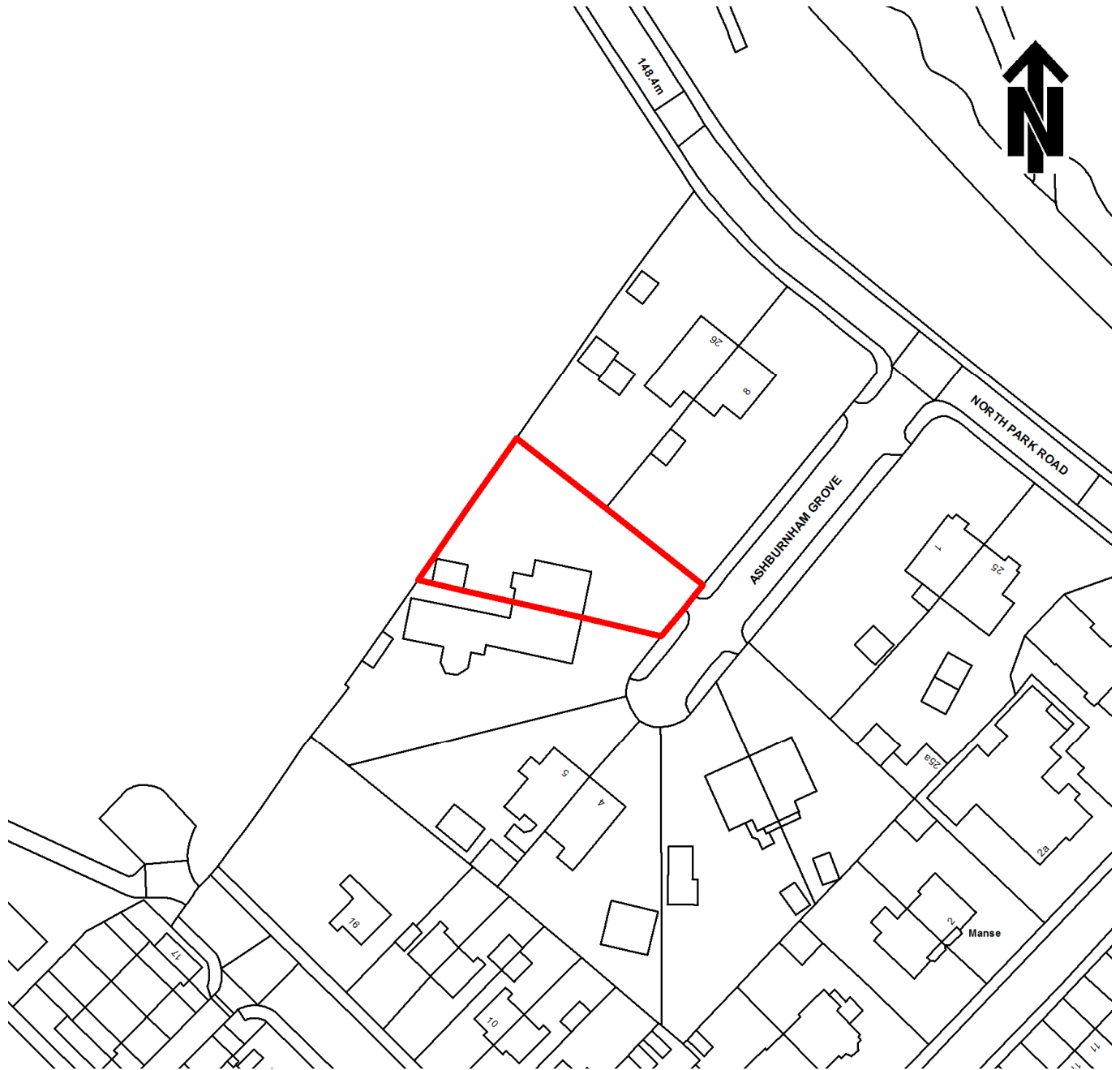
The owner/occupier of the property has been requested to rectify the breach of planning control, however no action has been taken.

The unauthorised rear extensions and walling remain in place and on 6 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 rear extensions and walling are detrimental to visual amenity by virtue of their 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.

16/00638/ENFUNA

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

7 Ashburnham Grove
Bradford
BD9 4NX

12 April 2017

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

Enforcement Reference:
16/00638/ENFUNA

Site Location:
7 Ashburnham Grove, Bradford, BD9 4NX

Breach of Planning Control:
Construction of a rear extension.

