

Report of the Strategic Director of Place to the meeting of the Area Planning Panel (BRADFORD) to be held on 23 February 2022

J

Summary Statement - Part Two

Miscellaneous Items

	<u>No. of Items</u>
Requests for Enforcement/Prosecution Action	(10)
Decisions made by the Secretary of State - Allowed	(4)
Decisions made by the Secretary of State - Dismissed	(8)

Julian Jackson
Assistant Director (Planning, Transportation and Highways)

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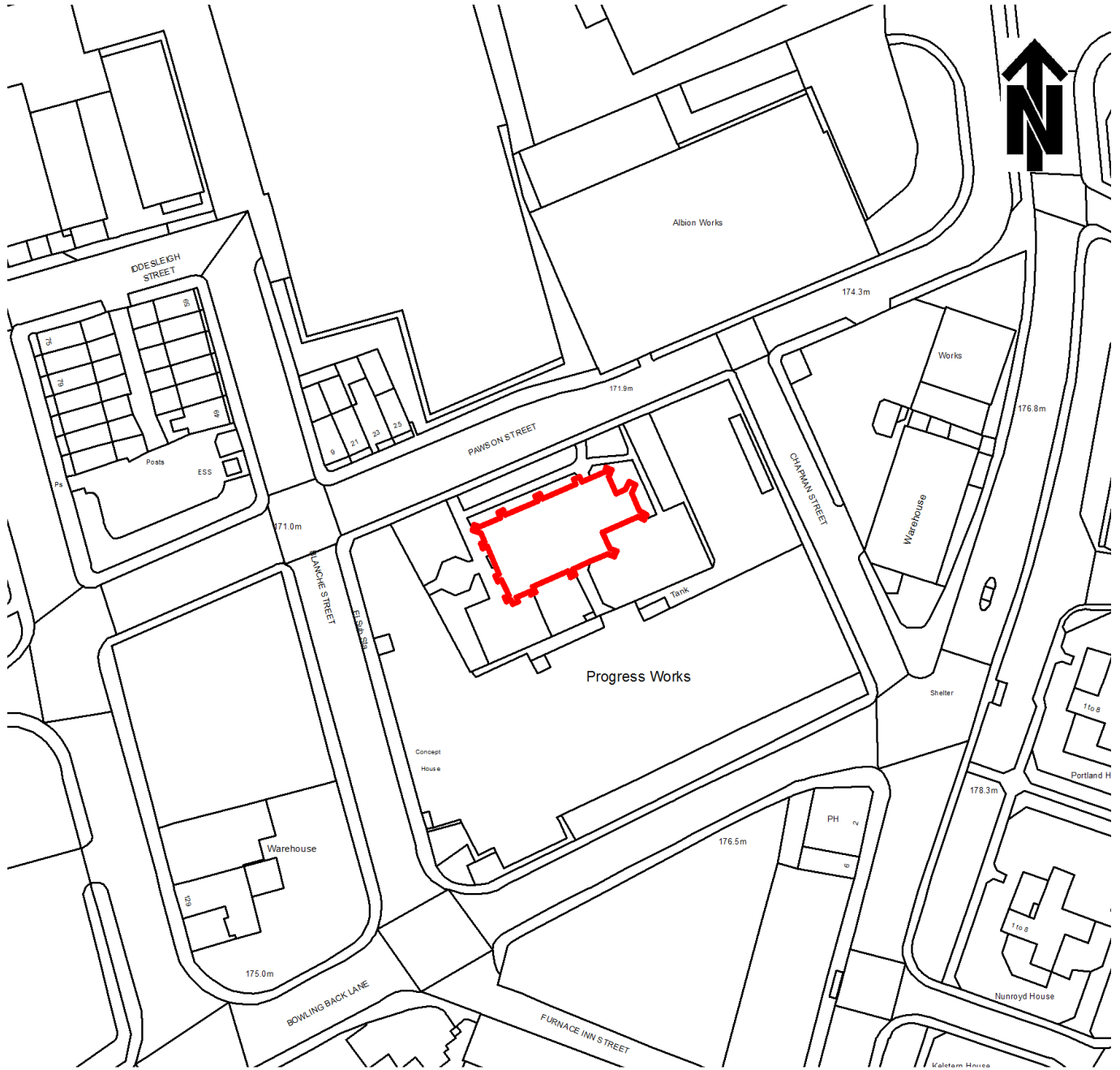
Portfolio:
Regeneration, Planning & Transport

Overview & Scrutiny Committee Area:
Regeneration and Environment

21/00144/ENFCOU



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**18 Pawson Street
Bradford
BD4 8BY**

23 February 2022

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

Enforcement Reference:
21/00144/ENFCOU

Site Location:
18 Pawson Street Bradford West Yorkshire BD4 8BY

Breach of Planning Control:

Without planning permission, the unauthorised use of land as a (sui generis) mixed use consisting of:

Retail, storage and office use as granted in planning permission 19/01580/FUL and the storage, sale and supply of motor vehicles.

