Report of the Strategic Director of Place to the meeting of the Area Planning Panel (BRADFORD) to be held on 27 October 2021

F

Summary Statement - Part Two

Miscellaneous Items

	No of Items
Discontinuance Notices	**(1)**
Requests for Enforcement/Prosecution Action	**(13)**
Decisions made by the Secretary of State - Allowed	**(4)**
Decisions made by the Secretary of State - Dismissed	**(7)**
Decisions made by the Secretary of State - Varied and Upheld	**(2)**

Julian Jackson
Assistant Director (Planning, Transportation and Highways)

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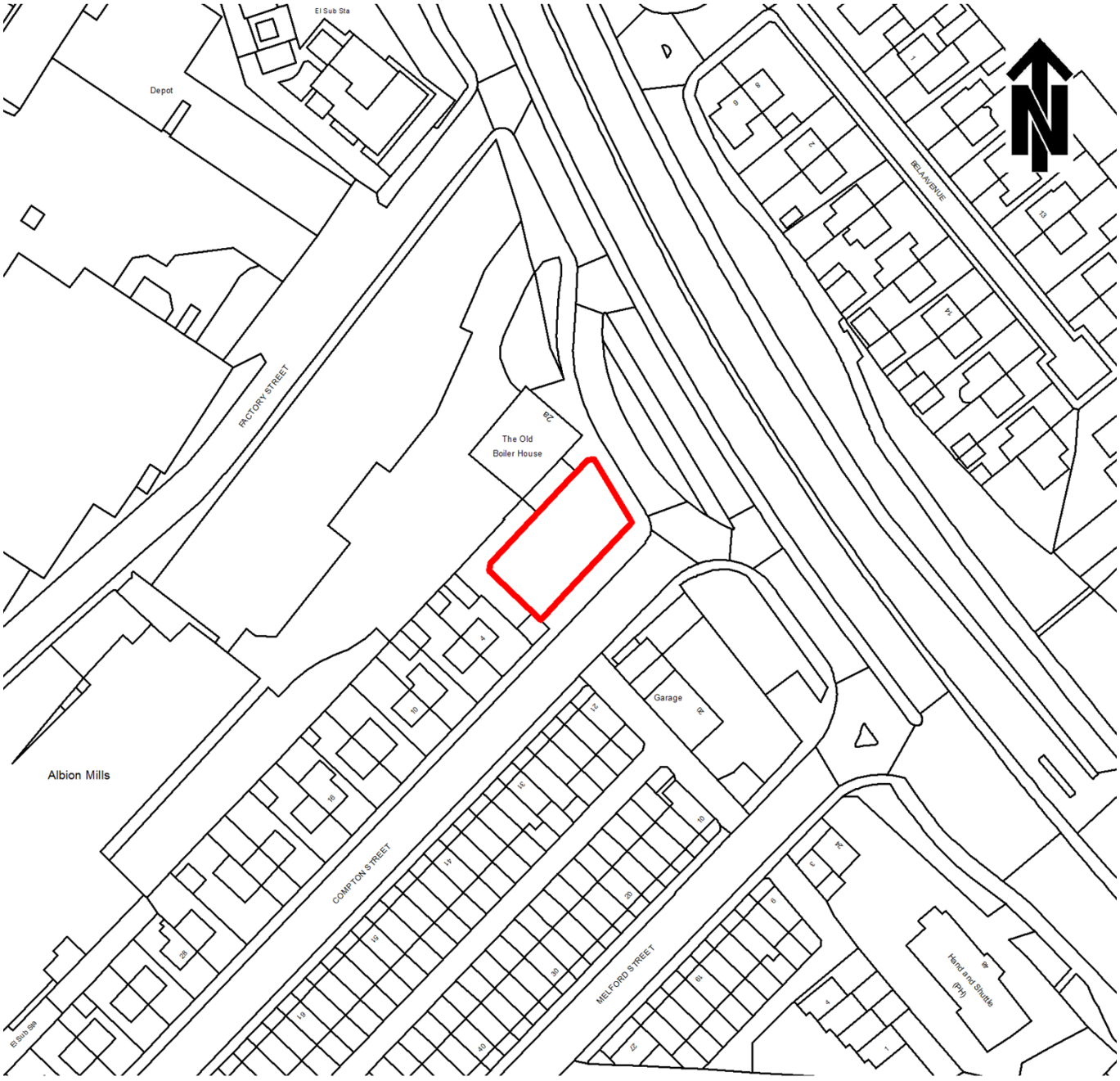
Portfolio:
Regeneration, Planning & Transport

Overview & Scrutiny Committee Area:
Regeneration and Environment

20/01087/ENFLBC

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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Frys Carpets The Picture Palace
2 Tong Street
Bradford BD4 9LT

27 October 2021

Item Number: **A**
Ward: **TONG**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
20/01087/ENFLBC

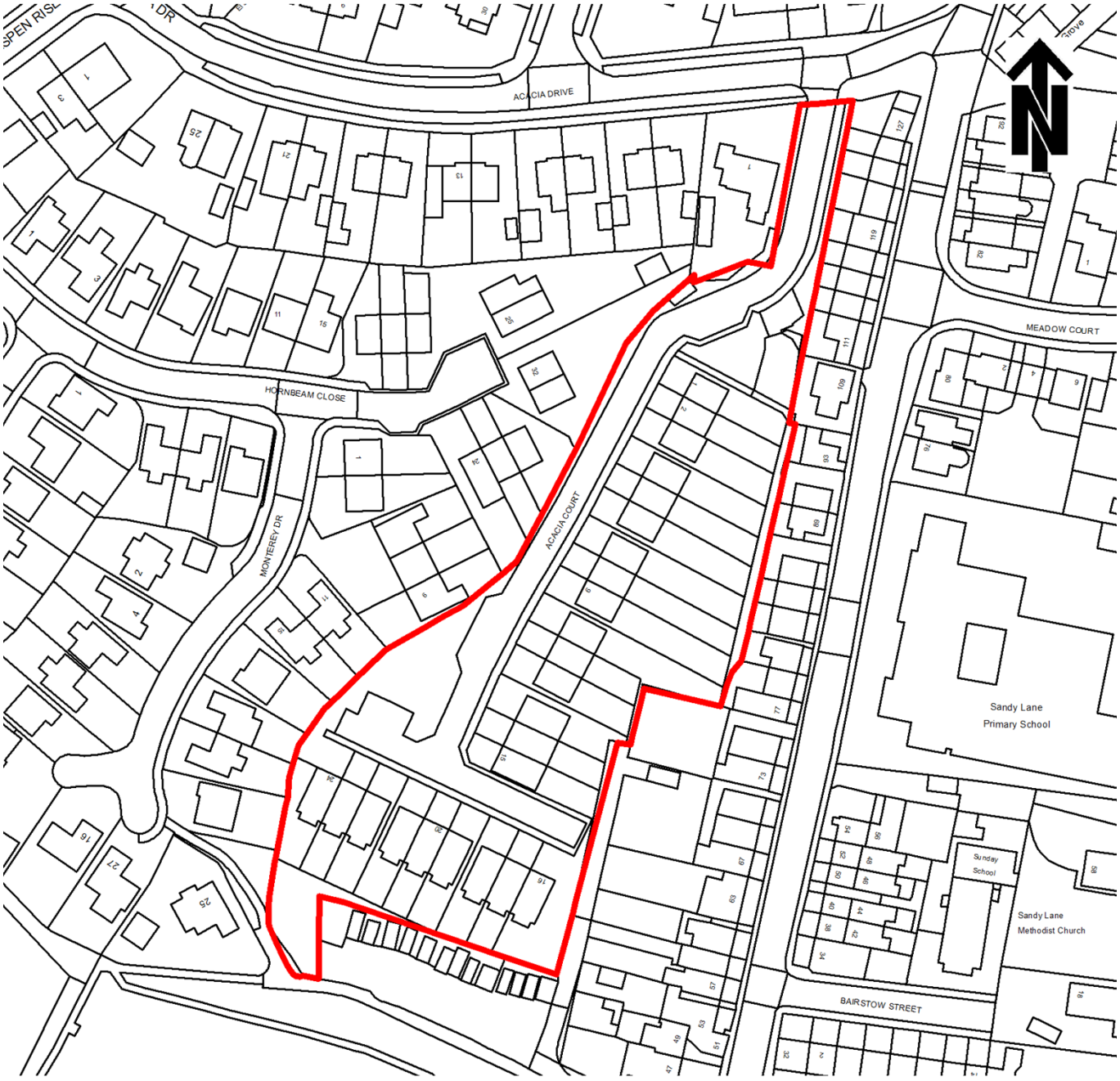
Site Location:
Frys Carpets The Picture Palace 2 Tong Street Bradford West Yorkshire BD4 9LT

