

Report of the Strategic Director of Place to the meeting of the Area Planning Panel (BRADFORD) to be held on 30 November 2022

F

Summary Statement - Part Two

Miscellaneous Items

	<u>No. of Items</u>
Requests for Enforcement/Prosecution Action	(9)
Decisions made by the Secretary of State - Allowed	(6)
Decisions made by the Secretary of State - Dismissed	(12)

Chris Eaton
Interim Assistant Director (Planning, Transportation and Highways)

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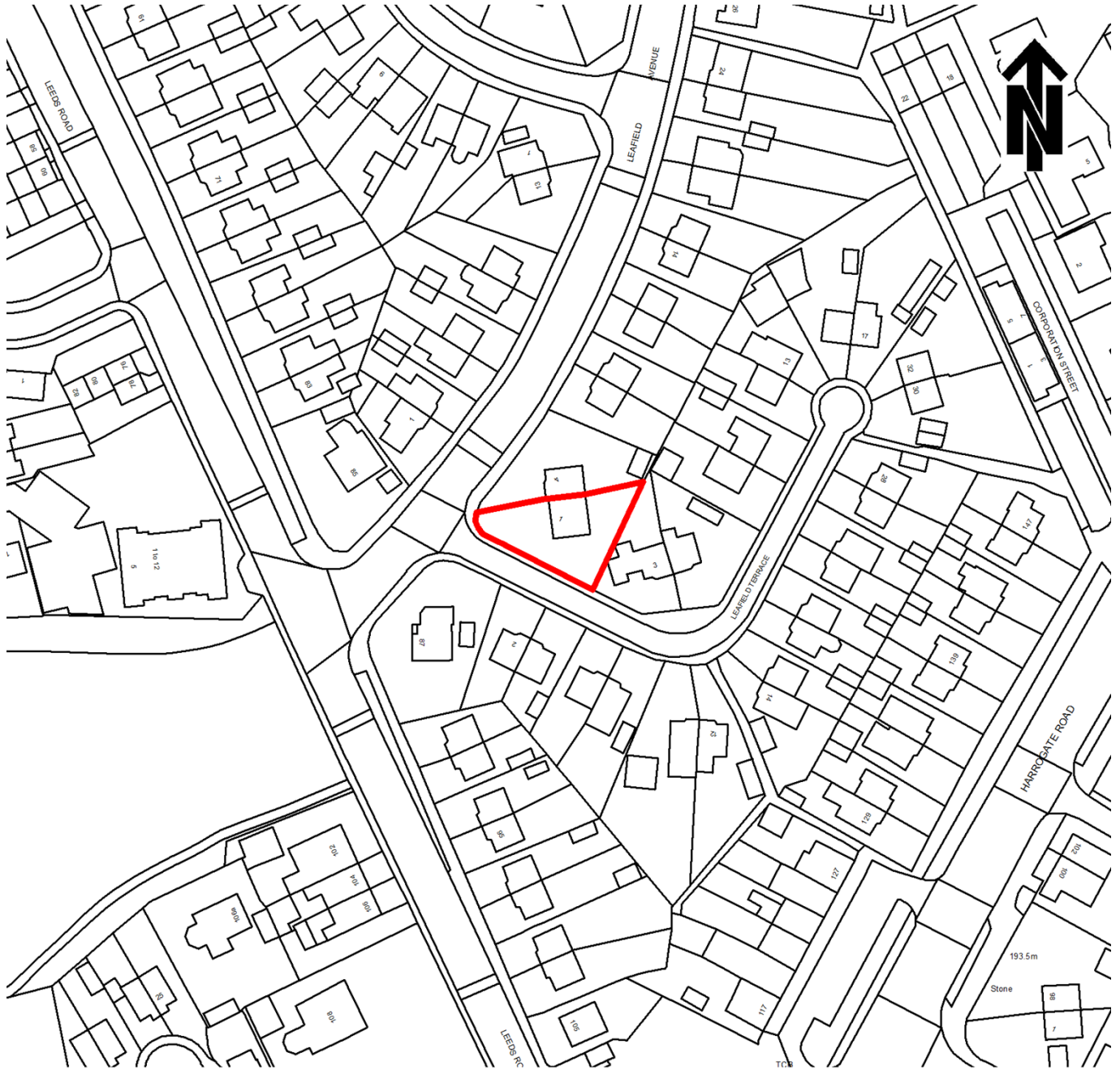
Portfolio:
Regeneration, Planning & Transport

Overview & Scrutiny Committee Area:
Regeneration and Environment

21/00576/ENFUNA



City of
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METROPOLITAN DISTRICT COUNCIL



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**1 Leafield Terrace
Bradford
BD2 3SH**

30 November 2022

Item Number: A
Ward: ECCLESHILL
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
21/00576/ENFUNA

Site Location:
1 Leafield Terrace Bradford West Yorkshire BD2 3SH

Breach of Planning Control:

Without planning permission, the construction of a single storey rear extension to the dwelling on the land.

Circumstances:

In June 2021 the Council received an enquiry regarding an unauthorised rear conservatory extension erected at the above property.

A site inspection in February 2022 showed a single storey rear conservatory extension, built on top of raised stilts/supports, for which there was no record of a granted planning permission.

A retrospective planning application reference 22/01691/HOU, seeking consent for the extension as built, was refused by the Council in May 2022.

No attempt has been made by the owners of the property to remedy the breach of planning control and the unauthorised extension remains in place.