Circumstances:
It was brought to the attention of the Local Planning Authority that the owner of the above site has constructed a rear extension for which planning permission was required. Planning application 16/08779/HOU to retain to extension was refused and the owner has failed to take any further action.

The unauthorised extension by reason of its depth, design and poor quality construction materials detracts from the visual amenity of the dwelling and the North Park Road Conservation Area. The excessive projection of the extension along the common boundary results in an overbearing impact and loss of outlook for the occupants of the adjoining property.

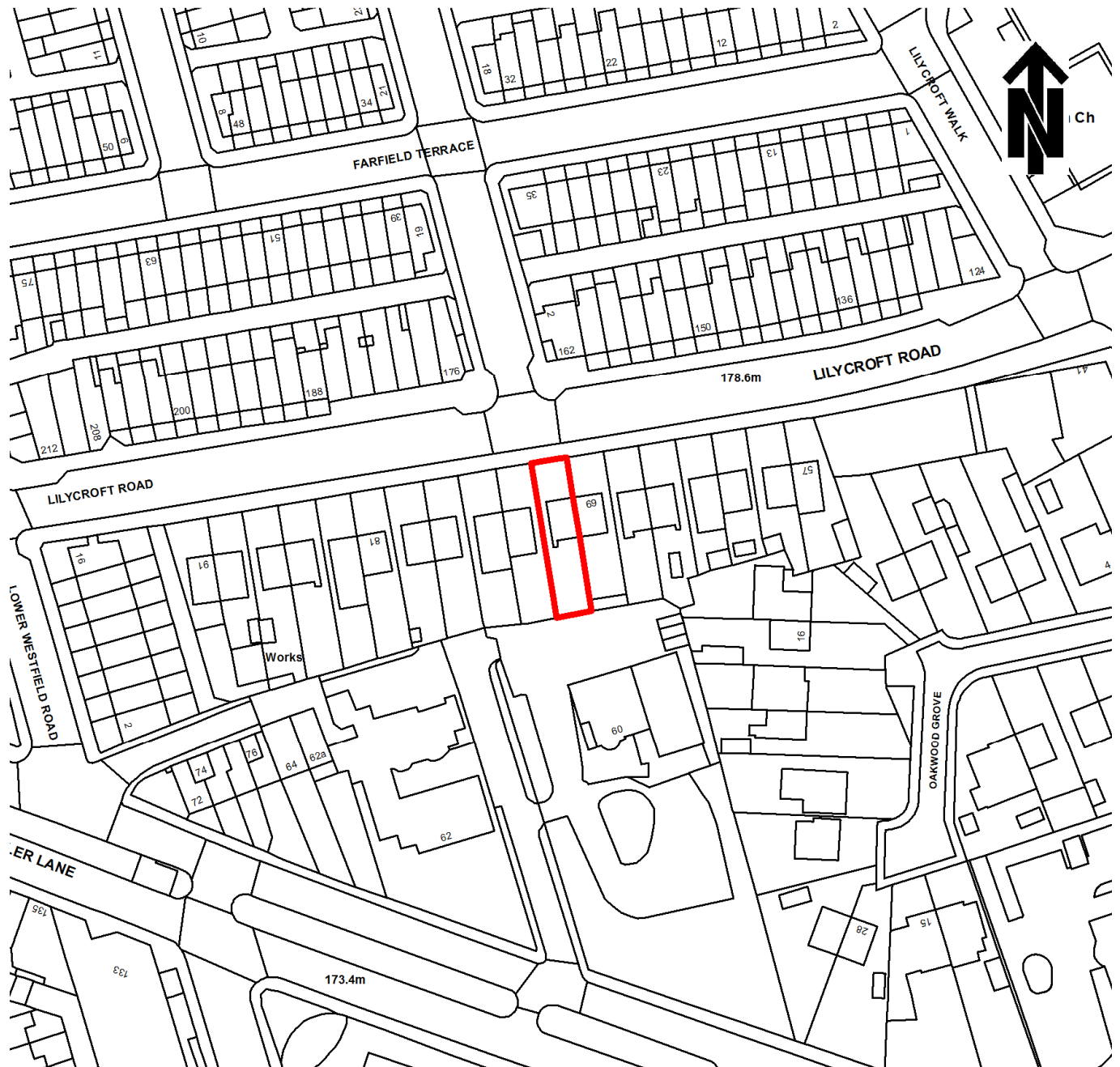
The development is contrary to the Councils Householder Supplementary Planning Document, Policies UR3, D1 and BH7 of the Replacement Unitary Development Plan and national policy set out in the National Planning Policy Framework

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers, on 7 February 2017.

