

Report of the Strategic Director of Place to the meeting of the Area Planning Panel (BRADFORD) to be held on 7 September 2022

D

Summary Statement - Part Two

Miscellaneous Items

	<u>No of Items</u>
Requests for Enforcement/Prosecution Action	(5)
Decisions made by the Secretary of State - Allowed	(5)
Decisions made by the Secretary of State - Dismissed	(10)

Julian Jackson
Assistant Director (Planning, Transportation and Highways)

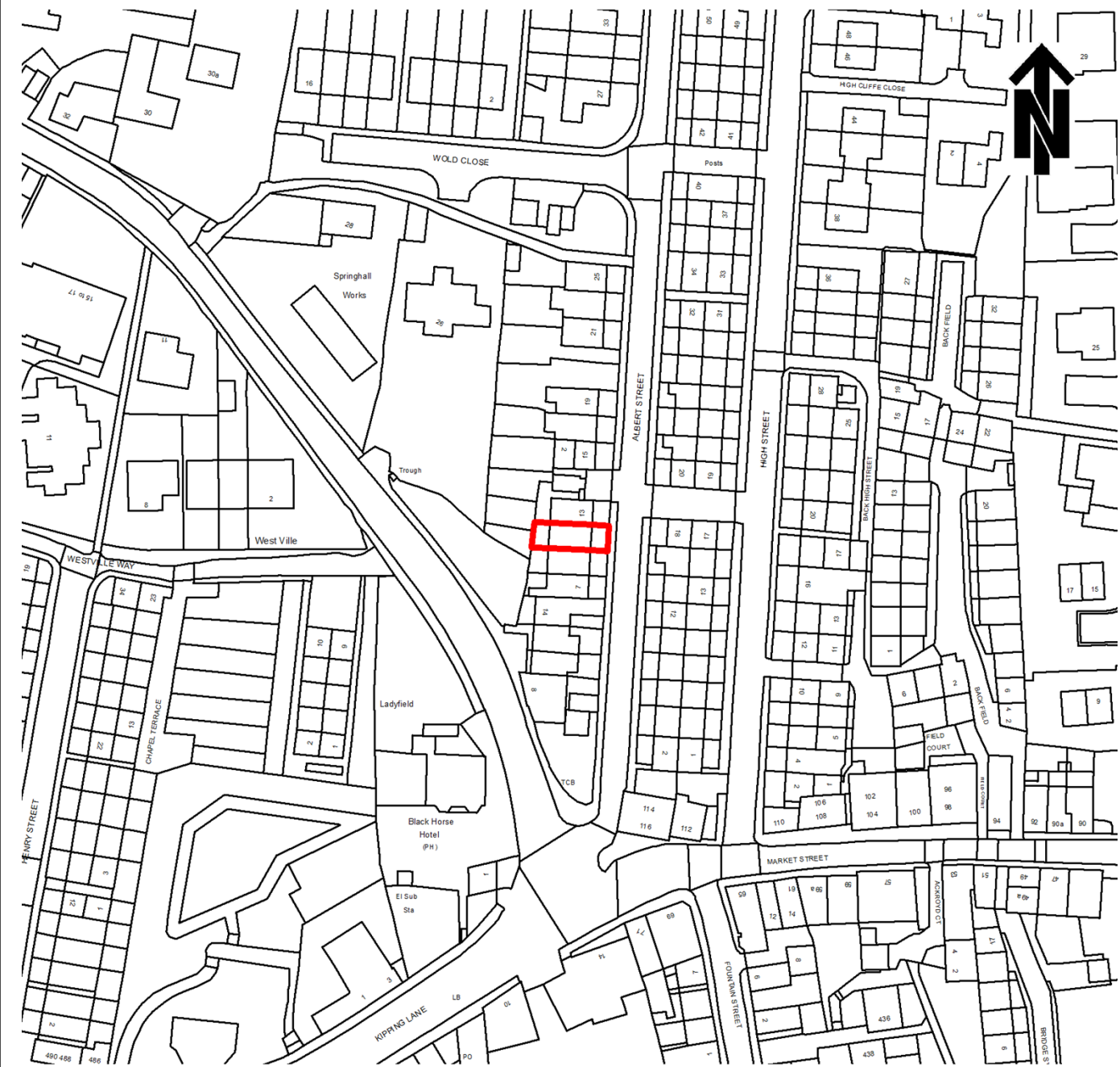
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Portfolio:
Regeneration, Planning & Transport