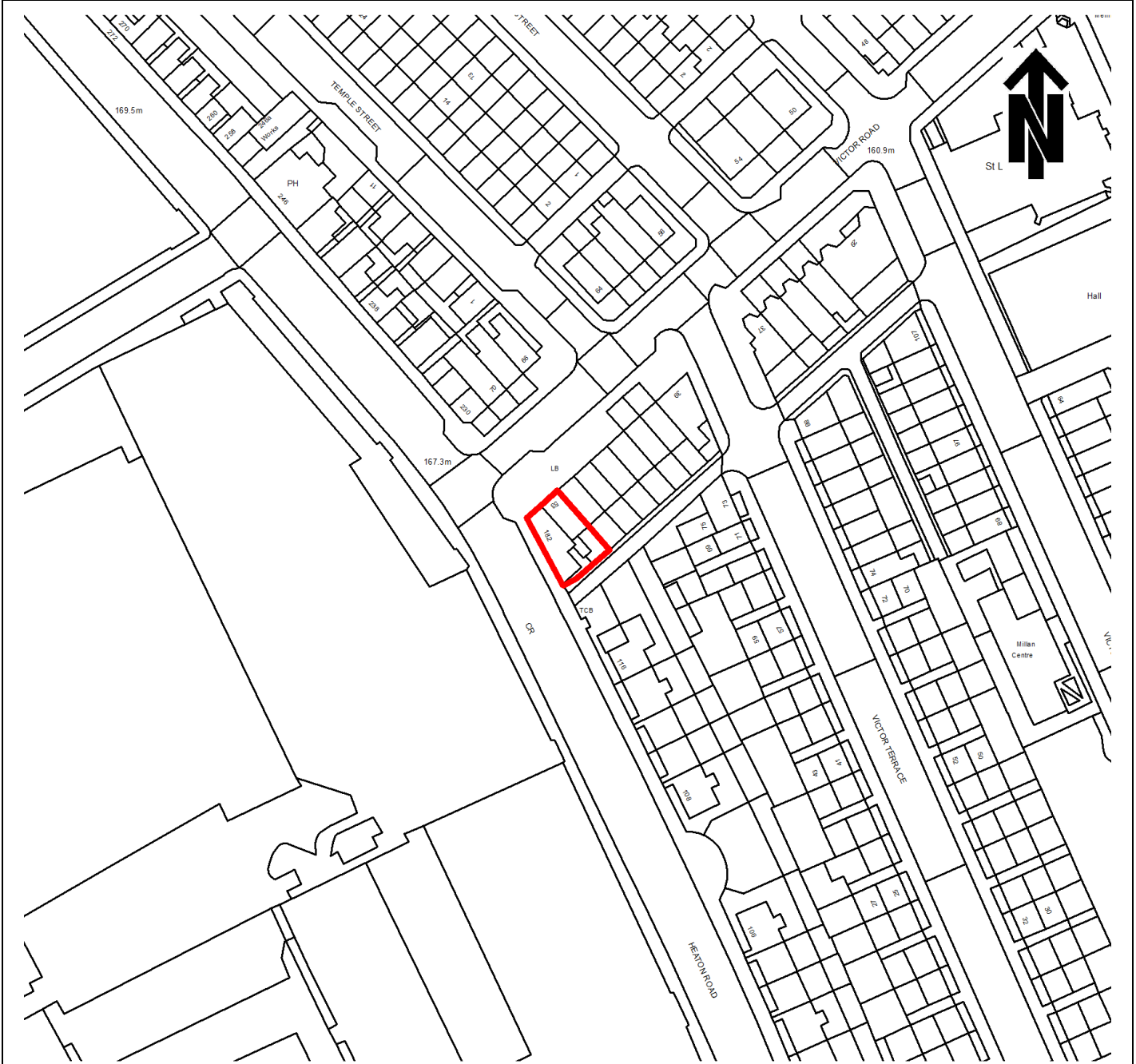
Circumstances:

The unauthorised use does not achieve a high quality place, is an example of poor design and layout and is piecemeal development. The unauthorised use also causes over spilling onto the public highway which harms residential and visual amenity and causes noise and general disturbance. The unauthorised use is over-intensification of a physically constrained site which also results in over spilling and harms pedestrian and highway safety by: failure to provide and maintain suitable on site designated parking spaces, failure to properly separate pedestrian and vehicular movements, failure to limit the number of vehicles to achieve a layout which ensures a safe means of access and egress and safe vehicle manoeuvring and is contrary to: Policies SC9,DS1,DS5 and EN8 of the Council's Core Strategy Development Plan Document.

20/00441/ENFUNA



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**182 Heaton Road
(inc 53 Victor Road)
Bradford BD9 4RJ**

23 February 2022

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

Enforcement Reference:
20/00441/ENFUNA

Site Location:
182 Heaton Road (inc 53 Victor Road) Bradford West Yorkshire BD9 4RJ

Breach of Planning Control:
Unauthorised shopfronts and externally mounted roller shutters.

Circumstances:
In February 2020 the Council received an enquiry regarding alterations to the shop property, which stands within the North Park Conservation Area.

An inspection showed that three replacement shop fronts and externally mounted roller shutters had been installed to the front and side elevations of the property, for which the Council had no record of planning permission having been granted.

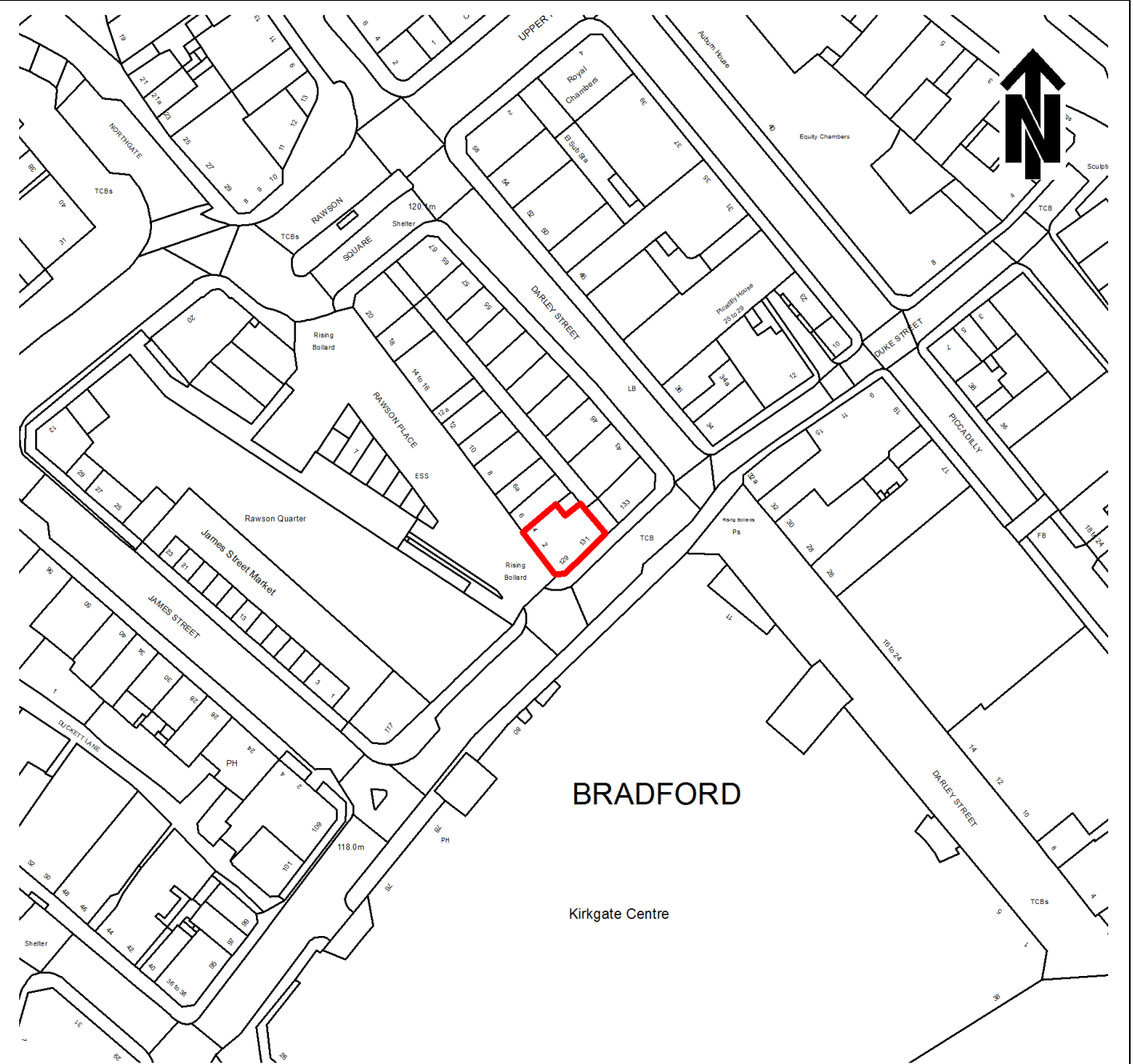
Retrospective planning application references 20/02060/FUL and 21/02055/FUL were refused by the Council in August 2020 and June 2021 respectively. Appeals against each of the Council's decisions have been dismissed by The Planning Inspectorate.