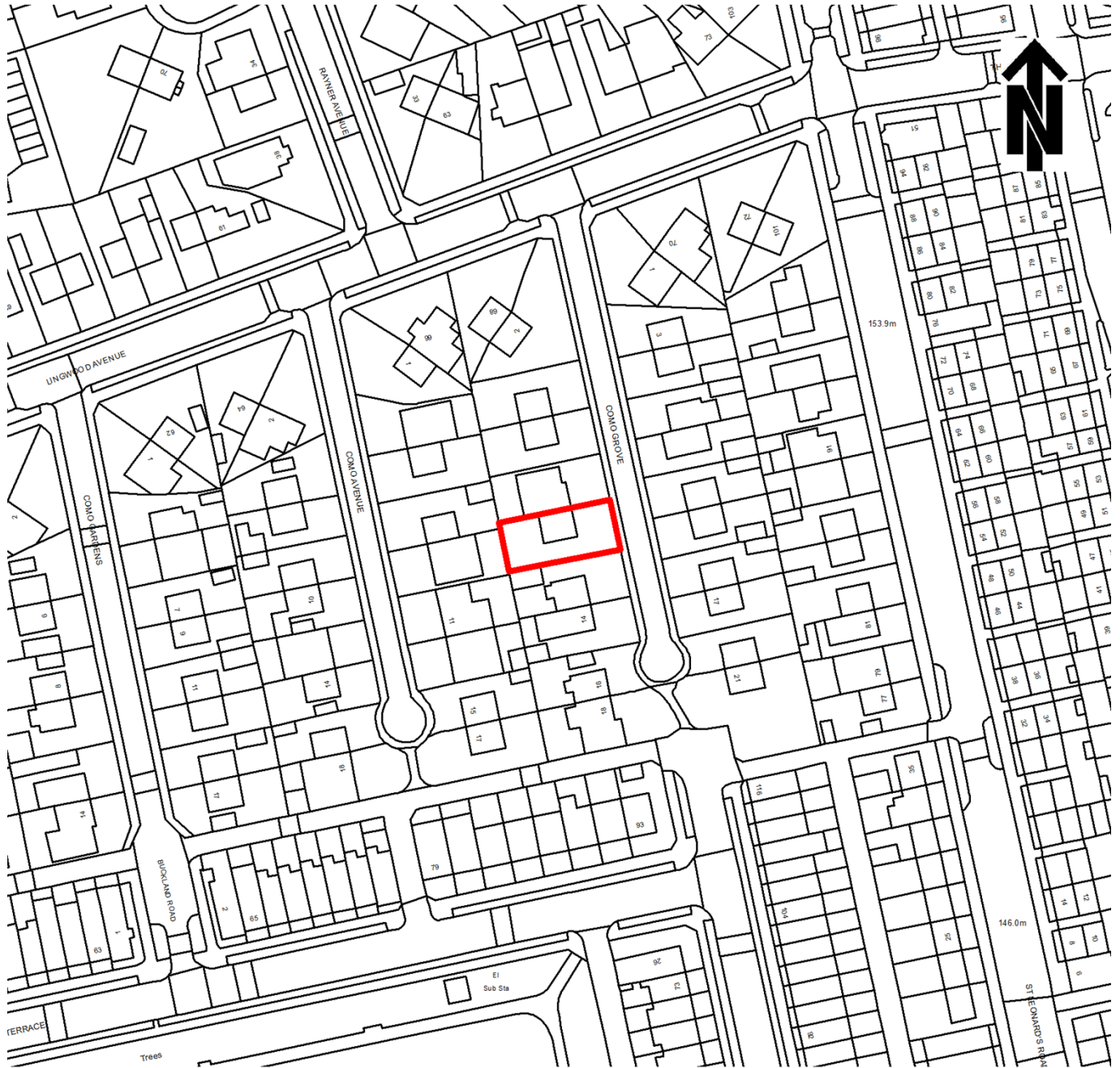
On 23 August 2022, the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised single storey extension to the rear to the dwelling, due to the incorporation of UPVC stilts, represents a poorly designed feature, which fails to maintain the character of the host property, contrary to Policies DS1, DS3 and of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

Furthermore, the single storey rear extension to the dwelling, by reason of its positioning and close proximity to the neighbouring dwellings, will cause significant levels of overlooking and loss of privacy, representing a significant threat to the residential amenity of the neighbouring occupants. This impact is compounded by the extension being raised on 1.3m high stilts. For this reason, the proposal is contrary to Policy DS5 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

19/00921/ENFUNA



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10 Como Grove
Bradford
BD8 9QA

30 November 2022

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

Enforcement Reference:
19/00921/ENFUNA

Site Location:
10 Como Grove Bradford West Yorkshire BD8 9QA

Breach of Planning Control:
Unauthorised stone pillars, fencing and gate

Circumstances:
In August 2019 the Local Planning Authority received an enquiry regarding the boundary treatment to the front boundary of the property.

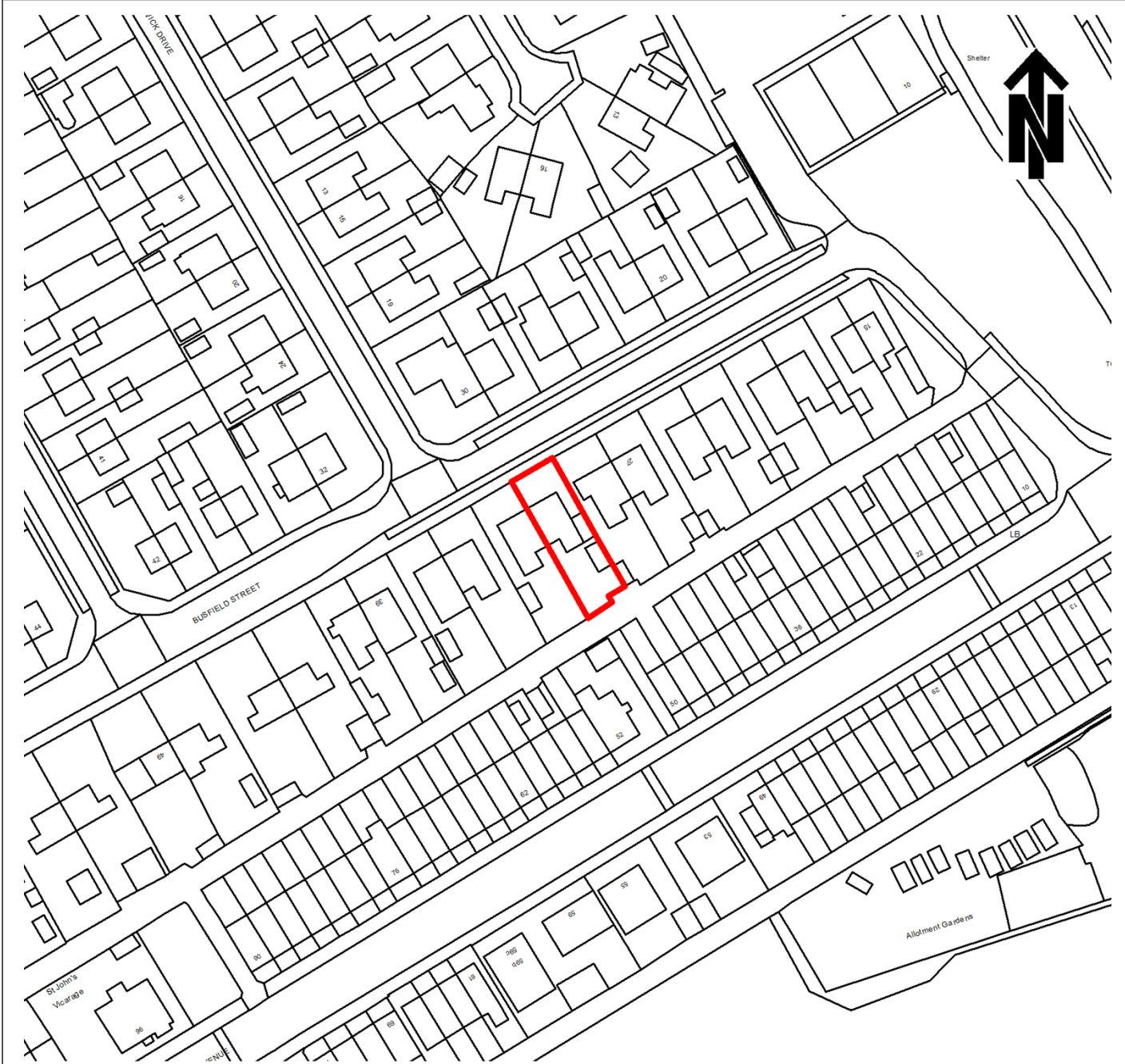
An inspection showed that stone pillars, fencing and a gate exceeding 1.0 metre in height had been erected to the front boundary of the property, for which the Council had no record of planning permission having been granted.