Overview & Scrutiny Committee Area:
Regeneration and Environment

21/00614/ENFUNA



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11 Albert Street
Thornton
Bradford BD13 3ER

7 September 2022

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

Enforcement Reference:
21/00614/ENFUNA

Site Location:
11 Albert Street Thornton Bradford West Yorkshire BD13 3ER

Breach of Planning Control:
Unauthorised front and rear dormer windows

Circumstances:
In June 2021 the Council received a number of enquiries regarding the construction of dormer windows at the property.

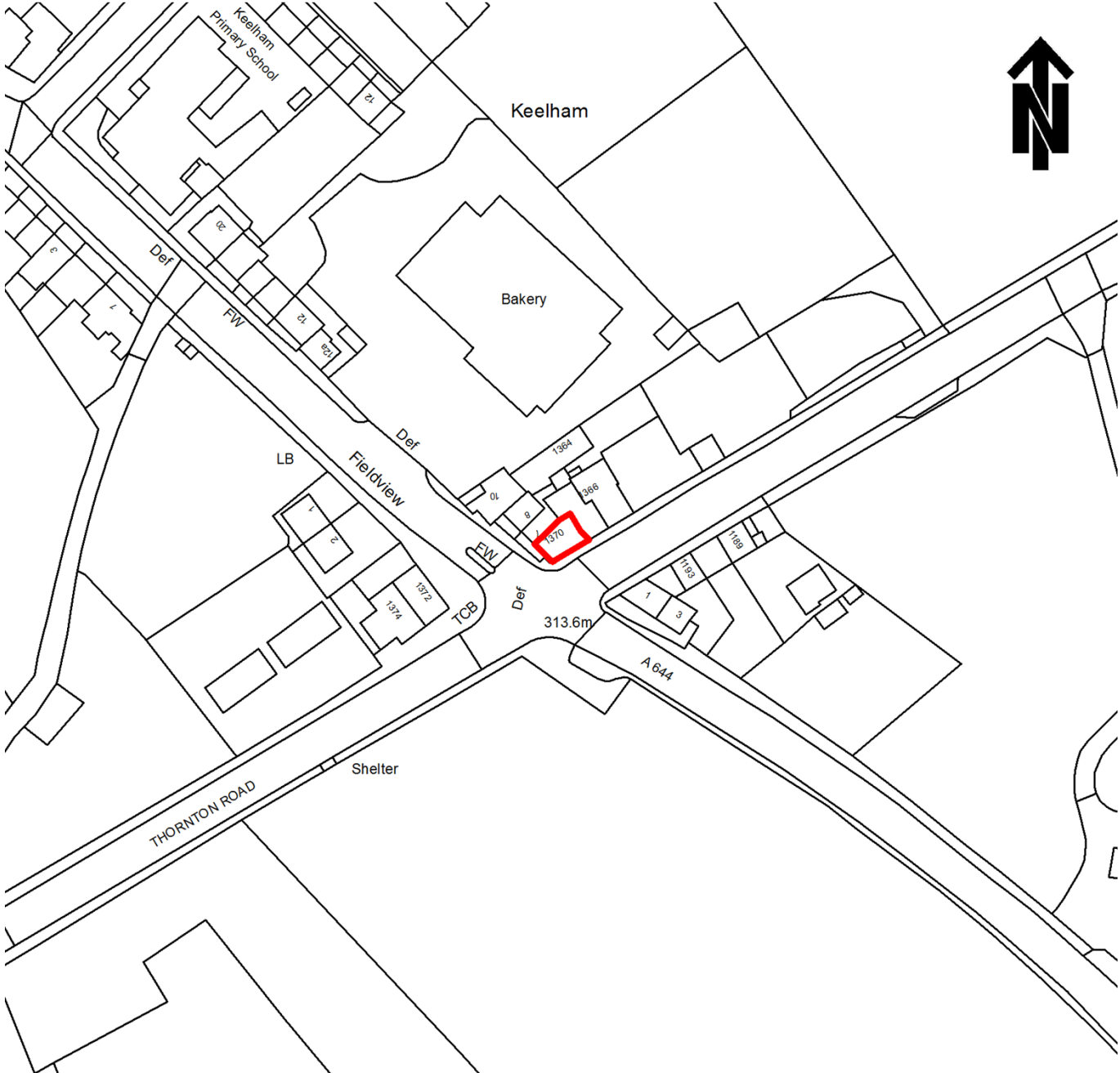
An inspection showed that front and rear dormer windows had been constructed, for which the Council had no record of planning permission having been granted.

