

Report of the Strategic Director of Place to the meeting of the Area Planning Panel (BRADFORD) to be held on 23 August 2017

D

Summary Statement - Part Two

Miscellaneous Items

	<u>No. of Items</u>
A - N Requests for Enforcement/Prosecution Action	(14)
O - Q Decisions made by the Secretary of State - Allowed	(3)
R - Y Decisions made by the Secretary of State - Dismissed	(8)

Julian Jackson
Assistant Director (Planning, Transportation and
Highways)

Report Contact: Mohammed Yousuf
Phone: 01274 434605

Email: mohammed.yousuf@bradford.gov.uk

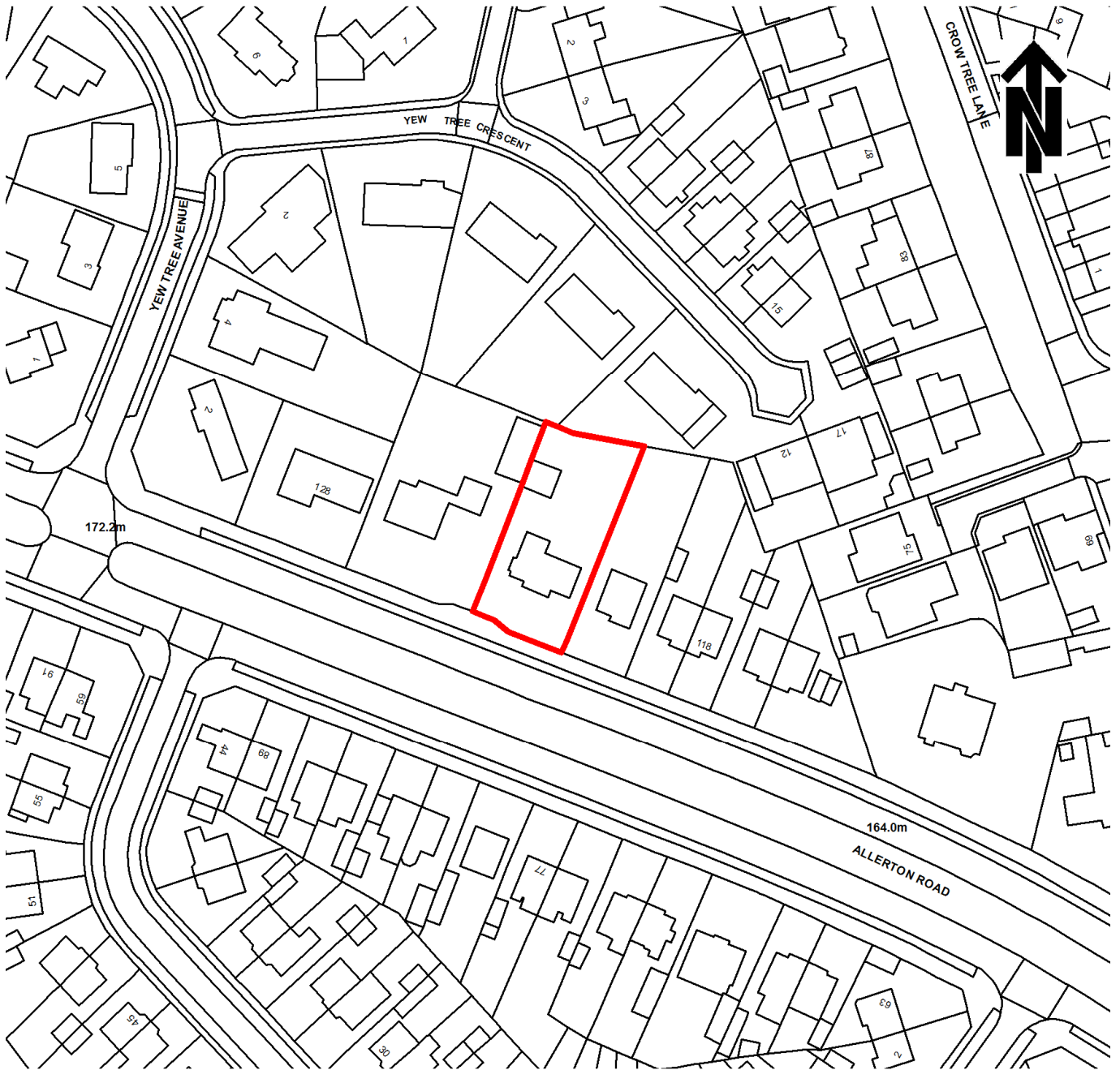
Portfolio:
Regeneration, Planning and
Transport

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

17/00016/ENFCOU



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:1,250

© Crown copyright and database rights 2017 Ordnance Survey 0100019304

124 Allerton Road
Bradford
BD8 0AQ

23 August 2017

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

Enforcement Reference:
17/00016/ENFCOU

Site Location:
124 Allerton Road, Bradford.

Breach of Planning Control:

Unauthorised mixed use of land for residential use, the storage and preparation of vehicles for sale and the sale and supply of motor vehicles.

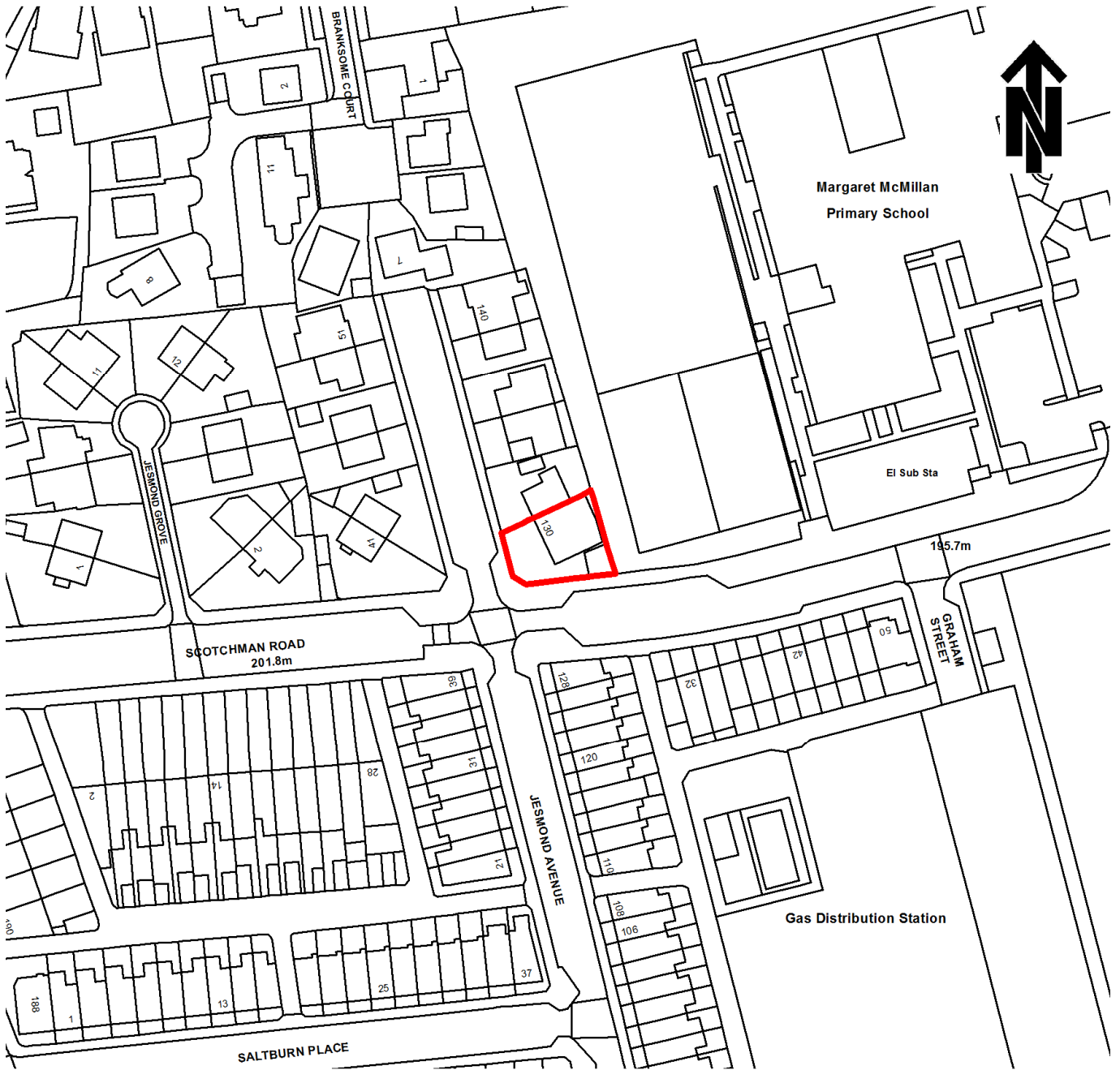
Circumstances:

A business is operating from this residential property under the trading name of Performante Cars. Cars are being purchased and stored and prepared for sale. Customers visit the premises by appointment and there is a website advertising the services. There is a substantial level of activity and there have been regular deliveries of vehicles to the site by car transporter.