Retrospective planning application reference 20/00509/HOU for the stone pillars, fencing and gate was refused by the Council in April 2020. An appeal against the Council's decision was dismissed by The Planning Inspectorate in July 2020.

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

On 27 September 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 stone pillars, fencing and gate 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

20/01313/ENFAPP



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**31 Busfield Street
Bradford
BD4 7QX**

30 November 2022

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

Enforcement Reference:
20/01313/ENFAPP

Site Location:
31 Busfield Street Bradford West Yorkshire BD4 7QX

Breach of Planning Control:

Without planning permission, the construction of front and rear dormer windows on the dwelling on the land

Circumstances:

In September 2022 the Council received an enquiry regarding an unauthorised front and rear dormer windows at the above property.

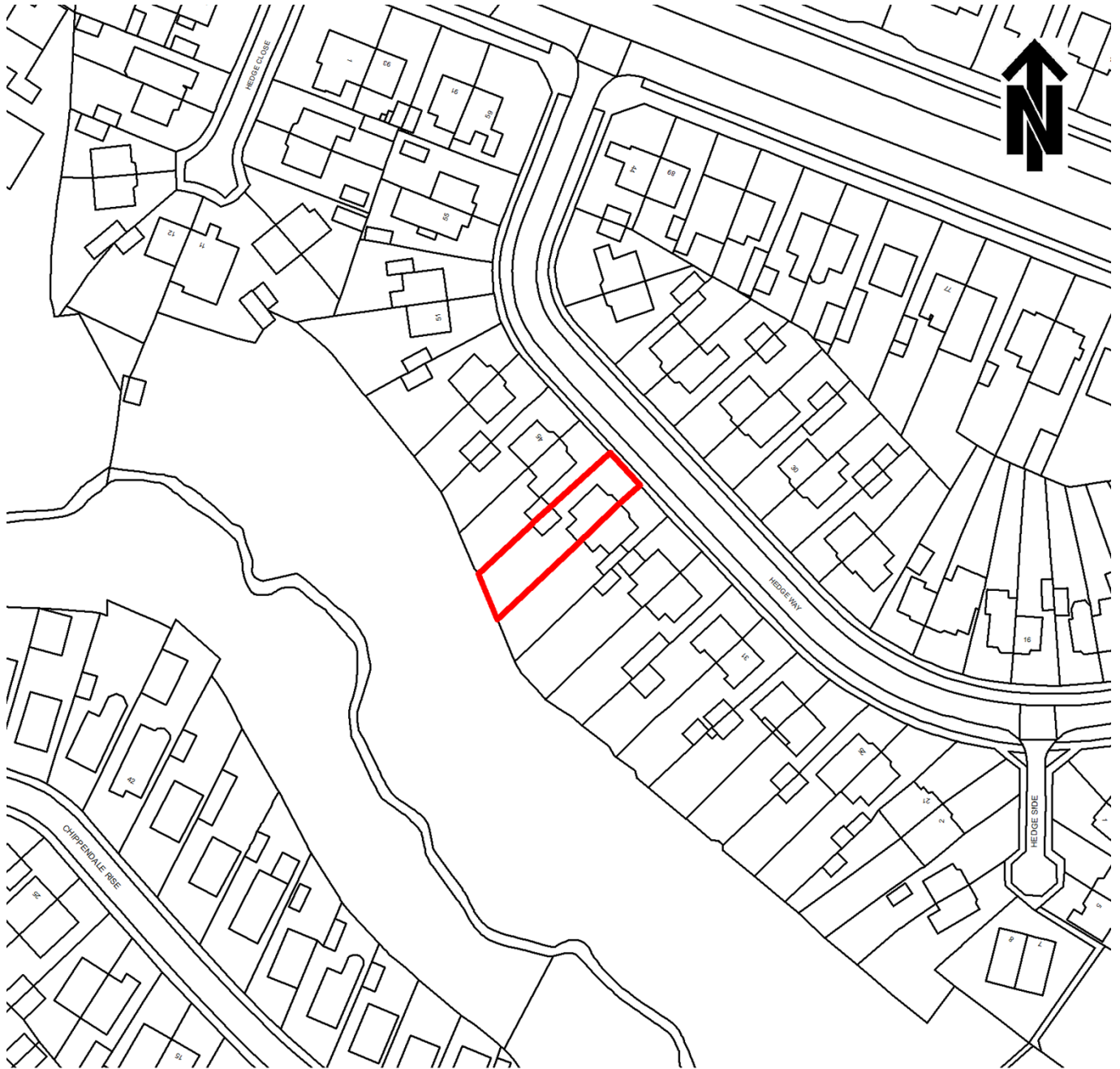
A site visit to the property revealed that the dormer window extension constructed at the property was not in accordance with the planning permission 20/02935/HOU granted for its construction. In particular, the design, size and materials used in their construction.