On 30 December 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 shop fronts, externally mounted roller shutters, shutter boxes and guide rails are detrimental to visual amenity by virtue of their design and appearance, contrary to Policies DS3 and EN3 of the Council's adopted Core Strategy Development Plan Document, the Council's adopted Shopfront Design Guide, the Council's adopted A Shopkeepers Guide to Securing Their Premises Supplementary Planning Document and the principles of the National Planning Policy Framework.

21/00122/ENFUNA



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**2 - 4 Rawson Place
(inc 131 Godwin Street)
Bradford BD1 3QQ**

23 February 2022

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

Enforcement Reference:
21/00122/ENFUNA

Site Location:
2 - 4 Rawson Place (inc 131 Godwin Street) Bradford West Yorkshire BD1 3QQ

Breach of Planning Control:
Unauthorised externally mounted roller shutters.

Circumstances:
In February 2021 the Local Planning Authority received an enquiry regarding the installation of external roller shutters at the shop property, which is a Grade II Listed Building.

An inspection showed that four externally mounted roller shutters had been installed, for which the Council had no record of Listed Building Consent or planning permission having been granted. A further inspection in May 2021 showed that a fifth externally mounted roller had also been installed.

Retrospective planning and Listed Building Consent applications for the externally mounted roller shutters, references 21/02029/FUL and 21/03003/LBC, were refused by the Council on 25 August 2021.

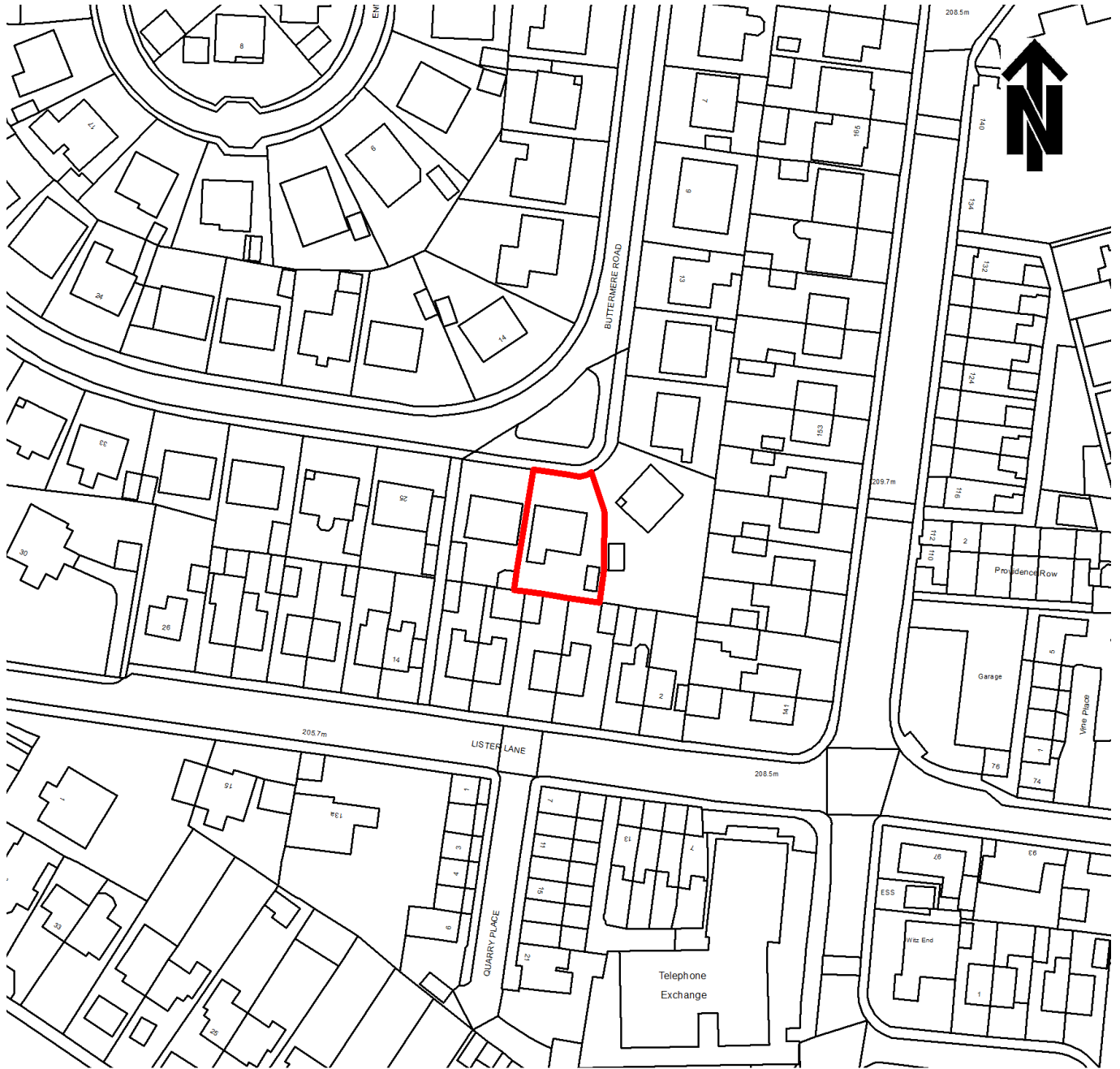
The occupier of the property has been requested to rectify the breach of planning control, however no action has been taken.