The unauthorised use referred to in the breach is inappropriate and unsustainable in this residential location and causes noise and disturbance contrary to Policies UDP3 and UR3 and the NPPF.

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers, on 28 June 2017.

16/00111/ENFUNA



1:1,250

© Crown copyright and database rights 2017 Ordnance Survey 0100019304

130 Jesmond Avenue
Bradford
BD9 5DE

23 August 2017

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

Enforcement Reference:
16/00111/ENFUNA

Site Location:
130 Jesmond Avenue, Bradford, BD9 5DE.

Breach of Planning Control:
Unauthorized mixed residential and religious teaching studies use.

Circumstances:
The Local Planning Authority has received an enquiry regarding the use of the residential property for the operation of religious teaching studies classes, for which planning permission has not been granted.

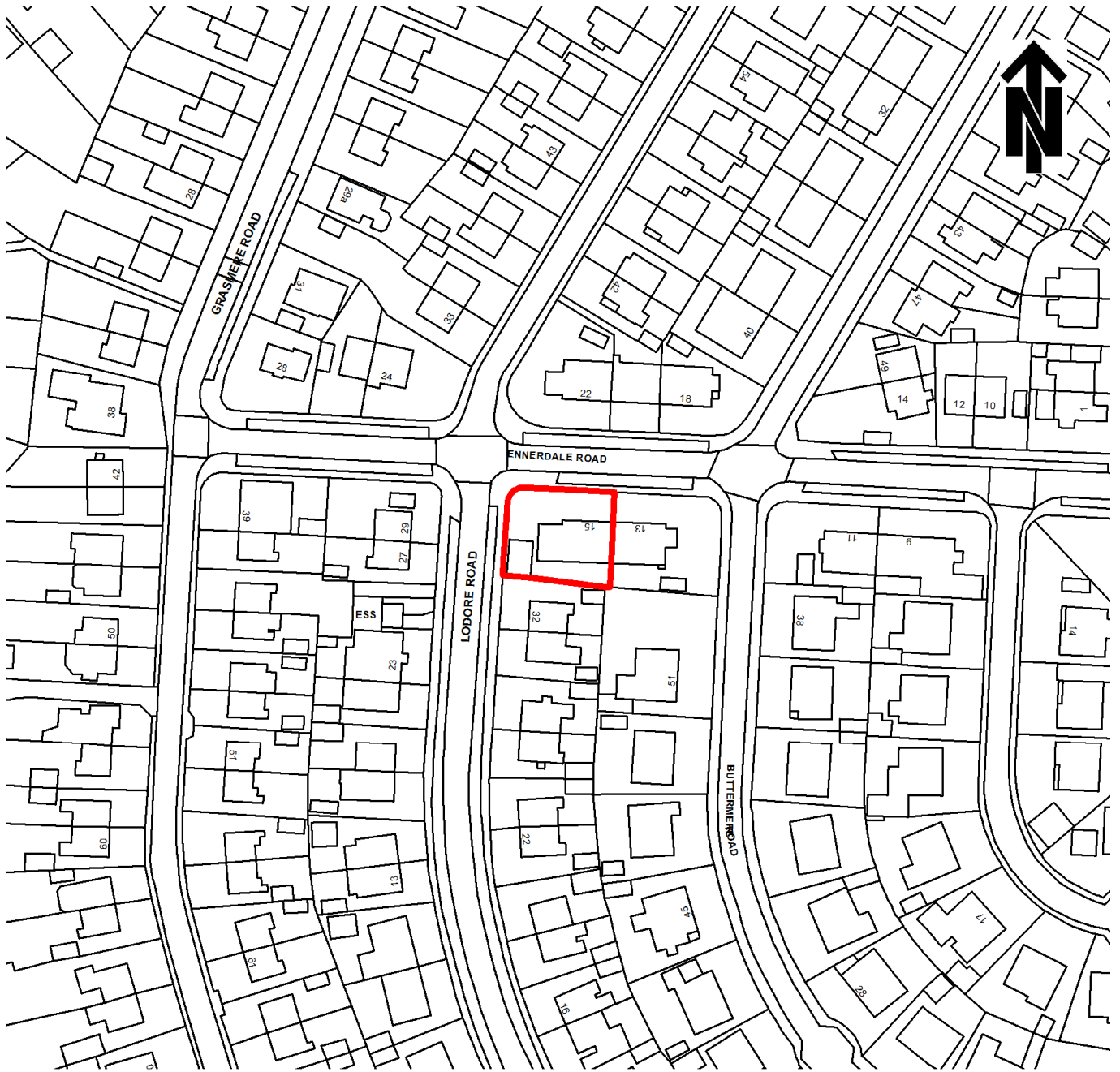
The owner/occupier of the property has been requested to rectify the breach of planning control, however no action has been taken.

On 27 June 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 C3 residential and religious teaching studies use is detrimental to residential amenity and highway safety, contrary to policies UR3, D1, P7 and TM19a of the Council's adopted Replacement Unitary Development Plan.

16/00851/ENFAPP



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:1,250

© Crown copyright and database rights 2017 Ordnance Survey 0100019304

15 Ennerdale Road
Bradford
BD2 4HZ

23 August 2017

Item: C
Ward: BOLTON AND UNDERCLIFFE
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
16/00851/ENFAPP

Site Location:
15 Ennerdale Road, Bradford, BD2 4HZ.

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

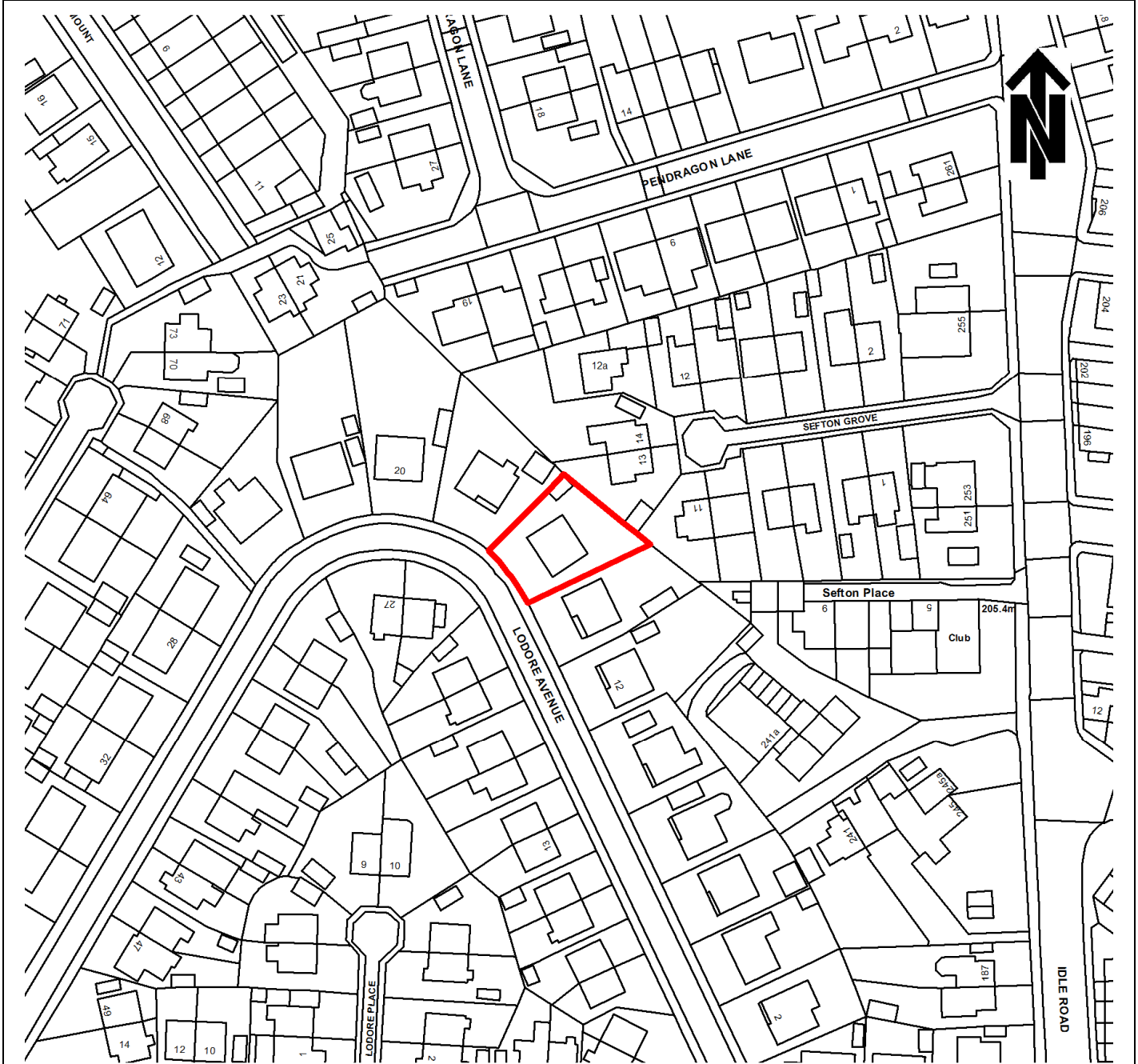
Circumstances:
In December 2013 and June 2015, planning permissions were granted by the Council for front and rear dormer windows and roof alterations to the property. Planning applications 13/04337/HOU AND 15/01536/HOU refer.

