

Report of the Strategic Director of Place to the meeting of the Area Planning Panel (BRADFORD) to be held on 06 July 2017

B

Summary Statement - Part Two

Miscellaneous Items

	<u>No. of Items</u>
Requests for Enforcement/Prosecution Action	(12)
Decisions made by the Secretary of State - Allowed	(1)
Decisions made by the Secretary of State - Withdrawn	(1)
Decisions made by the Secretary of State - Dismissed	(6)

Julian Jackson
Assistant Director (Planning, Transportation and Highways)

Report Contact: Mohammed Yousuf
Phone: 01274 434605

Email: mohammed.yousuf@bradford.gov.uk

Portfolio:
Change Programme, Housing and Planning

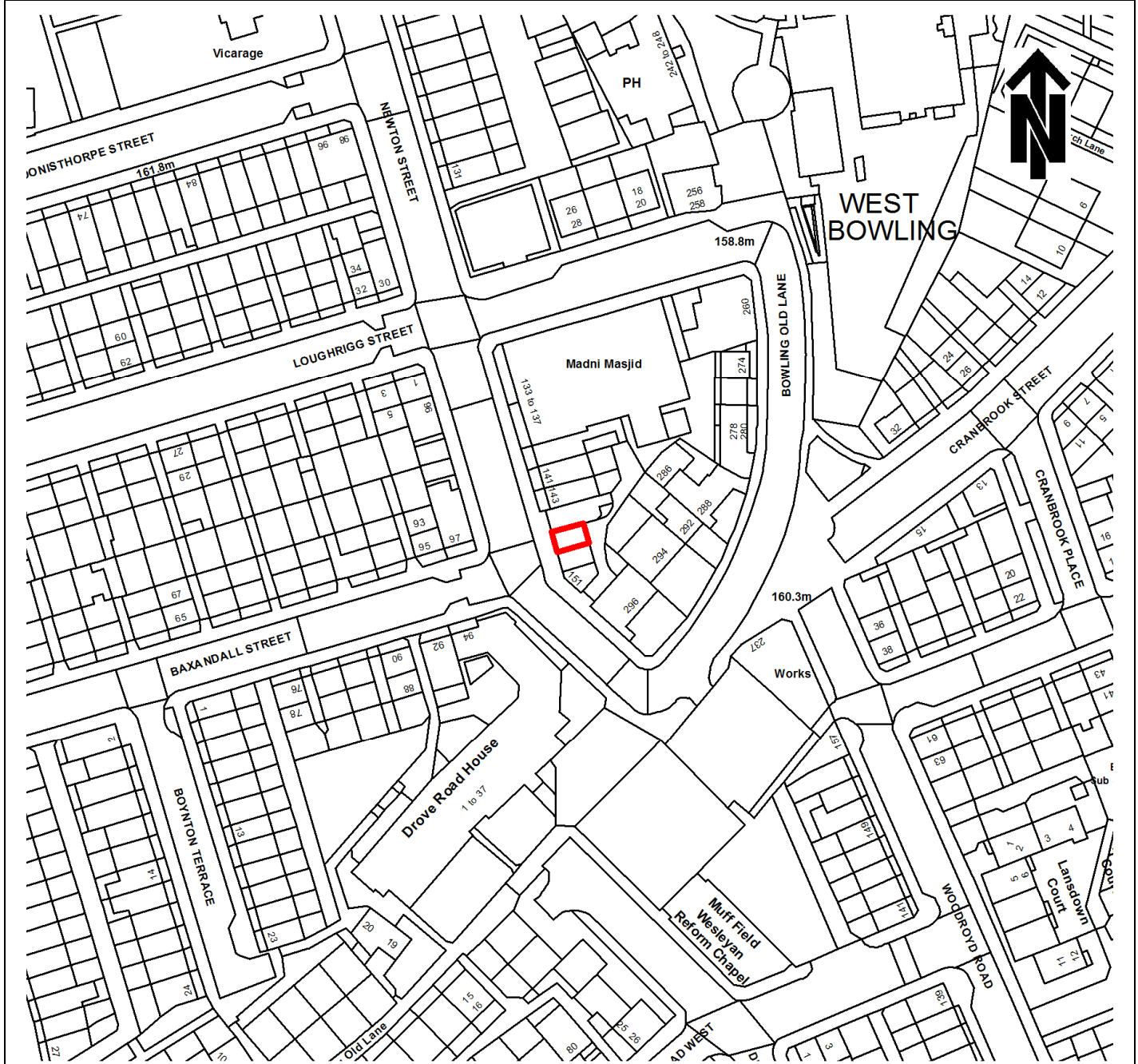
Improvement Committee Area:
Regeneration and Economy



17/00294/ENFUNA

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

147 Newton Street
Bradford
BD5 7BJ

6 July 2017

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

Enforcement Reference:
17/00294/ENFUNA

Site Location:
147 Newton Street, Bradford, BD5 7BJ

Breach of Planning Control:
Unauthorised externally mounted roller shutter.

Circumstances:
A bare metal externally mounted roller shutter has been installed to the front elevation of the above property, for which the Local Planning Authority has not been granted.

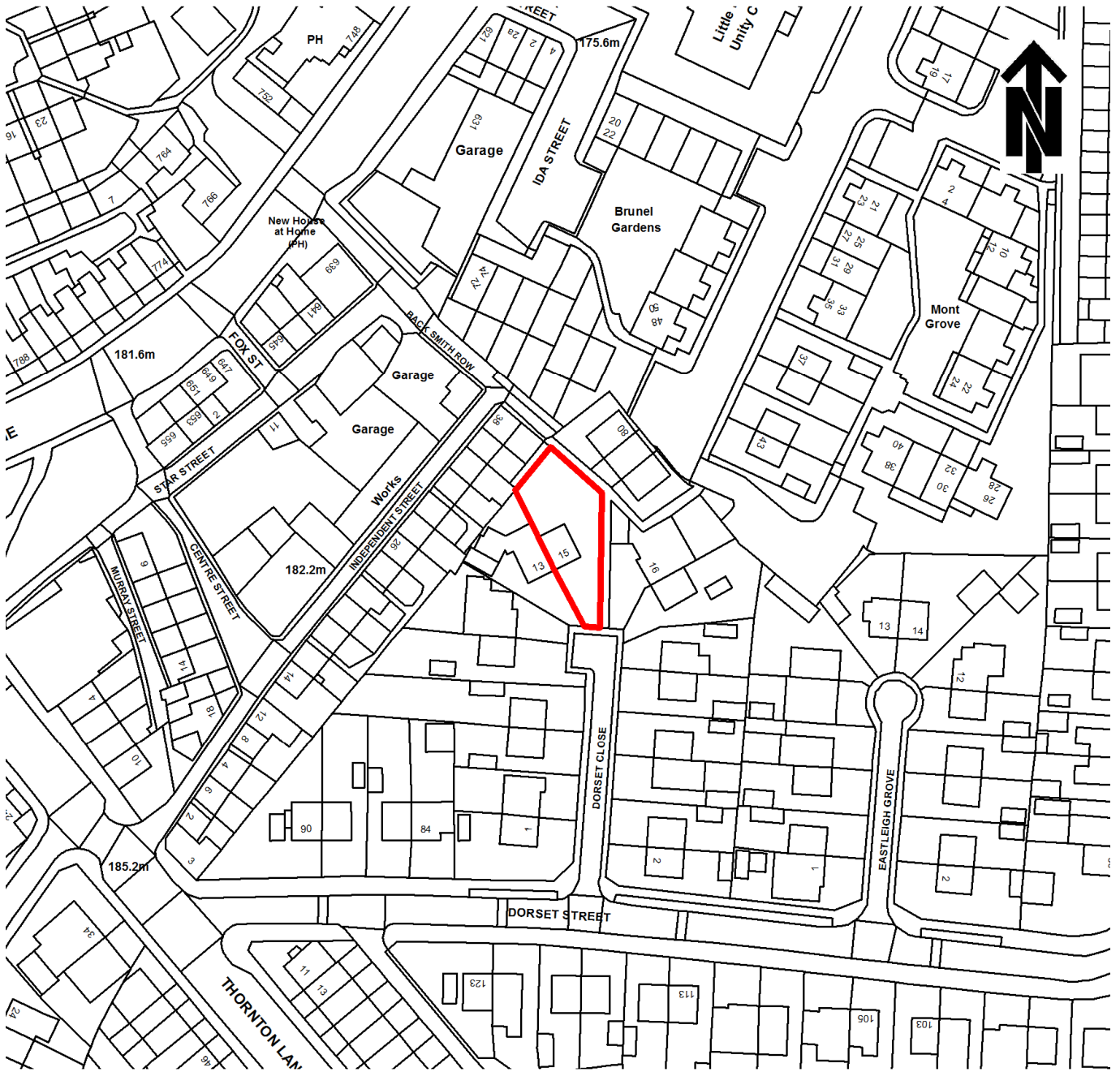
The owner of the property has been requested to take action to rectify the breach of planning control, however no action has been taken.