On 16 December 2021 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 five unauthorised externally mounted roller shutters are harmful to the character and appearance of the building by virtue of their design and appearance, contrary to the principles of the National Planning Policy Framework and Policy EN3 of the Council's adopted Core Strategy for Bradford.

20/01078/ENFUNA



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**21 Buttermere Road
Bradford
BD2 4JA**

23 February 2022

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

Enforcement Reference:
20/01078/ENFUNA

Site Location:
21 Buttermere Road Bradford West Yorkshire BD2 4JA

Breach of Planning Control:
Unauthorised rear dormer window.

Circumstances:
In July 2020 the Council received an enquiry regarding the construction of a dormer window at the property.

An inspection showed that a rear dormer window had been constructed, for which the Council had no record of planning permission having been granted.

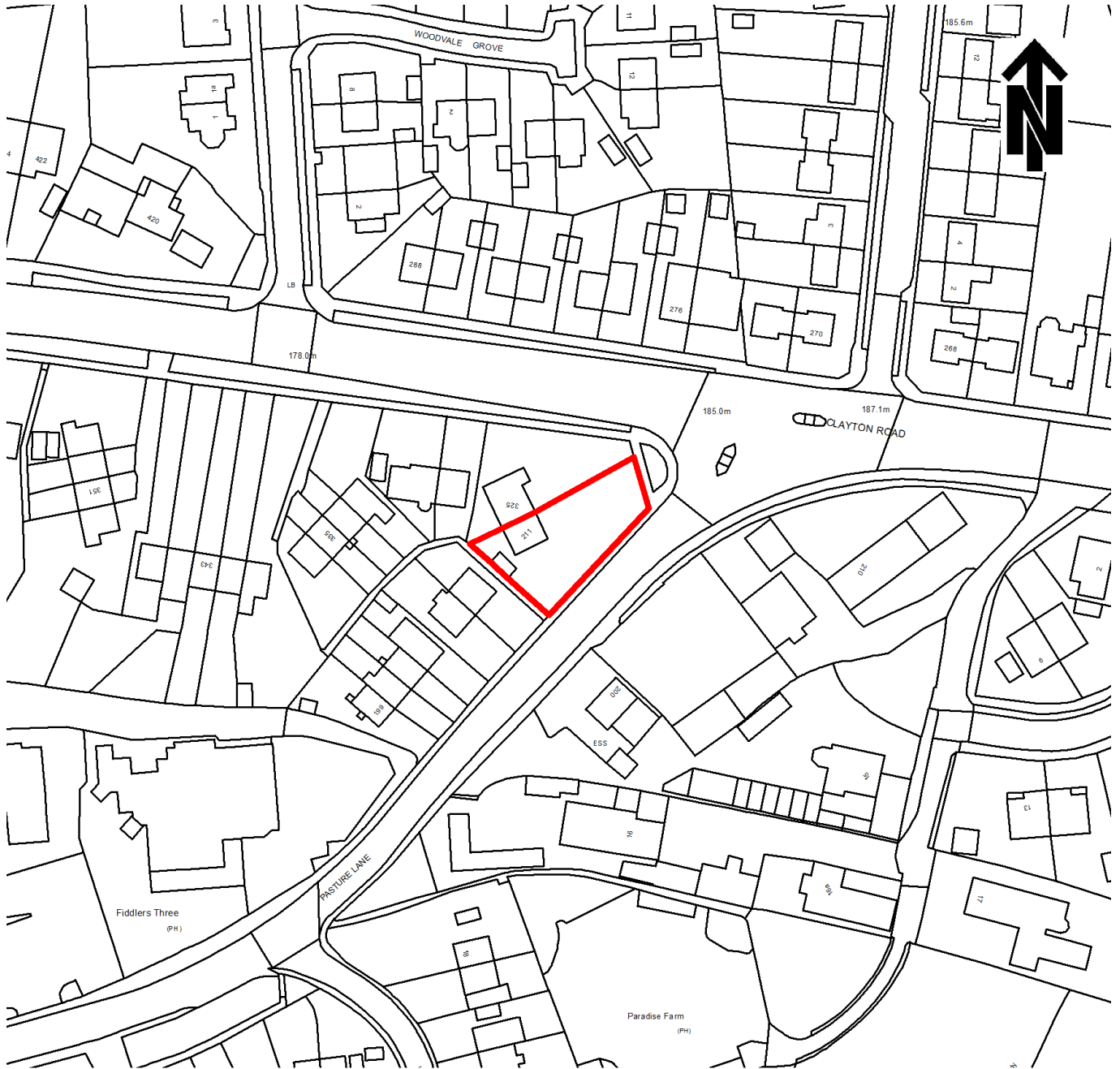
The owner of the property has been requested to rectify the breach of planning control, however no action has been taken.

On 30 December 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 rear dormer window is detrimental to visual amenity by virtue of its design and appearance, contrary to Policies DS1 and DS3 of the Council's adopted Core Strategy Development Plan Document, the Council's adopted Householder Supplementary Planning Document and the principles of the National Planning Policy Framework.

20/01092/ENFUNA



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211 Pasture Lane
Bradford
BD7 2SQ

23 February 2022

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

Enforcement Reference:
20/01092/ENFUNA

Site Location:
211 Pasture Lane Bradford West Yorkshire BD7 2SQ

Breach of Planning Control:
Unauthorised fencing.

Circumstances:
In July 2020 the Local Planning Authority received an enquiry regarding fencing at the property.

An inspection showed that timber fencing exceeding 1.0 metre in height had been erected to the north-east and south facing boundaries of the property, for which the Council had no record of planning permission having been granted.