16/00508/ENFAPP

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

71 Lilycroft Road
Bradford
BD9 5AH

12 April 2017

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

Enforcement Reference:
16/00508/ENFAPP

Site Location:
71 Lilycroft Road, Bradford, BD9 5AH

Breach of Planning Control:
Unauthorised front and rear dormer windows.

Circumstances:
In June 2015 planning permission was granted for roof alterations and front and rear dormer windows at the property.

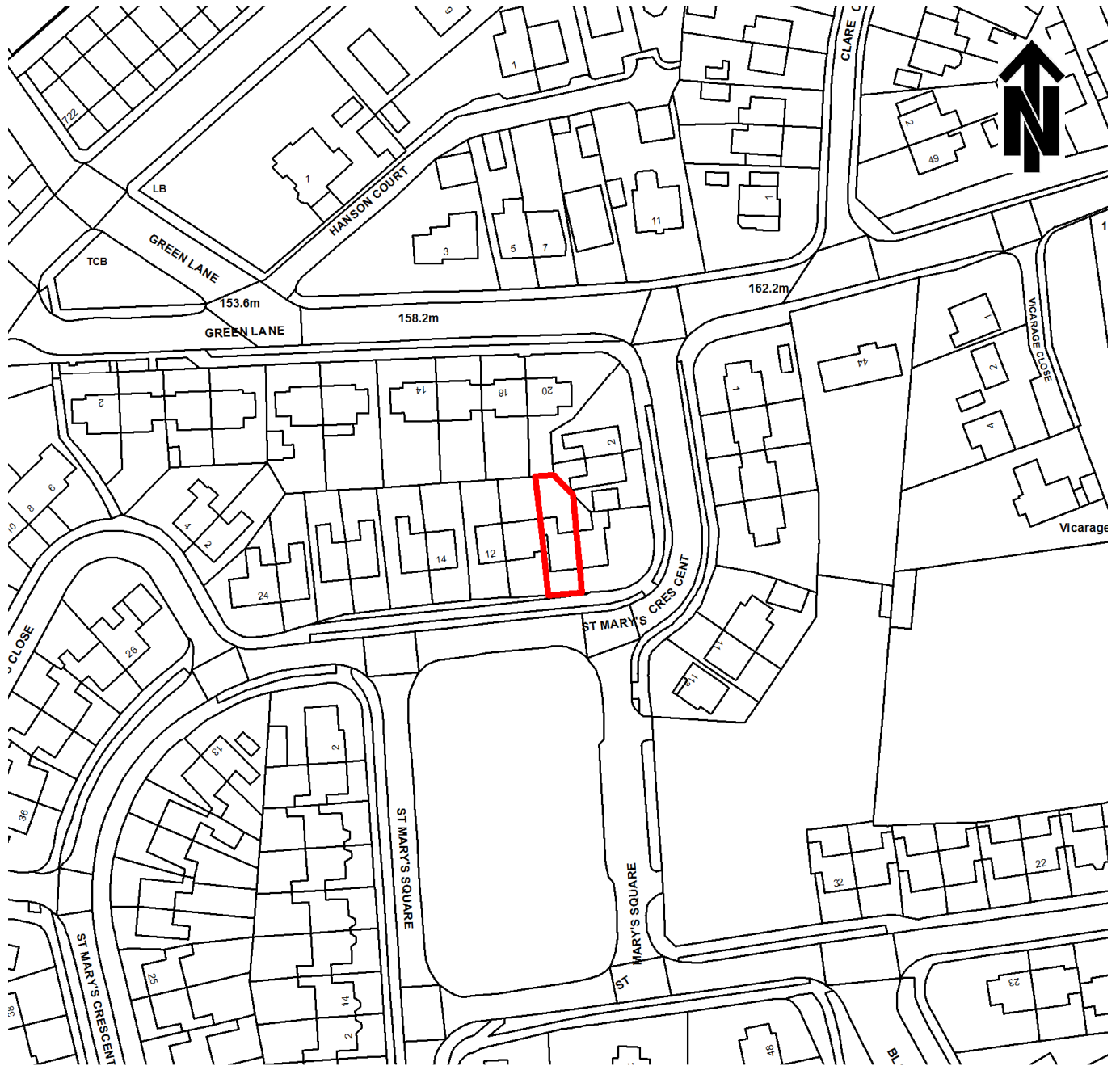
An inspection showed that the front and rear dormer windows had not been constructed in accordance with the planning permission and the owner/occupier of the property was requested to rectify the breach of planning control.