The unauthorised roller shutter remains in place and on 7 June 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 externally mounted roller shutter 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, the Council's adopted Shopfront Design Guide and the Council's adopted A Shopkeepers Guide to Securing their Premises Supplementary Planning Document.

16/00019/ENFUNA

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

15 Dorset Close
Bradford
BD5 9DP

6 July 2017

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

Enforcement Reference:
16/00019/ENFUNA

Site Location:
15 Dorset Close, Bradford, BD5 9DP

Breach of Planning Control:
Without planning permission the construction of a boundary wall/fence and gate post.

Circumstances:
It was brought to the attention of the Local Planning Authority that a new boundary wall/fence has been erected at the above property for which planning permission was required and has not been obtained. The owners of the property have taken no action to rectify the breach and the matter remains unresolved.

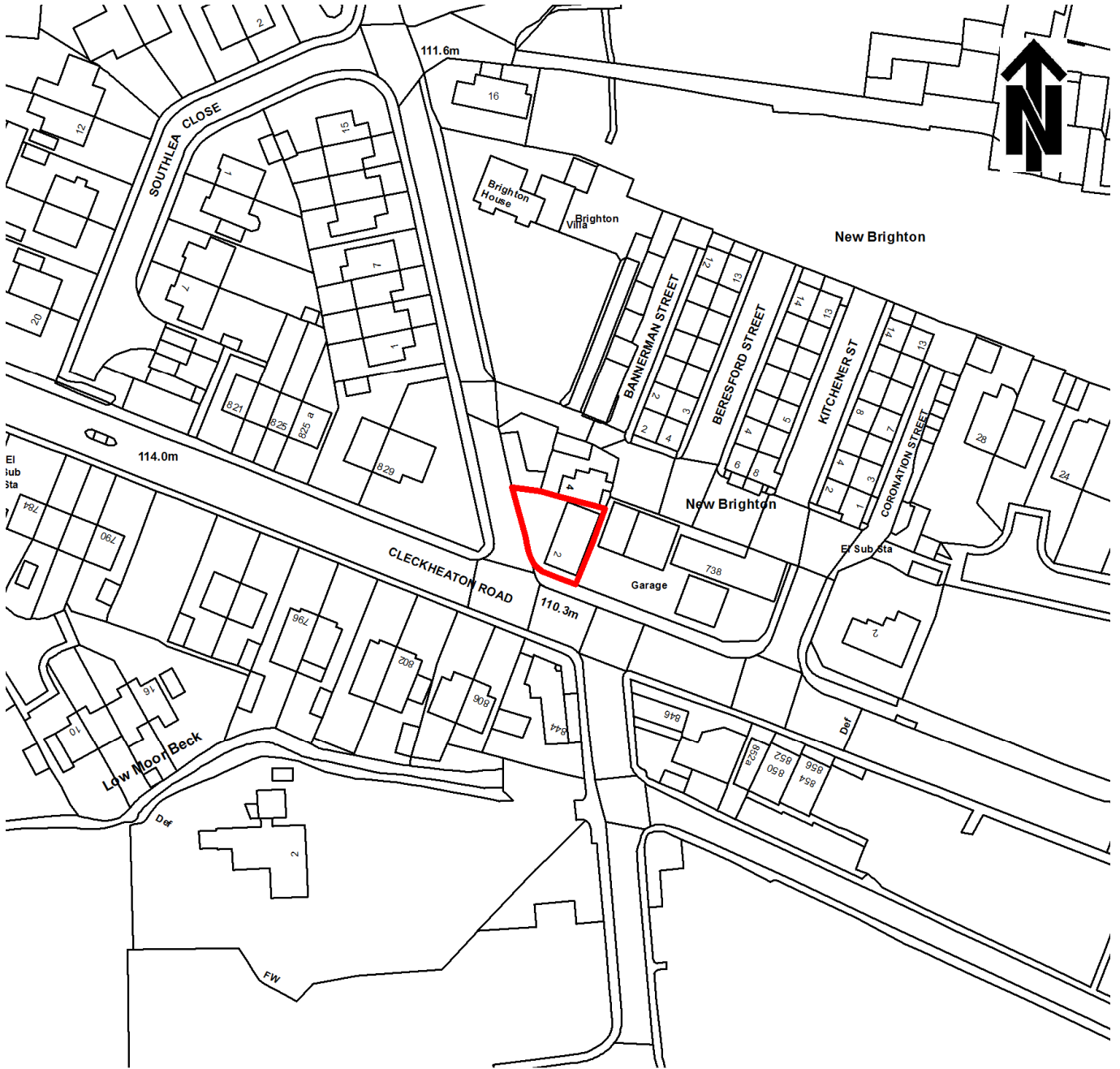
The unauthorised boundary wall and gate post due to its excessive height, poor design and quality finish introduces a discordant feature in the street scene to the detriment of the local environment. It also creates an oppressive and unwelcome environment for users of the footpath to the side of the property. The unauthorised boundary wall/fence and gate post is contrary to policies UR3, D1, D4 of the Replacement Unitary Development Plan and guidance contained within the Supplementary Planning Document Planning for Crime Prevention.

Therefore on the 27 April 2017 the Planning Manager (Enforcement and Trees) authorised Enforcement Action.

17/00170/ENFCOU

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

**2 Dyehouse Road
Oakenshaw
Bradford BD12 7BX**

6 July 2017

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

Enforcement Reference:
17/00170/ENFCOU

Site Location:
Land at 2 Dyehouse Road, Oakenshaw, Bradford.

Breach of Planning Control:
Unauthorised use of the land for motor vehicle sales and storage

Circumstances:
It was brought to the attention of the Local Planning Authority that the yard at the above premises was being used as a car sales plot.

The change of use had been challenged in writing but no application has been forthcoming. Due to issues mainly with highway safety it has been necessary to move to formal action.