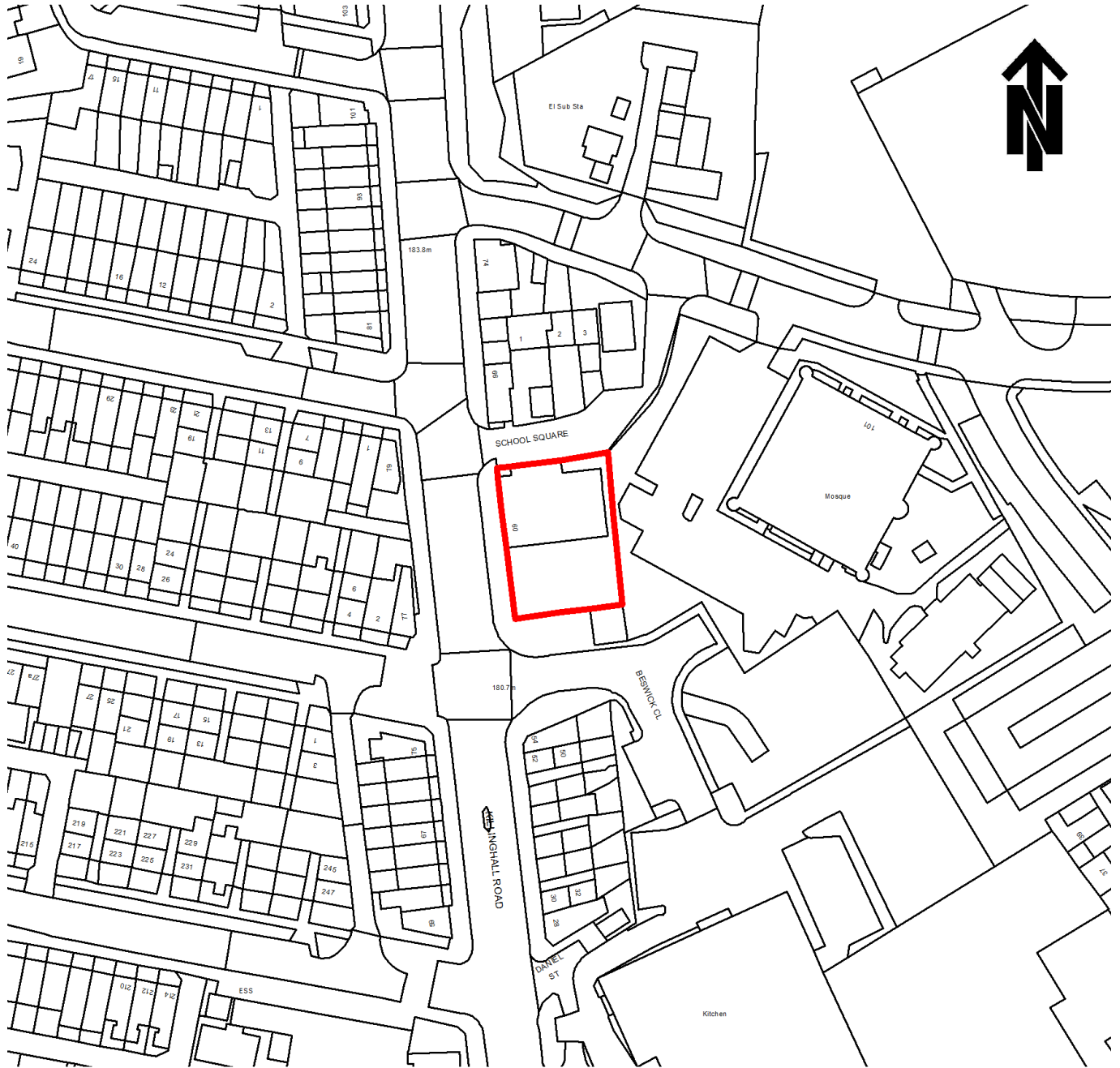
The owner/occupier of the property has been requested to rectify the breach of planning control, however no action has been taken.

On 30 December 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 timber fencing is detrimental to visual amenity by virtue of its position, height and appearance, 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.

18/01066/ENFCON



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**58 - 60 Killinghall Road
Bradford
BD3 8DT**

23 February 2022

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

Enforcement Reference:
18/01066/ENFCON

Site Location:
58 - 60 Killinghall Road Bradford West Yorkshire BD3 8DT

In 2016 Listed Building Consent and planning permission were granted by the Council for the construction of a single storey shop and office extension to the property. The Listed Building Consent and planning permission were subject to a number of conditions.

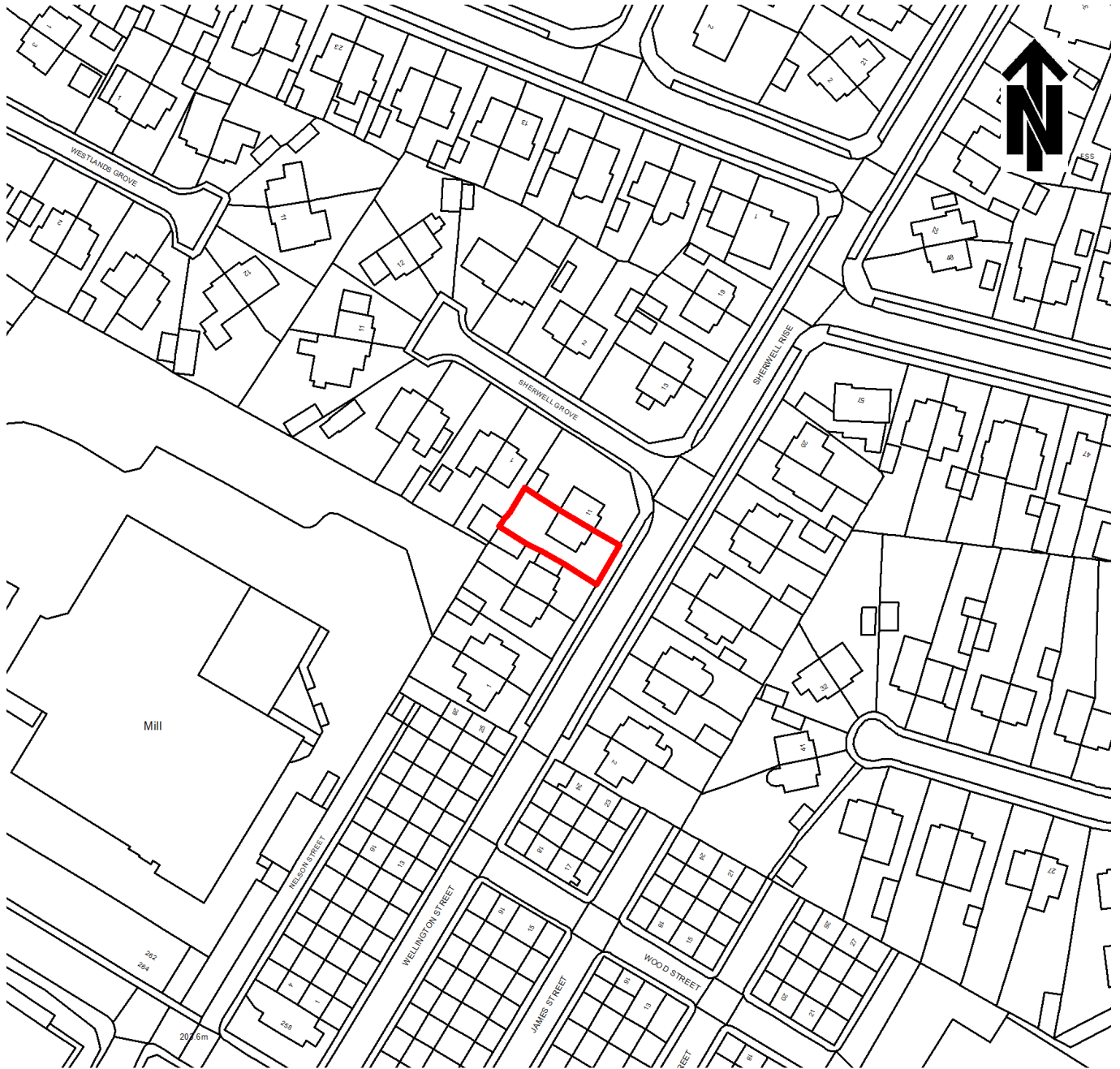
The conditions of the Listed Building Consent and planning permission have not been complied with and the single storey shop and office extension has not been constructed in accordance with the approved drawings. No action has been taken by the owner of the property to rectify the breach of planning control.