Planning permission reference 21/03583/HOU for front and rear dormer windows of a different design to those already constructed at the property was granted by the Council in November 2021.

Following the grant of planning permission, the owner of the property was requested to rectify the breach of planning control, however no action has been taken.

On 10 August 2022 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate 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 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.

21/00321/ENFLBC



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**1370 Thornton Road
Thornton
Bradford BD13 4HQ**

7 September 2022

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

Enforcement Reference:
21/00321/ENFLBC

Site Location:
1370 Thornton Road Thornton Bradford West Yorkshire BD13 4HQ

Breach of Planning Control:
Without Listed Building Consent, the installation of a new composite door.

Circumstances:
In April 2021, the council received an enquiry regarding an unauthorised replacement front door installed to the above property.

An inspection in September 2021 showed that composite door and fitting had been installed to the front of the dwelling, with the removal of the original traditional door fitting. As the property is Grade II listed, consent is required for the replacement door and fitting, for which the council has no record of. As such, the replacement door is unauthorised and represents a breach of planning control.

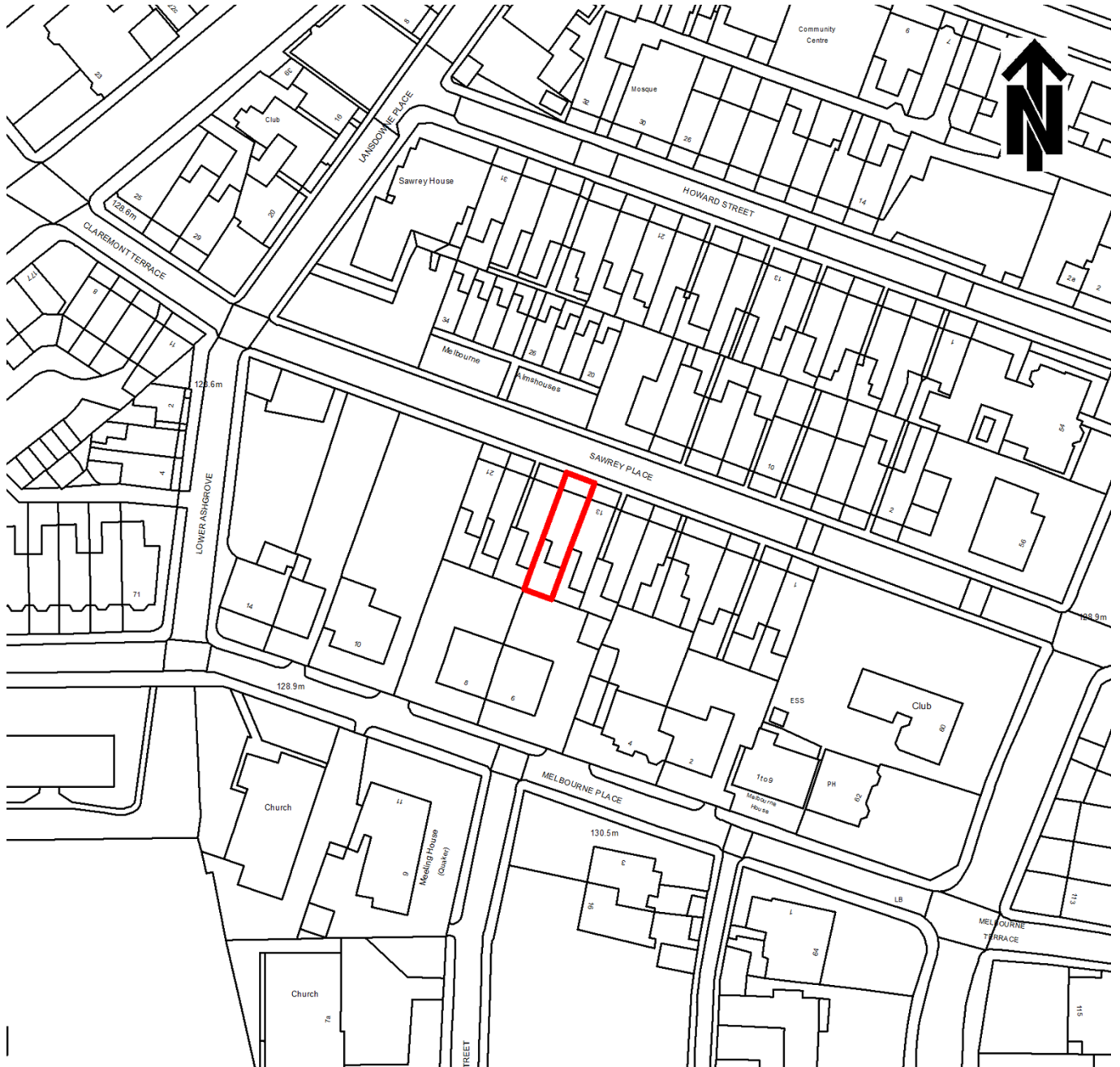
A challenge letter was sent to the owner of the dwelling in September 2021, requesting action to rectify the breach of planning control. Retrospective listed building consent application reference 22/01323/LBC, seeking consent for the replacement door as installed, was refused by the council in May 2022. No appeal was lodged against the council's decision. The unauthorised door is still in place and the breach of planning is unresolved.