Following letters sent to the owner/occupants of the property, requesting remedial action in terms of the unauthorised dormer windows constructed, a further planning application number 21/06392/HOU was submitted and granted conditionally for the larger dormer windows with the removal of the existing unauthorised cladding and the use of materials to match the roof of the host building.

Despite numerous letters to the owners of the property requesting remedial action with regards to the unauthorised dormer windows constructed; to date the breach of planning control still remains unresolved.

On 24 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, by reason of their unsympathetic design and use of inappropriate facing materials, form an incongruous feature on the host dwelling and appear visually prominent within the street scene, causing significant detriment to the visual amenity of the local environment, contrary to Policies DS1, DS3, and SC9 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

21/00574/ENFAPP



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**41 Hedge Way
Bradford
BD8 0AJ**

30 November 2022

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

Enforcement Reference:
21/00574/ENFAPP

Site Location:
41 Hedge Way Bradford West Yorkshire BD8 0AJ

Breach of Planning Control:

Without planning permission, the construction of unauthorised two storey side extension and first floor raised balcony area.

Circumstances:

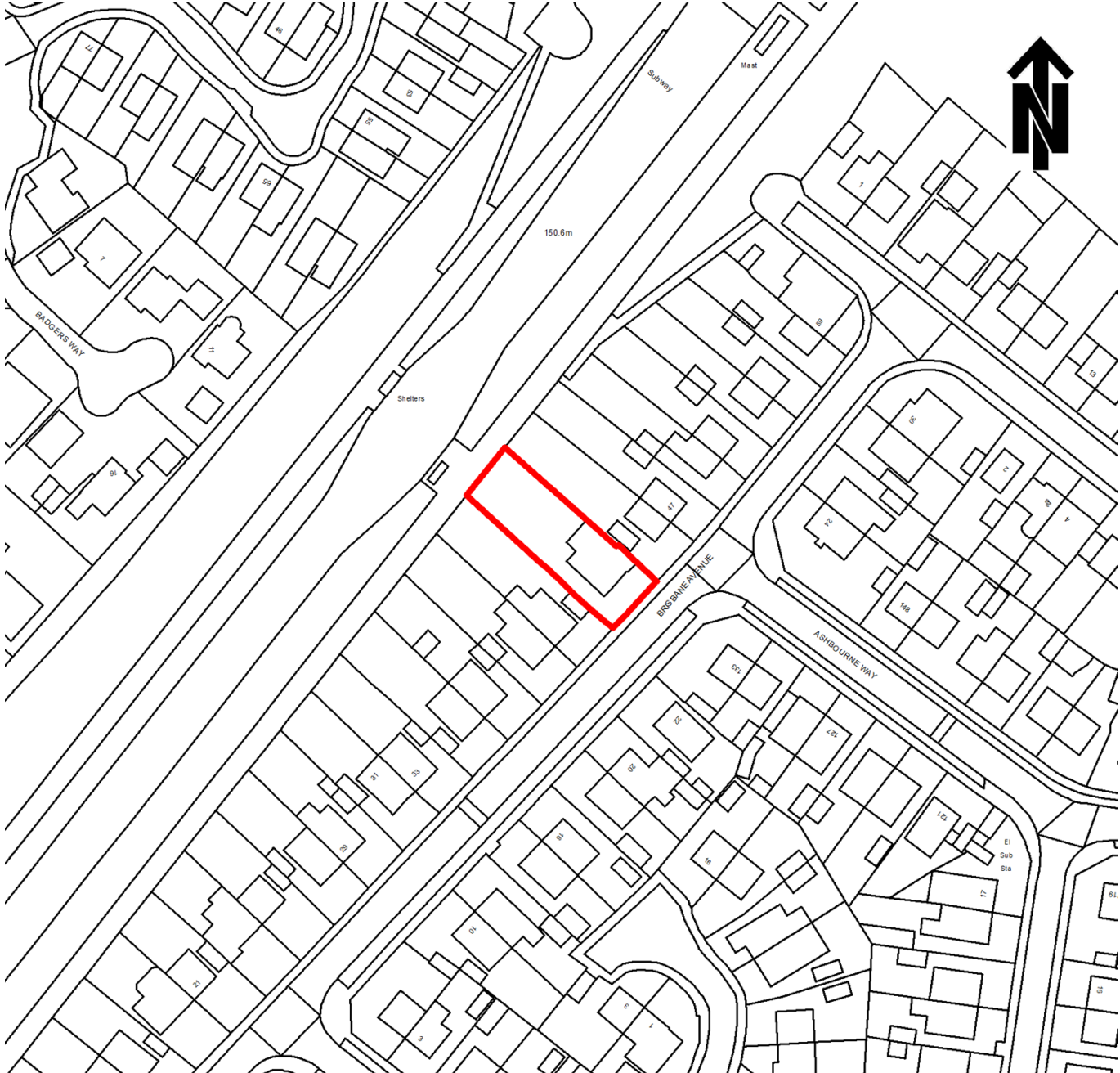
In June 2021 a complaint was received in this office alleging that an unauthorised extension and balcony had been constructed at the above property. The planning history shows that planning permission was granted in September 2020 for a substantial extension at the property under planning application number 20/03374/HOU. A site visit carried out to the property revealed that the extension failed to accord to the planning permission and a first floor balcony area had been installed at the premises for which there was no record of planning permission having been granted. As such the works carried out to the premises is considered to be in breach of planning control.

Following letters to the owners of the premises a retrospective planning applications have been submitted but these have been unsuccessful. An appeal to the Planning Inspectorate against the refusal of planning permission was also dismissed. To date no satisfactory remedial action has been taken to remedy the breach of planning control.