An inspection showed that the front and rear dormer windows had not been built in accordance with the planning permissions. A single storey rear extension had also been built, for which the Council has no record of planning permission having been granted. The owner of the property was subsequently requested to rectify the breach of planning control.

A retrospective planning application, reference 16/08757/HOU, was refused by the Council in December 2016. No appeal has been made against the Council's decision.

No action has been taken to rectify the matter and on 28 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 and rear extension 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.

16/01146/ENFUNA



1:1,250

© Crown copyright and database rights 2017 Ordnance Survey 0100019304

**16 Lodore Avenue
Bradford
BD2 4JG**

23 August 2017

Item: D
Ward: BOLTON AND UNDERCLIFFE
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
16/01146/ENFUNA

Site Location:
16 Lodore Avenue, Bradford, BD2 4JG.

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

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

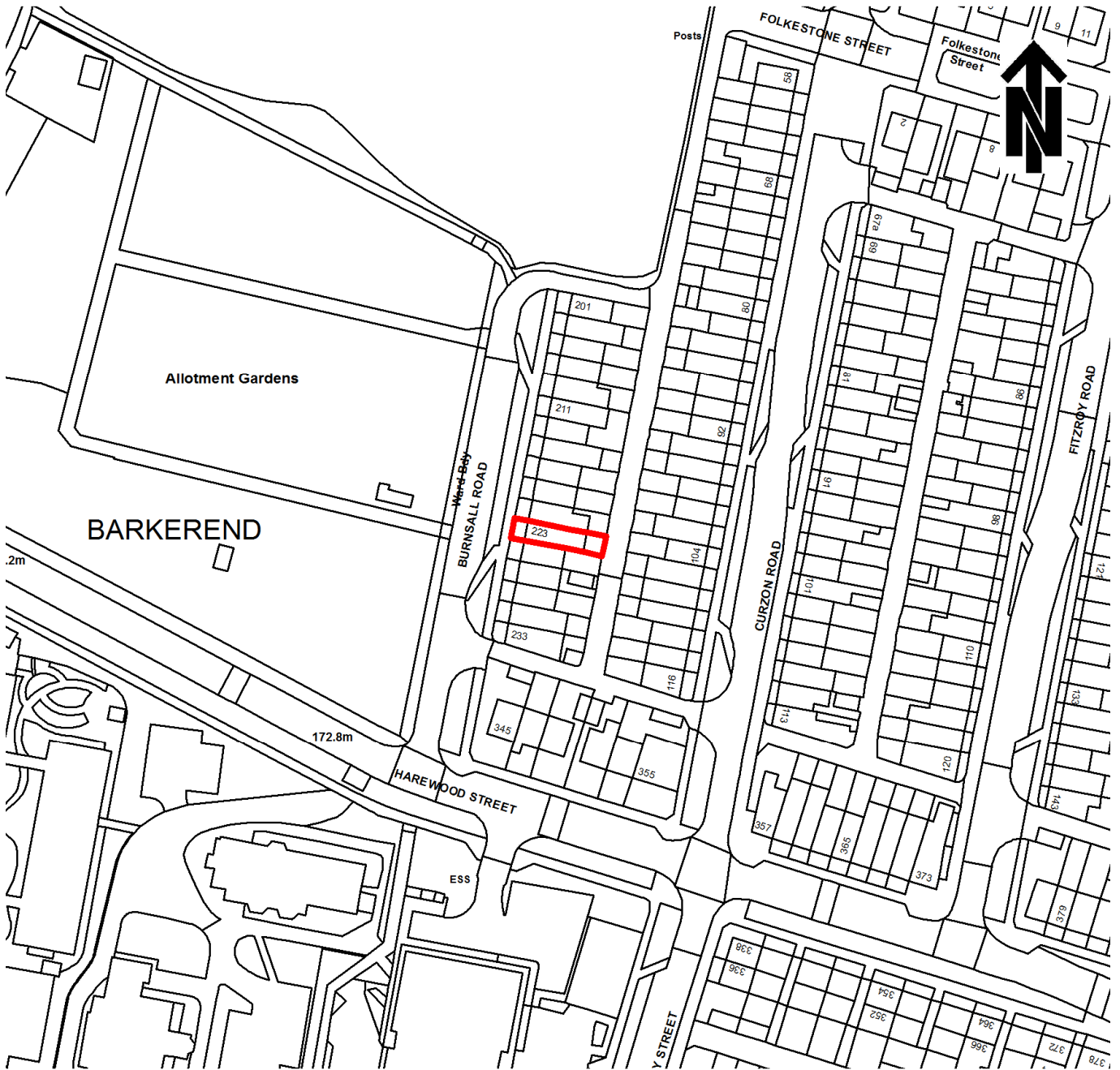
An inspection showed that front and rear dormer windows had been constructed, for which the Council had no record of planning permission having been granted. The owner of the property was subsequently requested to rectify the breach of planning control.

No action has been taken and on 29 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 front and rear 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.

14/00347/ENFUNA



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:1,250

© Crown copyright and database rights 2017 Ordnance Survey 0100019304

223 Burnsall Road
Bradford
BD3 9EA

23 August 2017

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

Enforcement Reference:
14/00347/ENFUNA

Site Location:
223 Burnsall Road, Bradford, BD3 9EA.

Breach of Planning Control:
Unauthorised structure.

Circumstances:
In March 2017 it was noted that a single storey structure had been erected in the rear yard area of the property, for which the Council had no record of planning permission having been granted.

