

Report of the Strategic Director of Place to the meeting of the Area Planning Panel (BRADFORD) to be held on 22 March 2023

H

Summary Statement - Part Two

Miscellaneous Items

	<u>No. of Items</u>
Requests for Enforcement/Prosecution Action	(27)
Decisions made by the Secretary of State - Allowed	(4)
Decisions made by the Secretary of State - Dismissed	(14)
Decisions made by the Secretary of State - Part Allowed	(1)

Richard Hollinson
Assistant Director (Planning, Transportation and Highways)

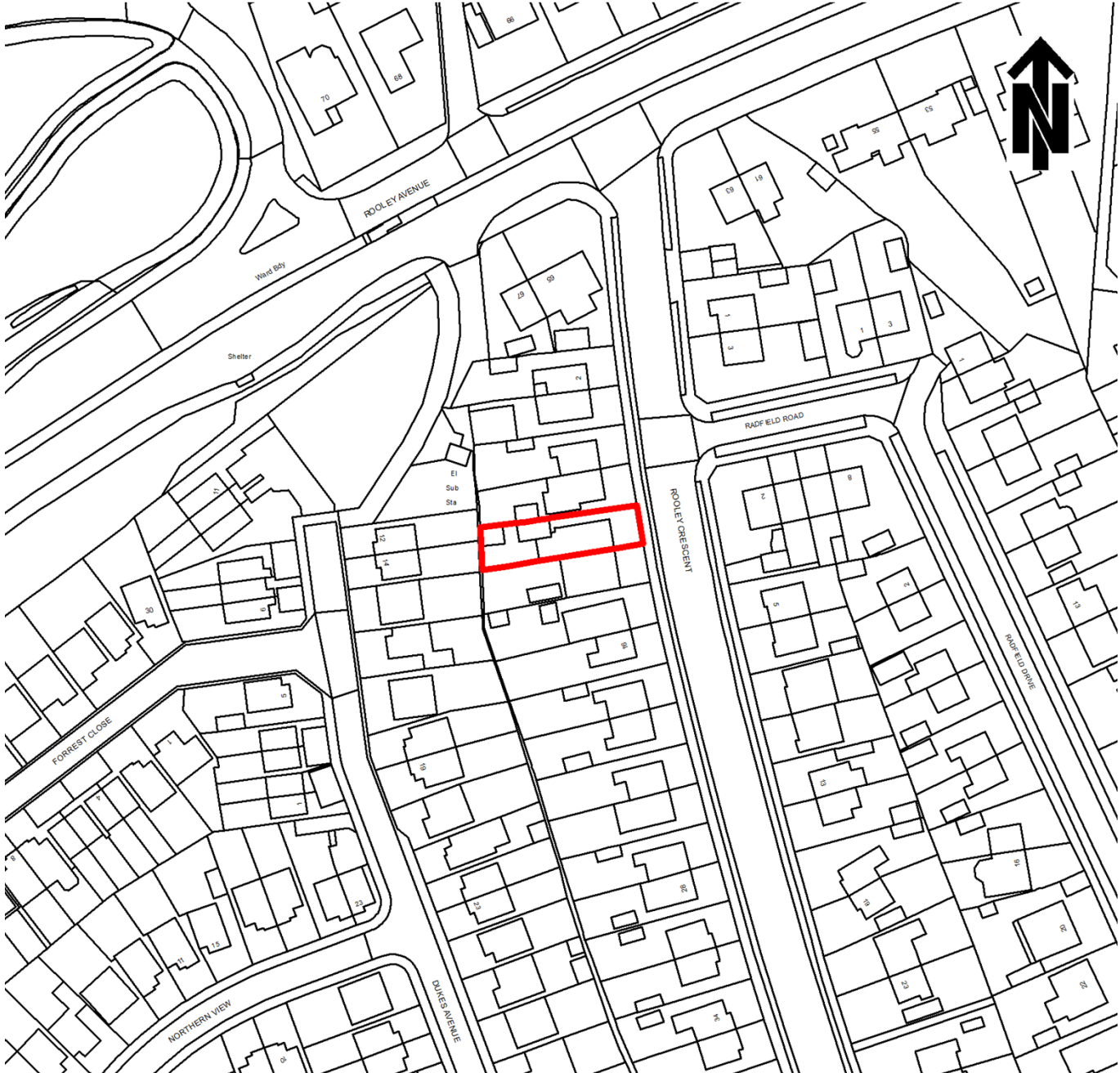
Report Contact: Amin Ibrar
Phone: 01274 434605

Email: amin.ibrar@bradford.gov.uk

Portfolio:
Regeneration, Planning & Transport

Overview & Scrutiny Committee Area:
Regeneration and Environment

21/00165/ENFUNA



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**10 Rooley Crescent
Bradford
BD6 1BU**

22 March 2023

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

Enforcement Reference:
21/00165/ENFUNA

Site Location:
10 Rooley Crescent Bradford West Yorkshire BD6 1BU

Breach of Planning Control:

Without planning permission, the construction of a fence along the side boundary of the property.

