

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

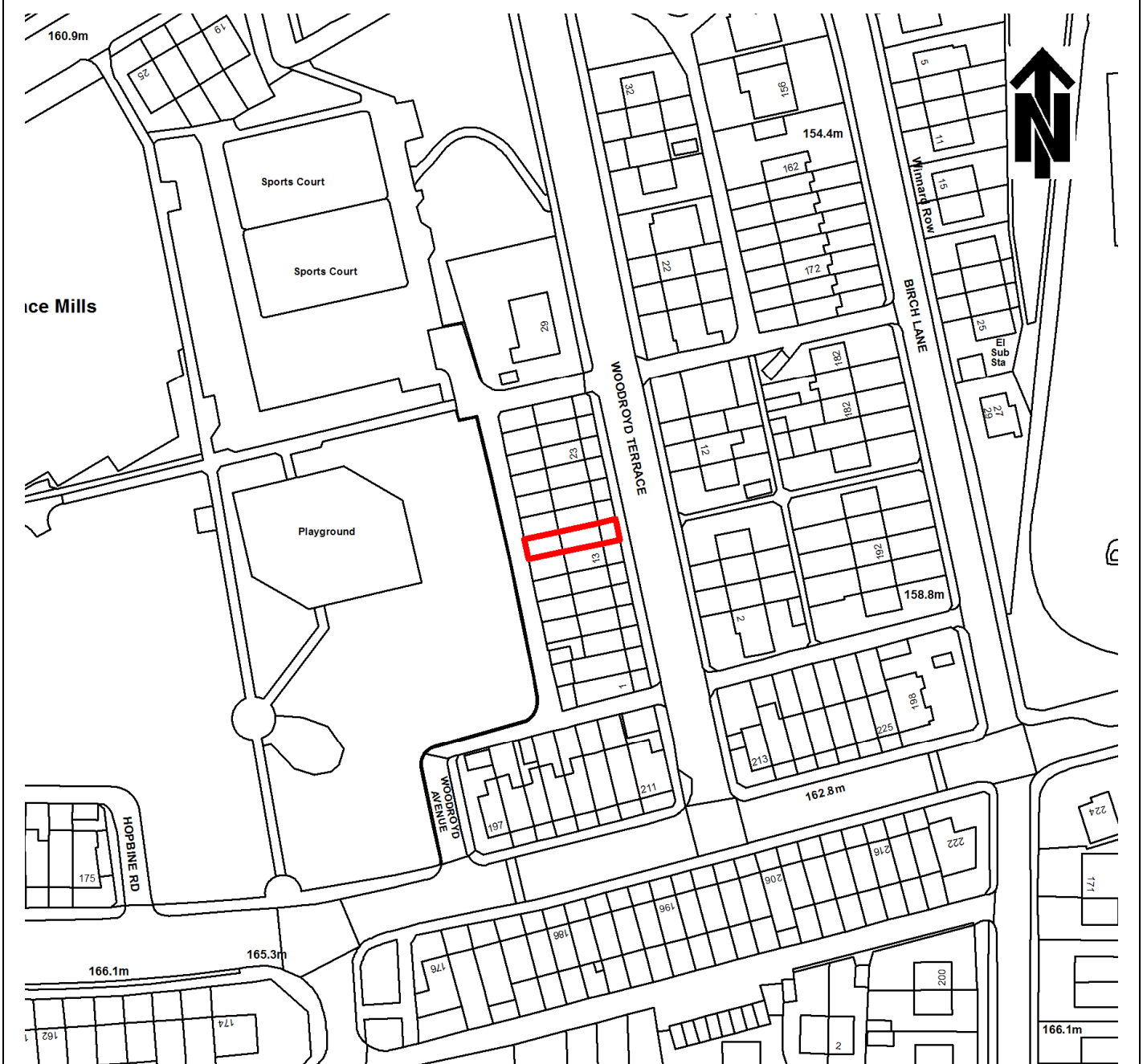
Portfolio:
Regeneration, Planning and Transport

Overview and Scrutiny Committee:
Regeneration and Economy

16/00524/ENFUNA



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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.

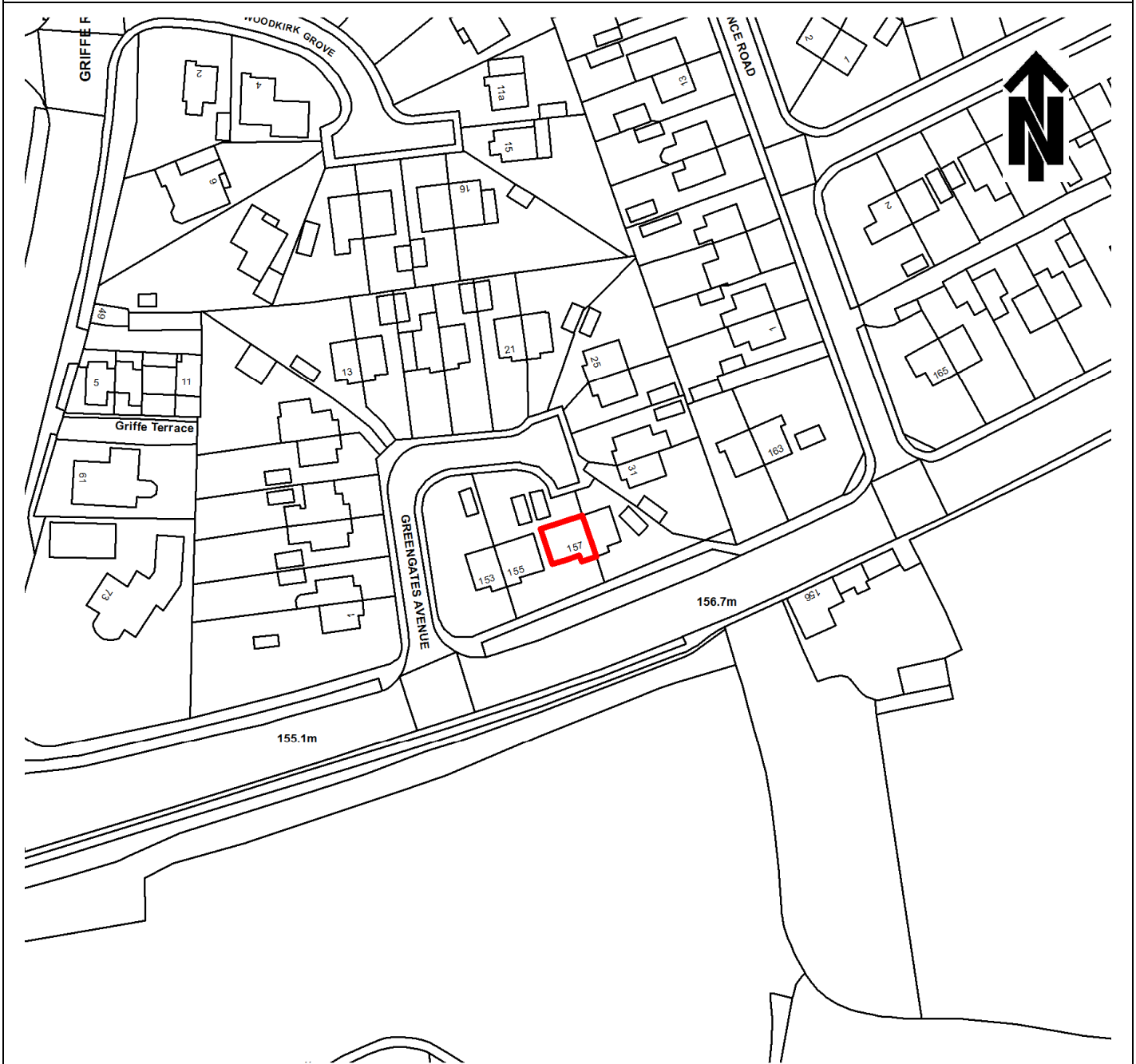
The porch is detrimental to the visual character of the street scene and the uniform terraced row due to its footprint and width across the front of the property in a very prominent position.