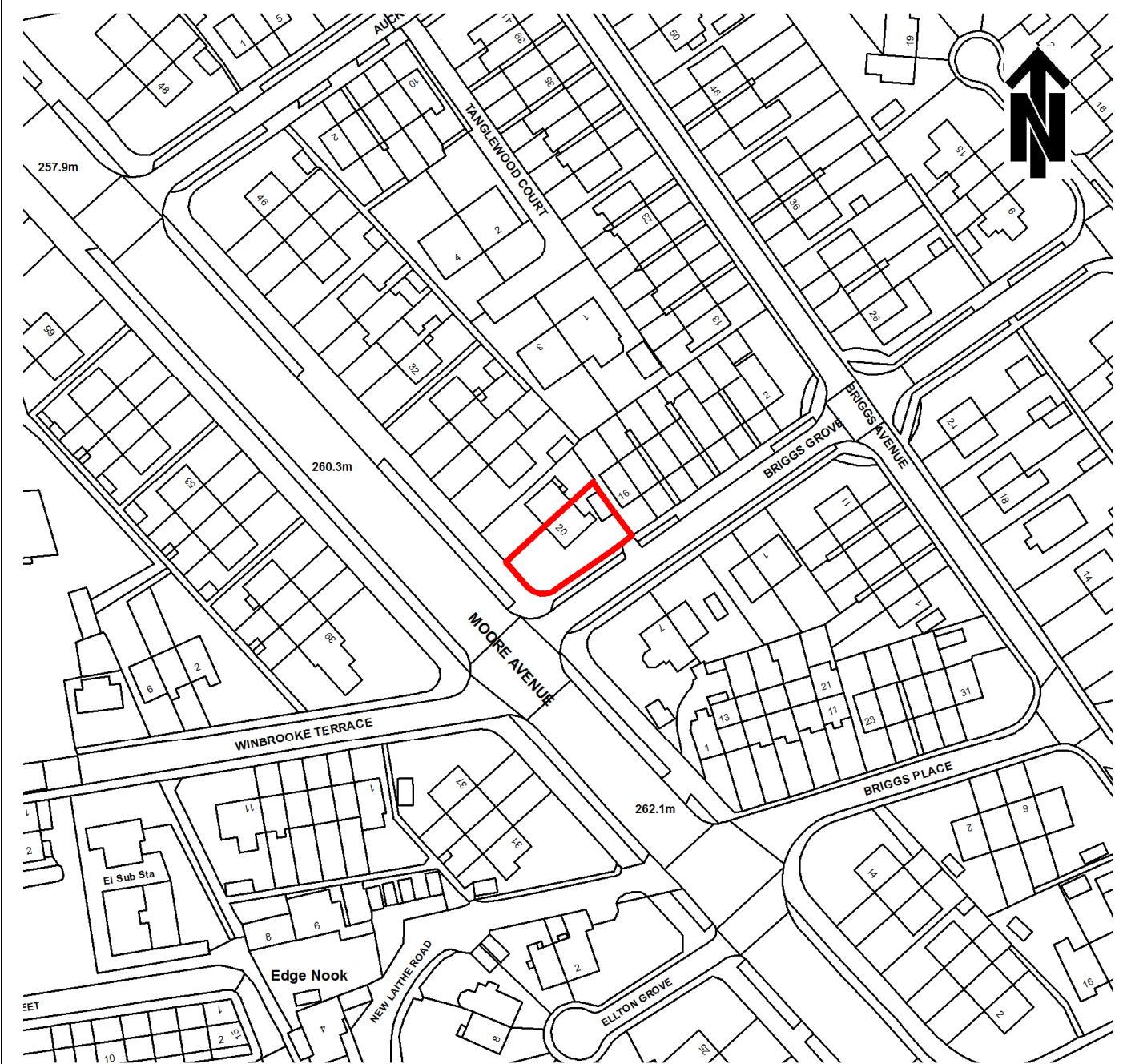
The unauthorised use causes noise and disturbance adversely affecting the amenity of a residential neighbourhood and is harmful to pedestrian and highway safety due to intensive use of a small parcel of land with restricted parking and manoeuvring provision on a road junction and also being located in the vicinity of a pedestrian crossing and causing conflict between the various aspects of highway usage contrary to policies UDP3,UR3,TM2 and TM19A of the Council's Replacement Unitary Development Plan and the NPPF.

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers, on 2 May 2017.

16/00387/ENFAPP

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

**20 Moore Avenue
Bradford
BD6 3HT**

6 July 2017

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

Enforcement Reference:
16/00387/ENFAPP

Site Location:
20 Moore Avenue, Bradford, BD6 3HT

Breach of Planning Control:
Without planning permission the erection of a:

1. front canopy,
2. single storey side extension,
3. two storey rear extension; and
4. raised platform.

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

A retrospective planning application to retain the front canopy, single storey side extension, two storey rear extension, raised platform and dormer windows was submitted to the Local Planning Authority for consideration and determination. On 13 March 2017 planning permission was refused.

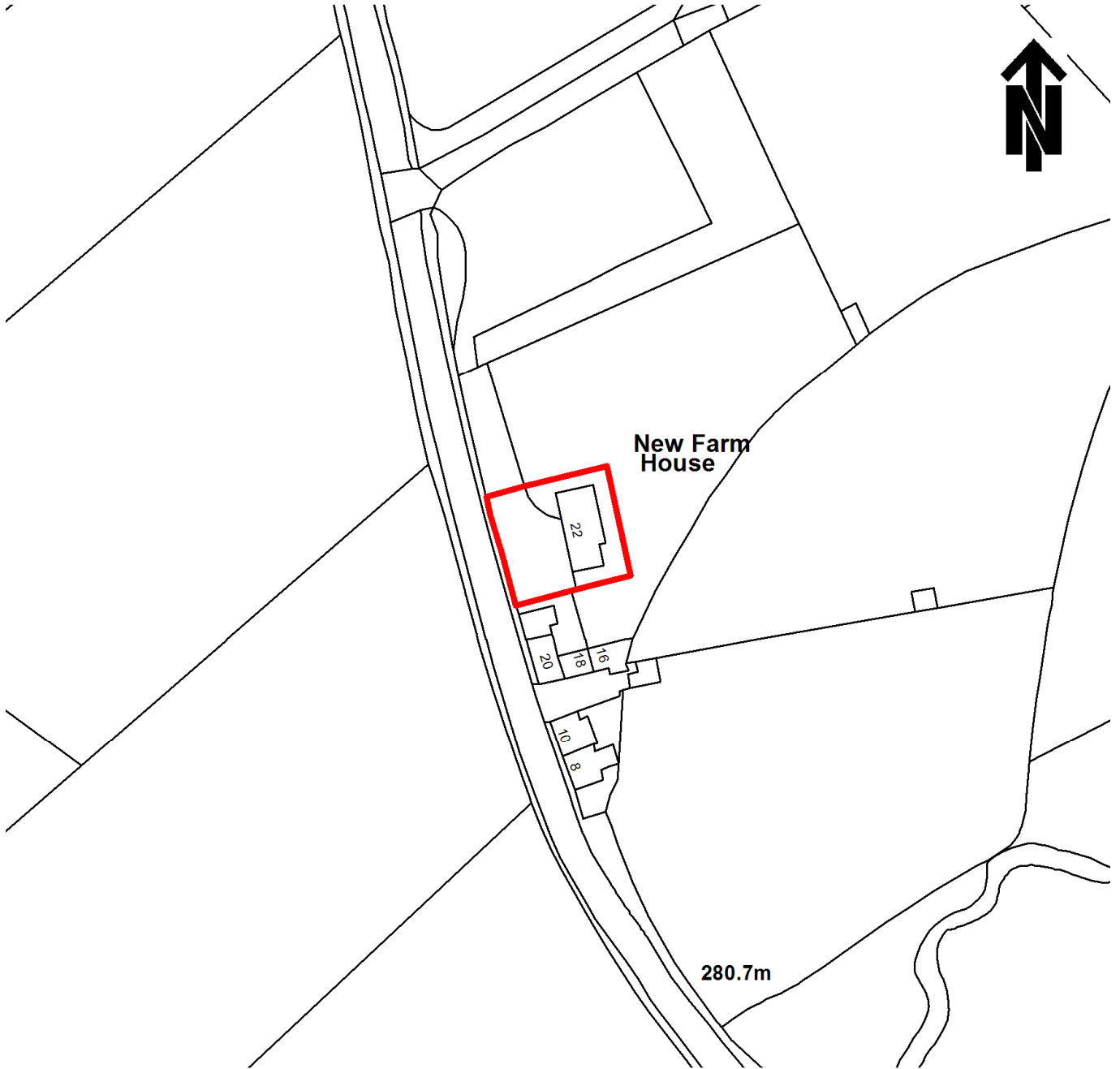
The development is contrary to policies UR3 and D1 of the Replacement Unitary Development Plan and guidance contained within the Householder Supplementary Planning Document.