On 13 January 2022 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 single storey extension is harmful to the character and appearance of the listed building, contrary to the principles of the National Planning Policy Framework and Policy EN3 of the Council's adopted Core Strategy for Bradford.

20/00060/ENFUNA



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9 Sherwell Rise
Bradford
BD15 7AL

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

Enforcement Reference:
20/00060/ENFUNA

Site Location:
9 Sherwell Rise Bradford West Yorkshire BD15 7AL

Breach of Planning Control:
Unauthorised rear dormer window

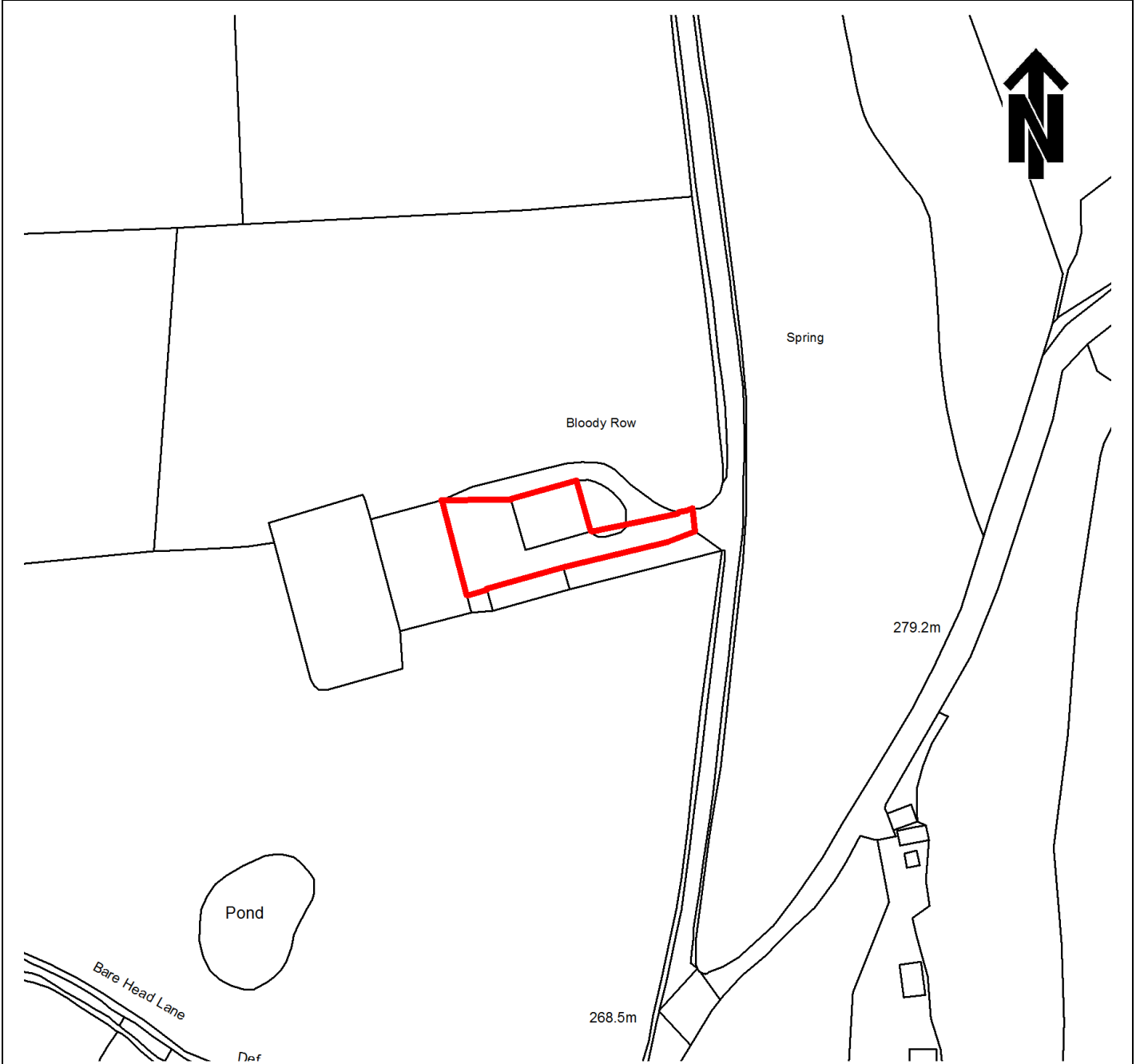
Circumstances:
In January 2020 the Council received an enquiry regarding the construction of dormer windows at the property.

An inspection showed that a rear dormer window had been constructed, 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 6 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 rear dormer window is detrimental to visual amenity by virtue of its size, form and the materials used in its construction, contrary to Policies DS1, DS3 and SC9 of the Council's adopted Core Strategy Development Plan Document, the Council's adopted Householder Supplementary Planning Document and the principles of the National Planning Policy Framework.

20/00576/ENFUNA



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**Bloody Row
Green Lane Queensbury
Bradford**

23 February 2022

Item Number: H
Ward: QUEENSBURY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
20/00576/ENFUNA

Site Location:
Bloody Row Green Lane Queensbury Bradford West Yorkshire

Breach of Planning Control:
Unauthorised detached structure.

Circumstances:
A barn building originally stood on the Green Belt land and several planning applications to rebuild and/or convert the barn building into a dwelling have been refused by the Council. Two appeals against the Council's decisions have been dismissed by The Planning Inspectorate.