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.

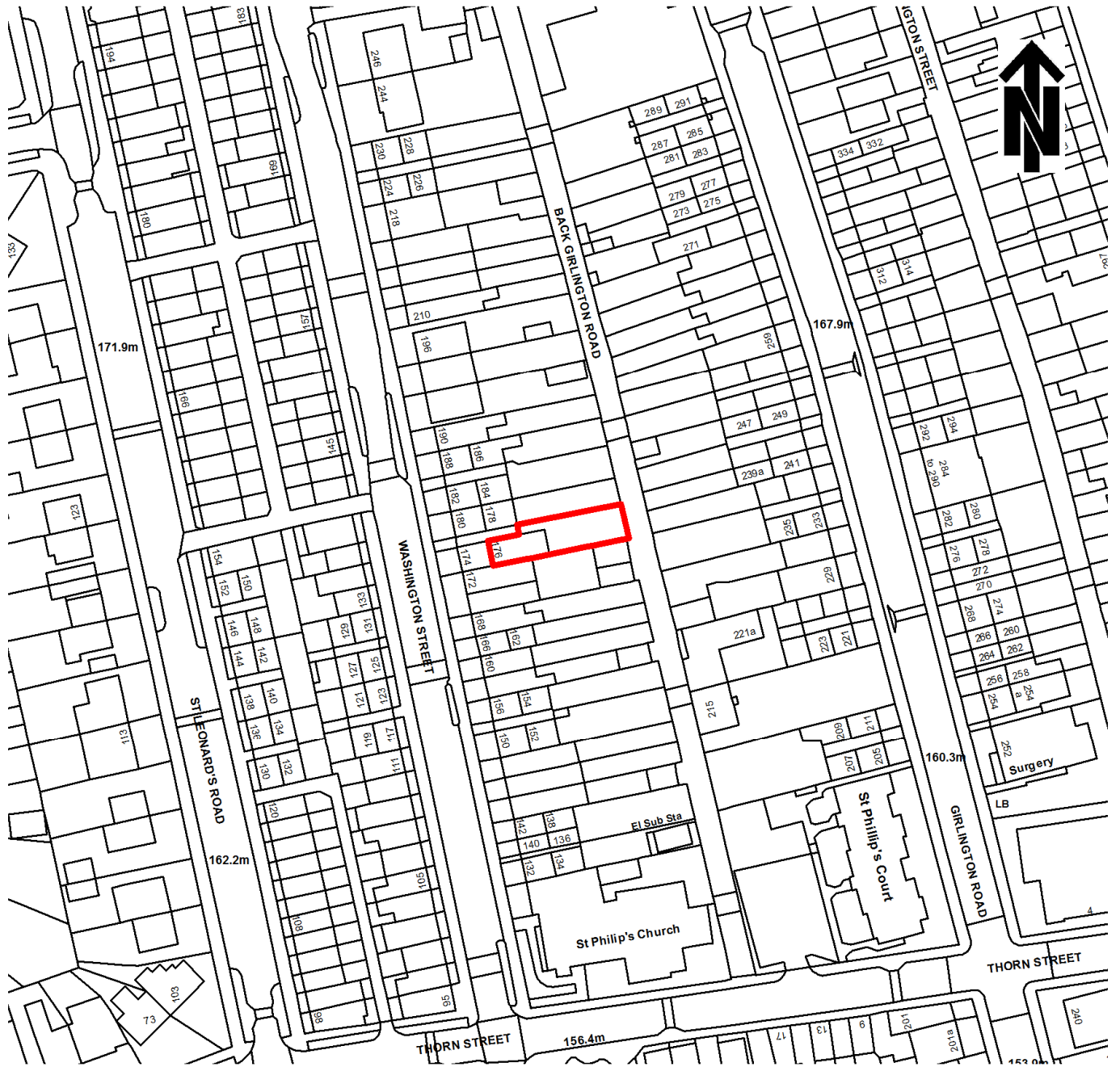
The rear dormer window presents an incongruous and visually dominant feature in the street scene to the detriment of the visual appearance of the locality due to its scale, design and materials.

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.