The Development Services Manager authorised the issuing of an Enforcement Notice under delegated powers on 28 April 2017.

17/00309/ENFCOU

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

**22 Black Dyke Lane
Thornton
Bradford
BD13 3RR**

6 July 2017

Item: E
Ward: THORNTON AND ALLERTON
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
17/00309/ENFCOU

Site Location:
Land to the North of 22 Black Dyke Lane, Bradford

Breach of Planning Control:
Unauthorised use of the land as a construction contractors yard and depot.

Circumstances:
It was brought to the attention of the Local Planning Authority that an inappropriate use had commenced in a rural location. The site is located in the Green Belt.

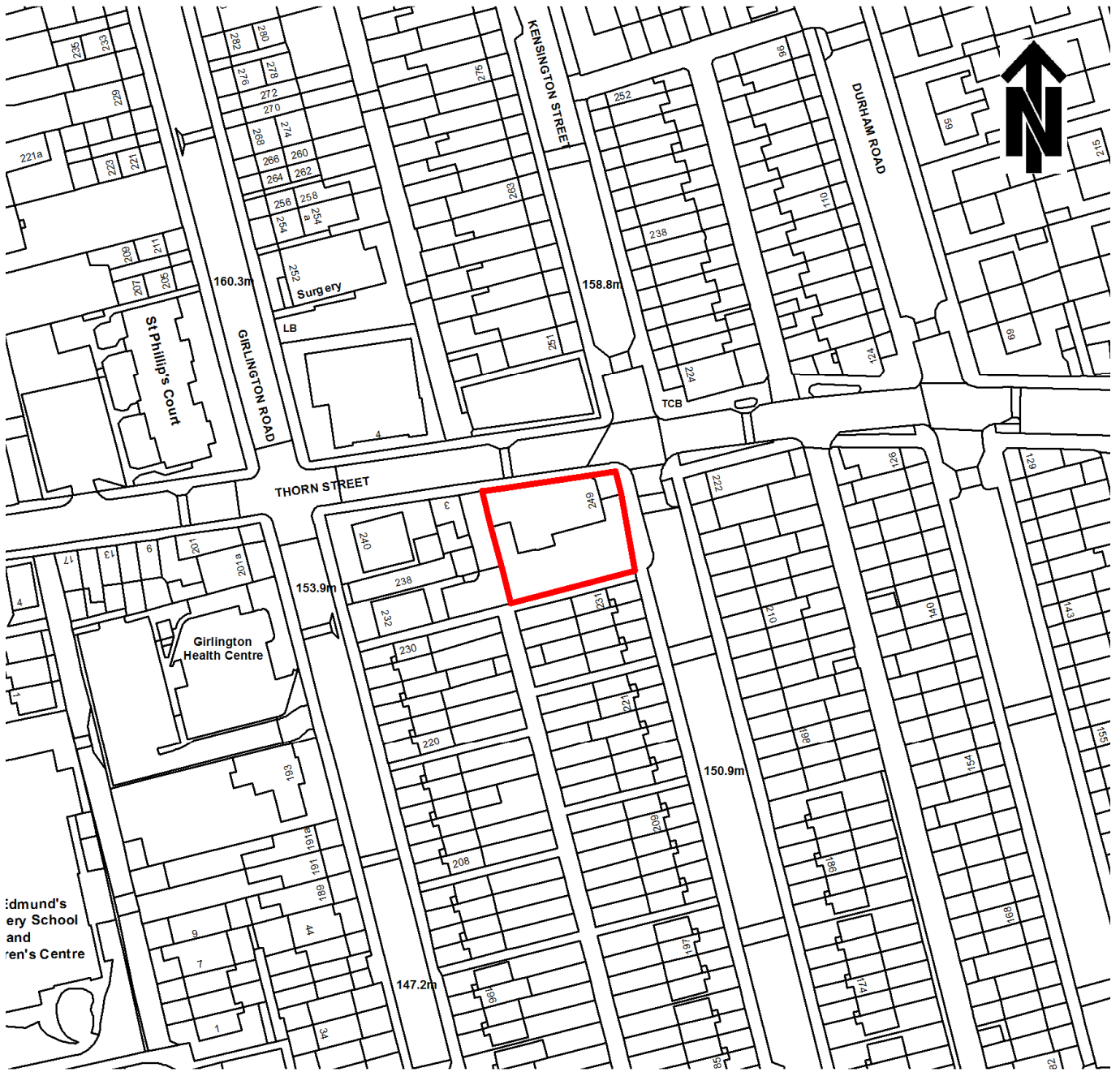
The business involves construction and tarmac work and has a range of heavy equipment and vehicles which may also be hired out. The plant and equipment is stored at the premises when not in use.

The unauthorised use is inappropriate and unsustainable in this location for which very special circumstances do not exist and which harms the openness of the green belt and affects the setting of listed buildings and is therefore contrary to Policies UDP3, UR3, and GB1 and BH4A of the Councils Replacement Unitary Development Plan and paragraphs 79 to 81 and paragraphs 87 and 88 of the National Planning Policy Framework (Section 9 Protecting Green Belt Land). The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers, on 15 June 2017.

16/00274/ENFAPP

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

**249 Kensington Street
Bradford
BD8 9LN**

6 July 2017

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

Enforcement Reference:
16/00274/ENFAPP

Site Location:
249 Kensington Street, Bradford, BD8 9LN

Breach of Planning Control:

The construction without planning permission of a single storey extension that forms an entrance foyer and does not accord with the terms of any planning permission.

Circumstances:

It was brought to the attention of the Local Planning Authority that the extension has not been rendered and therefore does not accord with the planning permission granted.

To date no action to resolve the breach has been taken and the matter remains unresolved.