Circumstances:

The Local Planning Authority has received an enquiry regarding the above development. Despite a request from the local planning authority the owner of the property has taken no action to rectify the breach and the matter remains unresolved.

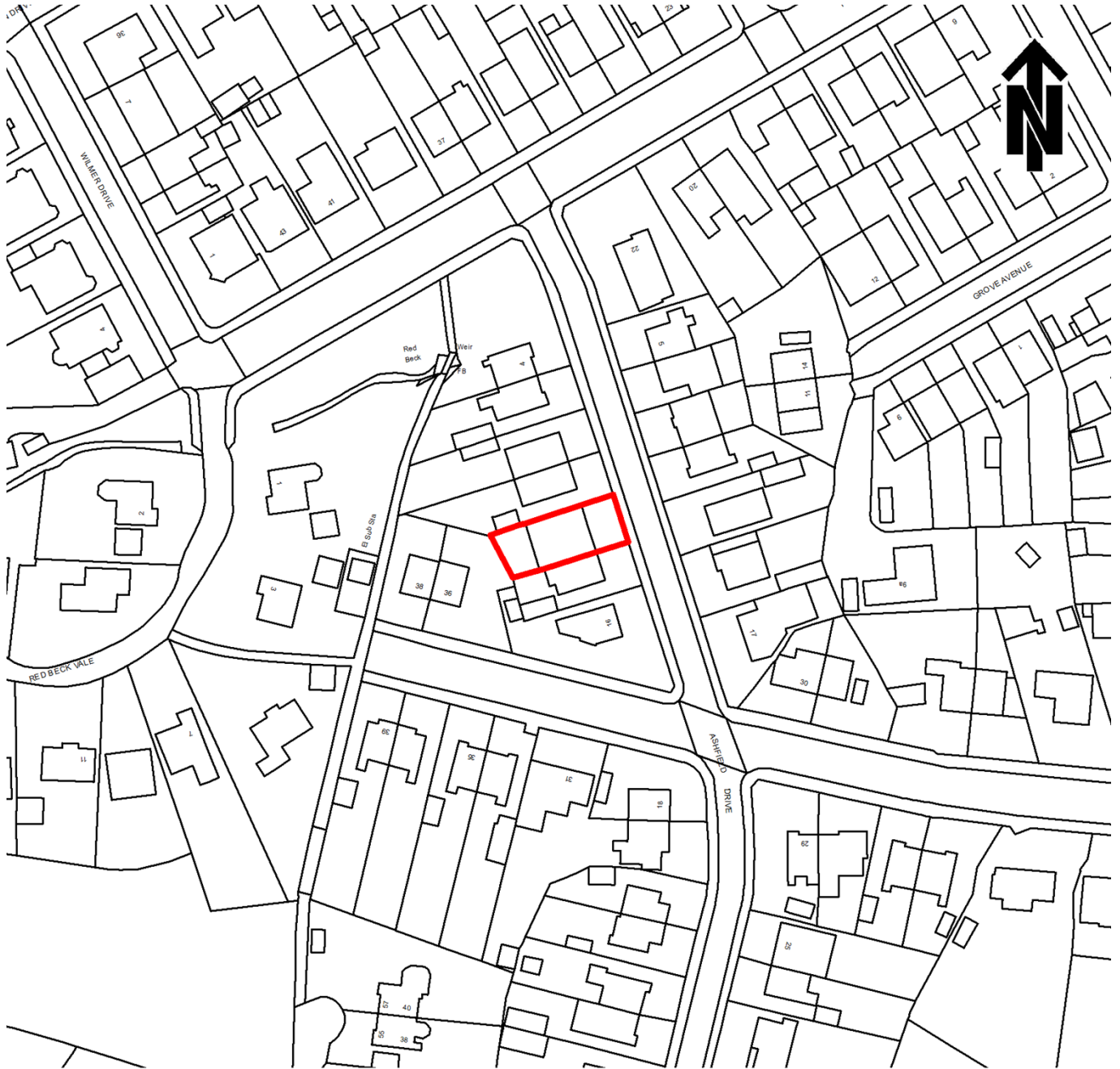
It is considered expedient to issue an Enforcement Notice because the fence due to its height restricts visibility when exiting the property by vehicle to the detriment of pedestrian safety.

The Planning Manager (Enforcement and Trees) authorised enforcement action on the 7 February 2023 requiring the owner of the property to dismantle the fence and supporting structures between point A and B or reduce the height between point A and B so that no point exceeds 1 metre in height from the original ground level.

20/01553/ENFAPP



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**12 Ashfield Drive
Bradford
BD9 4EJ**

22 March 2023

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

Enforcement Reference:
20/01553/ENFAPP

Site Location:
12 Ashfield Drive Bradford West Yorkshire BD9 4EJ

Breach of Planning Control:

Without planning permission, the construction of a dormer window extension on the rear roof plane.