Breach of Planning Control:
Discontinuance action authorised by the Planning Manager (Enforcement & Trees)

Date Discontinuance Action Authorised: 17 August 2021

19/00430/ENFCON

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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1 Acacia Drive
Sandy Lane
Bradford BD15 9JY

27 October 2021

Item Number: **B**
Ward: **THORNTON AND ALLERTON**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
19/00430/ENFCON

Site Location:
1 Acacia Drive Sandy Lane Bradford West Yorkshire BD15 9JY

Breach of Planning Control:
Breach of condition 10 of planning permission 16/02373/MAF

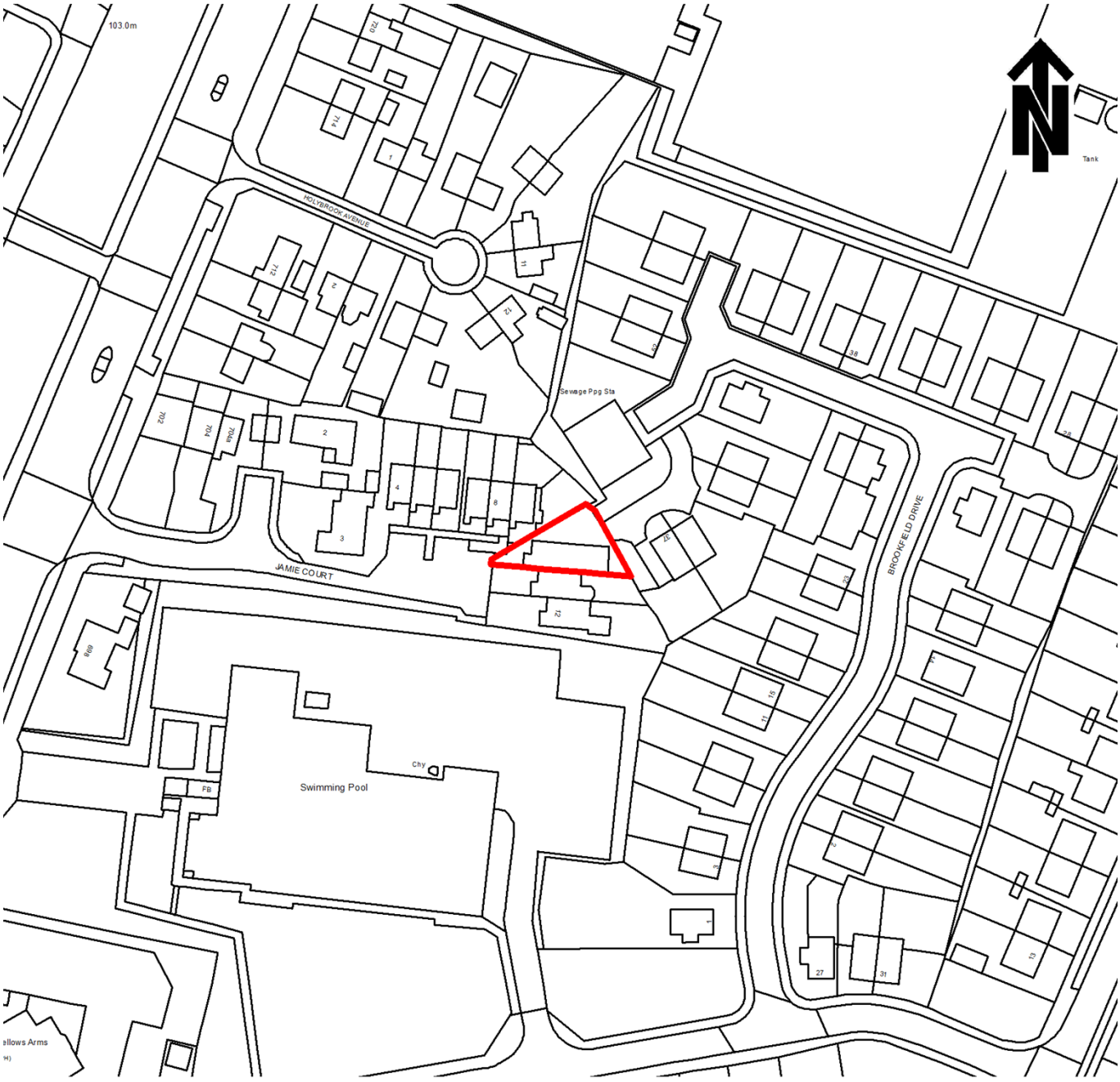
Circumstances:
Following an enquiry, a site visit carried out revealed that a Traffic Regulation Order had not been applied for as the developer was required to do, to provide double yellow lines on a road in the vicinity of a residential development site.

The developer has been given opportunity to remedy the breach of planning control but has failed to do so.

On 6 August 2021 the Planning Manager (Enforcement & Trees) authorised the issue of a Breach of Condition Notice. It is considered expedient to instigate Enforcement (Legal) Action in the interests of highway and pedestrian safety.

19/00924/ENFUNA

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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10 Jamie Court
Bradford
BD10 0QG

27 October 2021

Item Number: **C**
Ward: **ECCLESHILL**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
19/00924/ENFUNA

Site Location:
10 Jamie Court Bradford West Yorkshire BD10 0QG

Breach of Planning Control:
Unauthorised additional single storey rear extension

Circumstances:
In October 2019 the Council received an enquiry regarding a structure in the rear garden area of the property.

An inspection showed that an additional single storey rear extension had been attached to an existing rear extension, for which the Council had no record of planning permission having been granted.

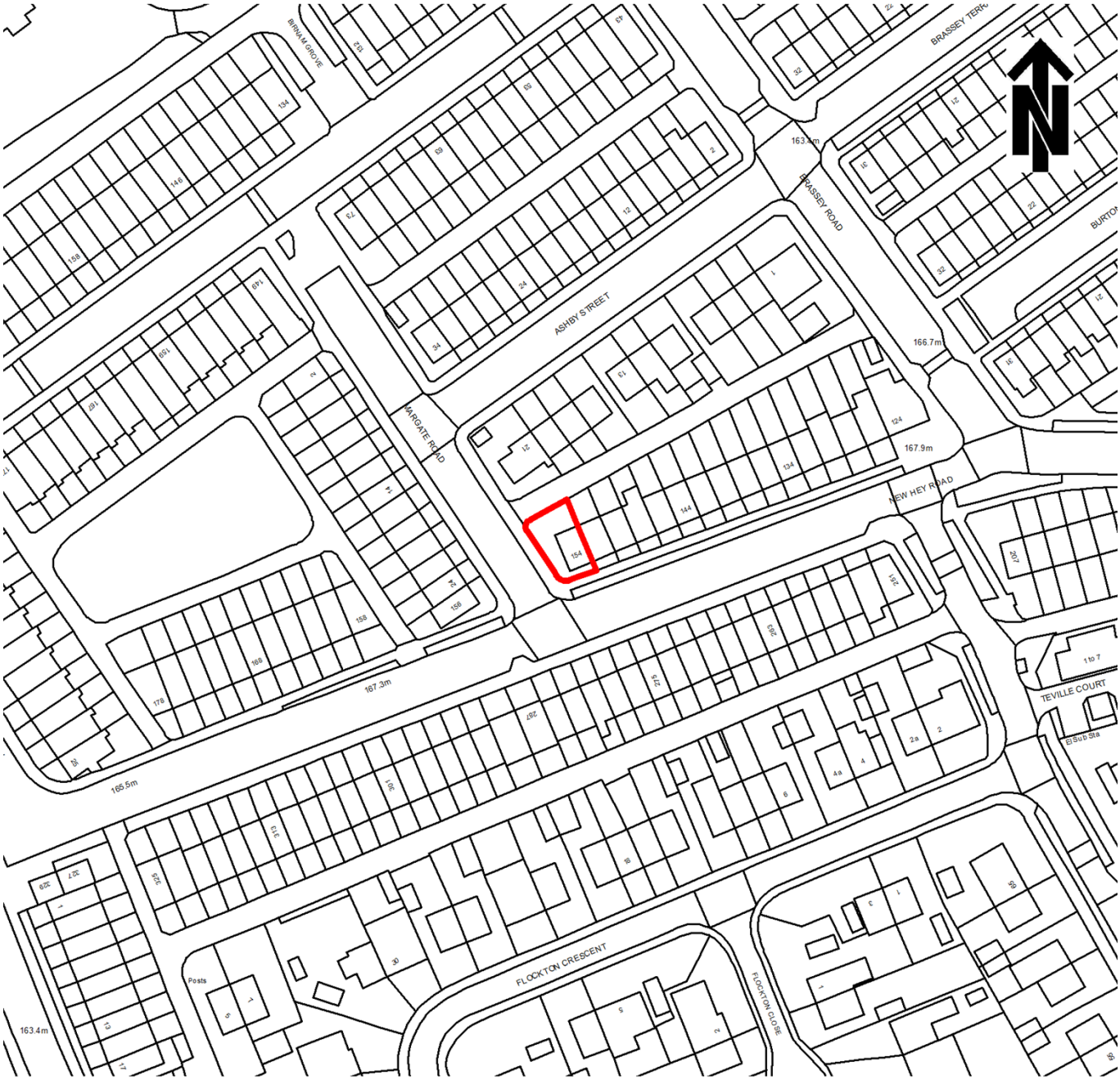
Retrospective planning application references 20/02930/HOU and 21/00027/HOU for the additional single storey rear extension were refused by the Council in October 2020 and March 2021 respectively. No appeals were made against the Council's decisions.