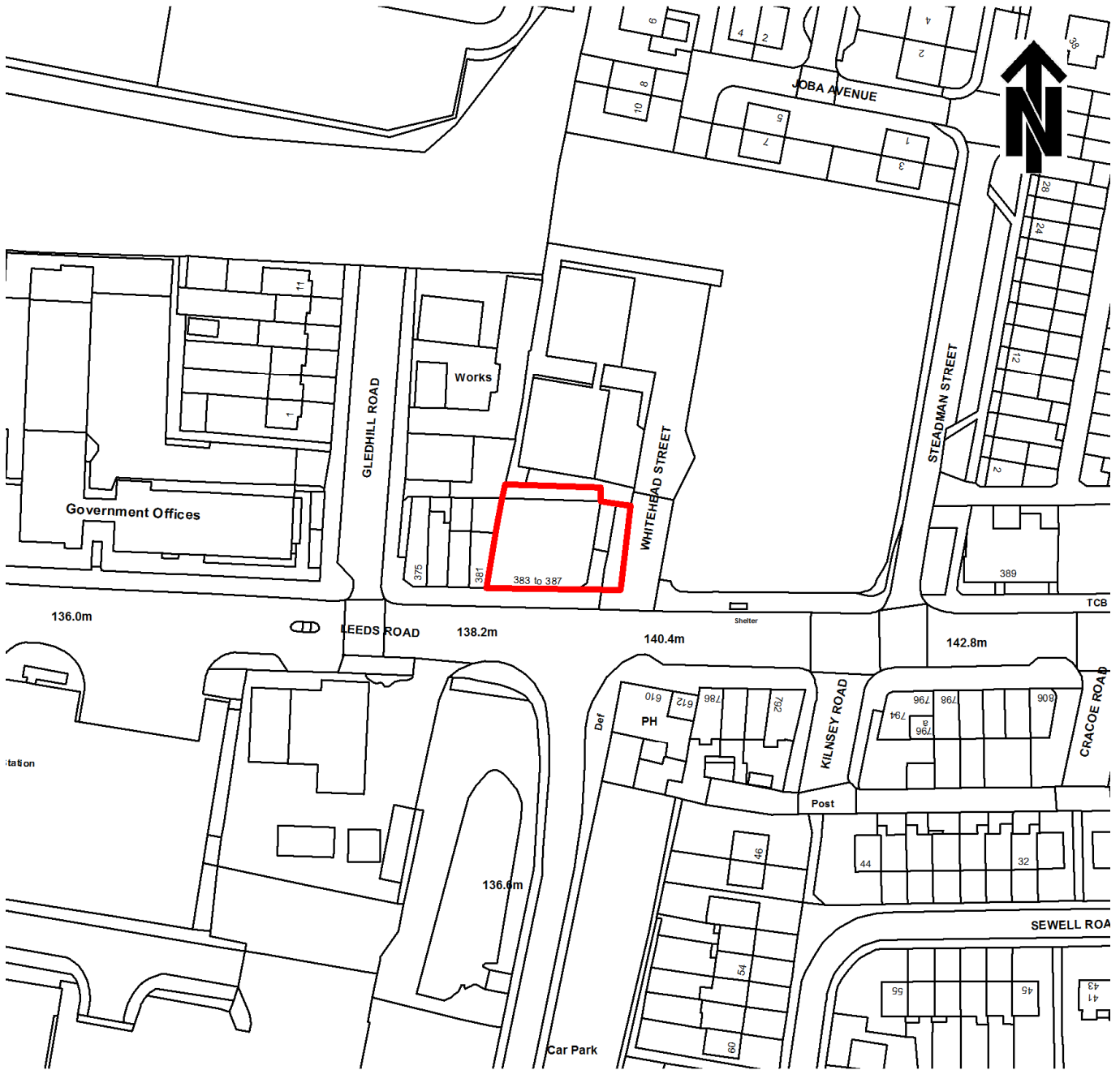
The single storey extension introduces a discordant feature in the street scene by reason of the use of untreated block. The extension is detrimental to the appearance of the street scene and parent building and is contrary to policies UR3 and D1 of the Replacement Unitary Development Plan.

Therefore on 14 February 2017 the Planning Manager (Enforcement and Trees) authorised enforcement action.

13/00673/ENFUNA

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

**383 - 385 Leeds Road
Bradford
BD3 9LY**

6 July 2017

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

Enforcement Reference:
13/00673/ENFUNA

Site Location:
383-385 Leeds Road, Bradford, BD3 9LY

Breach of Planning Control:
Unauthorised mixed Class A3 restaurant and function room use.

Circumstances:
In November 2010 planning permission was granted for a Class A3 use of the property. Condition 4 of the planning permission regarding the provision of off-street parking has not been complied with.

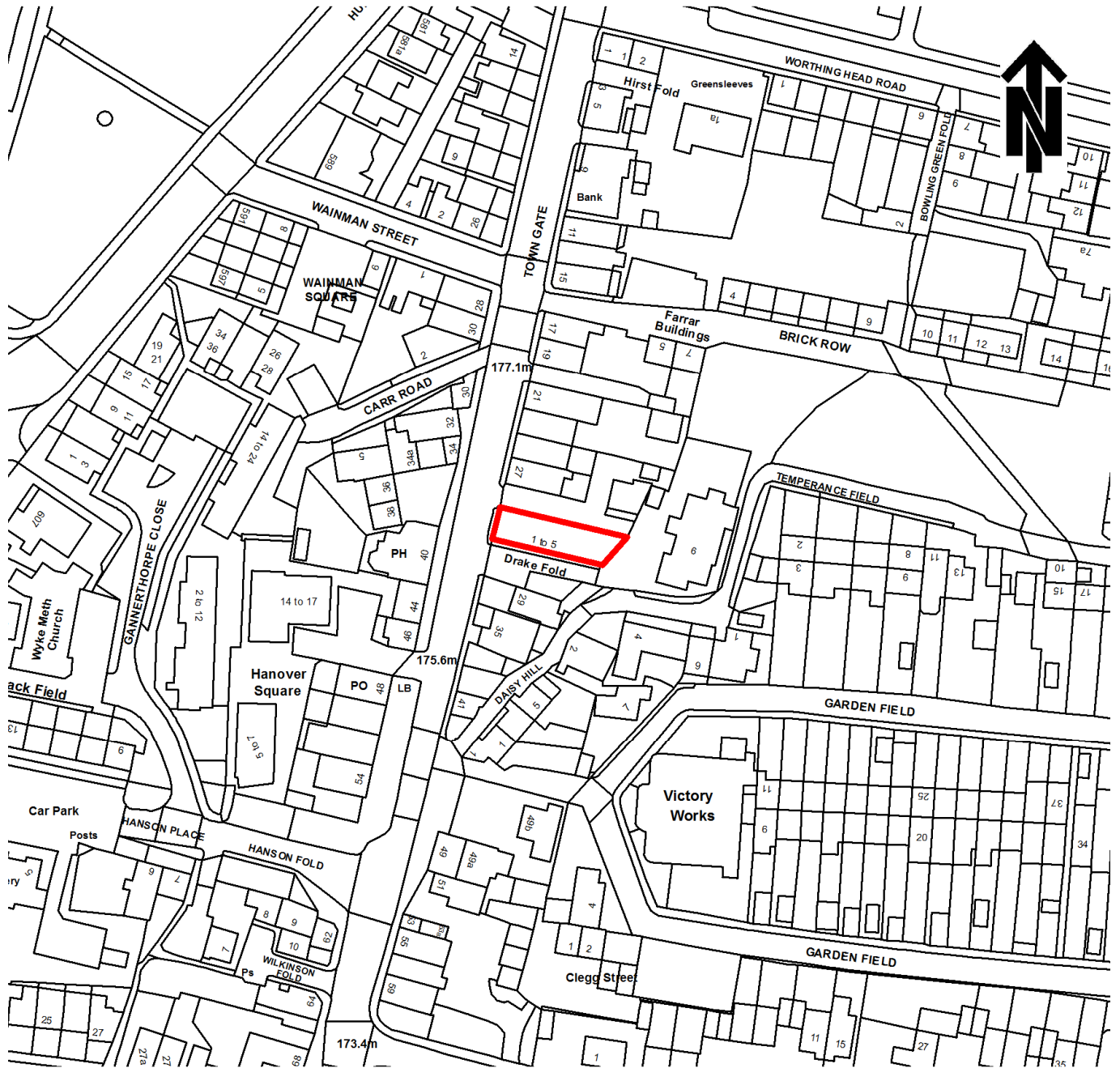
Additionally the first floor of the property is being used as a function room, for which the Council has no record of planning permission having been granted.