On 17 July 2022, the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the loss of the original timber door fitting and its replacement with a modern generic composite door has resulted in significant detriment to the original character and aesthetic of the heritage asset, disrupting the uniformity of the cottages within the wider street scene. No public benefit arises to compensate for this harm and the development is therefore contrary to Policy EN3 of the adopted Core Strategy Development Plan Document, Section 16 of the Planning (Listed Buildings & Conservation Areas) Act 1990 and policy guidance contained within the National Planning Policy Framework.

17/00952/ENFLBC



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



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15 Sawrey Place
Bradford
BD5 0DA

7 September 2022

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

Enforcement Reference:
17/00952/ENFLBC

Site Location:
15 Sawrey Place Bradford West Yorkshire BD5 0DA

Breach of Planning Control:
Unauthorised first floor rear extension and alterations

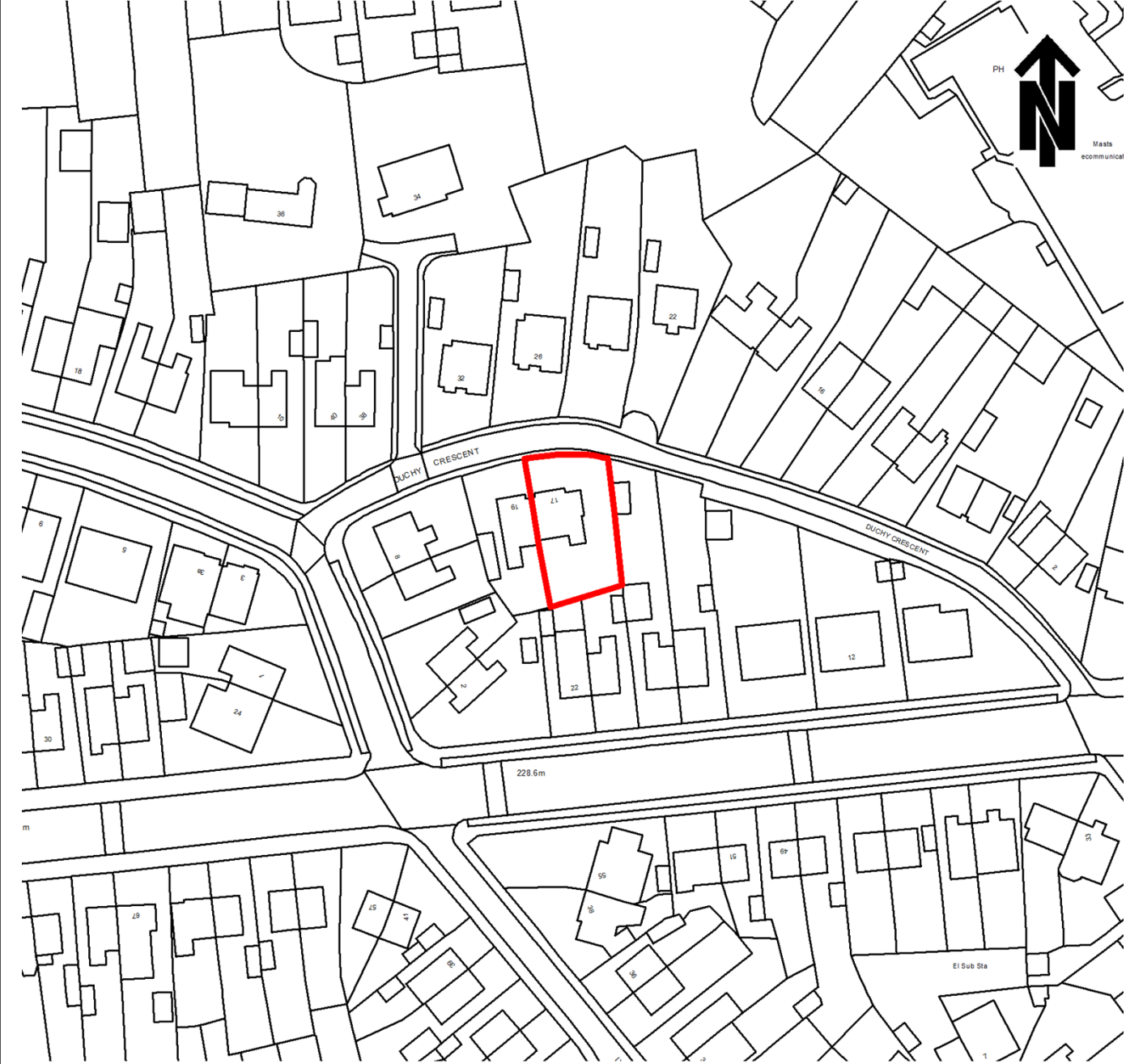
Circumstances:
In 2017 two Listed Building Consent applications and two planning applications for a first floor rear extension to the property were refused by the Council. No appeals were made against the Council's decisions.

Following enquiries regarding development works at the property, an inspection showed that a first floor rear extension had been constructed and alterations made to an existing single storey section of the building, for which the Council had no record of Listed Building Consent or planning permission having been granted.

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

On 25 July 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 first floor rear extension and alterations to the existing single storey section of the building are 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.

20/00791/ENFUNA



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**17 Duchy Crescent
Bradford
BD9 5NJ**

7 September 2022

Item Number: D
Ward: HEATON
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
20/00791/ENFUNA

Site Location:
17 Duchy Crescent Bradford West Yorkshire BD9 5NJ

Breach of Planning Control:

Without planning permission, the construction of an area of impermeable hard surfacing to the north, east and south of the dwelling on the land

Circumstances:

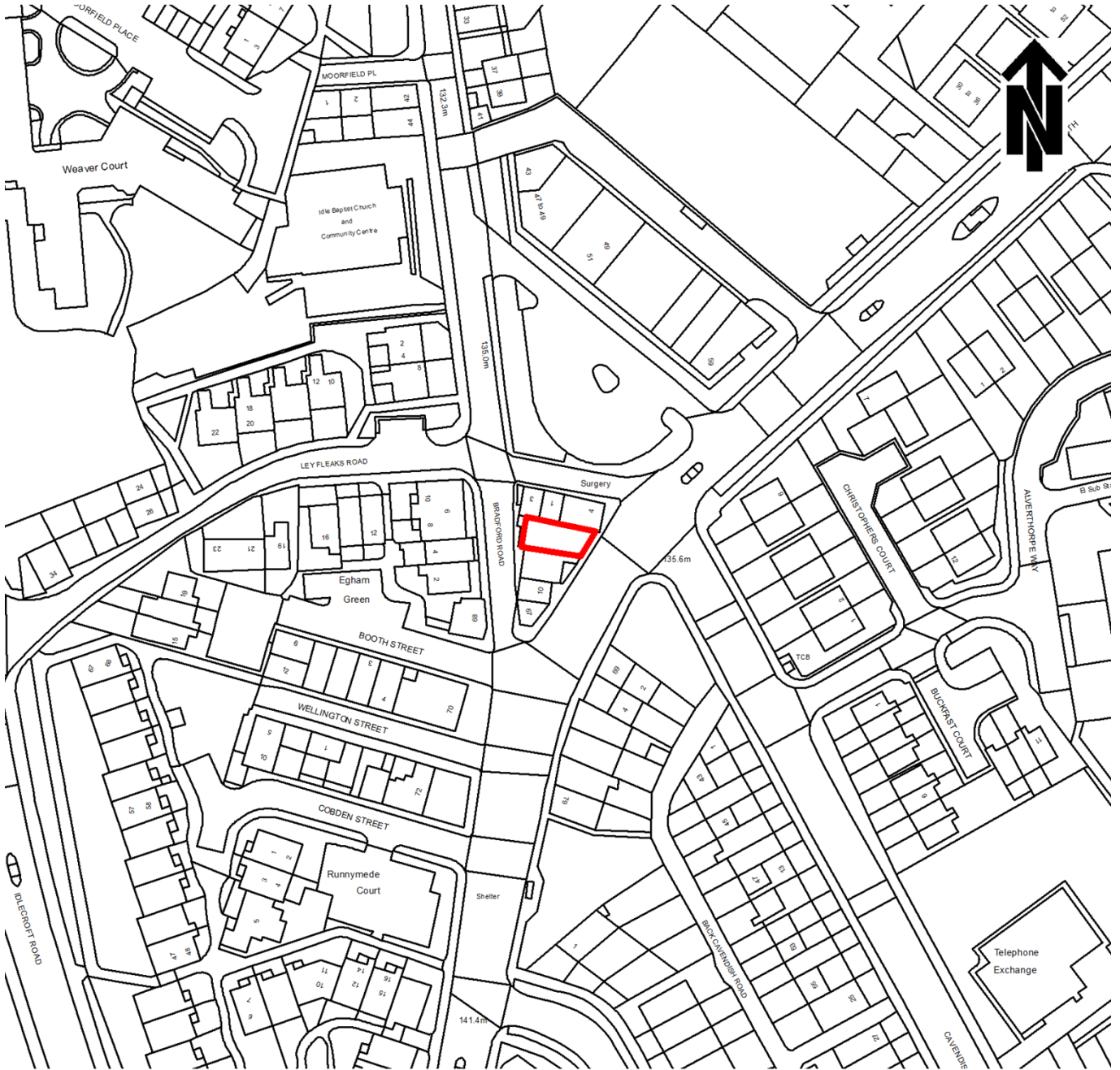
In May 2020, the council received an enquiry regarding an unauthorised construction works at the above property.

An inspection in November 2020 showed that a large area of hard surfacing had been created to the front, side and rear of the dwelling, on the land for which planning permission is required and has not been sought. As such, the area of hard surfacing is unauthorised and represents a breach of planning control.

A challenge letter was sent to the owner of the property, requesting action to rectify the breach of planning control. To date, no action has been taken by the owner to resolve the breach of planning control. The unauthorised hard surfacing is still in place and the breach of planning is unresolved.

On 17 July 2022, the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised hard surfaced and impermeable area has no drainage provision, which diverts run off water off the site onto the highway and pavement, increasing the risk of flooding and representing a threat to the amenity and safety of pedestrians and highway users, contrary to Policies DS4, DS5 and EN7 of the Council's adopted Core Strategy Development Plan Document and the

21/00503/ENFUNA



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**6 Thorp Garth
Bradford
BD10 9LD**

7 September 2022

Item Number: E
Ward: IDLE AND THACKLEY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
21/00503/ENFUNA

Site Location:
6 Thorp Garth Bradford West Yorkshire BD10 9LD

Breach of Planning Control:

Without planning permission, the installation of an externally mounted roller shutter and roller shutter box on the front elevation of the building on the land

Circumstances:

In May 2021, the council received an enquiry regarding an unauthorised roller shutter installed to the above property.

An inspection in October 2021 showed that an externally mounted roller shutter and shutter box had been installed to the front elevation of the building. It is considered that planning permission is required for the roller shutter, for which the council has no record of. As such, the roller shutter is unauthorised and represents a breach of planning control.