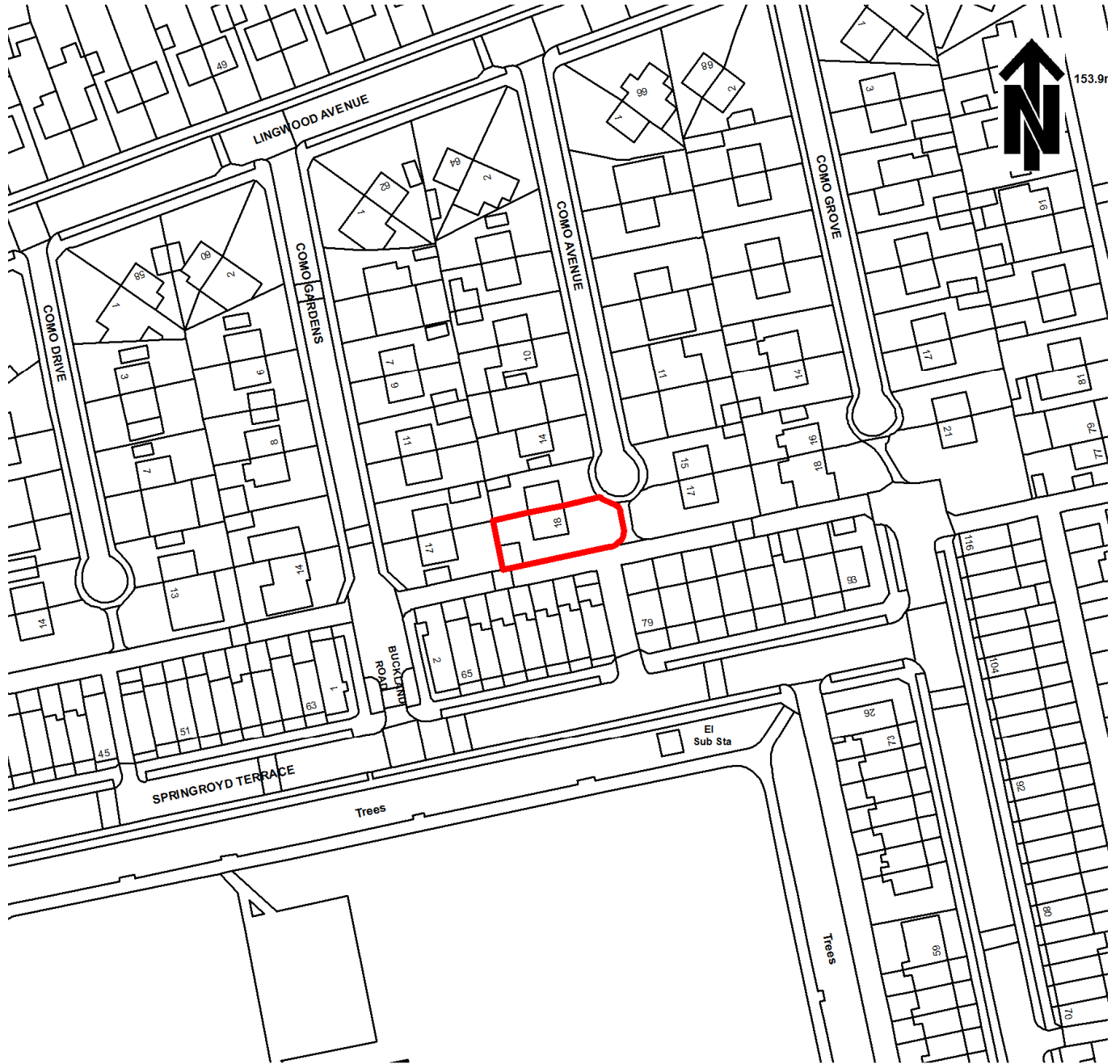
The detached outbuilding is located within a prominent position in the street scene, its scale, design and proximity to the highway result in an obtrusive and over dominant visual appearance within the street scene and is detrimental to its predominantly open character.

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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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.

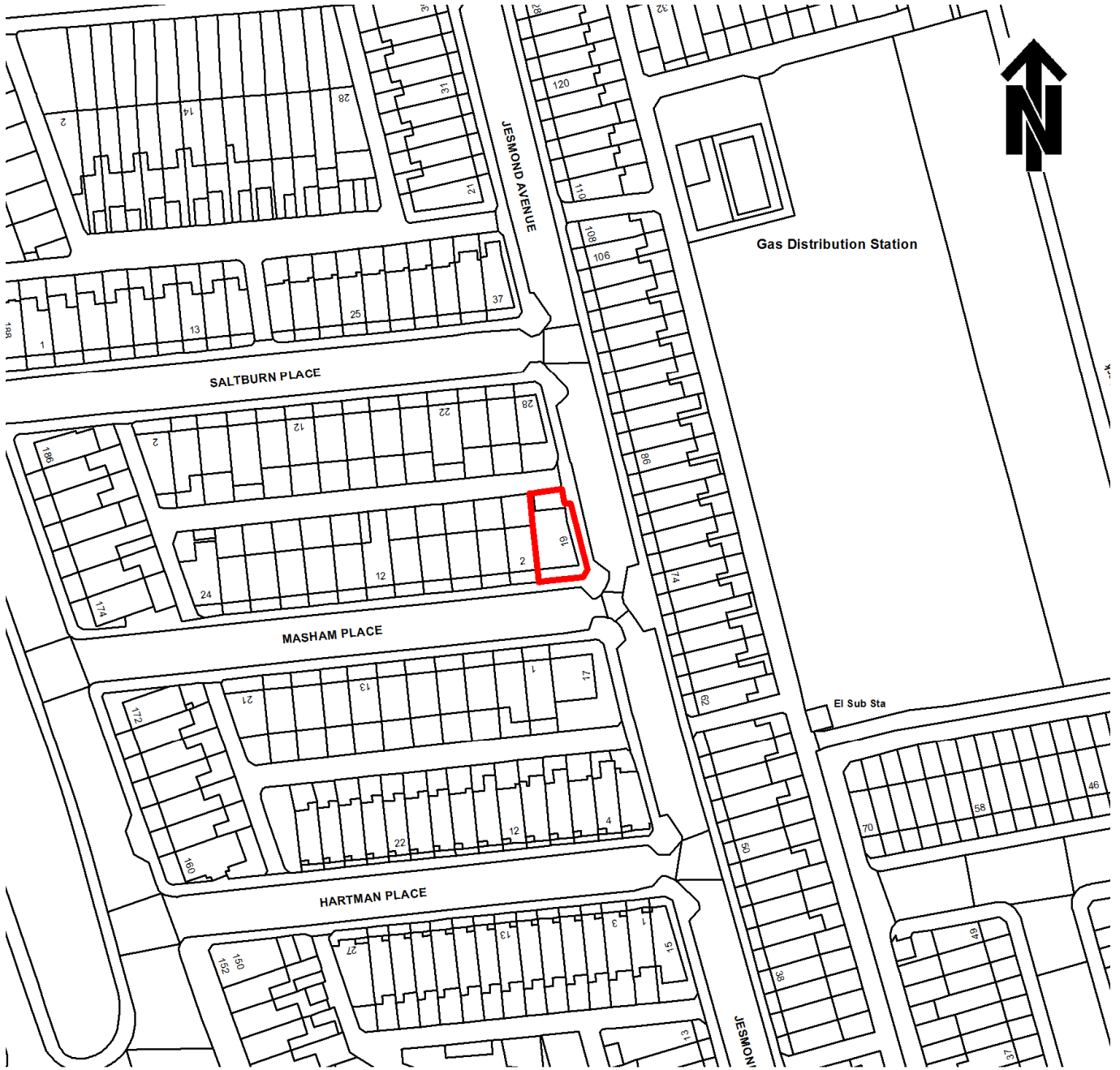
The Planning Manager (Enforcement and Trees) authorised enforcement action on 26 July 2017, requiring either:

- 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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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

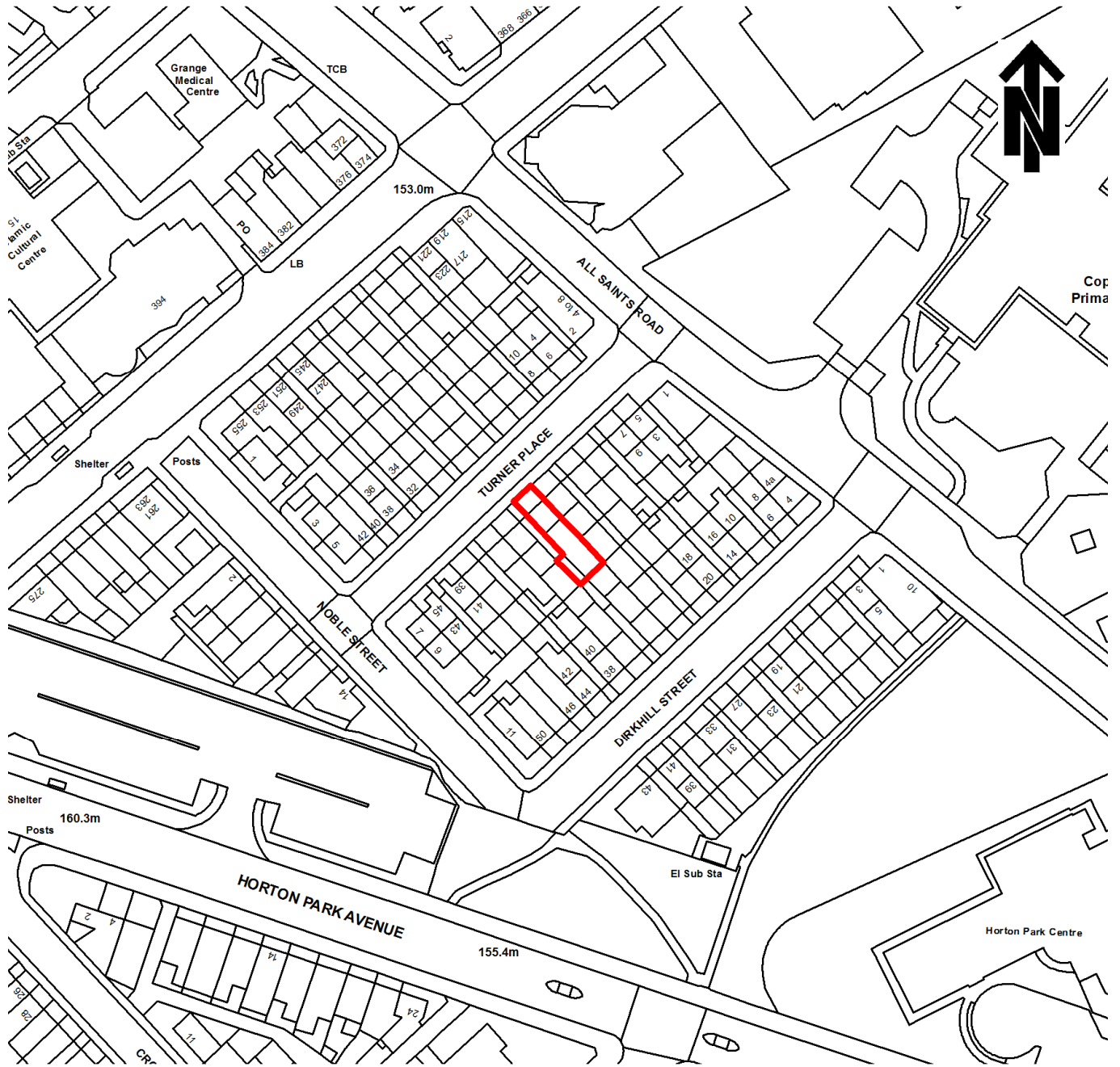
Breach of Planning Control:
Without planning permission the erection of a single storey side extension and timber framed shelter.

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.

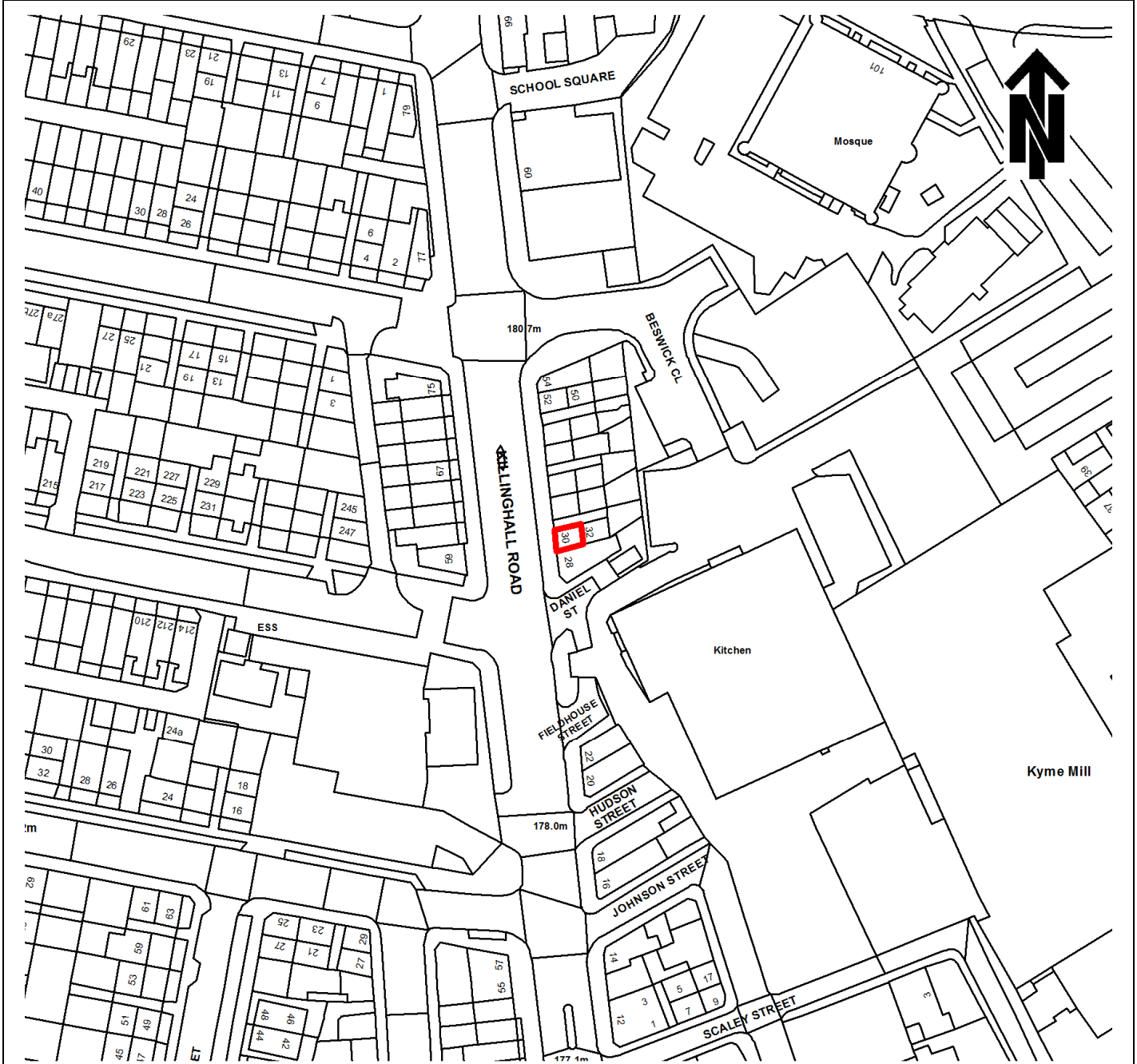
The extension does not enhance or contribute to the amenity of the surrounding area and the design and materials used in its construction are inappropriate and unsympathetic to the existing building.