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

On 23 July 2021 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised additional single storey rear extension is detrimental to visual and residential amenity by virtue of its position, design and appearance, contrary to Policies DS1, DS3 and DS5 of the adopted Core Strategy Development Plan Document, the Council's adopted Householder Supplementary Planning Document and the principles of the National Planning Policy Framework.

20/01224/ENFUNA

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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154 New Hey Road
Bradford
BD4 7LD

27 October 2021

Item Number: **D**
Ward: **BOWLING AND BARKEREND**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
20/01224/ENFUNA

Site Location:
154 New Hey Road Bradford West Yorkshire BD4 7LD

Breach of Planning Control:
Without planning permission, the construction of a raised platform and fence.

Circumstances:
Following a complaint received in this office in August 2020, a site visit revealed the above breach of planning control. Despite requests from the Local Planning Authority, the owner of the property has taken no action to rectify the matter.

The fence has eroded the sense of openness created by the low profile boundary treatments and appears as a stark and incongruous addition to the street scene. The raised platform also appears incongruous and leads to a significant degree of overlooking of the private garden space of No 152 New Hey Road to the detriment of residential amenity.

The Planning Manager (Enforcement and Trees) authorised enforcement action on 13 September 2021 requiring the owner of the property to dismantle the decking and supporting structure and timbre fence, remove all arising materials from the land and make good any damage caused to the land.

18/00783/ENFUNA

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16 Wensleydale Road
Bradford
BD3 8NA

27 October 2021

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

Enforcement Reference:
18/00783/ENFUNA

Site Location:
16 Wensleydale Road Bradford West Yorkshire BD3 8NA

Breach of Planning Control:
Without Planning Permission, the construction of three no. dormer window extensions on the front elevation.

Circumstances:
Following an enquiry, a site visit carried out revealed that 3 no. dormer windows had been constructed on the front elevation of the property.

The property owner has been given opportunity to remedy the alleged breaches of planning control and a retrospective application (reference 20/00852/HOU) to retain three amended dormers to front elevation was approved on 29th April 2020. A site visit carried out on 27 April 2021 showed that the unauthorised development remains on site and changes had not been made.

On 15 July 2021 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action.

19/00755/ENFUNA

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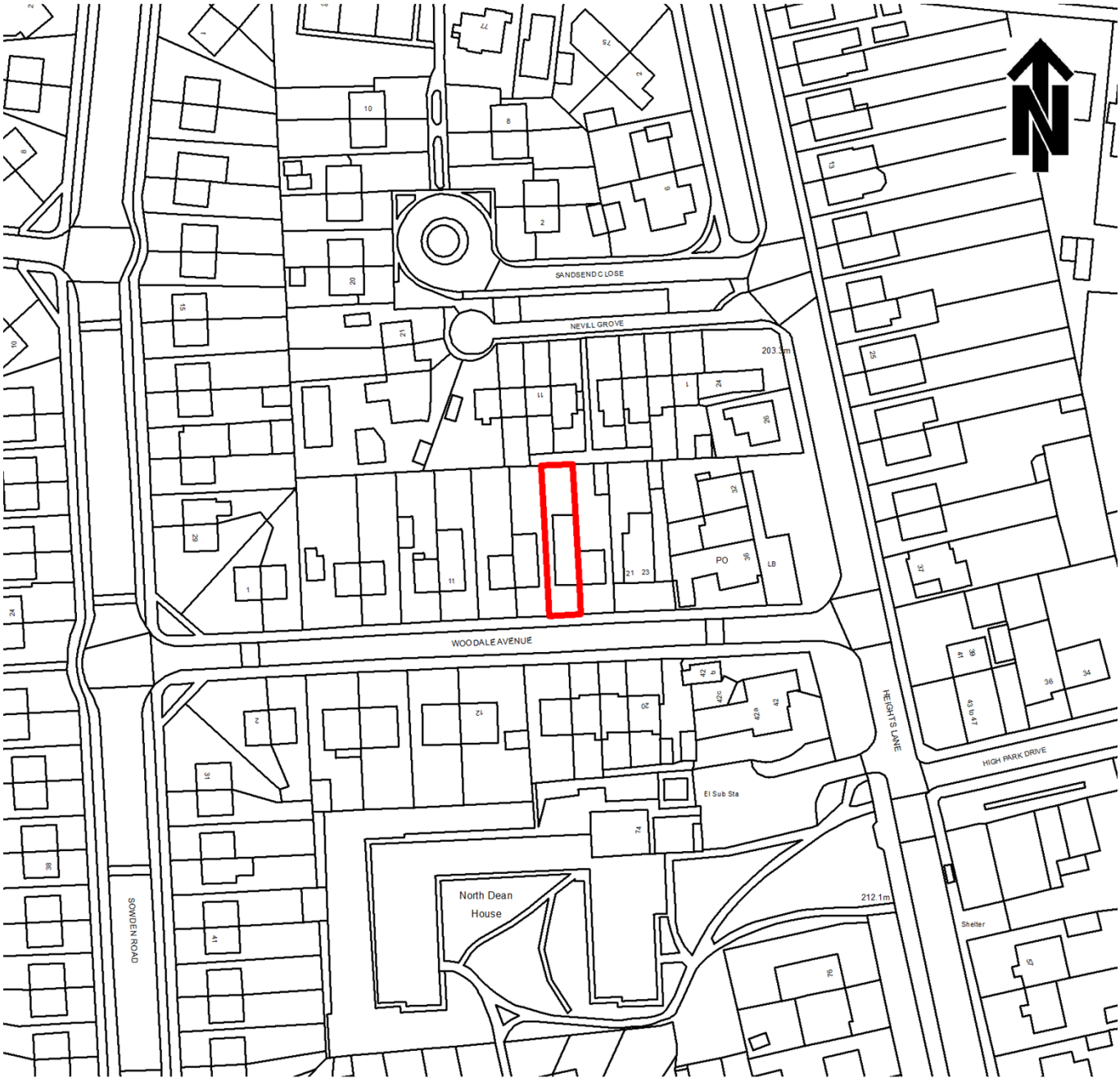

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17 Woodale Avenue
Bradford
BD9 6JQ

27 October 2021

Item Number: **F**
Ward: **HEATON**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
19/00755/ENFUNA

Site Location:
17 Woodale Avenue Bradford West Yorkshire BD9 6JQ

Breach of Planning Control:
Without planning permission, the construction of a rear conservatory and covered decking

Circumstances:
Following an enquiry, a site visit carried out revealed that an unauthorised rear conservatory and covered decking had been constructed.

The property owner has been given opportunity to remedy the alleged breach of planning control and a retrospective planning application 20/00349HOU has been submitted and refused and a subsequent appeal dismissed.

On 6 August 2021 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action due to the harm caused to visual and residential amenity.