On 19 April 2017 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice in respect of the unauthorised mixed use of the property. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised mixed Class A3 restaurant and function room use is detrimental to highway safety by virtue of additional vehicle movements and the exacerbation of existing pressures for on-street parking in the vicinity of the property, contrary to policies TM2, TM11, TM19a and UR3 of the Council's adopted Replacement Unitary Development Plan.

16/00284/ENFUNA

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

4 Drake Fold
Wyke
Bradford
BD12 9NU

6 July 2017

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

Enforcement Reference:
16/00284/ENFUNA

Site Location:
4 Drake Fold, Wyke, Bradford, BD12 9NU

Breach of Planning Control:

Without planning permission the erection of a timber framed shelter (including hoarding), timber canopy and externally mounted roller shutter along with shutter box and associated guide rails.

Circumstances:

The Council has received complaints regarding the above developments for which planning permission is required and has not been obtained. The owners of the property have taken no action to rectify the breach and the matter remains unresolved.

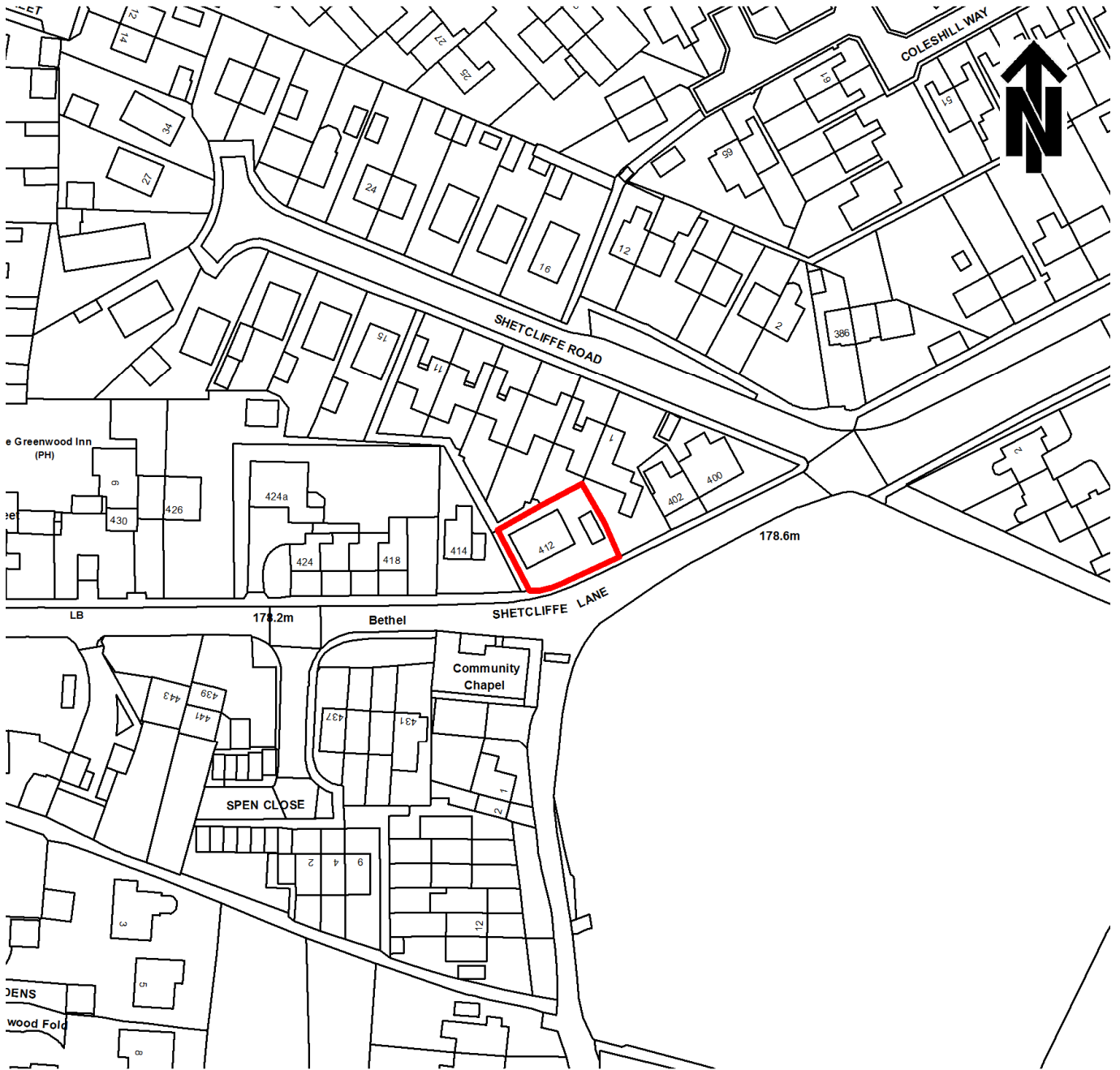
The timber framed shelter, canopy and externally mounted roller shutter, shutter box and associated guide rails form an obtrusive feature within the street scene to the detriment of the appearance of the host building and wider street scene.. The unauthorised developments are contrary to policies UR3 and D1 of the Replacement Unitary Development Plan.

Therefore on the 19 day of April 2017 the Planning Manager (Enforcement and Trees) authorised Enforcement Action.

17/00067/ENFAPP

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

412 Shetcliffe Lane
Bradford
BD4 6DE

6 July 2017

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

Enforcement Reference:
17/00067/ENFAPP

Site Location:
412 Shetcliffe Lane, Bradford

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

Circumstances:
A prior notification was received for a rear dormer to be constructed under permitted development rights. To be permitted development the dormer must be constructed to match the pre-existing roof tiles. The dormer was constructed using brown plastic vertical cladding. The appearance of the dormer is considered unacceptable and the local planning authority has required that the dormer is removed and the roof is restored to its prior condition or the dormer constructed in materials to match the existing tiled roof.