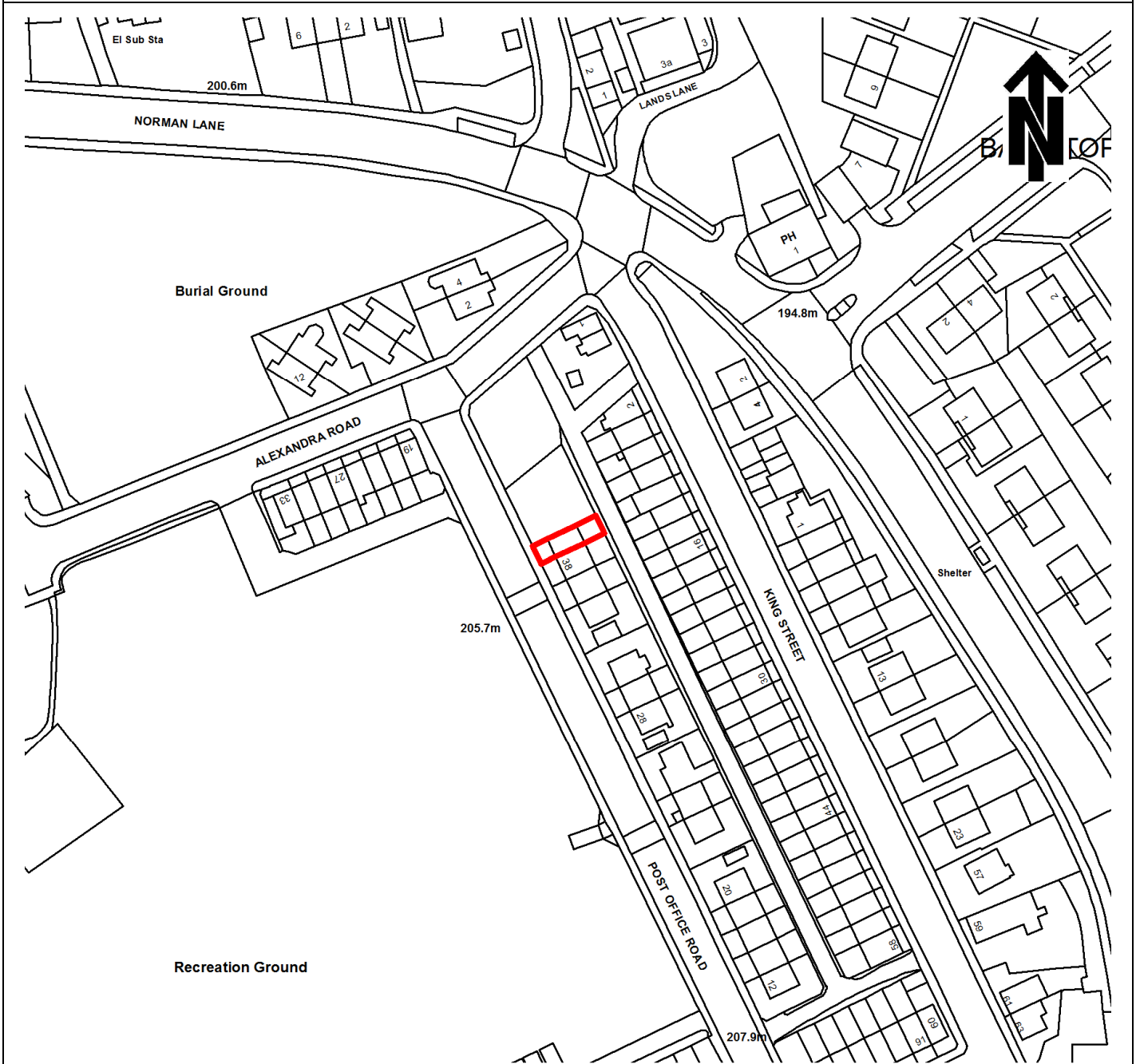
The owner/occupier of the property has been requested to rectify the breach of planning control, however no action has been taken.

On 20 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 single storey 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.

17/00011/ENFUNA



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:1,250

© Crown copyright and database rights 2017 Ordnance Survey 0100019304

**40 Post Office Road
Bradford
BD2 2HT**

23 August 2017

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

Enforcement Reference:
17/00011/ENFUNA

Site Location:
40 Post Office Road, Bradford, BD2 4JG.

Breach of Planning Control:
Unauthorised fence and gate.

Circumstances:
In January 2017 the Local Planning Authority received an enquiry regarding fencing at the property.

An inspection showed that timber fencing and a gate had been erected around the front garden area of the property, for which the Council had no record of planning permission having been granted. The owner/occupier of the property was subsequently requested to rectify the breach of planning control.

No action has been taken and on 7 April 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 fence and gate 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.

23 August 2017

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

Enforcement Reference:
17/00532/ENFUNA

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

Breach of Planning Control:
Unauthorised structure and means of enclosure.

Circumstances:
In April 2017 the Local Planning Authority received enquiries regarding development works at the property.

An inspection showed that a yellow coloured single storey structure and means of enclosure had been erected adjacent to the front boundary of the property, for which the Council had no record of planning permission having been granted.

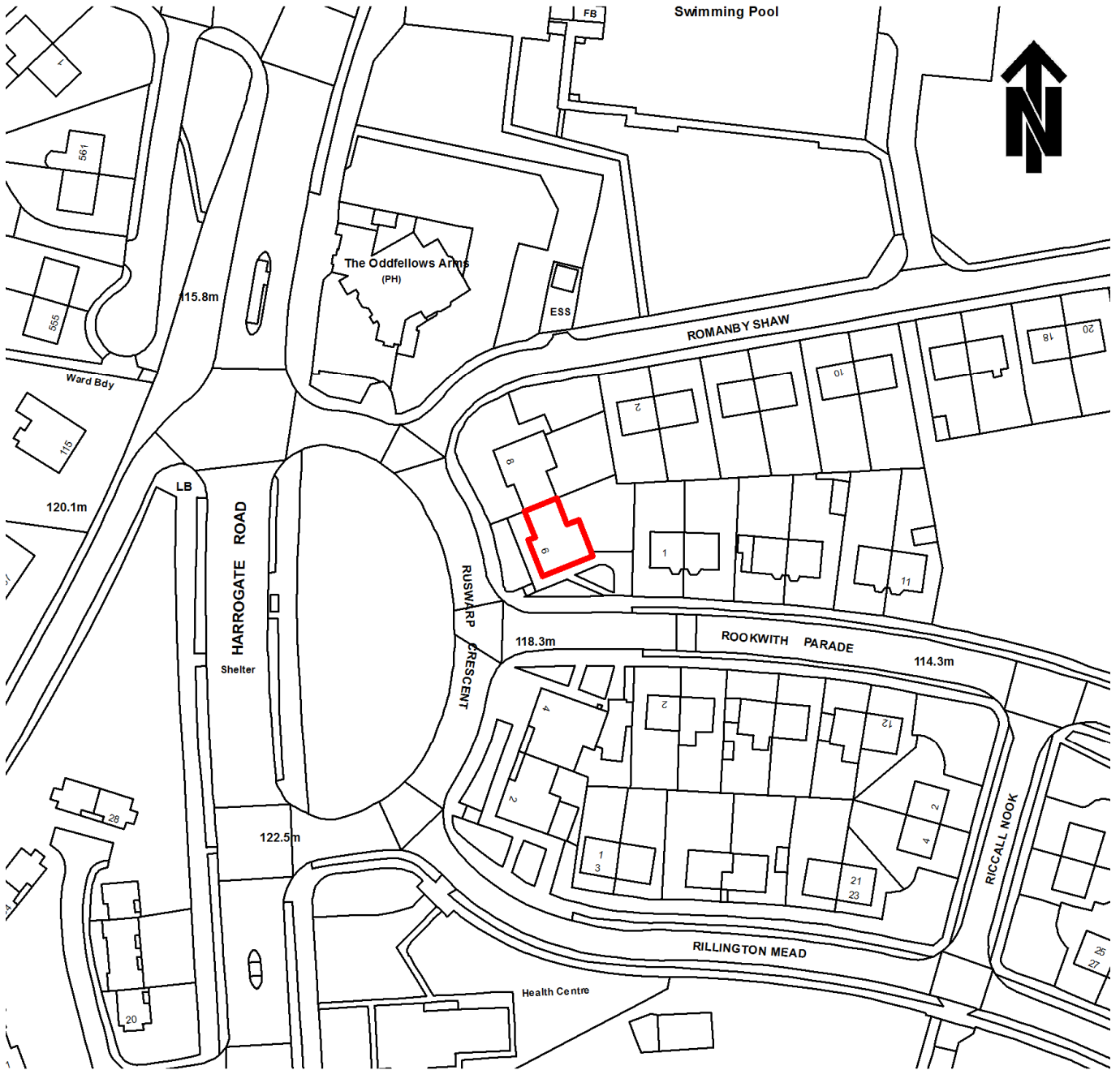
The owner of the property has been requested to rectify the breach of planning control, however no action has been taken.

On 20 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 single storey structure and means of enclosure 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.