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.

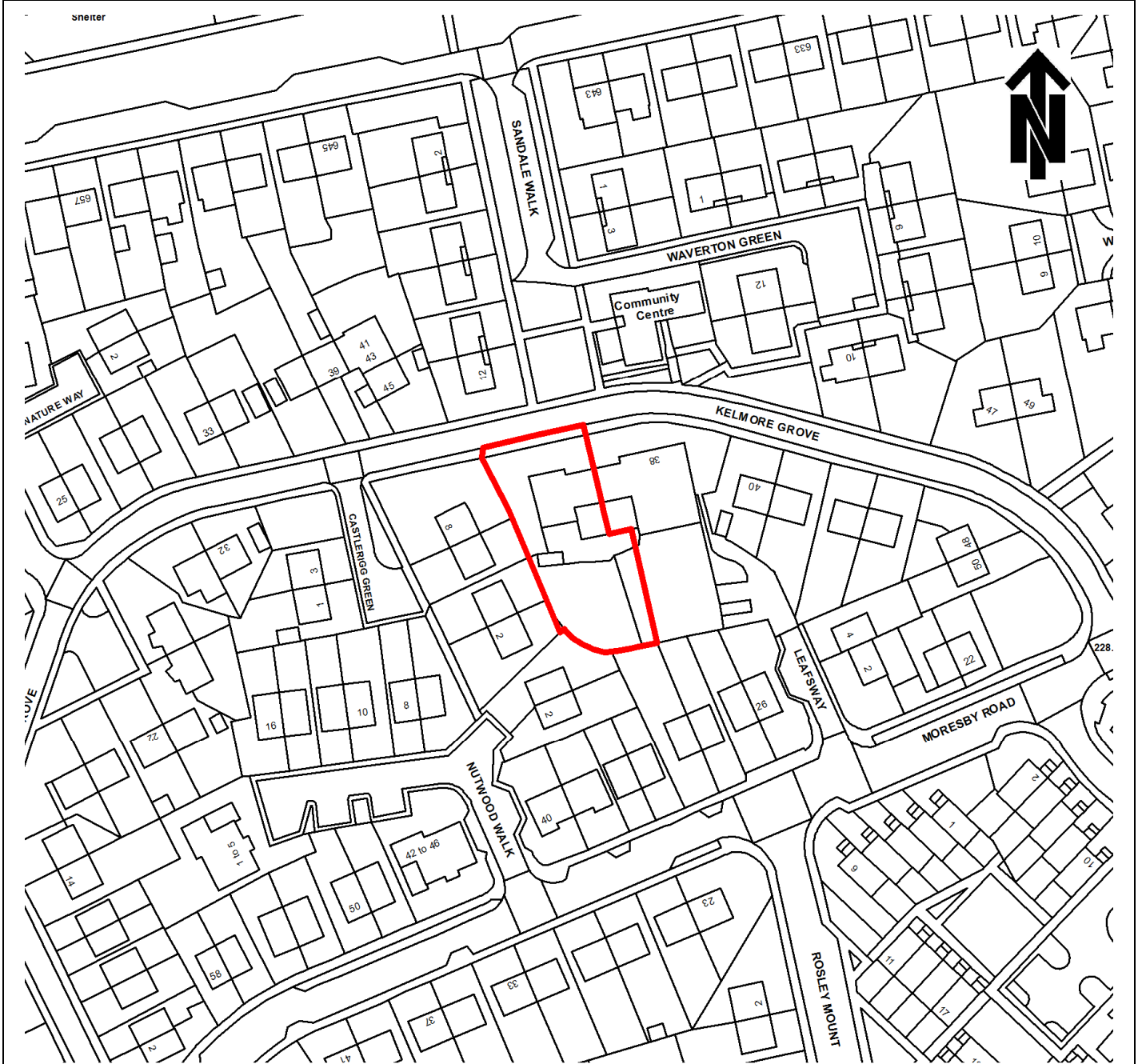
An enquiry regarding the business hours of the shop was received in April 2017 and the occupier was advised to comply with condition 3 of the planning permission. A planning application to extend the business hours of the shop, reference 17/02965/VOC, was refused by the Council in July 2017.

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



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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 Kelmore 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.