No action has been taken and on 20 March 2017 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.

15/01017/ENFUNA

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

**8 St Marys Crescent
Wyke
Bradford BD12 8QX**

12 April 2017

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

Enforcement Reference:
15/01017/ENFUNA

Site Location:
8 St Marys Crescent, Wyke, Bradford, BD12 8QX

Breach of Planning Control:

The construction without planning permission of a lean-to timber structure to the side of the property.

Circumstances:

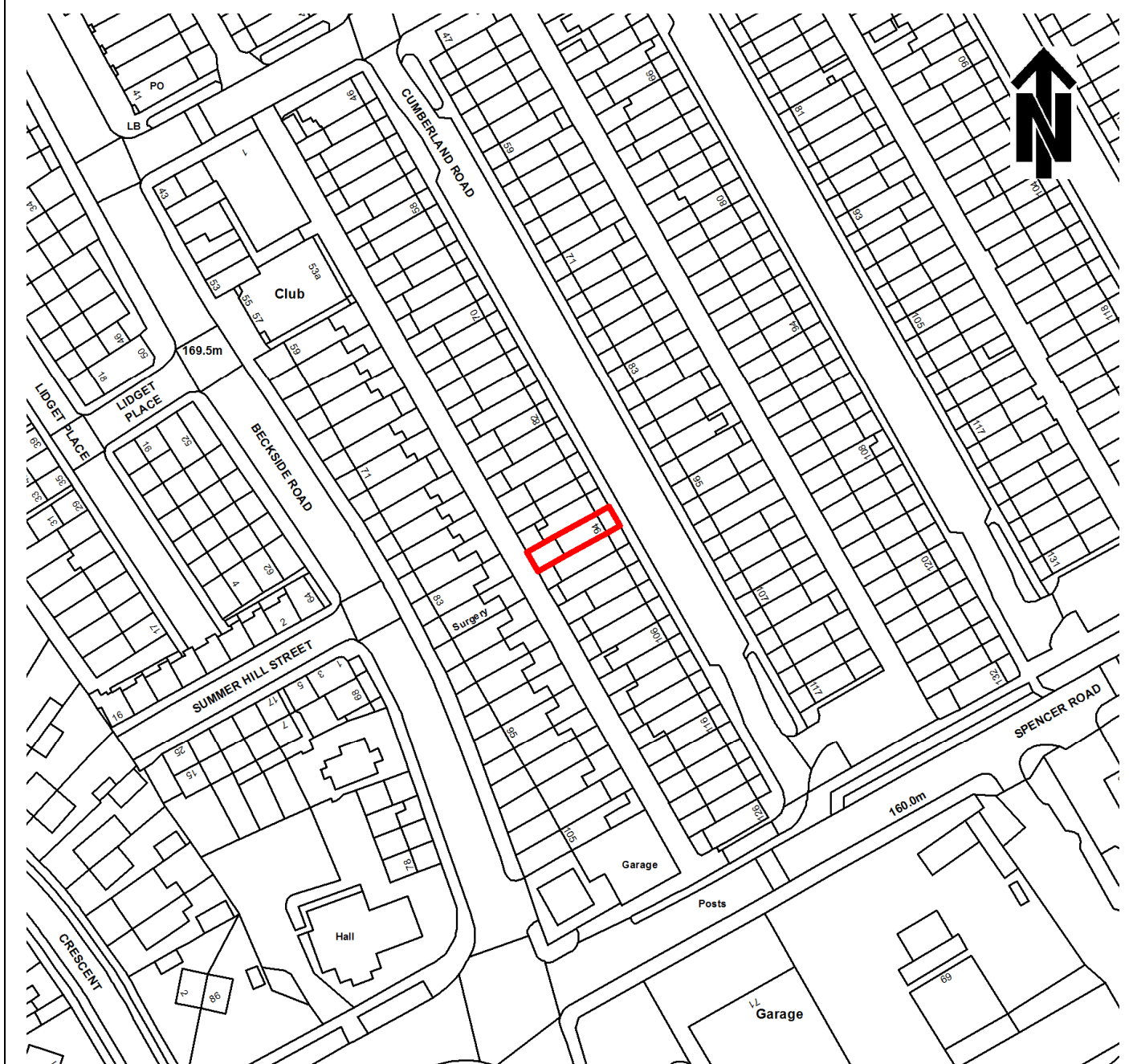
It was brought to the attention of the local planning authority that a lean-to timber structure has been constructed at the above property for which planning permission was required and has not been obtained. To date no action has been taken by the owner/occupier and the matter remains unresolved.