17/00008/ENFCON



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:1,250

© Crown copyright and database rights 2017 Ordnance Survey 0100019304

6 Ruswarp Crescent
Bradford
BD10 0EQ

23 August 2017

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

Enforcement Reference:
17/00008/ENFCON

Site Location:
6 Ruswarp Crescent, Bradford, BD10 0EQ.

Breach of Planning Control:
Breach of condition 2 of planning permission 01/01072/COU.

Circumstances:
In August 2001 the Council granted planning permission for the use of the shop property as a hot food takeaway.

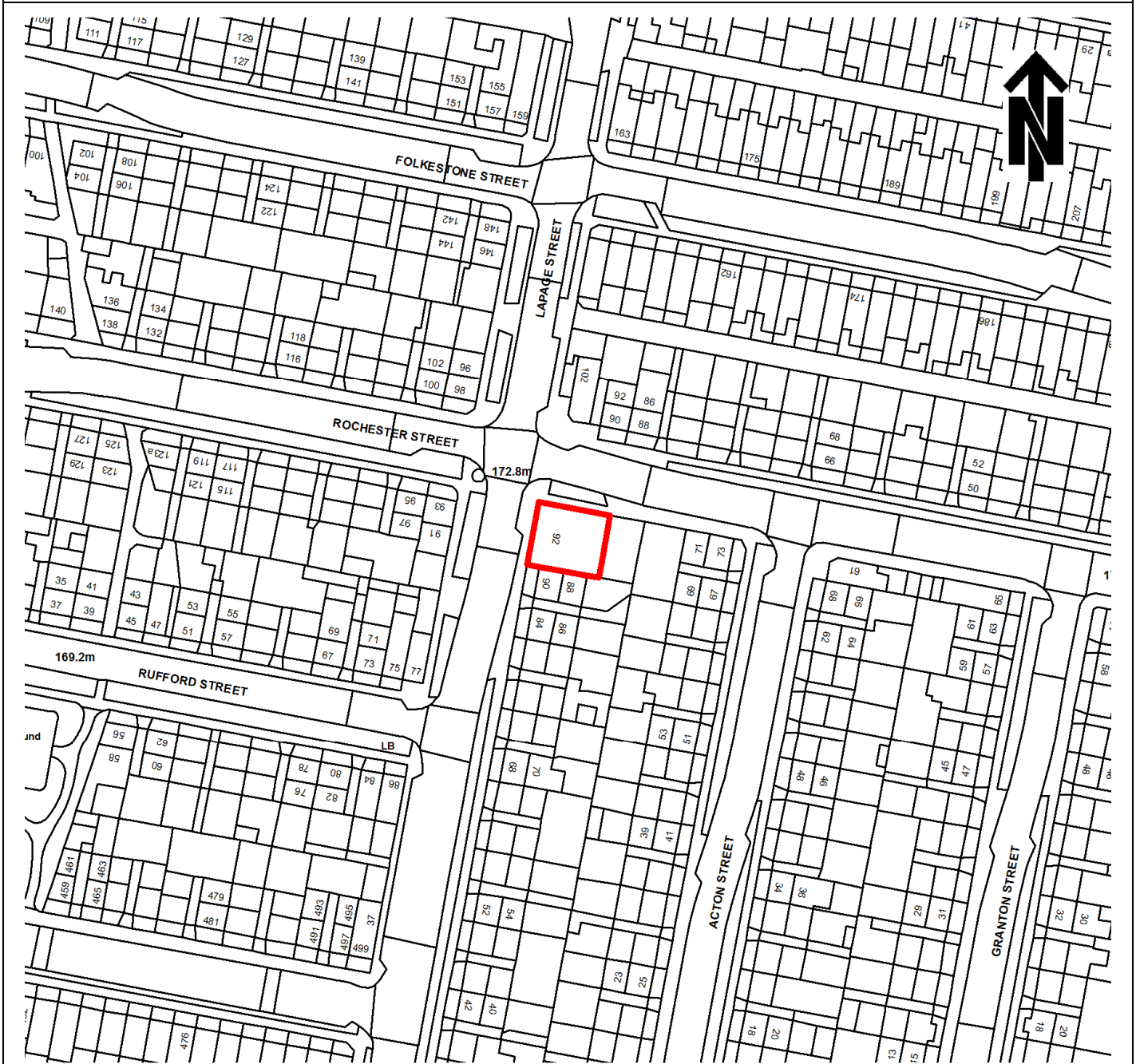
Condition 2 of the planning permission required the hot food takeaway to be open for business between 8.00am and midnight only. Following an enquiry regarding the business hours, the owner/occupier of the property was requested to ensure that the permitted business hours were adhered to.

It would appear that condition 2 of the planning permission is continuing to be breached and on 27 June 2017 the Planning Manager (Enforcement & Trees) authorised the issue of a Breach of Condition Notice in the interests of residential amenity for local residents.

16/00676/ENFAPP



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:1,250

© Crown copyright and database rights 2017 Ordnance Survey 0100019304

92 - 96 Lapage Street
Bradford
BD3 8EH

23 August 2017

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

Enforcement Reference:
16/00676/ENFAPP

Site Location:
92-96 Lapage Street, Bradford, BD3 8AU.

Breach of Planning Control:
Unauthorised alterations.

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 a first floor rear extension, canopy structure and external staircase had been constructed, for which the Local Planning Authority had no record of planning permission having been granted.

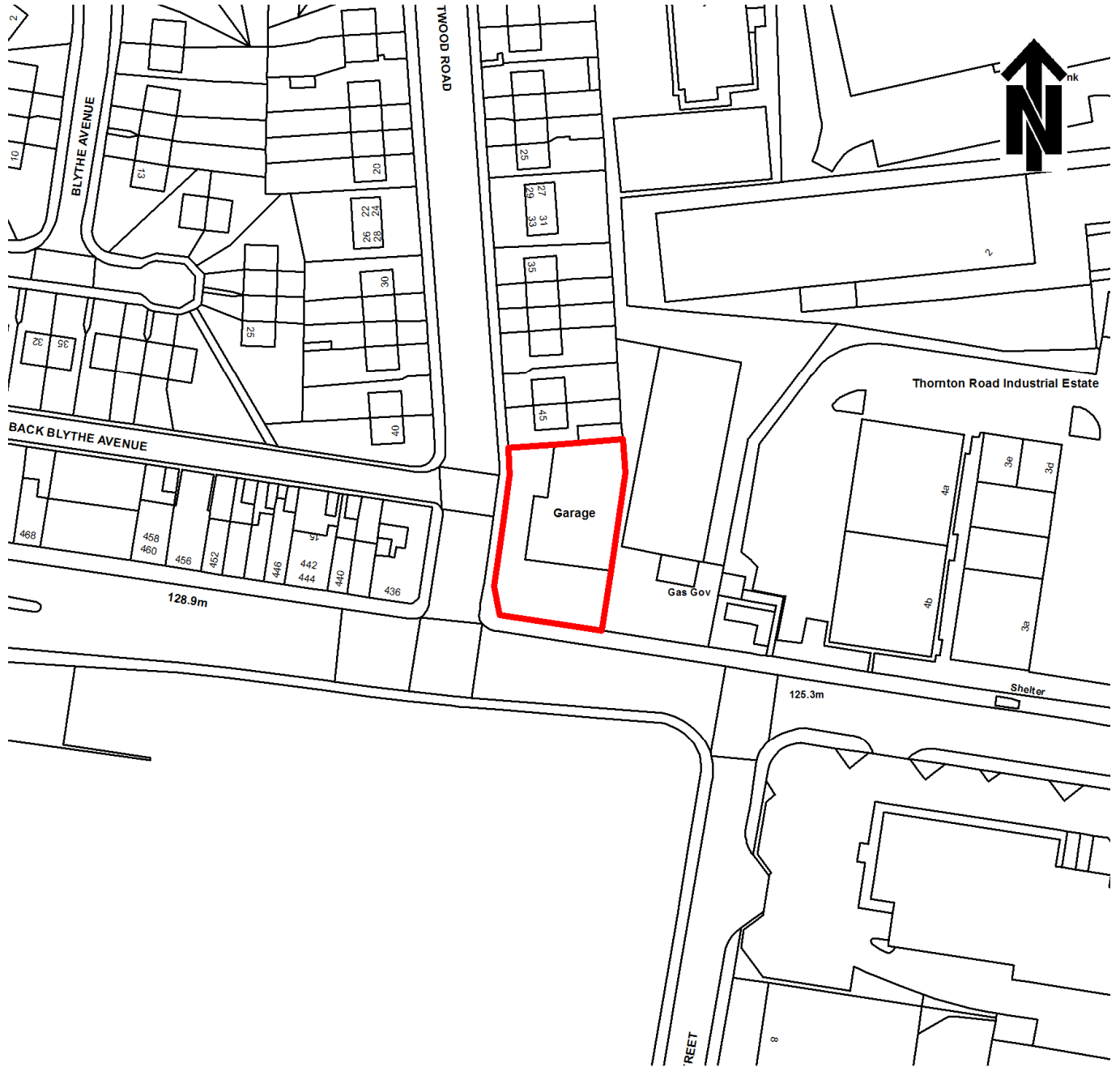
The owner of the property has been requested to rectify the breach of planning control, however no action has been taken.