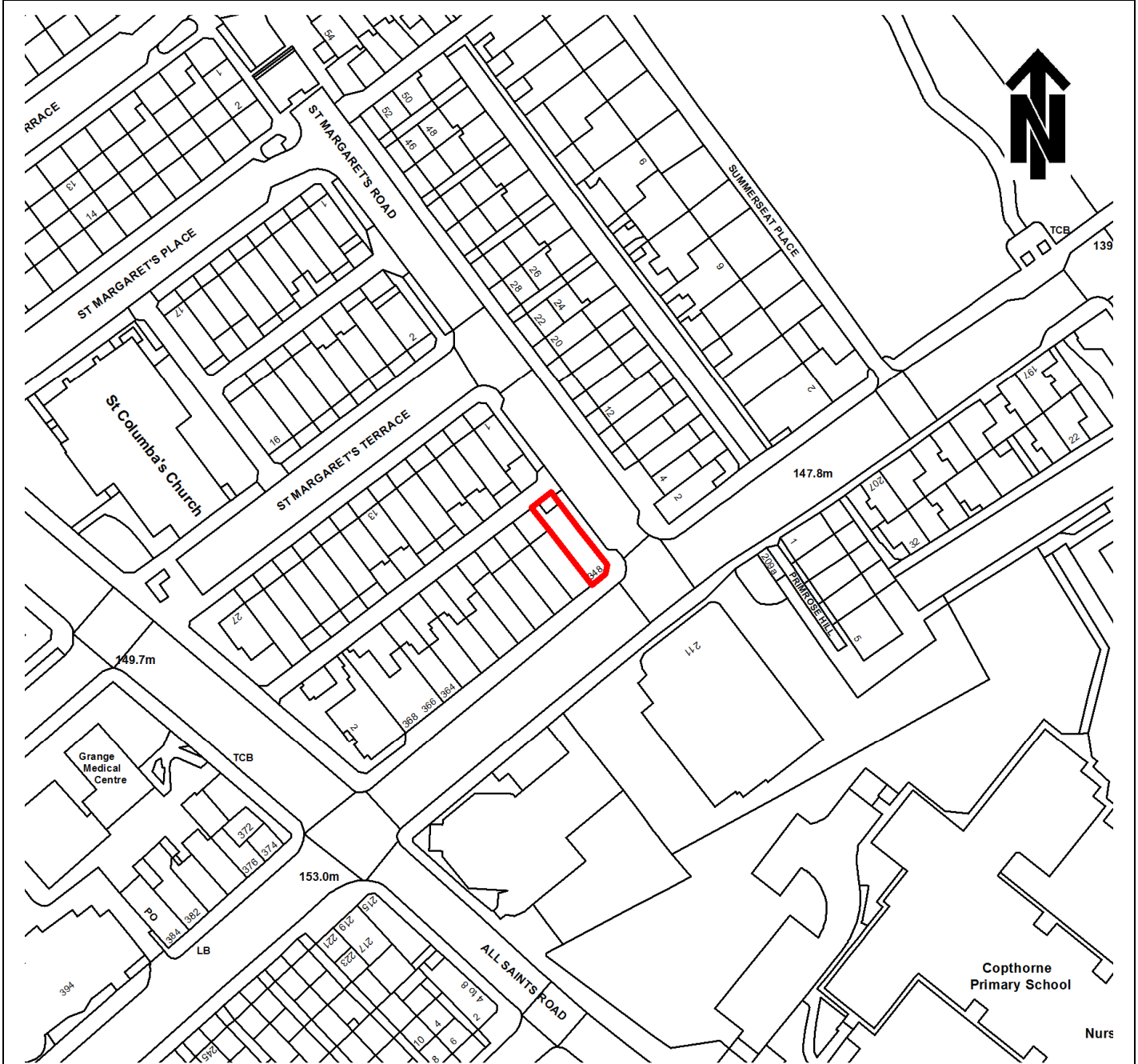
The activity associated with this mixed use has an unacceptable adverse impact on the residential amenity of the occupiers of neighbouring properties due to increased vehicle and customer activity and noise, fumes from the extraction system.

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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**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.

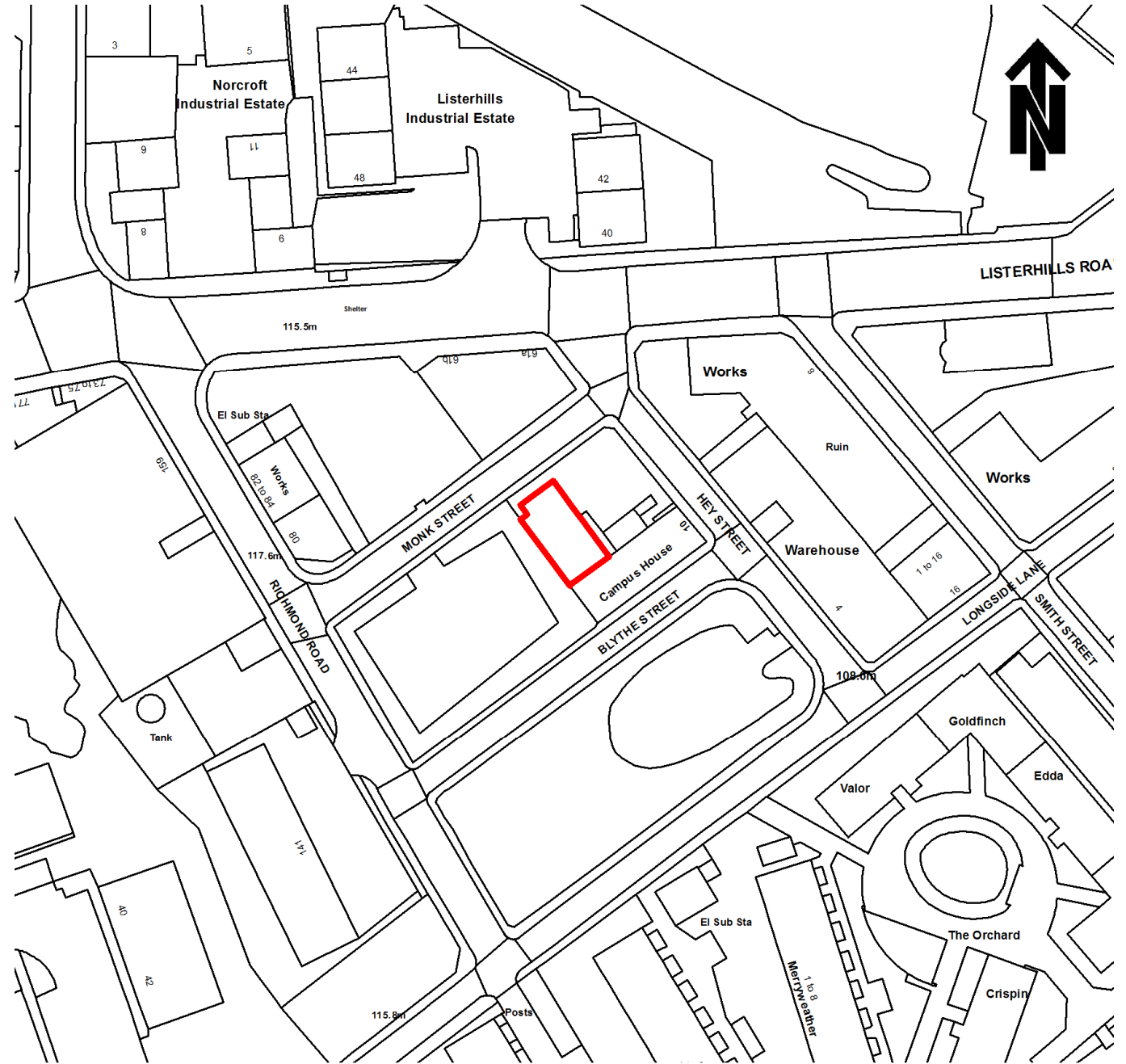
Circumstances:
In August 2016 the Local Planning Authority received an enquiry regarding the installation of an extractor flue at the property.