In March 2020 it was noted that the barn building had been demolished and a replacement detached structure erected on the land, for which the Council had no record of planning permission having been granted.

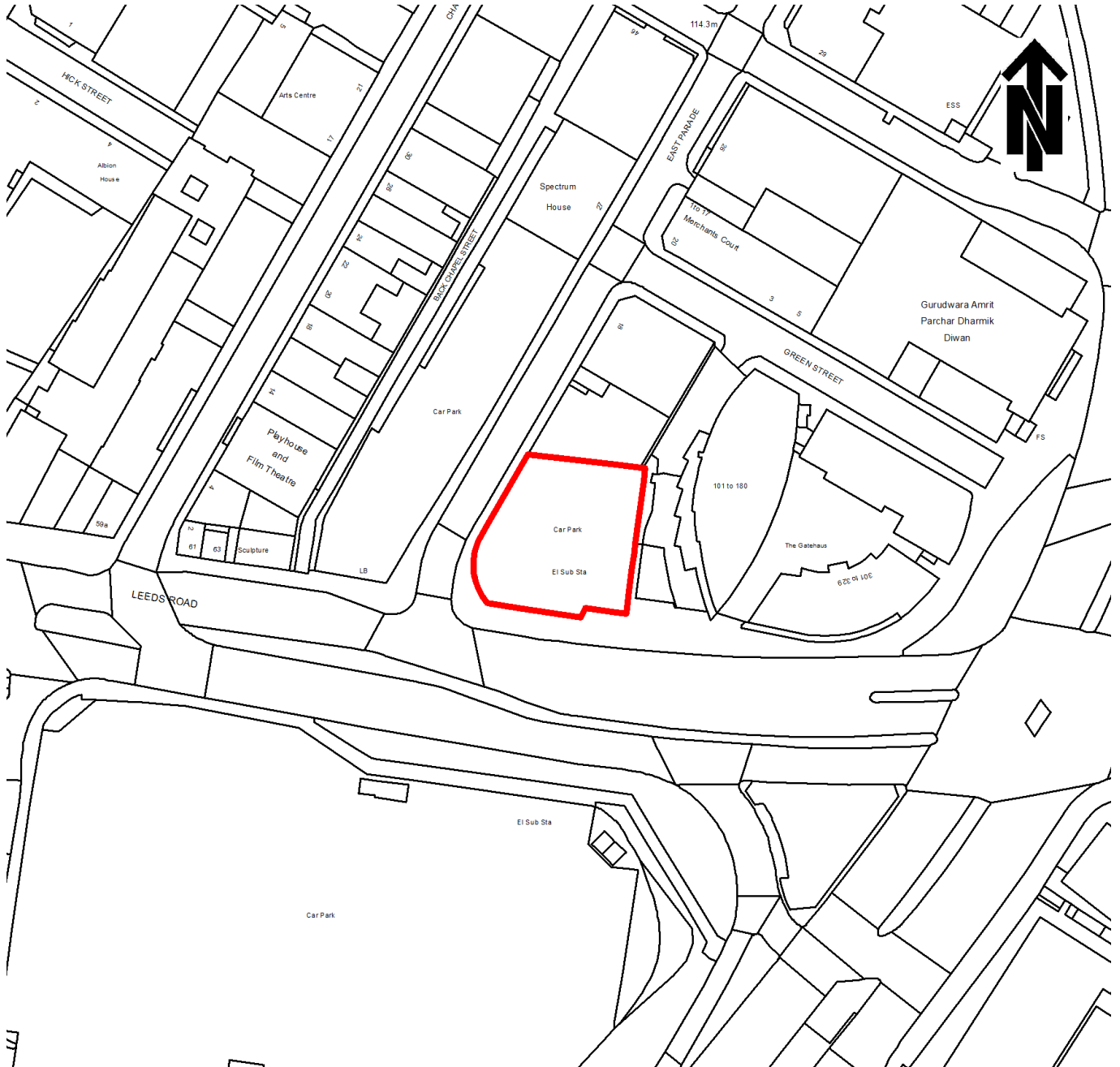
No action has been taken by the landowner to rectify the breach of planning control since planning application reference 19/05017/FUL was refused by the Council in March 2020 on the grounds that the replacement structure now standing on the land was a new dwelling.

On 30 December 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 detached structure is inappropriate development within the Green Belt, contrary to policies GB4 and GB1 of the Replacement Unitary Development Plan, Policy SC7 of the Core Strategy Development Plan and the guidance within the National Planning Policy Framework.

21/00524/ENFUNA



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**Car Park Corner Of Leeds Road
East Parade
Bradford**

23 February 2022

Item Number: I
Ward: CITY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
21/00524/ENFUNA

Site Location:
Car Park Corner Of Leeds Road East Parade Bradford West Yorkshire

Breach of Planning Control:
Unauthorised structures & associated works.

Circumstances:
In May 2021 it was noted that a single storey structure and a tent structure had been erected on the car park land, for which the Council had no record of planning permission having been granted.