20/00008/ENFUNA

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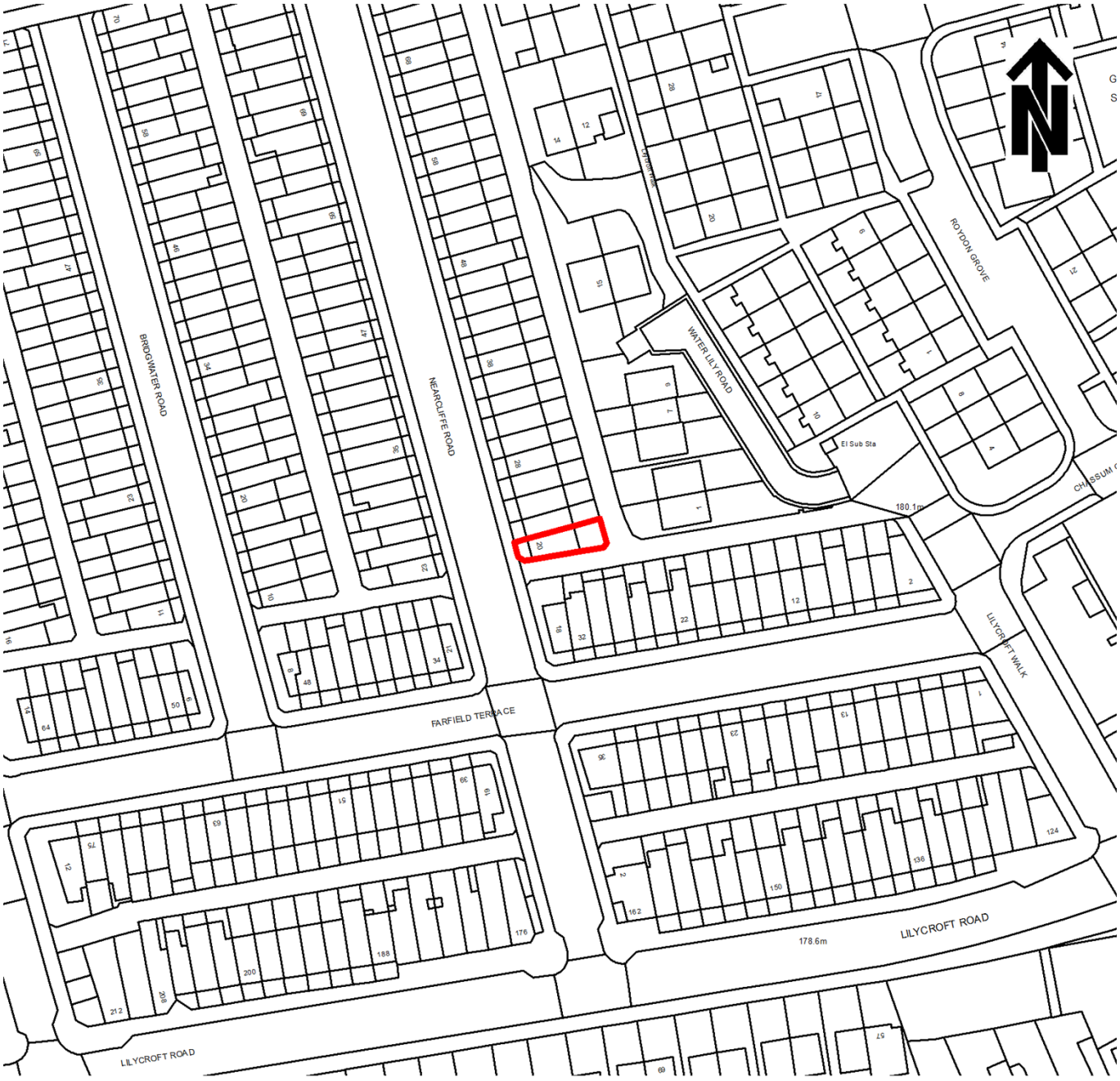

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20 Nearcliffe Road
Bradford
BD9 5AU

27 October 2021

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

Enforcement Reference:
20/00008/ENFUNA

Site Location:
20 Nearcliffe Road Bradford West Yorkshire BD9 5AU

Breach of Planning Control:
Without planning permission, construction of a front porch.

Circumstances:
Following an enquiry, a site visit carried out revealed that a front porch had been constructed without planning permission.

The property owner has been given opportunity to remedy the alleged breach of planning control but failed to take any action. A site visit carried showed that the structure remains on site.

On 6 August 2021 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action due to its impact on visual amenity.

20/00821/ENFUNA

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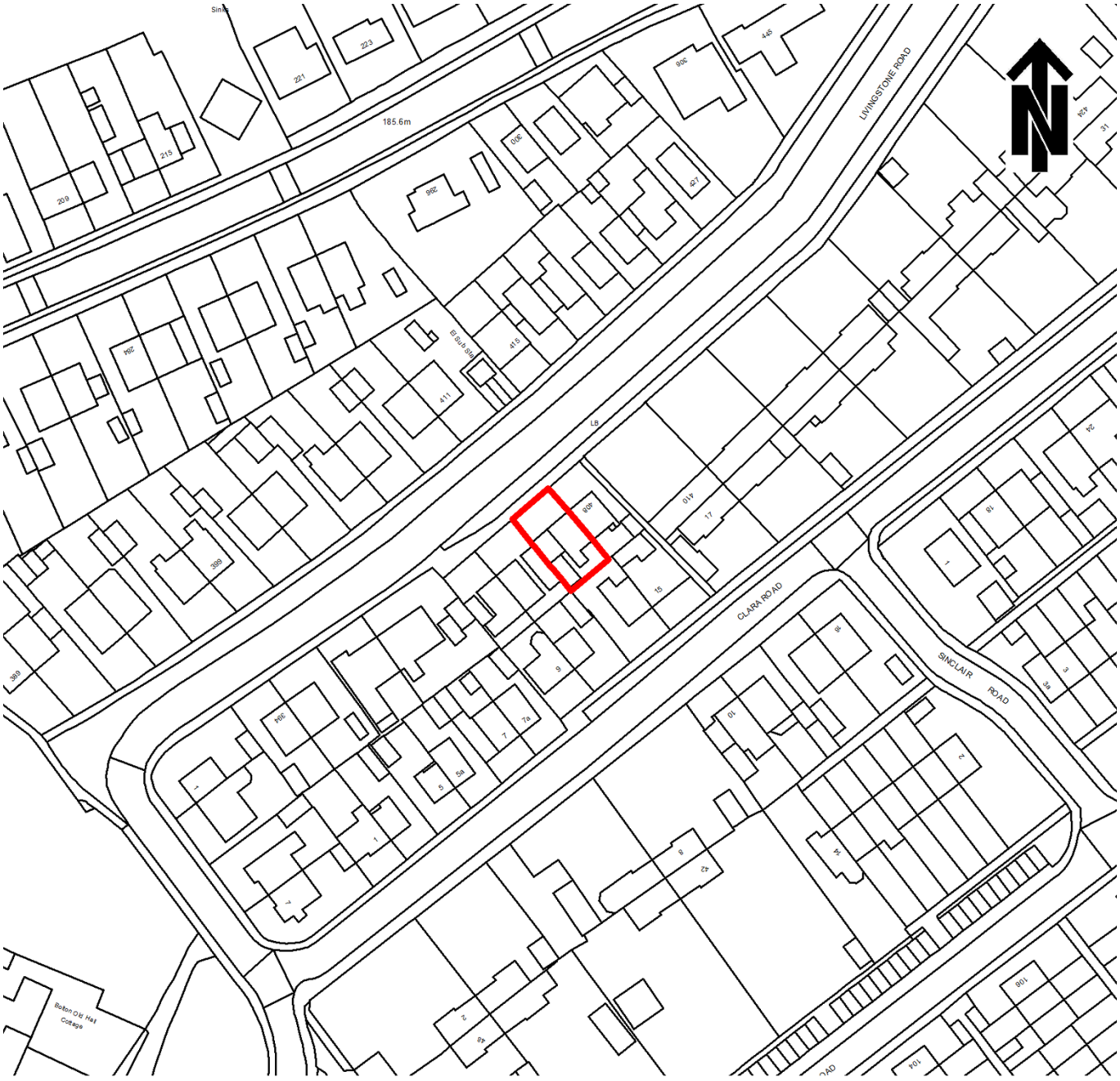

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406 Livingstone Road
Wrose
Bradford BD2 1QD

27 October 2021

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

Enforcement Reference:
20/00821/ENFUNA

Site Location:
406 Livingstone Road Wrose Bradford West Yorkshire BD2 1QD

Breach of Planning Control:
Unauthorised wall and gates

Circumstances:
In May 2020 the Local Planning Authority received an enquiry regarding development works at the property.