Planning Manager (Enforcement & Trees) authorised the issuing of an Enforcement Notice on 16 August 2022. It is considered expedient to instigate Enforcement (Legal) action as the unauthorised two storey side extension, by virtue of its design and appearance, fails to represent a subservient addition to the host dwelling, resulting in development which appears incongruous and visually prominent within the wider street scene and dominating the semi-detached pair of dwelling. The two storey side extension is causing a significant level of harm to the visual amenity of the local environment, contrary to Policies DS1, DS3 and SC9 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

Furthermore, the unauthorised first floor balcony area, by reason of its positioning and scale, facilitates extensive levels of overlooking at close quarters and loss of privacy, causing a substantial level of harm to the residential amenity of the neighbouring occupants, contrary to Policy DS5 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework

21/00569/ENFUNA



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**43 Brisbane Avenue
Bradford
BD2 1EH**

30 November 2022

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

Enforcement Reference:
21/00569/ENFUNA

Site Location:
43 Brisbane Avenue Bradford West Yorkshire BD2 1EH

Breach of Planning Control:

Without planning permission, the erection of a single storey side and rear extension on the land

Circumstances:

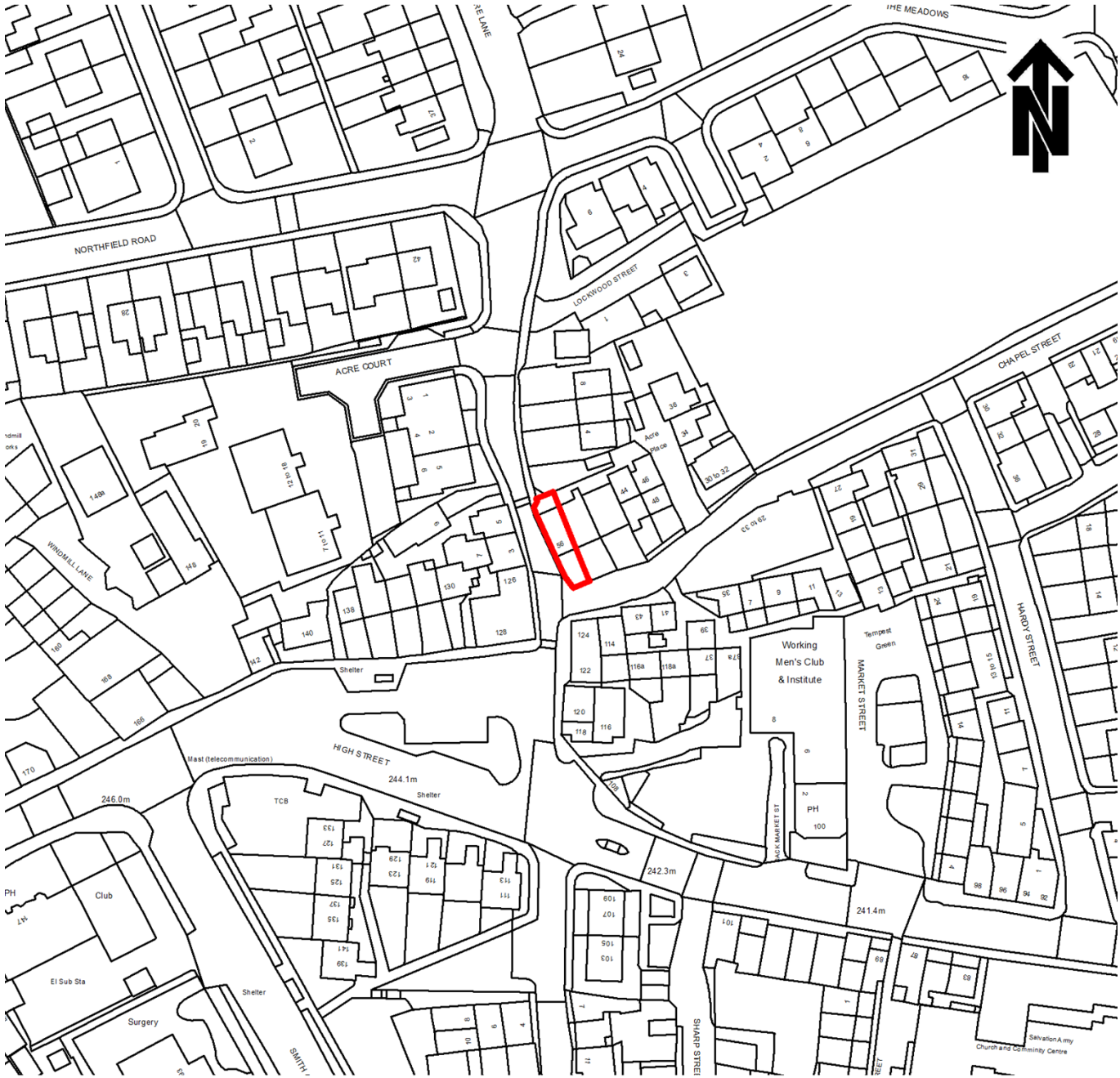
In June 2021 the council received an enquiry alleging the construction of an unauthorised single storey side extension at the above property.

An inspection in February 2022 revealed that a single storey side and rear extension had been built at the above property. The extension constructed requires planning permission and standard challenge letters have been sent to the owner/occupants of the property, requesting action to rectify the breach of planning control. To date, no satisfactory action has been taken and the matter remains unresolved.

On 23 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 single storey side and rear extension, by reason of its design and use of poor matching roofing materials, fails to maintain the character of the host dwelling. The extension is poorly designed, causing harm to the visual amenity local environment, contrary to Policies DS1, DS3 and SC9 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

The single storey side and rear extension, by reason of the habitable room windows situated on the side (north-east facing) elevation, facilitates a significant level of overlooking and loss of privacy, causing significant levels of harm to the residential amenity of the neighbouring occupants, contrary to Policy DS5 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

20/00982/ENFLBC



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56 Chapel Street
Wibsey
Bradford BD6 1LN

30 November 2022

Item Number: F
Ward: WIBSEY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
20/00982/ENFLBC

Site Location:
56 Chapel Street Wibsey Bradford West Yorkshire BD6 1LN

Breach of Planning Control:

Without planning permission, the erection of a closed boarded timber boundary fence, enclosing the front garden area of the dwelling.

Circumstances:

Following a complaint received in this office in June 2020 a site visit confirmed that a closed boarded timber boundary fence had been constructed enclosing the front garden area of the listed building without planning permission.

Numerous letters have been sent to the owner/occupants of the property, requesting action to rectify the breach of planning control.