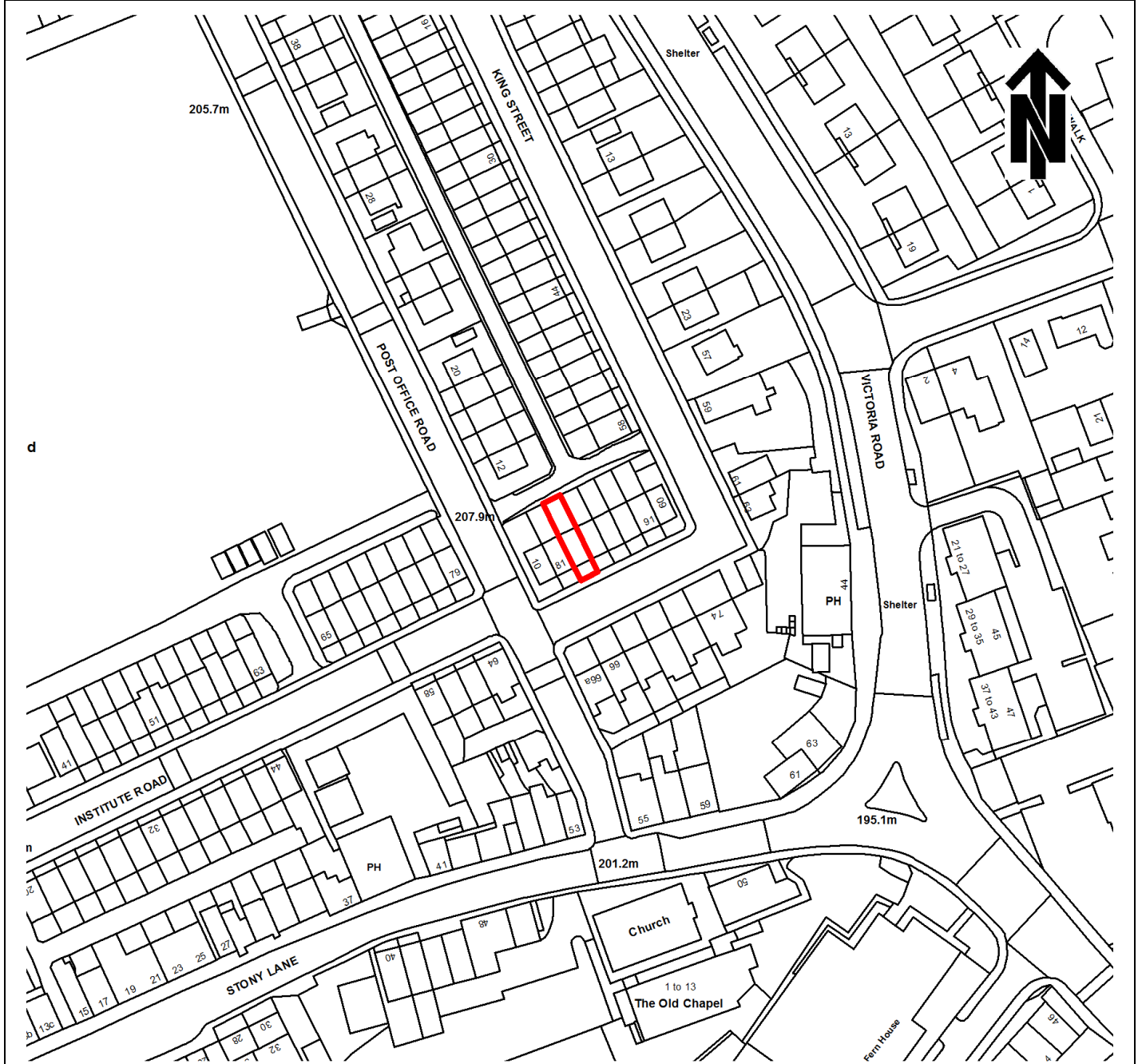
The unauthorised rear dormer window is detrimental to visual by virtue of its design and appearance, contrary to Policies D1, UR3 and UDP3 of the Council's adopted Replacement Unitary Development Plan and the Council's adopted Householder Supplementary Planning Document

The Planning Manager authorised the issuing of an Enforcement Notice under delegated powers, on 30 May 2017.

17/00116/ENFUNA

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

**83 Institute Road
Bradford
BD2 2HP**

6 July 2017

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

Enforcement Reference:
17/00116/ENFUNA

Site Location:
83 Institute Road, Bradford, BD2 2HP

Breach of Planning Control:
Unauthorised rear dormer window.

Circumstances:
In February 2017 the Local Planning Authority received an enquiry regarding a dormer window at the property.

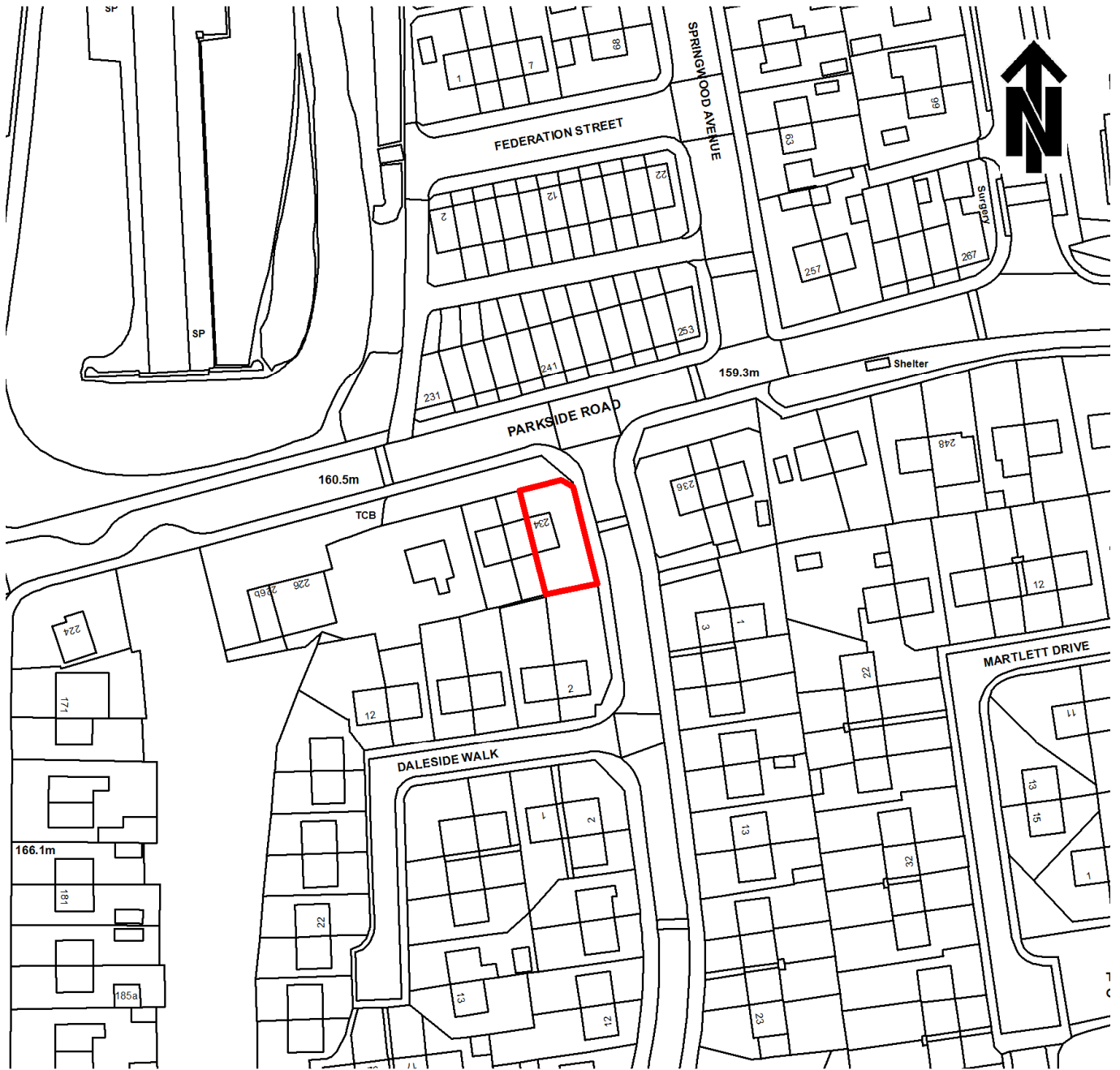
An inspection showed that a rear dormer window had been constructed which was clad with white UPVC material. The Local Planning Authority had no record of planning permission having been granted for the rear dormer window as built and the owner was requested to take action to rectify the breach of planning control.

No action has been taken to rectify the matter and on 24 May 2017 the Planning Manager 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 and UR3 of the Council's adopted Replacement Unitary Development Plan and the Council's adopted Householder Supplementary Planning Document.

17/00055/ENFCON

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

Madrasah Nur Qur'An
234 Parkside Road
Bradford
BD5 8PW

6 July 2017

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

Enforcement Reference:
17/00055/ENFCON

Site Location:
234 Parkside Road, Bradford, BD5 8PW

Breach of Planning Control:
Breach of condition 6 of planning permission 10/05892/FUL.