An inspection showed that a concrete block wall and solid metal gates exceeding 1.0 metre in height had been erected to the front boundary of the property, for which the Council had no record of planning permission having been granted.

A retrospective planning application for the wall and gates, reference 20/02767/HOU, was refused by the Council in October 2020.

A revised planning application was submitted, reference 21/04201/HOU, and in December 2020 planning permission was granted by the Council for a wall and gates of a lower height along the front boundary of the property.

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

On 17 August 2021 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised wall and gates to the front boundary of the property are detrimental to visual amenity by virtue of their position, height and appearance, forming incongruous features on the land and within the street scene, contrary to Policies DS1 and DS3 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

20/00822/ENFCOU

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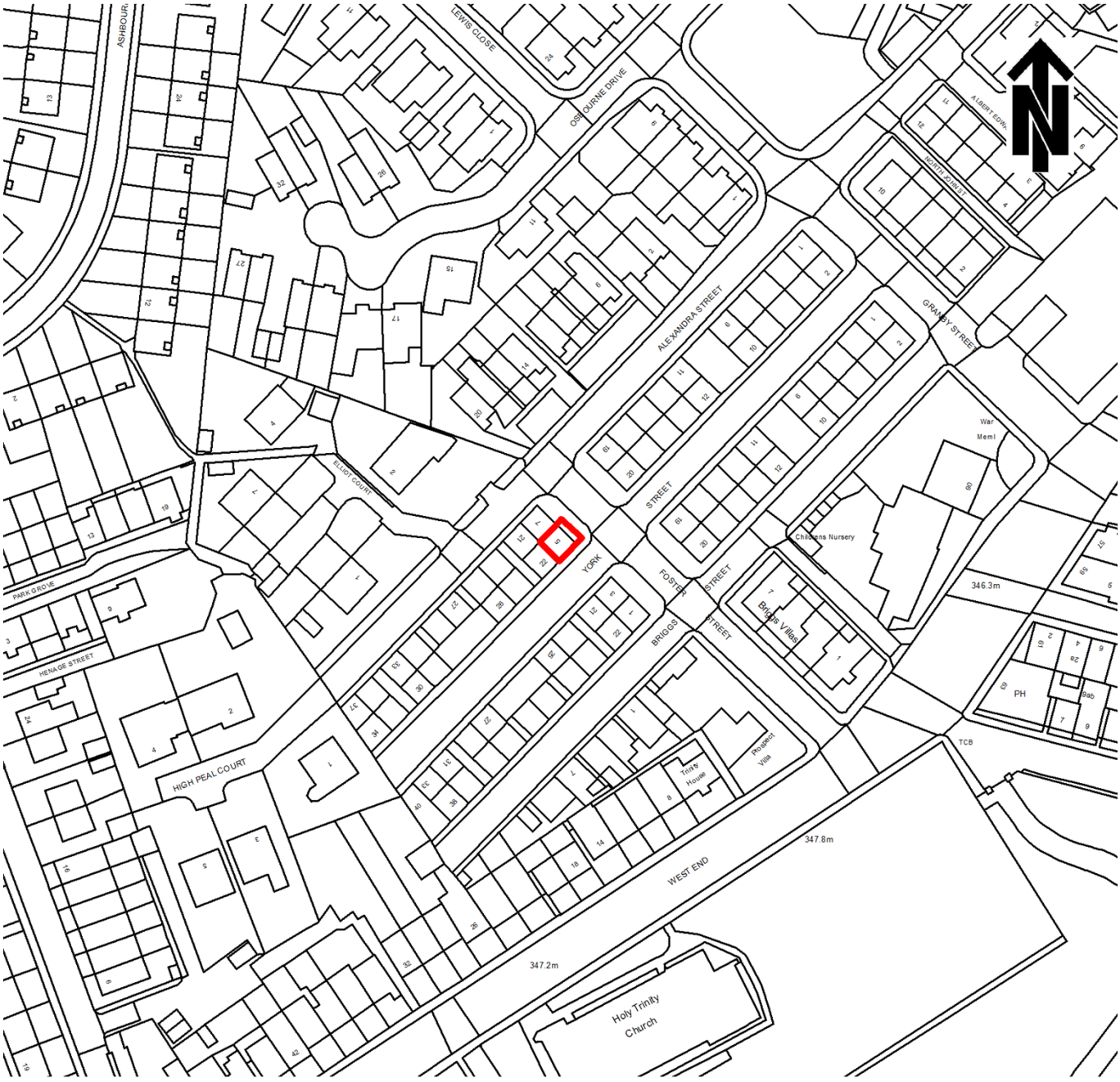

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5 Foster Street
Queensbury
Bradford BD13 2EJ

27 October 2021

Item Number: **I**
Ward: **QUEENSBURY**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
20/00822/ENFCOU

Site Location:
5 Foster Street Queensbury Bradford West Yorkshire BD13 2EJ

Breach of Planning Control:
Without planning permission the construction of a fence to the front of the property.

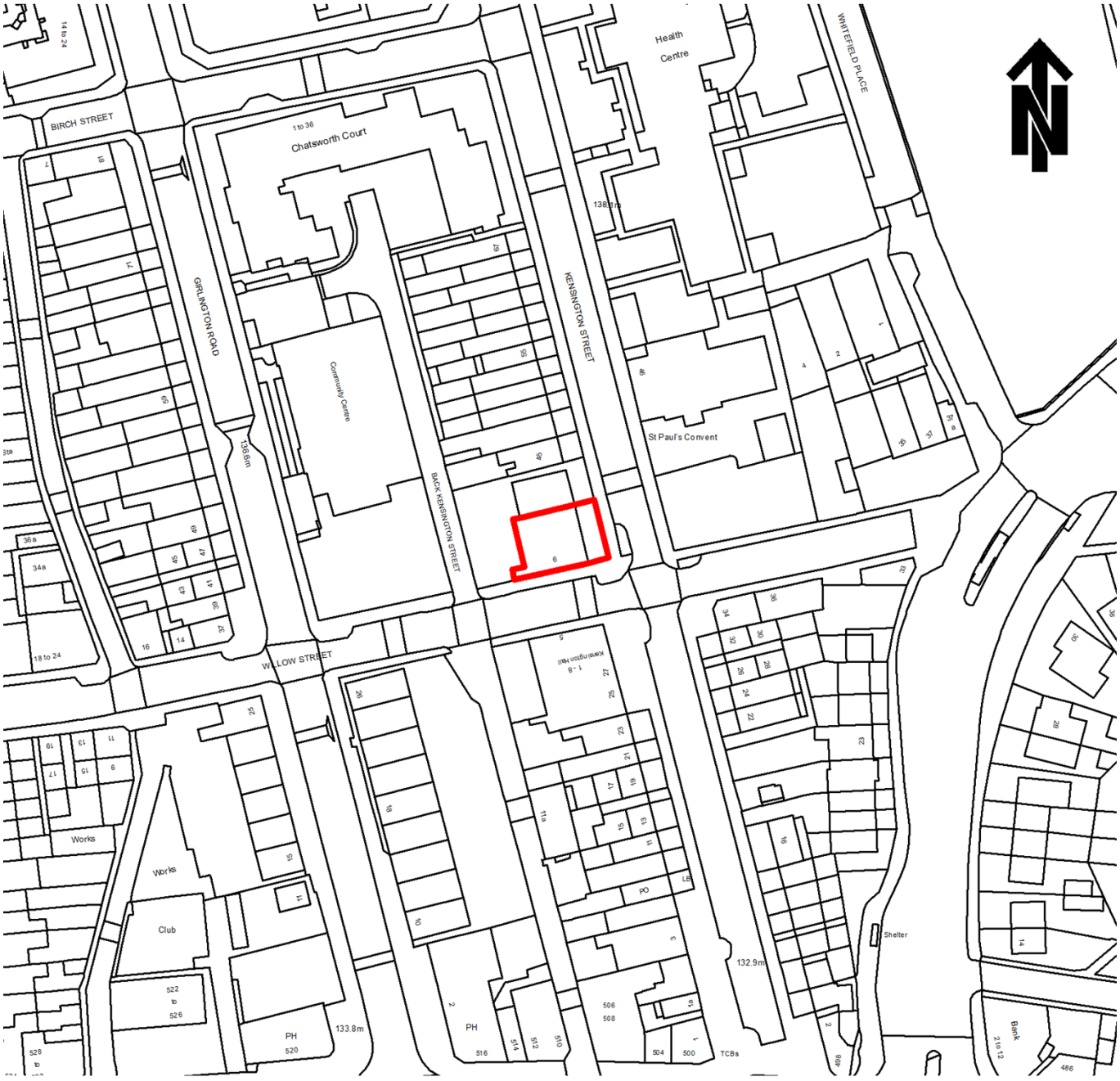
Circumstances:
Following a complaint received in this office in May 2020, a site visit revealed the above breach of planning control. Despite requests from the Local Planning Authority, the owner of the property has taken no action to rectify the matter.