The lean-to timber structure introduces a discordant feature in the street scene by reason of its prominent position and the use of poor quality materials. The timber structure is detrimental to the appearance of the street scene and parent building and is contrary to policies UR3 and D1 of the Replacement Unitary Development Plan and the Council's adopted 'Householder Supplementary Planning Document'. Therefore the Planning Manager (Enforcement Trees) authorised Enforcement Action requiring the owners to demolish the unauthorised lean-to timber structure.

15/00717/ENFUNA

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

**94 Cumberland Road
Bradford
BD7 2JW**

12 April 2017

Item: N
Ward: GREAT HORTON
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
15/00717/ENFUNA

Site Location:
94 Cumberland Road, Bradford, BD7 2JW

Breach of Planning Control:
Unauthorised rear extension.

Circumstances:
In July 2015 the Local Planning Authority received an enquiry regarding development work at the property.

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

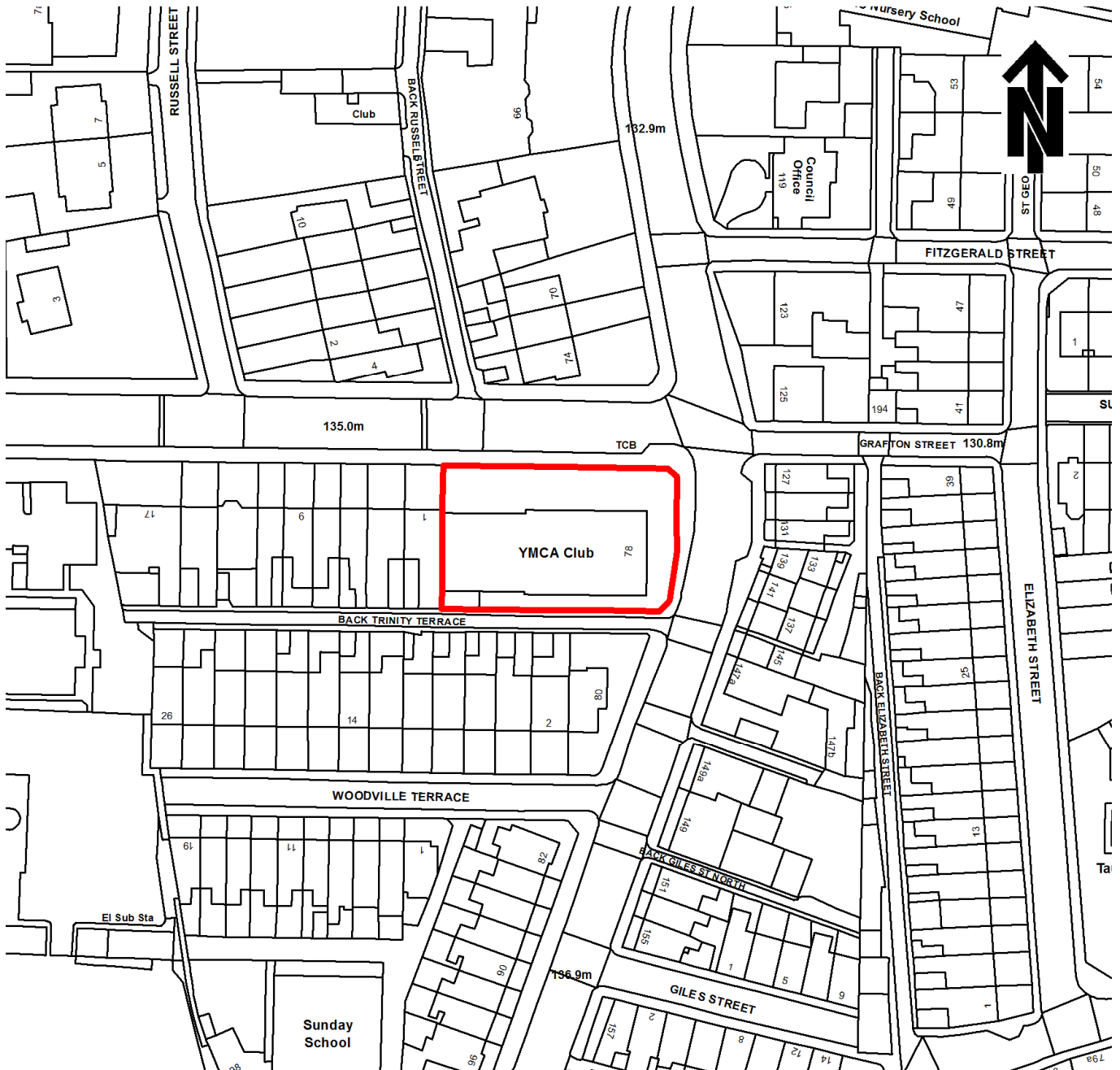
The owner/occupier of the property has been requested to rectify the breach of planning control, however no action has been taken.