Circumstances:
In April 2011 the Council granted planning permission to use the property as an educational resource centre. Condition 6 of the planning permission restricts the hours of use of the property to between 1000 and 1900 only.

In June 2015 application 15/02613/VOC was submitted to the Council to extend the permitted hours of use, however the application was withdrawn.

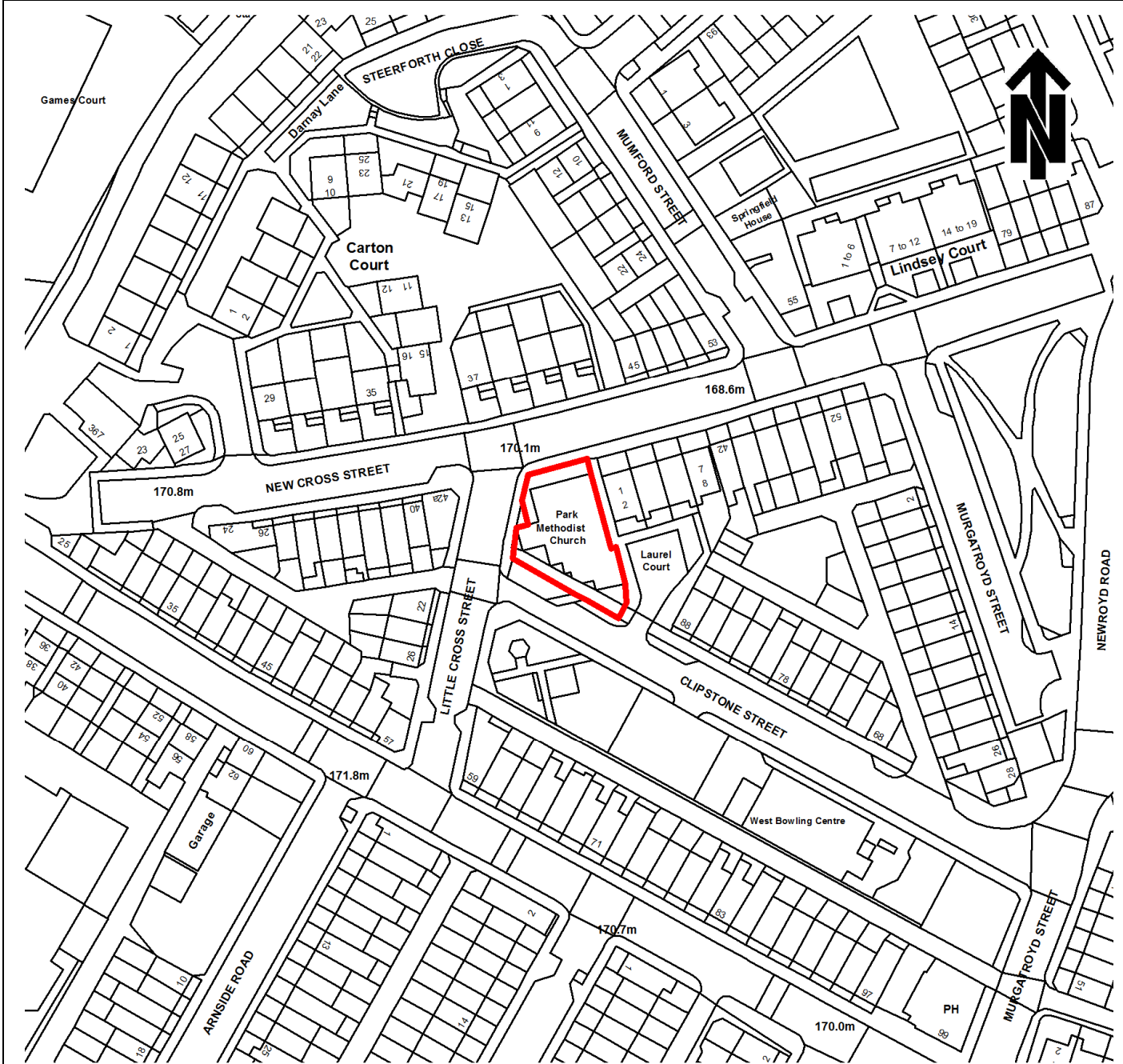
In January 2017 the Council received an enquiry regarding the use of the property and a reminder letter was sent to the occupier of the property regarding the permitted hours of use.

It would appear that condition 6 of the planning permission is being breached and on 11 May 2017 the Planning Manager (Enforcement & Trees) authorised the issue of a Breach of Condition Notice in the interests of residential amenity.

15/00148/ENFUNA

City of Bradford MDC

www.bradford.gov.uk



1:1,250

© Crown copyright and database rights 2016 Ordnance Survey 0100019304

Park Methodist Church
New Cross Street
West Bowling Bradford
BD5 8DD

6 July 2017

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

Enforcement Reference:
15/00148/ENFUNA

Site Location:
Park Methodist Chapel, New Cross Street, Bradford, BD5 8DD

Breach of Planning Control:
Breach of condition 1 of planning permission 17/00233/FUL.

Circumstances:
In March 2017 the Council granted retrospective planning permission for the construction of a wall to the front of the property.

Condition 1 of the planning permission required the wall to be faced with natural stone to match the host building. Following the grant of planning permission, the applicant was requested to comply with condition 1. A further inspection has shown that condition 1 of the planning permission has not been complied with and the wall remains bare concrete block.

On 7 June 2017 the Planning Manager (Enforcement & Trees) authorised the issue of a Breach of Condition Notice to ensure the use of appropriate materials and in the interests of visual amenity.

DECISIONS MADE BY THE SECRETARY OF STATE

Appeal Allowed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
M	Tong (ward 25)	83 Cross Lane Tong Bradford BD11 2BY Two storey side/single storey rear extension - Case No: 16/09587/HOU Appeal Ref: 17/00047/APPHOU

Appeal Dismissed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
N	Manningham (ward 19)	17 Oak Lane Bradford BD9 4PU Retrospective planning application for replacement shop front with integrated shutters and replacement extract flues - Case No: 16/08998/FUL Appeal Ref: 17/00018/APPFL2
O	Bradford Moor (ward 06)	912-914 Leeds Road Bradford BD3 8EZ Retrospective application for external shutters to retail units - Case No: 16/06587/FUL Appeal Ref: 17/00012/APPFL2
P	Queensbury (ward 20)	Land Adjacent To 35 Brighouse And Denholme Road Denholme Bradford BD13 1NA Residential development on line of former cottages and gatehouse - Case No: 16/05081/OUT Appeal Ref: 17/00023/APPOU2
Q	Toller (ward 24)	Land At Whetley Grove Bradford Detached house and reallocation of land back from private ownership to open green space for the benefit of the existing residents - Case No: 16/09379/FUL Appeal Ref: 17/00017/APPFL2

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
R	Bolton And Undercliffe (ward 04)	Land Rear Of 112 Undercliffe Road Bradford Construction of 6 semi-detached dwellings and 1 detached dwelling - Case No: 16/07817/FUL Appeal Ref: 17/00008/APPFL2
S	Thornton And Allerton (ward 23)	Land West Of 3 Sowden Grange Thornton Bradford New detached dwelling house - Case No: 16/09297/FUL Appeal Ref: 17/00024/APPFL2

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

Appeal Withdrawn

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
T	Tong (ward 25)	Prospect House 62 Tong Street Bradford BD4 9LX Partial change of use of the first floor to create 4 dwellings - Case No: 16/06813/FUL Appeal Ref: 17/00037/APPFL2

Appeal Allowed in Part/Part Dismissed

There are no Appeals Allowed in Part/Part Dismissed to report this month