A challenge letter was sent to the owner of the property in October 2021, requesting action to rectify the breach of planning control. Retrospective planning application reference 21/06092/FUL, seeking consent for the roller shutter as installed, was refused by the council in March 2022. No appeal was lodged against the council's decision. The unauthorised roller shutter is still in place and the breach of planning is unresolved.

On 17 July 2022, 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 and shutter box have a detrimental, deadening effect on the premises and appear as a stark and discordant feature within the wider street scene, causing an unacceptable level of harm to the character and appearance of the area, contrary to Policies DS1, DS3, and SC9 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.

DECISIONS MADE BY THE SECRETARY OF STATE

Appeal Allowed

<u>ITEM</u>	<u>WARD</u>	<u>LOCATION</u>
F	Toller (ward 24)	12 Daisy Hill Grove Bradford BD9 6DR Appeal against Enforcement Notice - Case No: 18/00927/ENFUNA Appeal Ref: 22/00046/APPENF
G	Bradford Moor (ward 06)	16 Wensleydale Road Bradford BD3 8NA Appeal against Enforcement Notice - Case No: 18/00783/ENFUNA Appeal Ref: 22/00044/APPENF
H	Tong (ward 25)	24 Sutton Crescent Bradford BD4 8LY Single storey extension to rear - Case No: 21/06262/HOU Appeal Ref: 22/00052/APPHOU
I	Toller (ward 24)	528 Thornton Road Bradford BD8 9NB Conversion of an existing basement into a single flat with external changes to allow for two light wells to the main bedroom/lounge and the formation of a window within an existing opening with an additional light well as shown - Case No: 21/05837/FUL Appeal Ref: 22/00041/APPFL2
J	Toller (ward 24)	6 Duckworth Lane Bradford BD9 5EP External rear extraction canopy and ac unit - Case No: 22/00316/FUL Appeal Ref: 22/00056/APPFL2

Appeal Dismissed

<u>ITEM</u>	<u>WARD</u>	<u>LOCATION</u>
K	Thornton And Allerton (ward 23)	1511 Thornton Road Bradford BD13 3AS Side extension, front and rear dormer windows (retrospective) - Case No: 22/00011/HOU Appeal Ref: 22/00058/APPHOU
L	Eccleshill (ward 10)	18 Pullan Avenue Bradford BD2 3RT Construction of infill rear extension, first floor side extension, hip to gable extension with front and rear dormers, and outbuilding to rear (resubmission) - Case No: 22/01358/HOU Appeal Ref: 22/00087/APPHOU
M	Bolton And Undercliffe (ward 04)	21 Buttermere Road Bradford BD2 4JA Appeal against Enforcement Notice - Case No: 20/01078/ENFUNA Appeal Ref: 22/00028/APPENF
N	City (ward 07)	342 Great Horton Road Bradford BD7 1QJ Appeal against Enforcement Notice - Case No: 21/00403/ENFREX Appeal Ref: 22/00026/APPENF
O	City (ward 07)	40 Laisteridge Lane Bradford BD7 1QT Retrospective application for change the use of the property from an HMO into four apartments - Case No: 21/05393/FUL Appeal Ref: 22/00035/APPFL2
P	Clayton And Fairweather Green (ward 08)	41 Hedge Way Bradford BD8 0AJ Level roof ridge with existing property, privacy screen to either side of roof terrace, to rear large dormer (retrospective) - Case No: 22/00927/HOU Appeal Ref: 22/00080/APPHOU

<u>ITEM</u>	<u>WARD</u>	<u>LOCATION</u>
Q	Wibsey (ward 27)	56 Chapel Street Wibsey Bradford BD6 1LN Installation of timber boundary fence (retrospective) - Case No: 21/04442/HOU Appeal Ref: 22/00002/APPHOU
R	Great Horton (ward 11)	7 Benn Avenue Bradford BD7 2NH Appeal against Enforcement Notice - Case No: 19/00531/ENFUNA Appeal Ref: 22/00047/APPENF
S	Little Horton (ward 18)	820 Little Horton Lane Bradford BD5 9DG New window opening to front elevation, internal alterations and associated works - Case No: 21/06287/HOU Appeal Ref: 22/00029/APPHOU
T	Bowling And Barkerend (ward 05)	BTAL House Laisterdyke Bradford BD4 8AT Siting of 2 free standing portable buildings (classrooms) - Case No: 22/00866/FUL Appeal Ref: 22/00065/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