It is considered expedient to issue an Enforcement Notice as the fence is located in an extremely prominent location and erodes the plain character of the Queensbury Conservation Area to its detriment.

The Planning Manager (Enforcement and Trees) authorised enforcement action on the 13 September 2021 requiring the owners of the property to dismantle the fence and supporting structures, remove all arising materials from the land and make good and damage caused to the property and land.

19/00731/ENFCOU

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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6 Willow Street
Bradford
BD8 9LT

27 October 2021

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

Enforcement Reference:
19/00731/ENFCOU

Site Location:
6 Willow Street Bradford West Yorkshire BD8 9LT

Breach of Planning Control:
Without planning permission, the construction of a timber framed lean to extension to the side of the property used for the sale of goods.

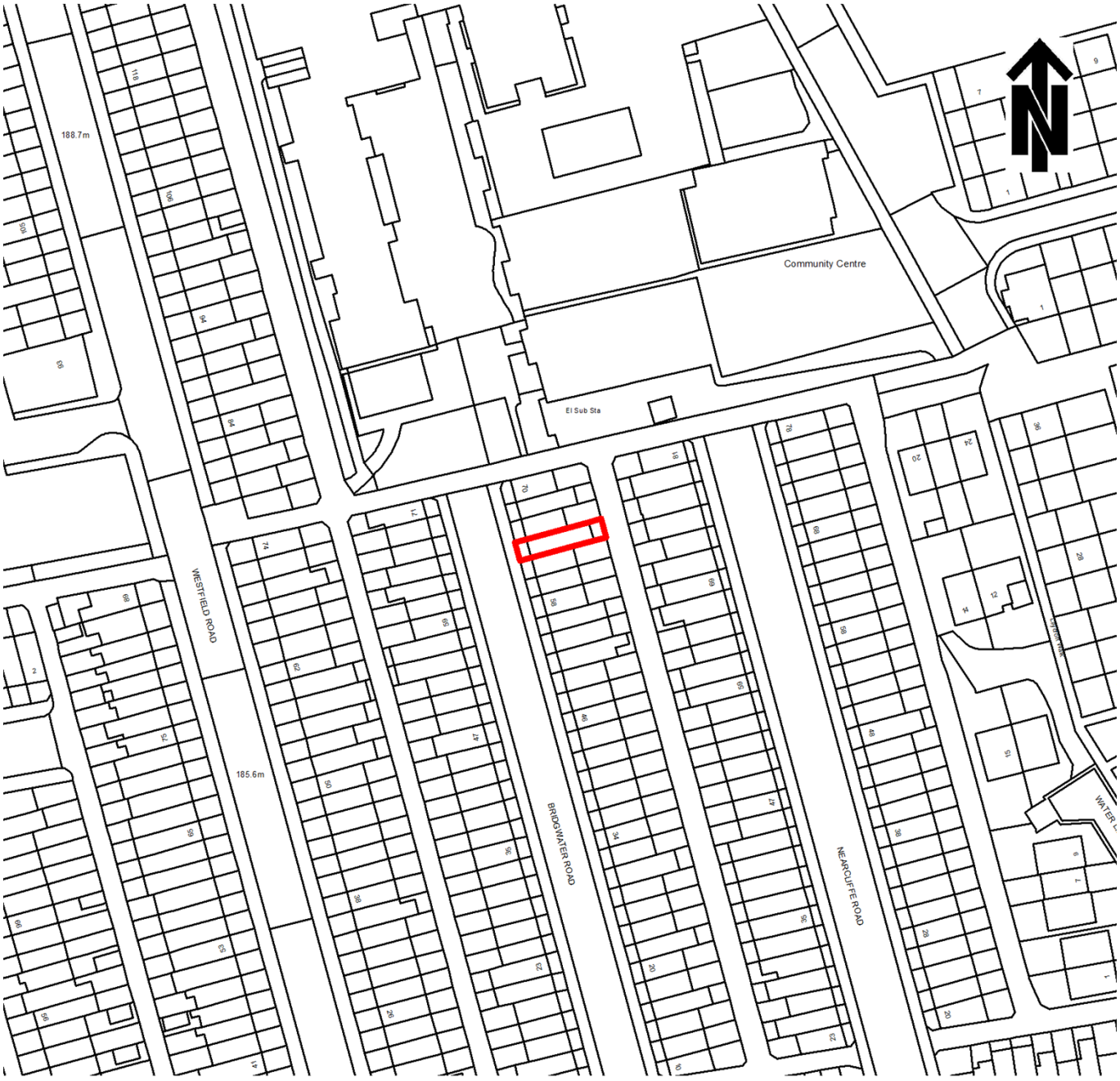
Circumstances:
Following complaints received in this office in August 2019 and February 2021, a site visit revealed the above breach of planning control. Despite requests from the Local Planning Authority, the owner of the property has taken no action to rectify the matter.

It is considered expedient to issue an Enforcement Notice because the lean to extension has been constructed using a poor quality material that does not match the parent building. Due to the prominent position of the extension it introduces a strident feature that fails to enhance and is detrimental to the appearance of the parent building and street scene. The use of the land for the sales of good introduces additional clutter to the street scene and exacerbates the negative impact of the development upon the local environment.

The Planning Manager (Enforcement and Trees) authorised enforcement action on the 13 September 2021 requiring the owners of the property to remove the timber frame and plastic from the land and cease using the land for the sale of goods.

19/00597/ENFUNA

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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64 Bridgwater Road
Bradford
BD9 5AR

27 October 2021

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

Enforcement Reference:
19/00597/ENFUNA

Site Location:
64 Bridgwater Road Bradford West Yorkshire BD9 5AR

Breach of Planning Control:
Without planning permission, the construction of a single storey rear extension and the construction of a rear boundary wall which exceeds 1 metre in height adjacent to the highway