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.

16/00969/ENFCOU



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Campus House
10 Hey Street
Bradford
BD7 1DQ

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.

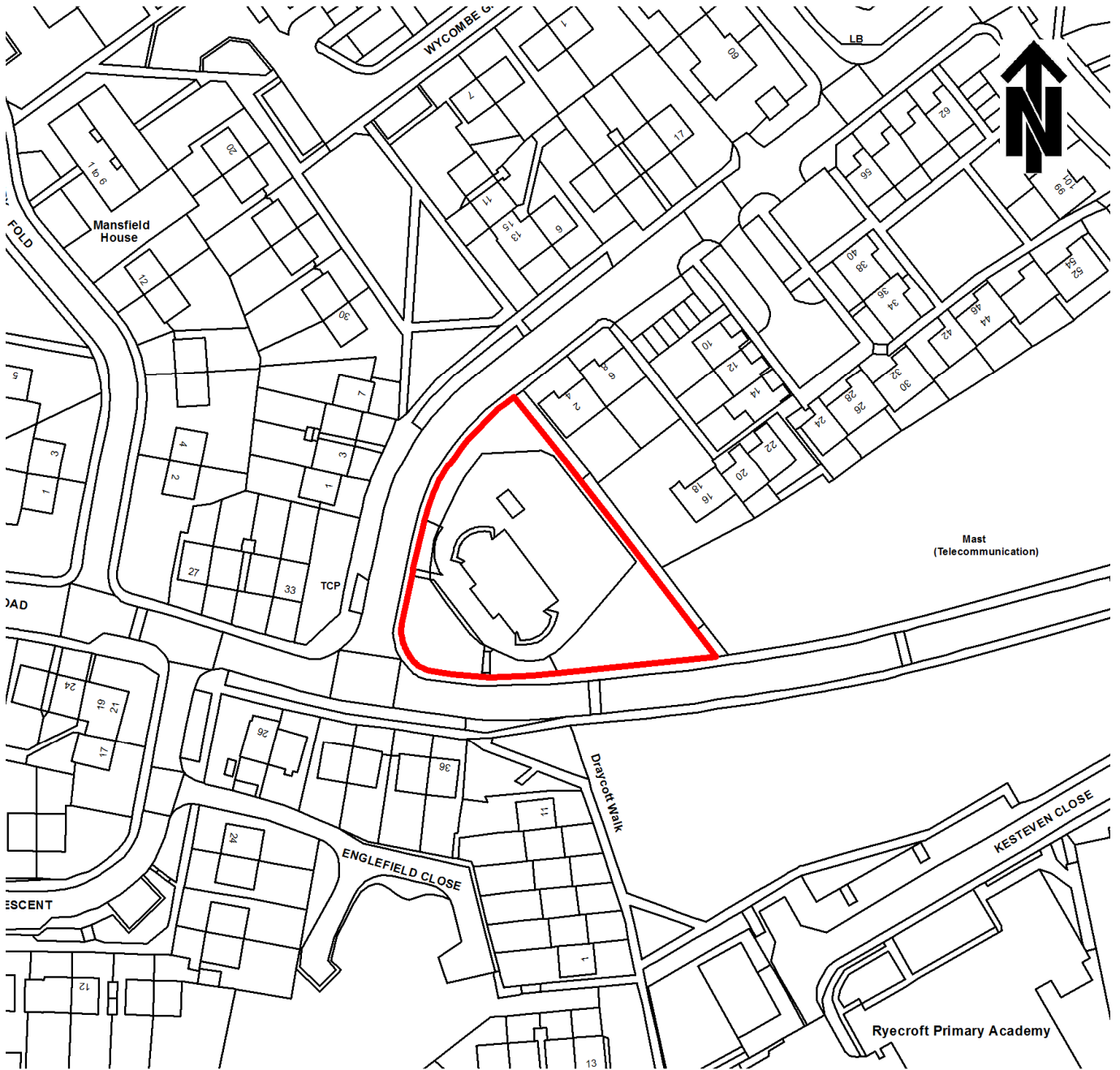
The unauthorised use has an unacceptable adverse impact on the residential amenity of the occupiers of residential properties within close proximity by reason of noise disturbance particularly late at night and into the early hours of the morning.

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.