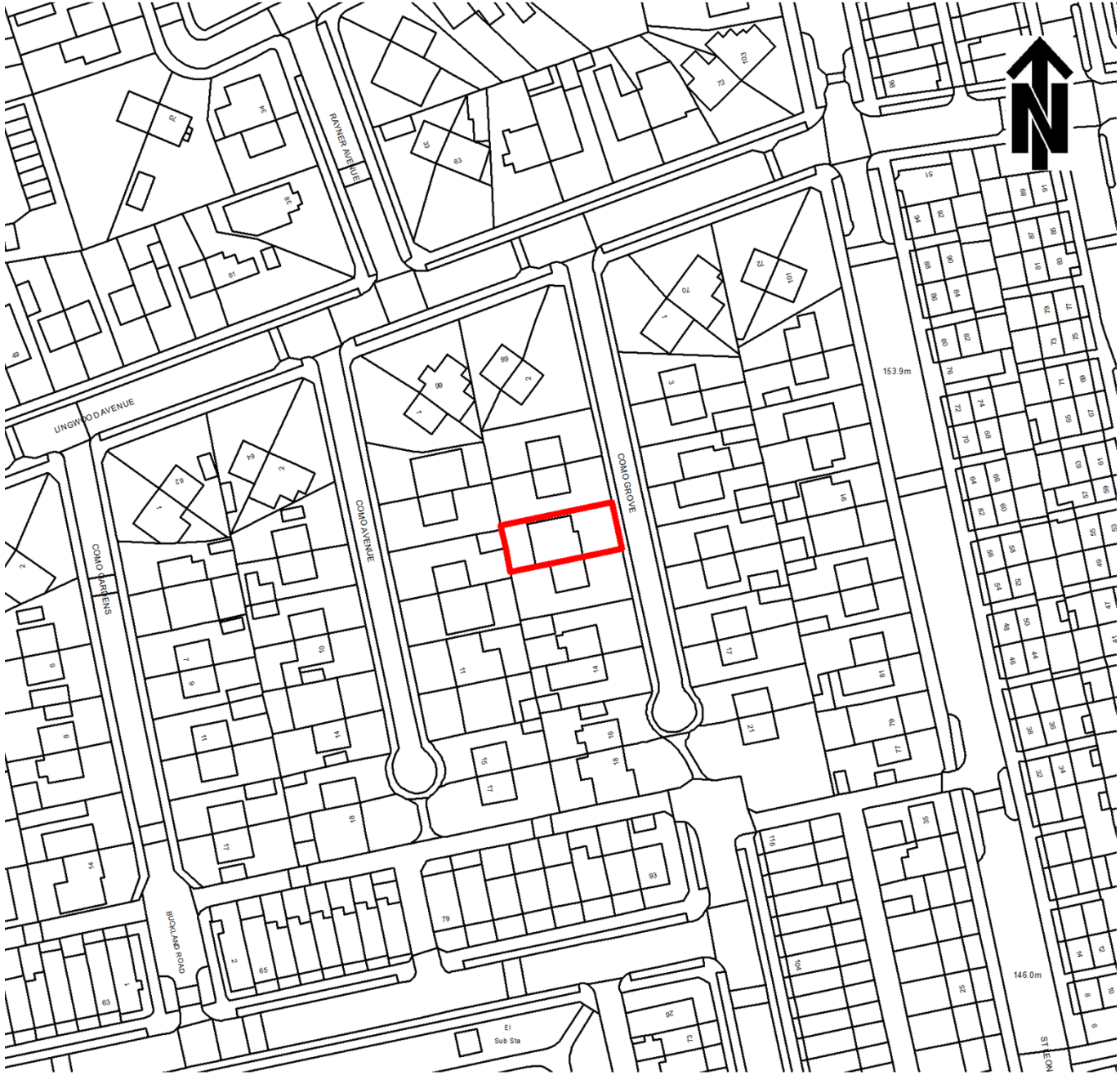
Planning application reference was submitted, seeking consent to retain the fencing as built. The application was refused and a subsequent Appeal to the Planning Inspectorate dismissed in June 2021.

A further planning application reference was submitted, seeking consent for a revised design to the fencing as built. This application was also refused by the council in October 2021. A subsequent appeal made to the Planning Inspectorate was dismissed in July 2022.

The unauthorised fence remains in situ and the breach of planning control is unresolved.

On 24 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 timber boundary fencing, by reason of its position, excessive height and unsympathetic design, represents a visually incongruous feature, causing harm to character and appearance of the host dwelling and to the wider street scene, it impedes the overall view of the host dwelling and the row of Grade II listed properties, detracting from the visual cohesion and harming the setting of the heritage assets. The unauthorised fencing is therefore contrary to Policies DS1 and DS3, EN3, of the adopted Core Strategy Development Plan Document, Section 16 of the Planning (Listed Building & Conservation Areas) Act 1990 and policy guidance contained within the National Planning Policy Framework.

22/00407/ENFUNA



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**8 Como Grove
Bradford
BD8 9QA**

30 November 2022

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

Enforcement Reference:
22/00407/ENFUNA

Site Location:
8 Como Grove Bradford West Yorkshire BD8 9QA

Breach of Planning Control:
Unauthorised stone pillars, railings and gates

Circumstances:
Unauthorised railings were removed from the front boundary of the property in August 2019. However, a further inspection in June 2022 showed that they had been re-installed at the property.