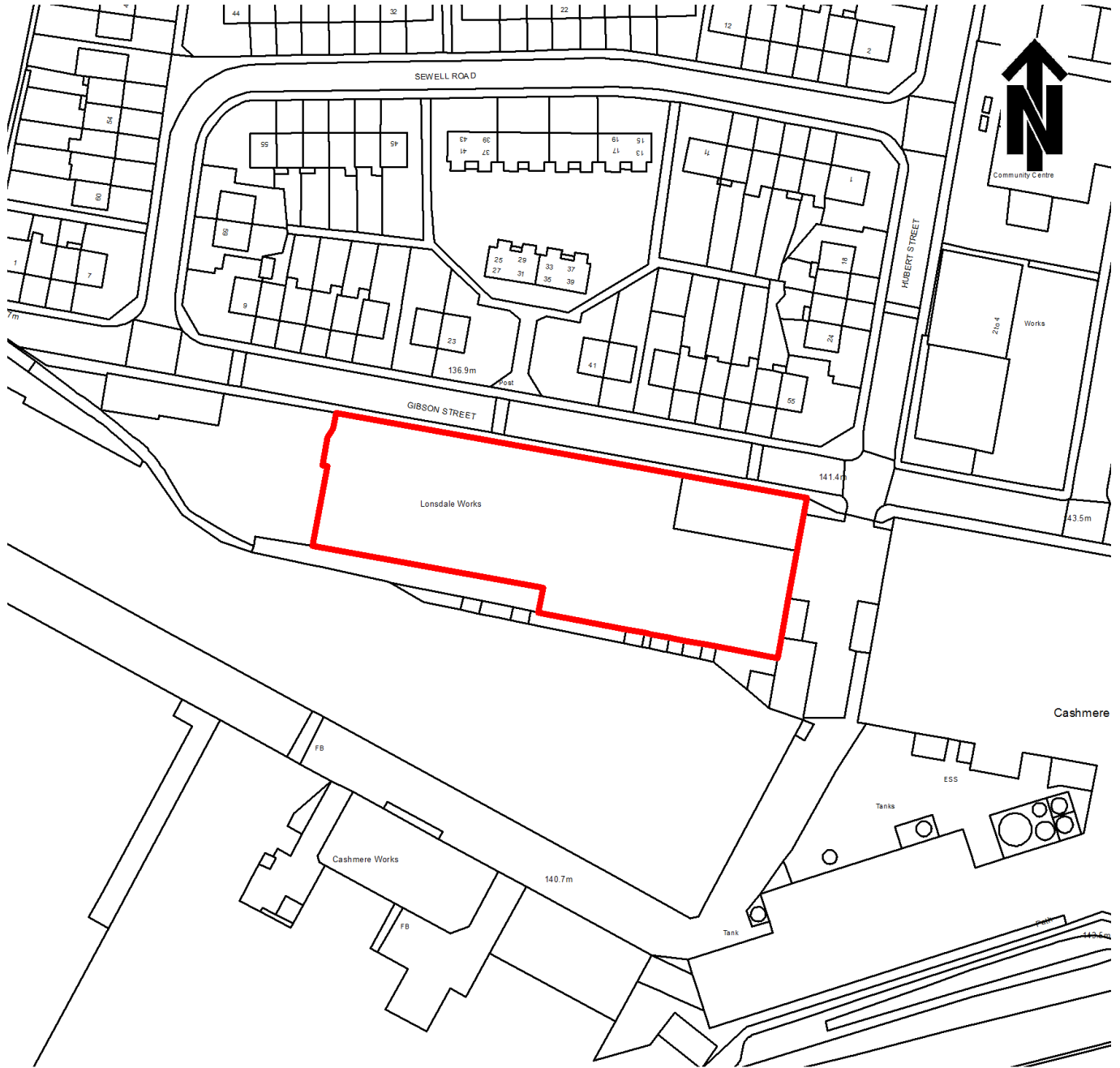
The land owners have been requested to take appropriate action to rectify the breach of planning control, however no action has been taken.

On 13 December 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 structures and associated works are detrimental to visual amenity by virtue of their position, design and appearance, contrary to policies DS1, DS3 and SC9 of the Council's adopted Core Strategy Development Plan and the principles of the National Planning Policy Framework.

20/01590/ENFUNA



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Lonsdale Works
Gibson Street
Bradford BD3 9TF

23 February 2022

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

Enforcement Reference:
20/01590/ENFUNA

Site Location:
Lonsdale Works Gibson Street Bradford West Yorkshire BD3 9TF

Breach of Planning Control:
Breach of condition re. hours of use.

Circumstances:
In July 2021 retrospective planning permission for the division of the premises into five industrial units, the installation of roller shutters and the formation of new door openings was granted by the Council.

Condition 2 of the planning permission restricts the hours of use of the five units to between 08.00-20.00 hours Monday-Saturday and between 09.00-17.00 hours on Sundays, Bank or Public Holidays. The Council has received complaints that the units are being used outside the permitted hours.

On 30 December 2021 the Planning Manager (Enforcement & Trees) authorised the issue of a Breach of Condition Notice. It is considered expedient to instigate Enforcement (Legal) Action, as the breach of condition 2 of the planning permission is detrimental to residential amenity.

DECISIONS MADE BY THE SECRETARY OF STATE

Appeal Allowed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
K	Wibsey (ward 27)	176 Carr Bottom Road Little Horton Bradford BD5 9AE Rear glass balustrade to existing flat roof extension (retrospective) - Case No: 21/03118/HOU Appeal Ref: 21/00118/APPHOU
L	Bowling And Barkerend (ward 05)	32 Laverton Road Bradford BD4 7RD Outbuilding to rear garden (retrospective) - Case No: 21/03429/HOU Appeal Ref: 21/00105/APPHOU
M	Toller (ward 24)	43 Lingwood Avenue Bradford BD8 9PR 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: 3.70m Height to eaves of proposed extension: 2.70m - Case No: 21/02542/PNH Appeal Ref: 21/00099/APPNH1
N	Wyke (ward 30)	Stables South Of 157 Lower Wyke Lane Lower Wyke Bradford Change of use of land to a 40m x 20m equestrian arena - Case No: 20/05611/FUL Appeal Ref: 21/00104/APPFL2

Appeal Dismissed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
O	City (ward 07)	1 Ebenezer Place Bradford BD7 3DZ Installation of 2 x Fascia Signs to front and side elevations - Case No: 21/04068/ADV Appeal Ref: 21/00108/APPAD1
P	Great Horton (ward 11)	11 Pleasant Street Bradford BD7 3ES Front and rear dormer windows - Case No: 21/01576/HOU Appeal Ref: 21/00107/APPHOU
Q	Heaton (ward 12)	14 Beamsley Road Shipley BD18 2DR Change of use of highway to garden - Case No: 21/01729/FUL Appeal Ref: 21/00117/APPFL2
R	Thornton And Allerton (ward 23)	14 Canford Drive Bradford BD15 7AU Two and single storey rear and side extensions, including conversion of existing garage into habitable living area; the creation of a covered front entrance porch; hip to gable conversion raising the ridge height creating habitable living area in the roof space incorporating two rear dormers. - Case No: 21/02339/HOU Appeal Ref: 21/00103/APPHOU
S	Clayton And Fairweather Green (ward 08)	18 Tannerbrook Close Bradford BD14 6NJ Front porch and chimney breast to side of house - Case No: 21/02780/HOU Appeal Ref: 21/00112/APPHOU
T	Manningham (ward 19)	182 Heaton Road Bradford BD9 4RJ Retrospective planning application for replacement of existing shop front and roller shutters - Case No: 21/02055/FUL Appeal Ref: 21/00082/APPFL2

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
U	Royds (ward 21)	Advertising Right 4562 On 254 Huddersfield Road Bradford Upgrade of existing 48 sheet advert to support digital poster - Case No: 21/04031/ADV Appeal Ref: 21/00146/APPAD2
V	City (ward 07)	Food Court Ingleby Road Bradford BD8 9AN First floor covered external dining area - Case No: 21/02123/FUL Appeal Ref: 21/00089/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

There are no Notice Varied and Upheld to report this month