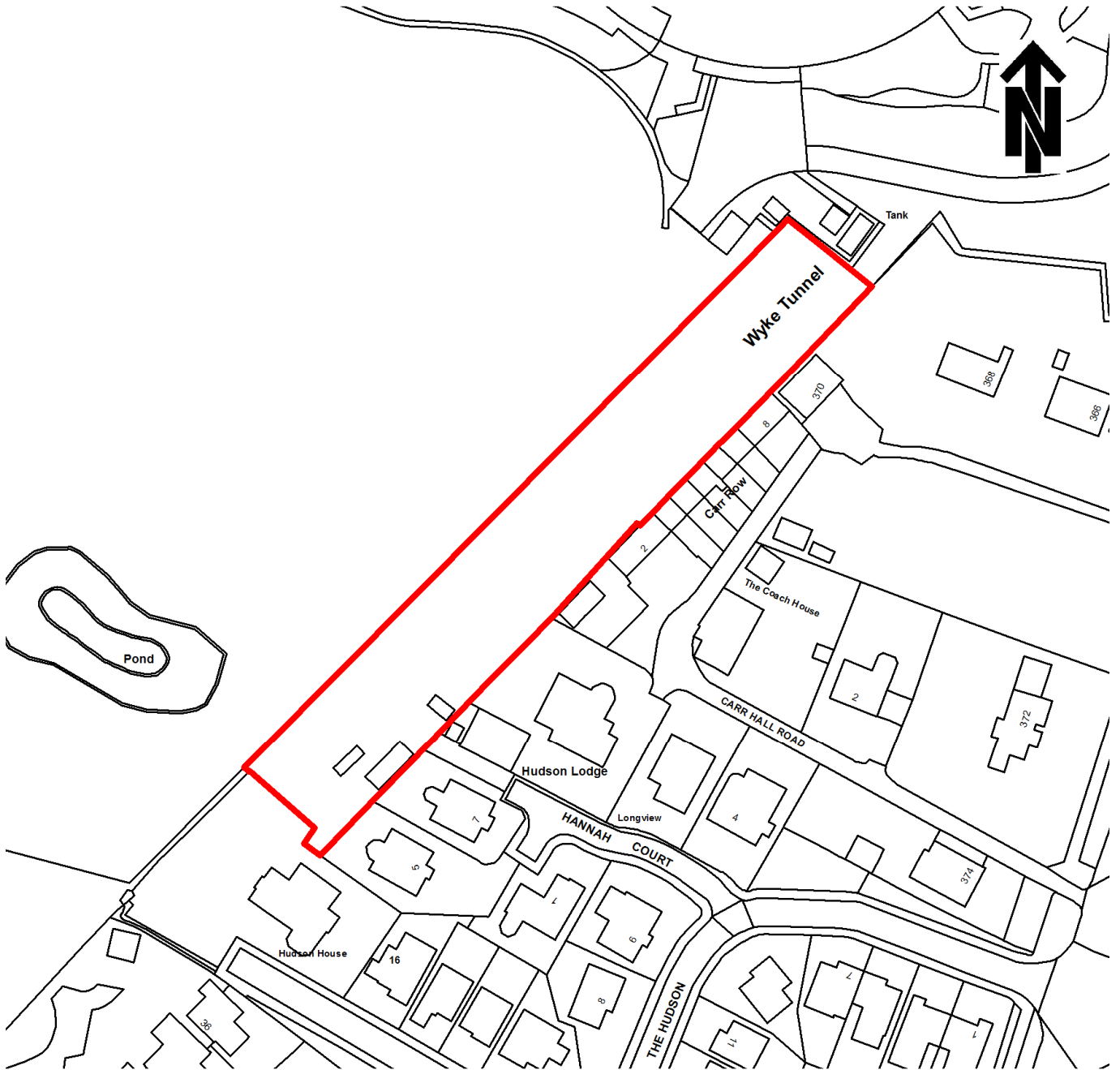
The Planning Manager Enforcement and Trees under delegated powers authorised the issuing of a Section 215 Notice which was issued on 29 June 2017.

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.

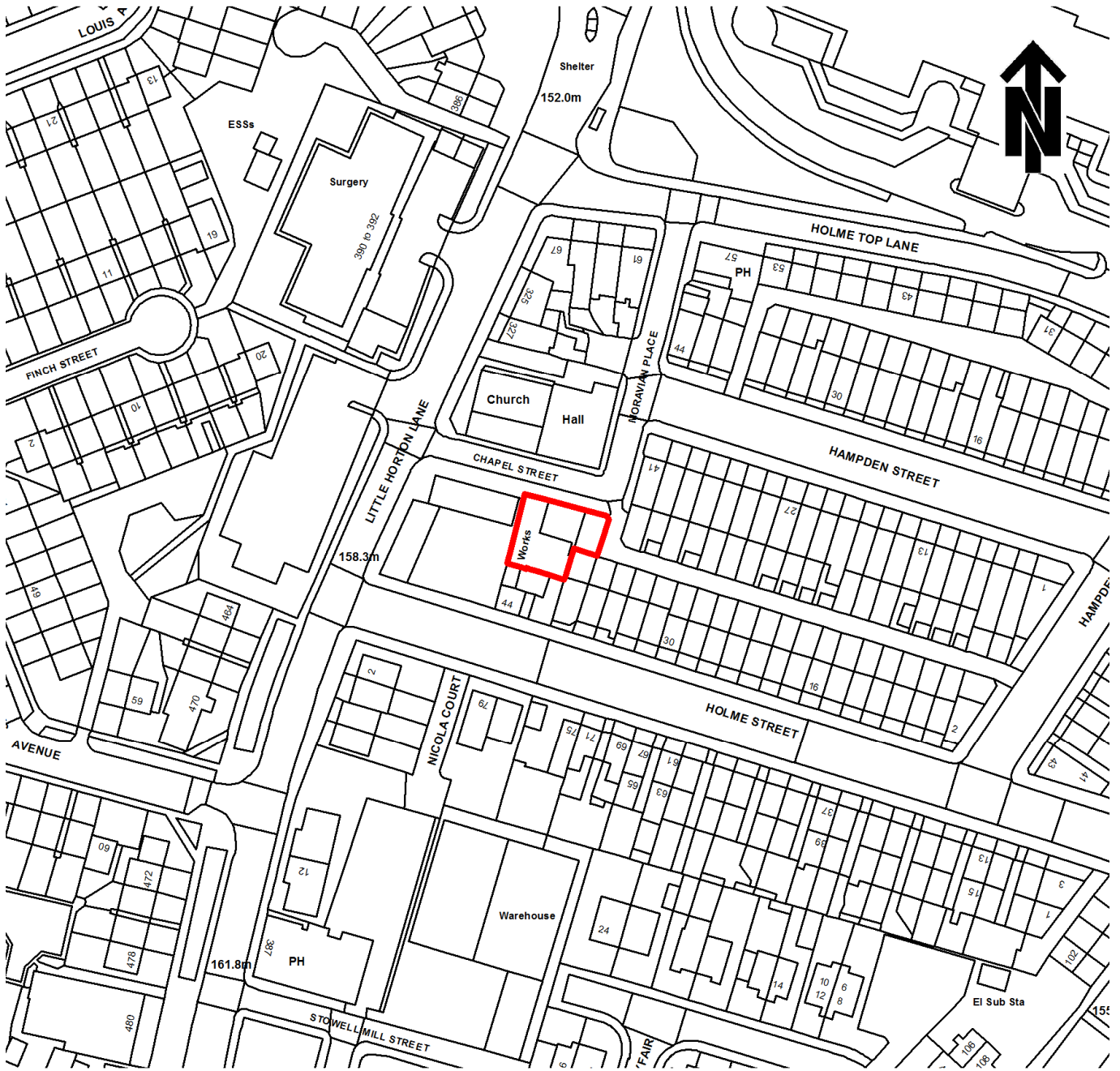
Circumstances:
Following complaints received in this office a site visit revealed that the land was being used for timber processing and storage without planning permission. The owner/occupiers of the land have taken no remedial action to remedy the breach of planning control.

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