The unauthorised single storey rear extension remains in place and on 6 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 rear extension 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.

15/00927/ENFLBC

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

Bentley Carter Apartments
78 Little Horton Lane
Bradford BD5 0JG

12 April 2017

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

Enforcement Reference:
15/00927/ENFLBC

Site Location:
Former YMCA building, 78 Little Horton Lane, Bradford, BD5 0JG

Breach of Planning Control:
Display of advertisements without Listed Building Consent.

Circumstances:
In August 2016 it was noted that advertisements were being displayed on the front and side elevations of the Listed Building, for which the Council had no record of consent having been granted.

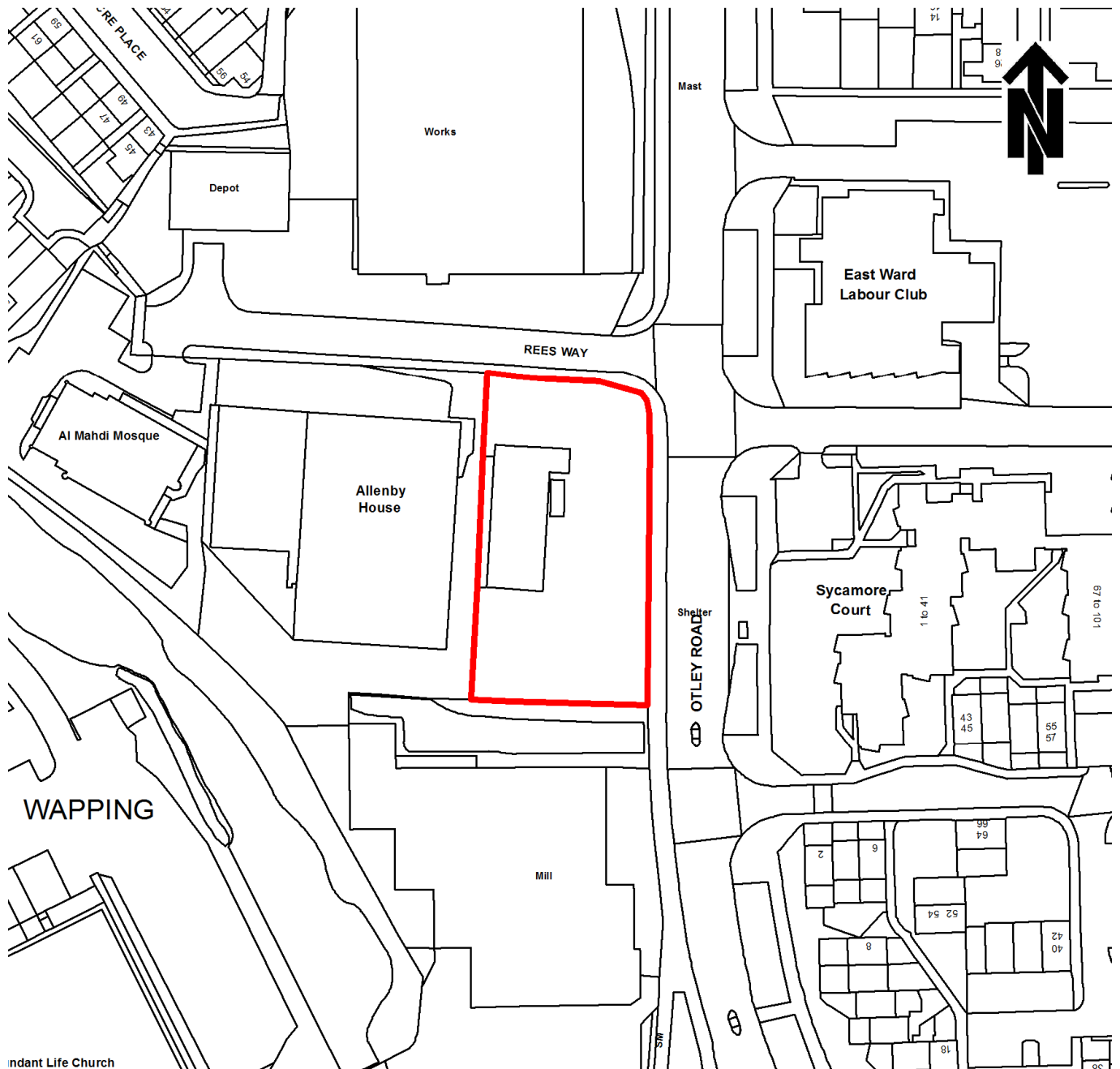
The owner and occupier of the building has been requested to rectify the breach of planning control, however no action has been taken to date.