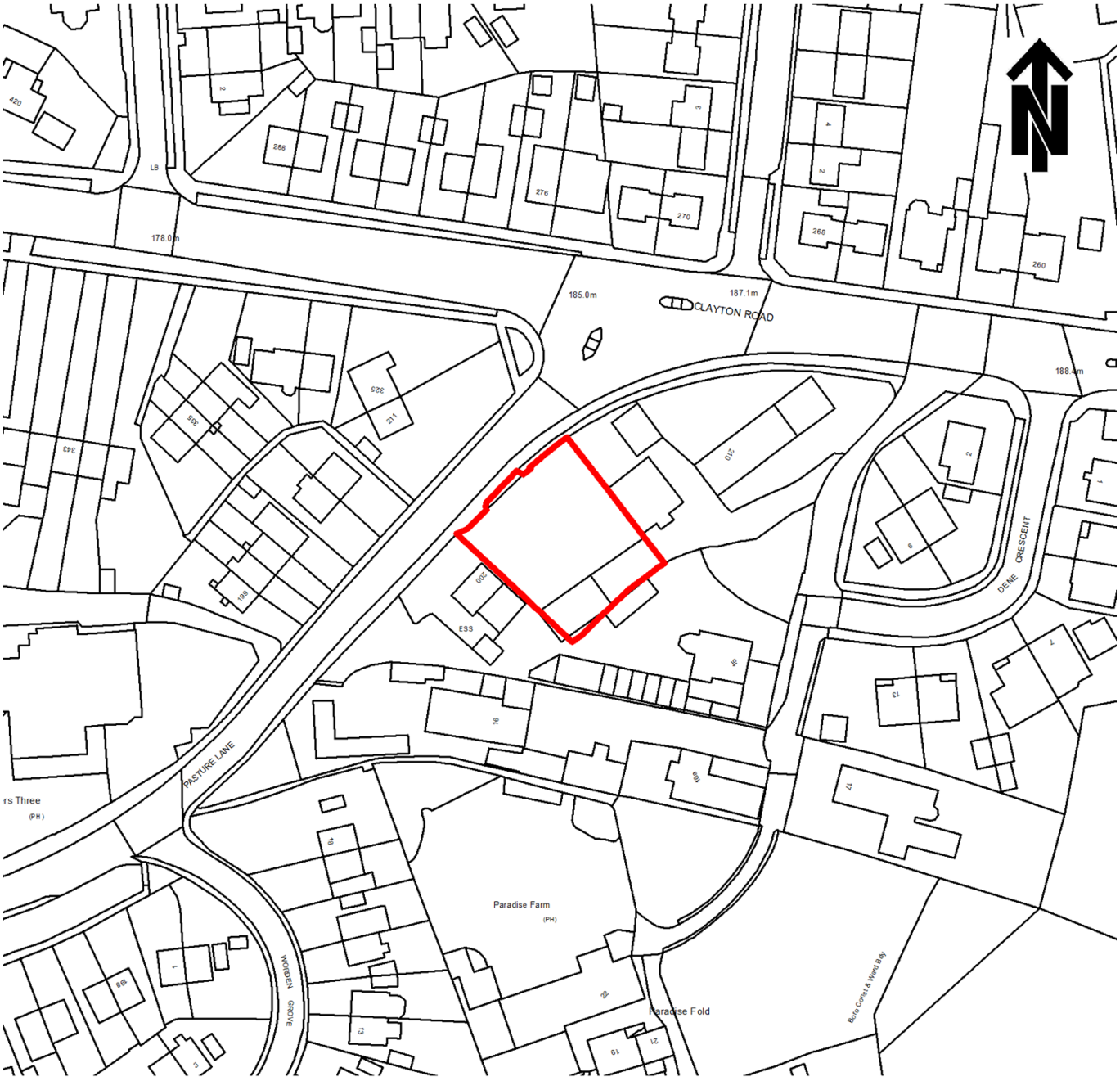
Circumstances:
Following an enquiry, a site visit carried out revealed that a single storey rear extension and rear boundary wall had been constructed without planning permission.

The property owner has been given opportunity to remedy the alleged breach of planning control and a retrospective planning application has been submitted and refuse. A site visit carried showed that the structure remains on site.

On 6 August 2021 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action due to its impact on visual and residential amenity and highway safety.

18/00058/ENFCOU

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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Land North Of 200 Pasture Lane Bradford

27 October 2021

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

Enforcement Reference:
18/00058/ENFCOU

Site Location:
Land North of 200 Pasture Lane Bradford West Yorkshire

Breach of Planning Control:
Without planning permission, the construction of a boundary timber fence, railings and a gate exceeding 1 metre in height adjacent to the highway

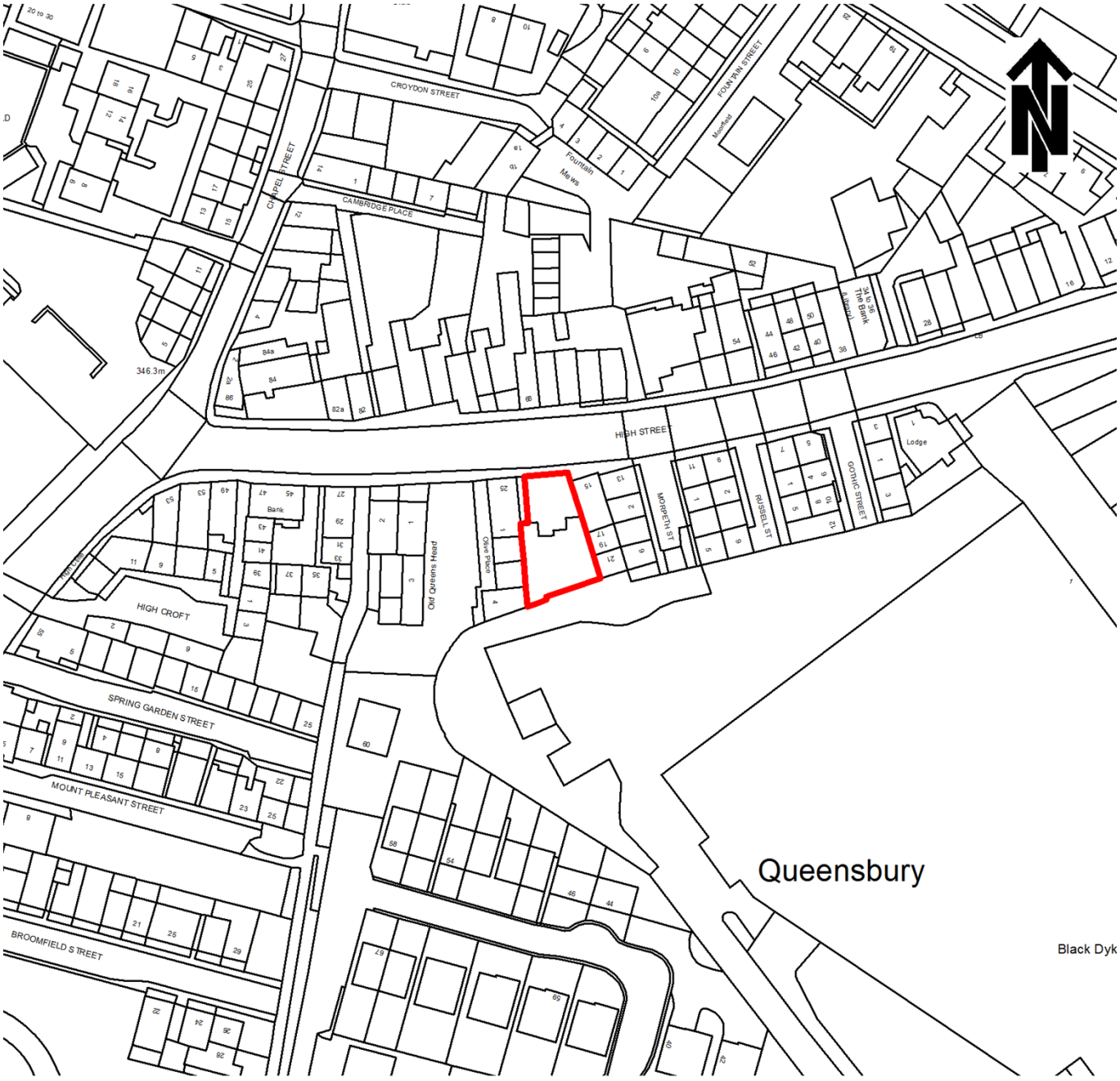
Circumstances:
Following an enquiry, a site visit carried out revealed that a boundary timber fence, railings and a gate had been constructed around 2 Paradise Green and the site of future plots to be known as 4 Paradise Green, 204 Paradise Lane and 202 Paradise Lane.

The property owner was given opportunity to remedy the breach of planning control but no action has been taken. A site visit carried showed that the means of enclosure remained on site.

On 23 March 2021 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action due to the harm caused to visual amenity, pedestrian safety and highway safety.

16/00014/ENFCOU

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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Wheatsheaf House
23 High Street Queensbury
Bradford BD13 2PE

27 October 2021

Item Number: **M**
Ward: **QUEENSBURY**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
16/00014/ENFCOU

Site Location:
Wheatsheaf House 23 High Street Queensbury Bradford West Yorkshire BD13 2PE

Breach of Planning Control:
Without planning permission, the use of the basement of the building as a separate self-contained residential unit.

Circumstances:
The Local Planning Authority was made aware of works carried out to form a separate residential unit in the basement of the former public house premises. Retrospective planning permission 13/02281/FUL had been granted for conversion and use of first floor to two flats however no consent sought or granted for use of basement for residential purposes and a site inspection confirmed the basement occupied as a flat. Following written challenge, a retrospective planning application 16/04365/FUL was submitted and subsequently refused due to the detrimental effect on the amenity of occupants. No valid appeal was submitted and further investigation reveals the unauthorised use of the basement of the building as a separate self-contained residential unit persists. The unauthorised use of the basement is of significant detriment to the quality of life of any existing or prospective occupants due to a restricted outlook and inadequate access to natural light, ventilation and outdoor space. The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers on 27 July 2021.