The unauthorised first floor extension, canopy structure and external staircase remain in place and on 30 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 first floor extension, canopy structure and external staircase are detrimental to residential and visual amenity by virtue of their design and position, contrary to Policies D1, UR3 and UDP3 of the Council's adopted Replacement Unitary Development Plan.

16/00017/ENFCOU



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:1,250

© Crown copyright and database rights 2017 Ordnance Survey 0100019304

Bargain Motor Spares
Thornton Road
Bradford
BD8 9BS

23 August 2017

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

Enforcement Reference:
16/00017/ENFCOU

Site Location:
BMS House, Thornton Road, Bradford.

Breach of Planning Control:
Unauthorised mixed use comprising:

The sale, supply and storage of motor vehicles and MOT testing, repairing, servicing and valeting of motor vehicles.

Circumstances:

It was brought to the attention of the Local Planning Authority that a change of use had occurred and this was resulting in highway safety issues due to intensification of the use of the land.

The change of use had been challenged in writing, and there have been two applications subsequently which have been refused. The main issue for the most recent refusal being highway safety.

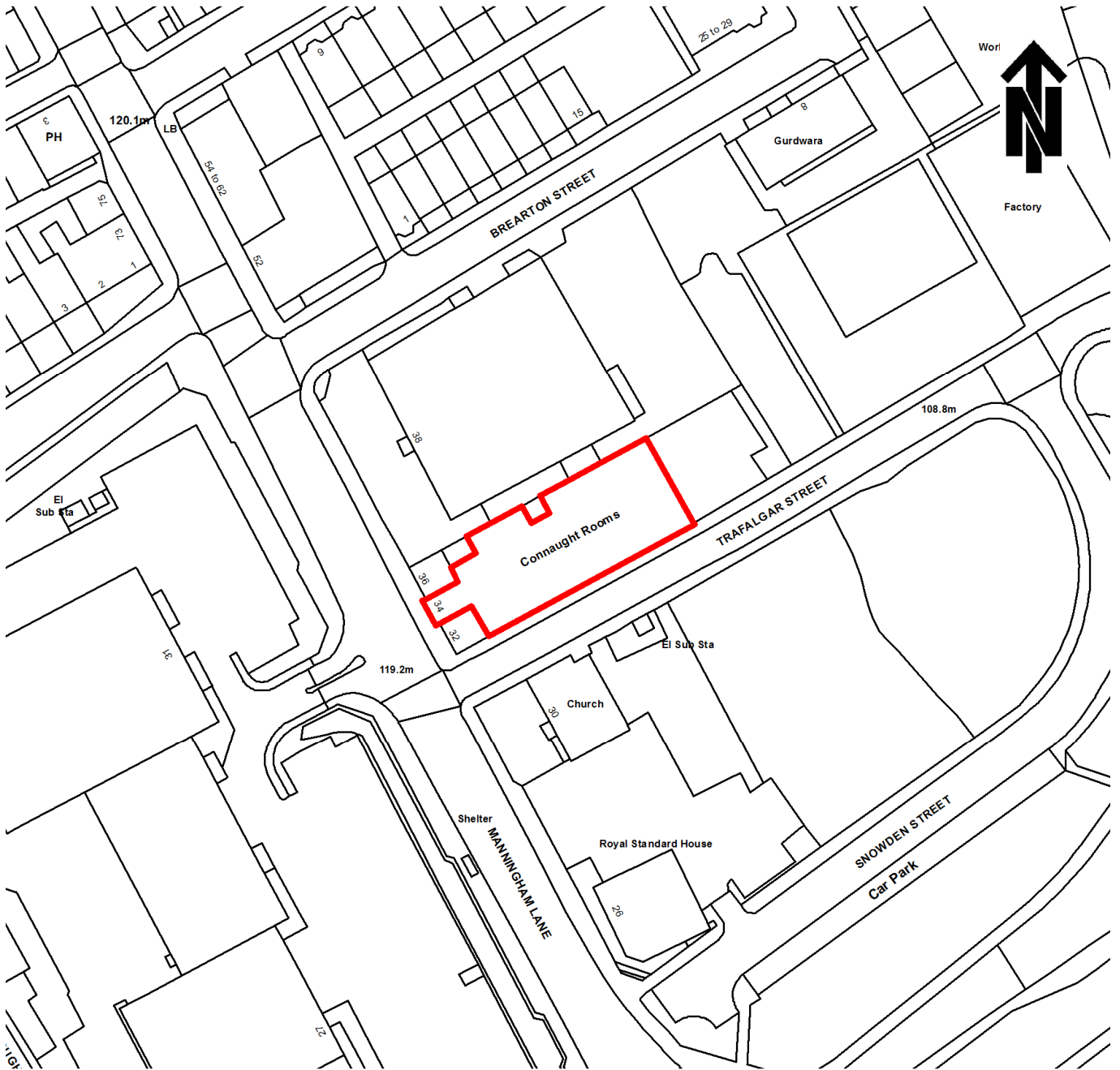
The current use of the land fails to provide suitable and sufficient accommodation within the site for staff and customer parking, does not provide appropriate manoeuvring and turning spaces and therefore results in increased vehicle manoeuvring and parking of vehicles within the highway and in the absence of a traffic regulation order to control parking around the site and at the junction of Thornton Road and Weetwood Road the development is to the detriment to the safe and free flow of traffic on the highway. The unauthorised use is contrary to Adopted Core Strategy Policies TR2, TR3, DS5 and the NPPF.

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers, on 26 July 2017.

17/00266/ENFLBC



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:1,250

© Crown copyright and database rights 2017 Ordnance Survey 0100019304

Connaught Rooms
32 - 36 Manningham Lane
Bradford
BD1 3EA

23 August 2017

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

Enforcement Reference:
17/00266/ENFLBC

Site Location:
Connaught Rooms, 32-36 Manningham Lane, Bradford, BD1 3EA.