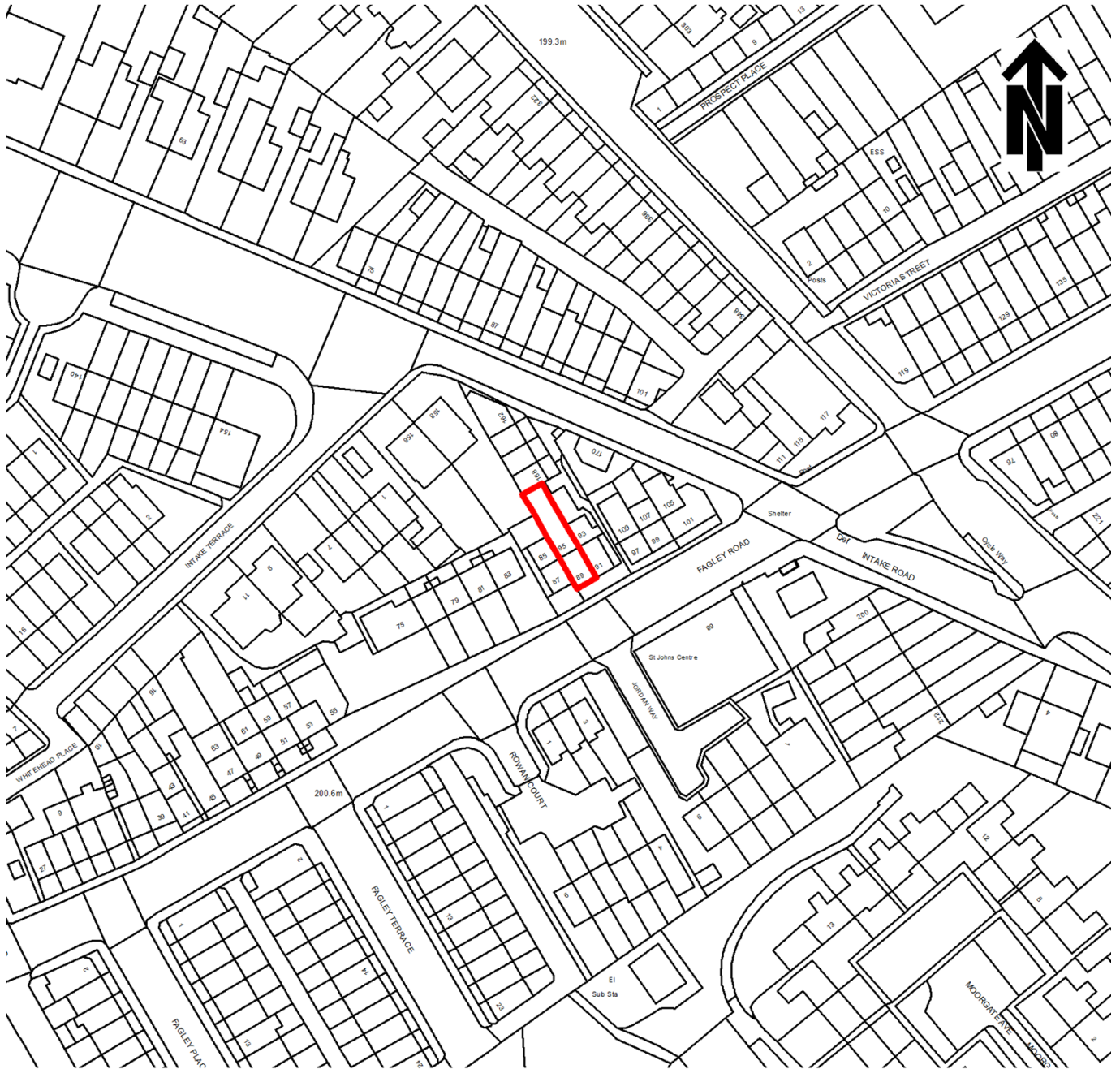
The owner of the property has been requested to rectify the breach of planning control in respect of the stone pillars, railing and gates to the front boundary, however no action has been taken.

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 stone pillars, railings and gates 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.

21/00439/ENFUNA



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95 Fagley Road
Bradford
BD2 3LS

30 November 2022

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

Enforcement Reference:
21/00439/ENFUNA

Site Location:
95 Fagley Road Bradford West Yorkshire BD2 3LS

Breach of Planning Control:

Without planning permission, the construction of a single storey extension to the north-west facing elevation of the building on the land.

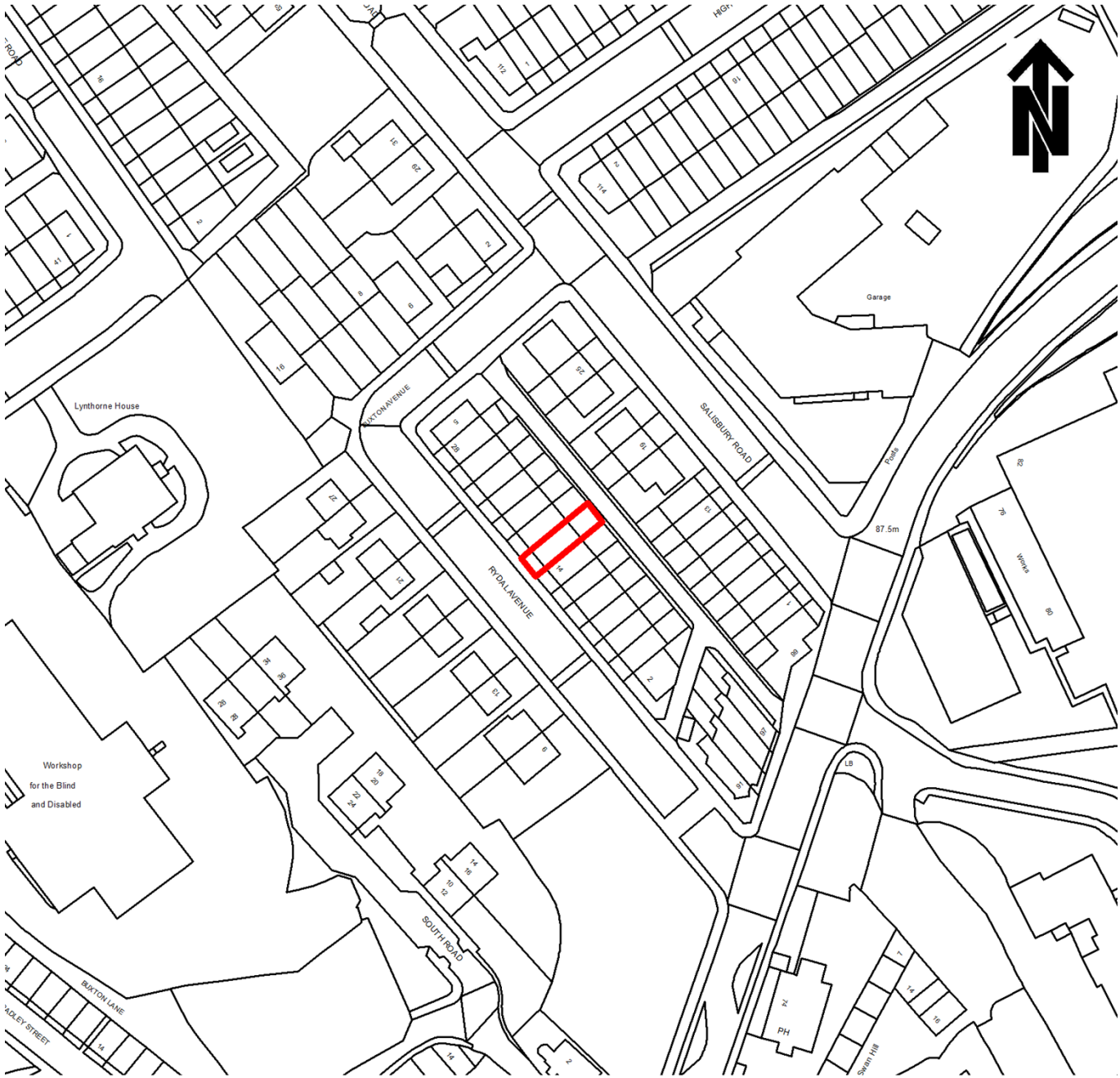
Circumstances:

In response to a complaint received in this office in April 2021, a site visit carried out by the enforcement officer revealed that a single storey extension had been constructed to the rear of the above property, using materials which do not match the host building as such the extension is unauthorised.

Standard challenge letters have been sent to the owner/occupants of the property, requesting action to rectify the breach of planning control. To date, no satisfactory action has been taken and the matter remains unresolved.

On 16 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 single storey extension represents a visually incongruous and prominent feature, due to the use of inappropriate non-matching materials and an overall poor design and appearance. The extension fails to maintain the character and appearance of the host building and the immediate surrounding area, causing significant harm to visual amenity, contrary to Policies DS1, DS3 and SC9 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

22/00049/ENFCOU



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16 Rydal Avenue
Bradford
BD9 4LS

30 November 2022

Item Number: I
Ward: HEATON
Recommendation:
PETITION TO NOTE

Enforcement Reference:
22/00049/ENFCOU

Site Location:
16 Rydal Avenue Bradford West Yorkshire BD9 4LS

A petition has been received by the Planning Enforcement Team alleging the change of use of the above residential premises into flats/bedsits for the accommodation of young adults.

The matter will be investigated in line with the Council's normal procedures and practices.

DECISIONS MADE BY THE SECRETARY OF STATE

Appeal Allowed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
J	Bradford Moor (ward 06)	1 Folkestone Street Bradford BD3 9NX Construction of first floor extension to side and rear; hip to gable roof extension and dormer windows to front and rear - Case No: 21/06044/HOU Appeal Ref: 22/00108/APPHOU
K	Idle And Thackley (ward 13)	106 Albion Road Bradford BD10 9QL Replacement porch, re-cladding of existing lean-to side extension with new decking to rear to ease mobility within garden - Case No: 22/00784/HOU Appeal Ref: 22/00074/APPHOU
L	City (ward 07)	254 Thornton Road Bradford BD1 2LB New shopfront - Case No: 21/02440/FUL Appeal Ref: 22/00089/APPFL2
M	Little Horton (ward 18)	Cowlings Bude Road Bradford BD5 8LA Rear granny annexe extension, front porch and new roof to front (retrospective) - Case No: 22/01146/HOU Appeal Ref: 22/00096/APPHOU
N	City (ward 07)	Ground Floor Westgate House 12 New John Street Bradford BD1 2QY Change of use from retail to cafe and new shopfront (retrospective) - Case No: 21/05645/FUL Appeal Ref: 22/00083/APPFL2

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
O	Bingley Rural (ward 03)	Land South Of Whiteshaw West The Drive Denholme Bradford BD13 4NE Installation of Yurt in association with use of land as Forest School - Case No: 21/03120/FUL Appeal Ref: 22/00060/APPFL2

Appeal Dismissed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
P	Clayton And Fairweather Green (ward 08)	18 Tannerbrook Close Bradford BD14 6NJ Appeal against Enforcement Notice - Case No: 20/01351/ENFUNA Appeal Ref: 22/00072/APPENF
Q	Manningham (ward 19)	182 Heaton Road (inc 53 Victor Road) Bradford BD9 4RJ Appeal against Enforcement Notice - Case No: 20/00441/ENFUNA Appeal Ref: 22/00064/APPENF
R	Bowling And Barkerend (ward 05)	36 Broad Lane Bradford BD4 8PA Increase of garage roof height. Maximum height to remain as existing, eaves height to increase from 2960mm to 3583mm - Case No: 22/00210/HOU Appeal Ref: 22/00051/APPHOU
S	Bolton And Undercliffe (ward 04)	36 Park Crescent Bradford BD3 0JZ Rear dormer (retrospective) - Case No: 22/00420/HOU Appeal Ref: 22/00055/APPHOU

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
T	Wibsey (ward 27)	388 Halifax Road Bradford BD6 2JR Outline application for residential development of land (site area 381 sq m) for one dwelling to the side of existing house requesting consideration of access and layout - Case No: 21/04722/OUT Appeal Ref: 22/00084/APPOU2
U	Heaton (ward 12)	62 Shay Lane Heaton Bradford BD9 6SQ First floor extension - Case No: 22/01139/HOU Appeal Ref: 22/00093/APPHOU
V	Wibsey (ward 27)	88 Moore Avenue Bradford BD6 3HU Changes to shop front and installation of perforated roller shutter - Case No: 22/02041/FUL Appeal Ref: 22/00092/APPFL2
W	Tong (ward 25)	Advert Right Gable 393 - 395 Tong Street Bradford BD4 9RU Upgrade of existing 48 sheet advert to support digital poster - Case No: 22/01269/ADV Appeal Ref: 22/00088/APPAD1
X	Manningham (ward 19)	Express House White Abbey Road Bradford BD8 8EJ Appeal against Enforcement Notice - Case No: 20/01029/ENFUNA Appeal Ref: 22/00103/APPENF
Y	Wibsey (ward 27)	Land At Mayo Avenue Bradford 1 x 48 sheet with bespoke panelling, freestanding digital advertising display unit - Case No: 22/02139/ADV Appeal Ref: 22/00097/APPAD1

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
Z	Idle And Thackley (ward 13)	Land To Rear Of 17 Oaklands Bradford BD10 8RG Construction of detached dwelling - Case No: 22/01201/FUL Appeal Ref: 22/00090/APPFL2
AA	City (ward 07)	Preston Street Taxis Old Police Station Preston Street Bradford BD7 1JP First floor extension to existing building to accommodate offices to be used by a taxi business (Sui Generis) - Case No: 22/00361/FUL Appeal Ref: 22/00082/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