19/00497/ENFCON

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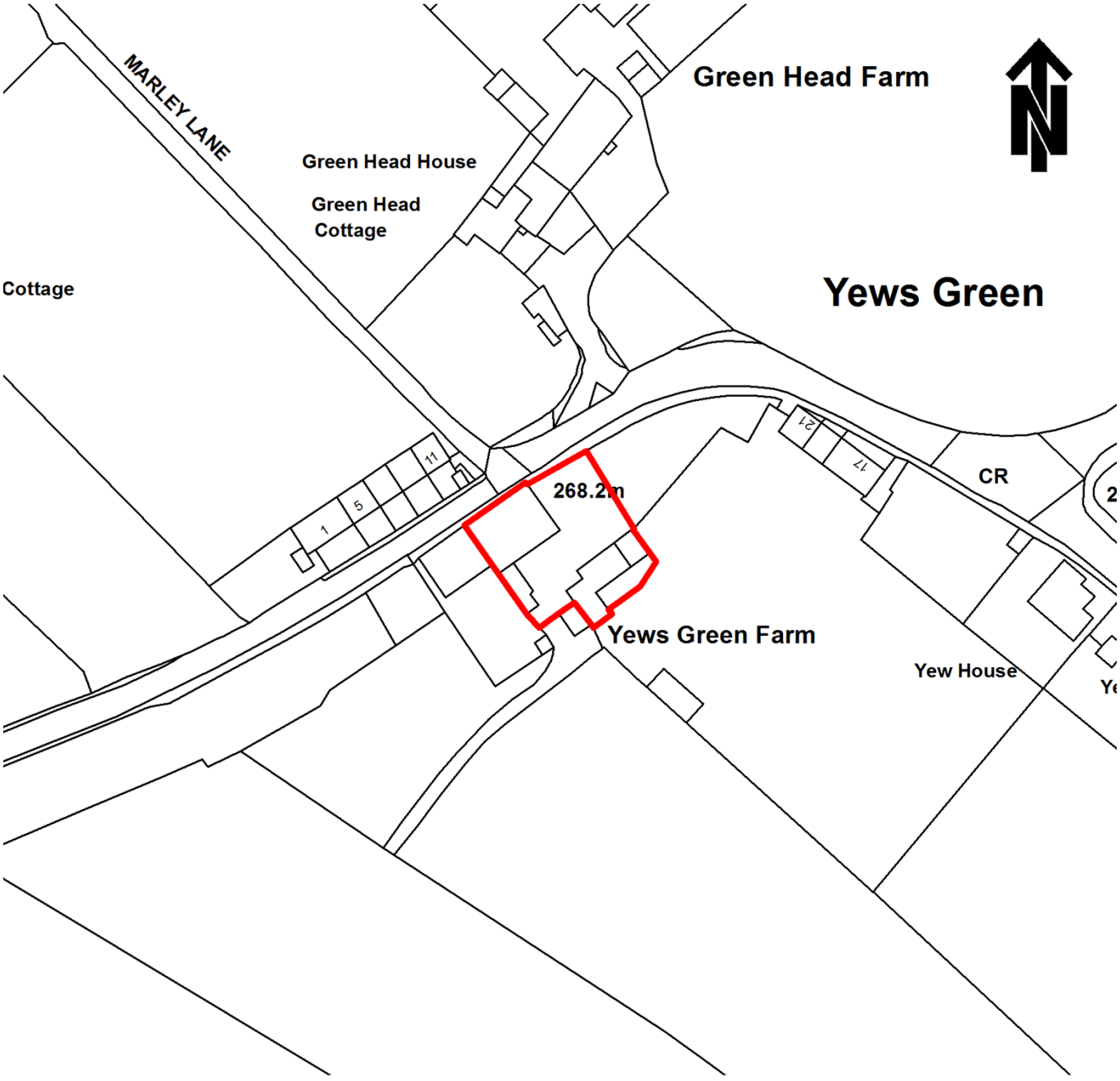

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Yews Green Farm
Yews Green Cockin Lane
Bradford BD14 6PX

27 October 2021

Item Number: **N**
Ward: **CLAYTON AND FAIRWEATHER GREEN**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
19/00497/ENFCON

Site Location:
Yews Green Farm Yews Green Cockin Lane Bradford West Yorkshire BD14 6PX

Breach of Planning Control:
Without planning permission, the unauthorised conversion of a barn to form two dwellings, the raising of the eaves on the south (rear) elevation of the barn and the construction of 4 No dormer window extensions on the south (rear) elevation of the barn.

Circumstances:
Following an enquiry, a site visit carried out revealed that a barn conversion had not been constructed in accordance with approval 17/05177/FUL and that a building that was approved to be converted had been demolished and a new building constructed where it stood. A second new building has also been constructed without planning permission.

The property owner has been given opportunity to remedy the alleged breaches of planning control but to date no action has been taken.

On 15 July 2021 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action.

DECISIONS MADE BY THE SECRETARY OF STATE

Appeal Allowed

ITEM No.	WARD	LOCATION
O	Toller (ward 24)	28 Haslingden Drive Bradford BD9 5HR Appeal against Enforcement Notice - Case No: 19/00249/ENFCOU Appeal Ref: 21/00046/APPENF
P	Bradford Moor (ward 06)	41 Gibson Street Bradford BD3 9TB Appeal against Enforcement Notice - Case No: 19/00448/ENFAPP Appeal Ref: 20/00117/APPENF
Q	Eccleshill (ward 10)	6 Ruswarp Crescent Bradford BD10 0EQ Installation of 4 roller shutters – retrospective - Case No: 21/01086/FUL Appeal Ref: 21/00093/APPFL2
R	City (ward 07)	Land Adjacent to 117 - 119 Beckside Road Bradford Construction of cafe and tea room on a vacant site - Case No: 20/04790/FUL Appeal Ref: 21/00052/APPFL2

Appeal Dismissed

ITEM No.	WARD	LOCATION
S	Royds (ward 21)	2 Carrholm Green Bradford BD6 2NP Two storey side extension - Case No: 21/00008/HOU Appeal Ref: 21/00060/APPHOU

ITEM No.	WARD	LOCATION
T	Manningham (ward 19)	32 Oakfield Grove Bradford BD9 4PY Front Dormers (Retrospective) - Case No: 21/00519/HOU Appeal Ref: 21/00053/APPHOU
U	Wibsey (ward 27)	58 Moore Avenue Bradford BD6 3HU Appeal against Enforcement Notice - Case No: 19/00503/ENFUNA Appeal Ref: 20/00112/APPENF
V	Little Horton (ward 18)	9 Elwyn Road Bradford BD5 7HN Construction of single storey rear extension of the following dimensions: Depth of proposed extension from rear wall of original dwelling house: 6.00m Maximum height of proposed extension: 4.00m Height to eaves of proposed extension: 3.00m - Case No: 21/00083/PNH Appeal Ref: 21/00065/APPNH1
W	Queensbury (ward 20)	Deanstones Farm Deanstones Lane Queensbury Bradford BD13 2LL Retrospective application for siting of a building for use as agricultural worker's dwelling for temporary period of 3 years - Case No: 20/01043/FUL Appeal Ref: 21/00026/APPFL2
X	Idle And Thackley (ward 13)	Land To North Of 20 Queen Street Greengates Bradford BD10 0QU Construction of a detached dwelling - Case No: 21/00125/FUL Appeal Ref: 21/00049/APPFL2
Y	Wyke (ward 30)	Stables At Woodside Farm Cottage High Fernley Road Wyke Bradford Demolition of existing stable and construction of new dwelling - Case No: 20/03808/FUL Appeal Ref: 21/00020/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

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

Notice Upheld

There are no Notice Upheld to report this month

Notice Varied and Upheld

ITEM No.	WARD	LOCATION
Z	Bolton And Undercliffe (ward 04)	12 Derwent Road Bradford BD2 4HR Appeal against Enforcement Notice - Case No: 19/00846/ENFAPP Appeal Ref: 21/00054/APPENF
AA	City (ward 07)	5 Ellercroft Avenue Bradford BD7 2EG Appeal against Enforcement Notice - Case No: 19/00916/ENFAPP Appeal Ref: 21/00047/APPENF