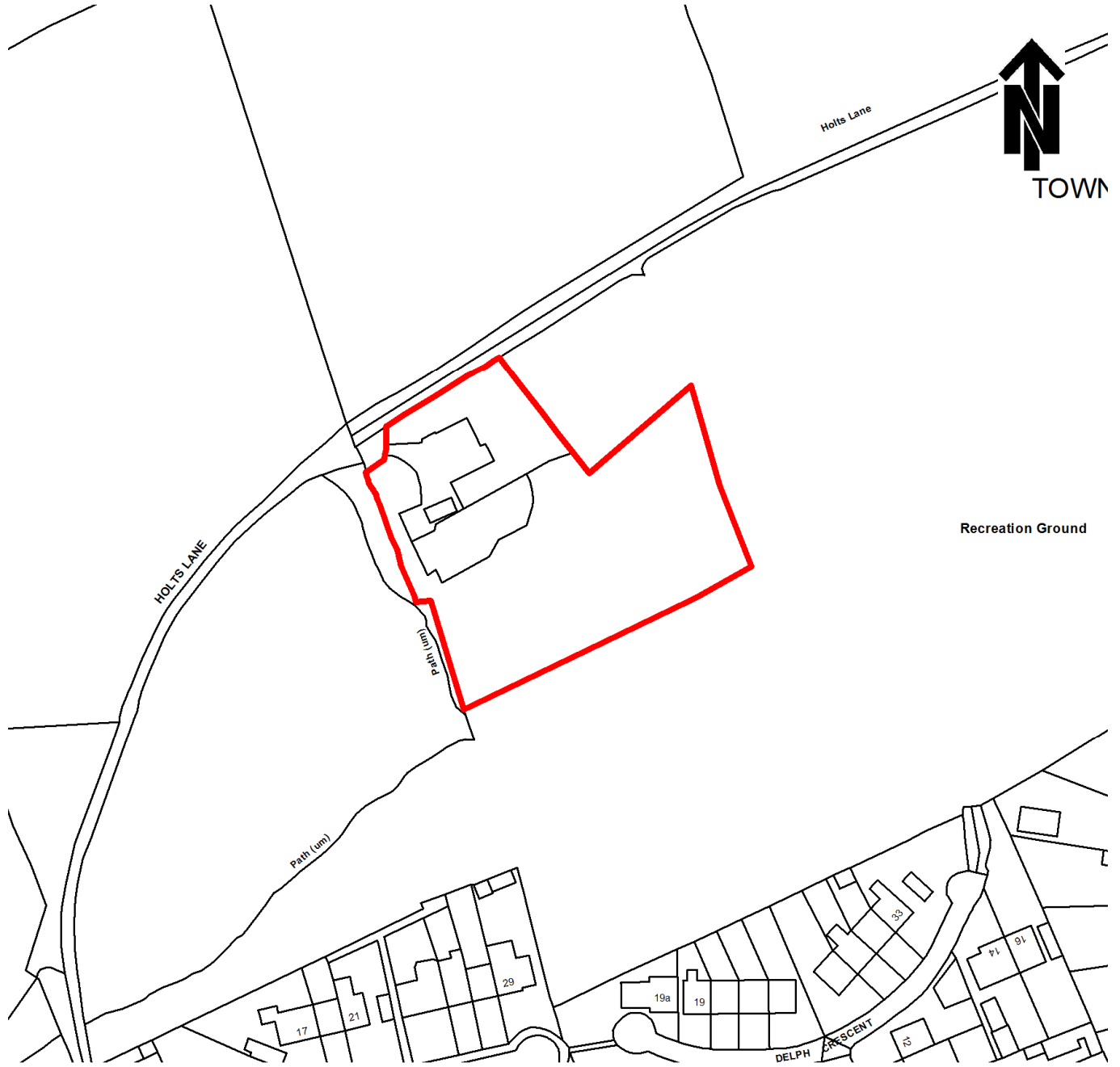
Breach of Planning Control:
Unauthorised roller shutters and signage.

Circumstances:
In September 2016 it was noted that roller shutters and signage had been installed on the Grade II Listed Building, for which the Council had no record of Listed Building Consent having been granted.

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

On 3 April 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 roller shutters and signage are inappropriate to the Listed Building, contrary to Policies BH4 and BH6 of the Council's adopted Replacement Unitary Development Plan.

16/00129/ENFCOU



1:1,250

© Crown copyright and database rights 2017 Ordnance Survey 0100019304

**Delph Farm
Holts Lane
Bradford
BD14 6RZ**

23 August 2017

Item: L
Ward: CLAYTON AND FAIRWEATHER GREEN
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
16/00129/ENFCOU

Site Location:
Land at Delph Farm, Holts Lane, Clayton, Bradford.

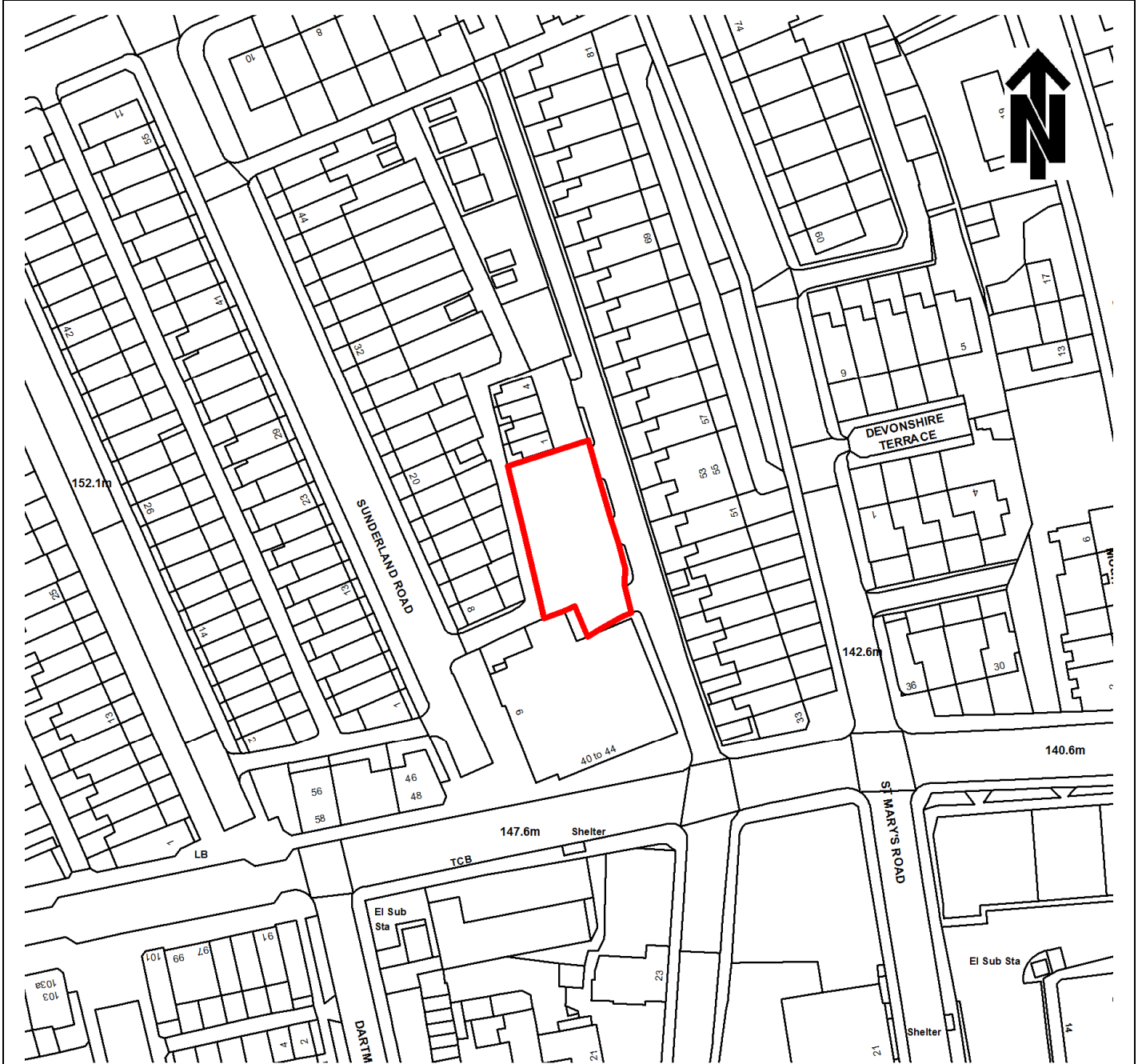
Breach of Planning Control:
Change of use of land consisting of the provision of land for the exercising and training of dogs.

Circumstances:
A business is operating from a fenced off area of land where clients can book in advance slots of time to use the land for exercising or training dogs. The business has an online booking system and the use of the land is increasing in intensity over time.

The unauthorised use referred to in the breach is inappropriate and unsustainable in this green belt location, very special circumstances are not apparent and the unauthorised use causes noise and disturbance to nearby residential property, furthermore and due to a sub-standard access designated as a bridleway it also increases the likelihood for conflict between highway users. The unauthorised use is therefore contrary to Policies UDP3, UR3, TM2 and TM19A and GB1 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 11 April 2017.

16/00908/ENFAPP



1:1,250

© Crown copyright and database rights 2017 Ordnance Survey 0100019304

Land At Grid Ref 415054 434822
Back St Marys Road West
Bradford

23 August 2017

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

Enforcement Reference:
16/00908/ENFAPP

Site Location:
Land rear of 40-44 Oak Lane, Back St Marys Road, Bradford.

Breach of Planning Control:
Breach of conditions 4 and 5 planning permission 07/01035/FUL.