The unauthorised advertisements continue to be displayed and on 27 February 2017 the Planning Manager (Enforcement & Trees) authorised the issue of a Listed Building Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised advertisements are inappropriate to the Listed Building, contrary to Policy BH6 of the Council's adopted Replacement Unitary Development Plan.

16/00497/ENFCOU

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

Former Bradford Van Centre
Rees Way
Bradford BD3 0DZ

12 April 2017

Item: P
Ward: BOWLING & BARKEREND
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
16/00497/ENFCOU

Site Location:
Premises at Rees Way, Otley Road, Bradford, BD3 0DZ

Breach of Planning Control:
Breach of condition 3 of planning permission 12/01555/FUL.

Circumstances:
In July 2012 the Council granted planning permission to use the premises for car and van sales, hire and repair. Condition 3 of the planning permission restricts the use of the premises to car and van sales, hire and repair only.

In June 2016 the Council received an enquiry regarding the authorised use of the premises and it was noted that part of the premises was being used for the operation of a car wash, valeting and tyre fitting business, in breach of condition 3 of the planning permission.

The owners of the property have been requested to rectify the breach of planning control, however no action has been taken.

On 6 March 2017 the Planning Manager (Enforcement & Trees) authorised the issue of a Breach of Condition Notice to enable the Local Planning Authority to retain control over the use of the site and their impact on the local area.

DECISIONS MADE BY THE SECRETARY OF STATE

Appeal Allowed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
Q	City (ward 07)	203 Great Horton Road Bradford BD7 1RP Appeal against Enforcement Notice – Case No: 15/00712/ENFUNA Appeal Ref: 16/00106/APPENF
R	Idle And Thackley (ward 13)	359 Highfield Road Idle Bradford BD10 8RS Demolition of existing garage and construction of new - Case No: 16/06860/HOU Appeal Ref: 17/00007/APPHOU

Appeal Dismissed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
S	Wyke (ward 30)	364 Whitehall Road Wyke Bradford BD12 9LN Construction of one pair of semi-detached dwellings - Case No: 16/03890/FUL Appeal Ref: 16/00133/APPFL2
T	Eccleshill (ward 10)	8 And 10 Farlea Drive Bradford BD2 3RJ Appeal against Enforcement Notice – Case No: 14/00741/ENFAPP Appeal Ref: 16/00117/APPENF
U	Bradford Moor (ward 06)	912 -914 Leeds Road Bradford BD3 8EZ Appeal against Enforcement Notice – Case No: 15/00699/ENFUNA Appeal Ref: 16/00087/APPENF
V	Bradford Moor (ward 06)	912 -914 Leeds Road Bradford BD3 8EZ Appeal against Enforcement Notice – Case No: 15/00699/ENFUNA Appeal Ref: 16/00088/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