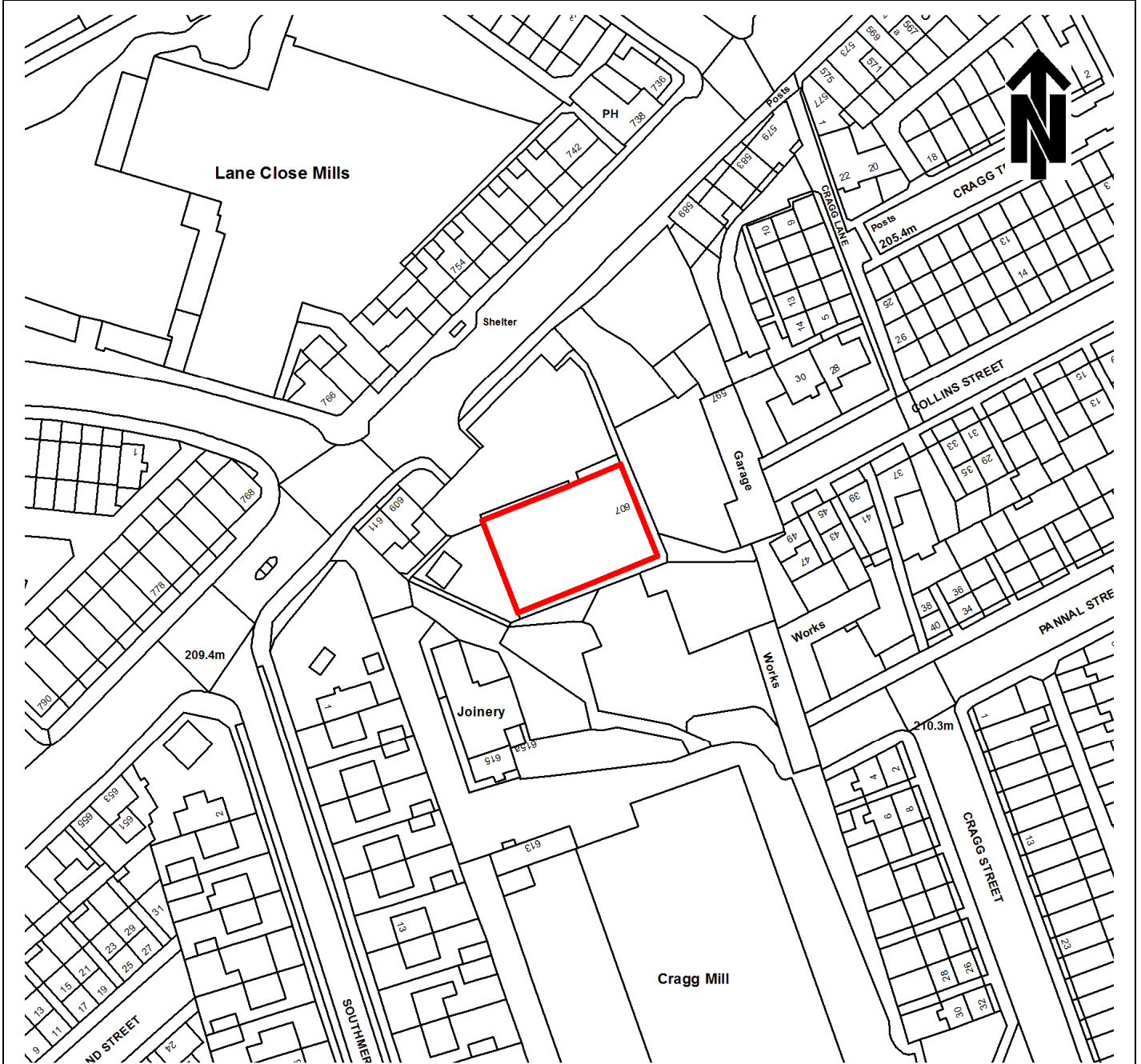
Circumstances:
Planning permission 07/01035/FUL for four dwellings and off-street parking was granted by the Council in April 2007.

Conditions 4 and 5 of the planning permission required off-street parking for the new dwellings and existing retail units to be laid out in accordance with the approved site layout plan. An enquiry regarding the development was received by the Council in September 2016 and an inspection showed that the off-street parking had not been laid out in accordance with the planning permission.

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

On 29 March 2017 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice (Breach of Condition). It is considered expedient to instigate Enforcement (Legal) Action as the breach of conditions 4 and 5 of the planning permission is detrimental to highway safety, contrary to Policies TM2, TM11, TM12 and TM19a of the Council's adopted Replacement Unitary Development Plan.

17/00207/ENFCOU



1:1,250

© Crown copyright and database rights 2017 Ordnance Survey 0100019304

**Land To Rear Of
607 Great Horton Road
Bradford
BD7 4ED**

23 August 2017

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

Enforcement Reference:
17/00207/ENFCOU

Site Location:
Land to the South of 607 Great Horton Road, Bradford.

Breach of Planning Control:
Unauthorised use of land for skip hire depot and waste transfer site.

Circumstances:
Complaints were received about the burning of waste on land at the back of a retail unit and furthermore that a skip firm named MSS Skips was operating from open land to the rear. There have been several visits and each time waste was being sorted by hand. There is a mixture of wastes noted on site typical of what would be generated by a skip firm. The operator claims yard is in use for skip hire but activity noted confirms skip hire and waste transfer. The use has been challenged in writing and no planning application has been received. The site has also been reported to the Environment Agency who have commenced their enforcement process as the site is without the necessary permit.

The unauthorised use referred to in the breach is inappropriate and unsustainable in this location, has a sub-standard access and causes unacceptable adverse impacts from general disturbance, noise, dust and smoke contrary to Policies UDP3, UR3, P8 and P12 of the council's replacement unitary development plan. The use is also contrary to the National Planning Policy for Waste and the NPPF.

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers, on 19 June 2017.

DECISIONS MADE BY THE SECRETARY OF STATE

Appeal Allowed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
O	Bowling and Barkerend (ward 05)	32 Bromford Road Bradford BD4 7RE Construction of side and rear extension - Case No: 16/09493/HOU Appeal Ref: 17/00065/APPHOU
P	Bowling and Barkerend (ward 05)	6 Thurley Road Bradford BD4 7TA Retrospective application for construction of two storey side extension, single storey rear extension and loft conversion with rear dormer window - Case No: 17/00634/HOU Appeal Ref: 17/00058/APPHOU
Q	City (ward 07)	The Leisure Exchange Vicar Lane Bradford Freestanding 48 sheet LED advertising unit - Case No: 17/00208/ADV Appeal Ref: 17/00059/APPAD1

Appeal Dismissed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
R	Toller (ward 24)	12 Whitby Terrace Bradford BD8 9JF Construction of two storey side and rear extension - Case No: 16/09478/HOU Appeal Ref: 17/00027/APPHOU
S	Heaton (ward 12)	148 Wilmer Road Bradford BD9 4AH Dormer windows to front and rear - Case No: 17/00643/HOU Appeal Ref: 17/00053/APPHOU

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
T	Heaton (ward 12)	19 Shay Drive Bradford BD9 5PP Hip to gable roof and construction of dormer windows to front and rear - Case No: 16/09063/HOU Appeal Ref: 17/00055/APPHOU
U	City (ward 07)	353 Great Horton Road Bradford BD7 3BZ Removal of existing cabin and construction of single storey side and rear extension. - Case No: 16/09426/FUL Appeal Ref: 17/00035/APPNO2
V	Royds (ward 21)	4 Park Square Bradford BD6 3PT Change of use of dwelling to mixed use of residential and childminding care business - Case No: 16/06578/FUL Appeal Ref: 17/00042/APPFL2
W	Bolton and Undercliffe (ward 04)	72 Ashbourne Way Bradford BD2 4DU Construction of single storey rear extension - Case No: 17/00533/HOU Appeal Ref: 17/00070/APPHOU
X	City (ward 07)	8 Waverley Road Bradford BD7 3HT Construction of single storey rear extension to accommodate disabled facilities - Case No: 16/08981/HOU Appeal Ref: 17/00028/APPHOU
Y	Queensbury (ward 20)	Field House Cockin Lane Bradford BD14 6PY Segregation of land to create new drive-way from Cockin Lane - Case No: 16/07430/FUL Appeal Ref: 17/00011/APPHOU

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