Circumstances:

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

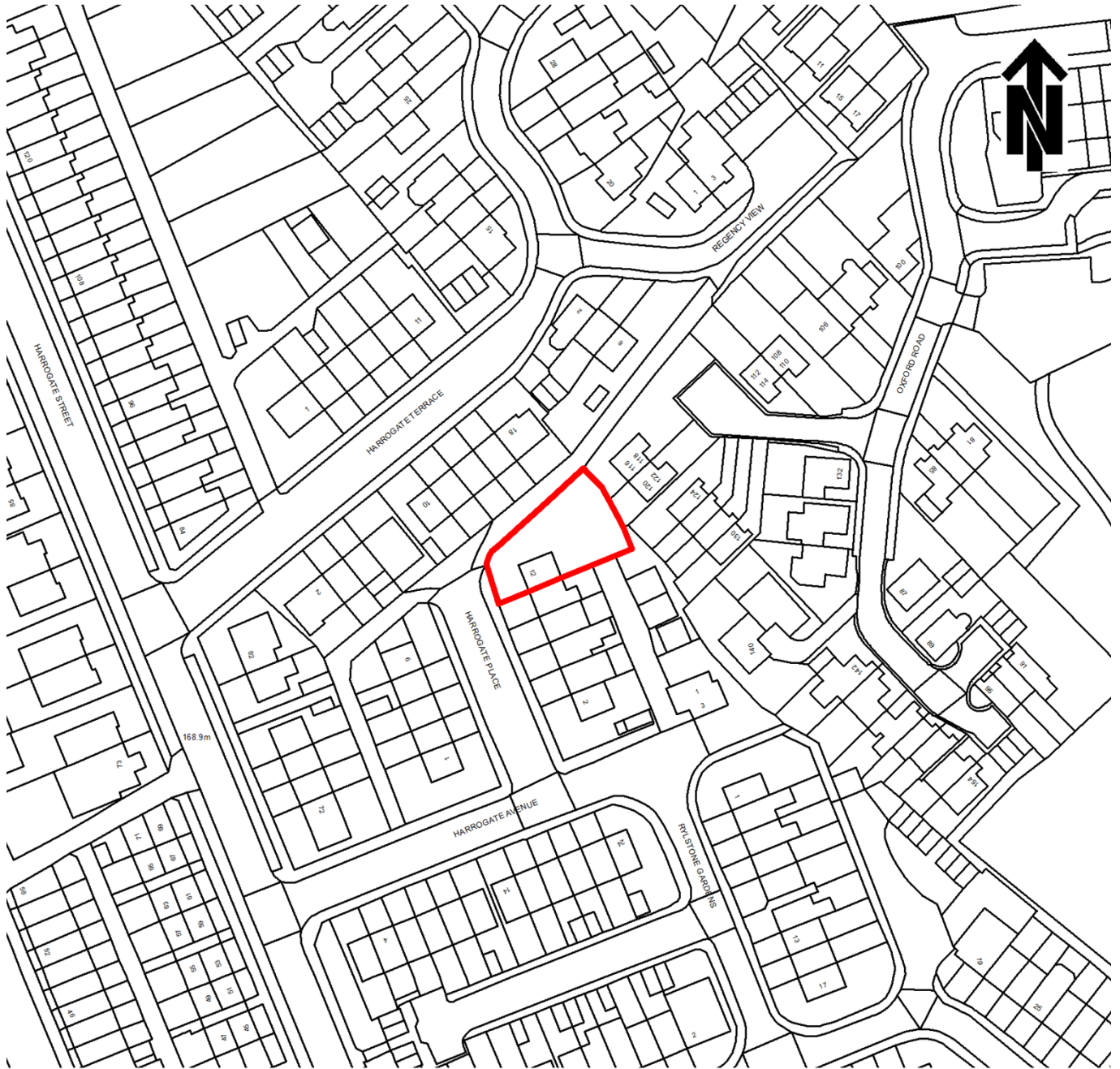
It is considered expedient to issue an Enforcement Notice as the unauthorised rear dormer window extension is detrimental to the visual amenity of the parent building and surrounding area by virtue of its scale and design and the use of unsympathetic facing materials in its construction that do not match the existing roof of the host dwelling. It presents an incongruous feature which is at odds with the character of this residential area.

The Planning Manager (Enforcement and Trees) authorised enforcement action on the 17 January 2023 requiring the demolition of the rear dormer window extension or the replacement of the plastic cladding on the front elevation of the rear dormer window with a material which is of a similar appearance to that used on the roof of the property.

20/01188/ENFAPP



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12 Harrogate Place
Bradford
BD3 0LQ

22 March 2023

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

Enforcement Reference:
20/01188/ENFAPP

Site Location:
12 Harrogate Place Bradford West Yorkshire BD3 0LQ

Breach of Planning Control:
Unauthorised rear dormer window

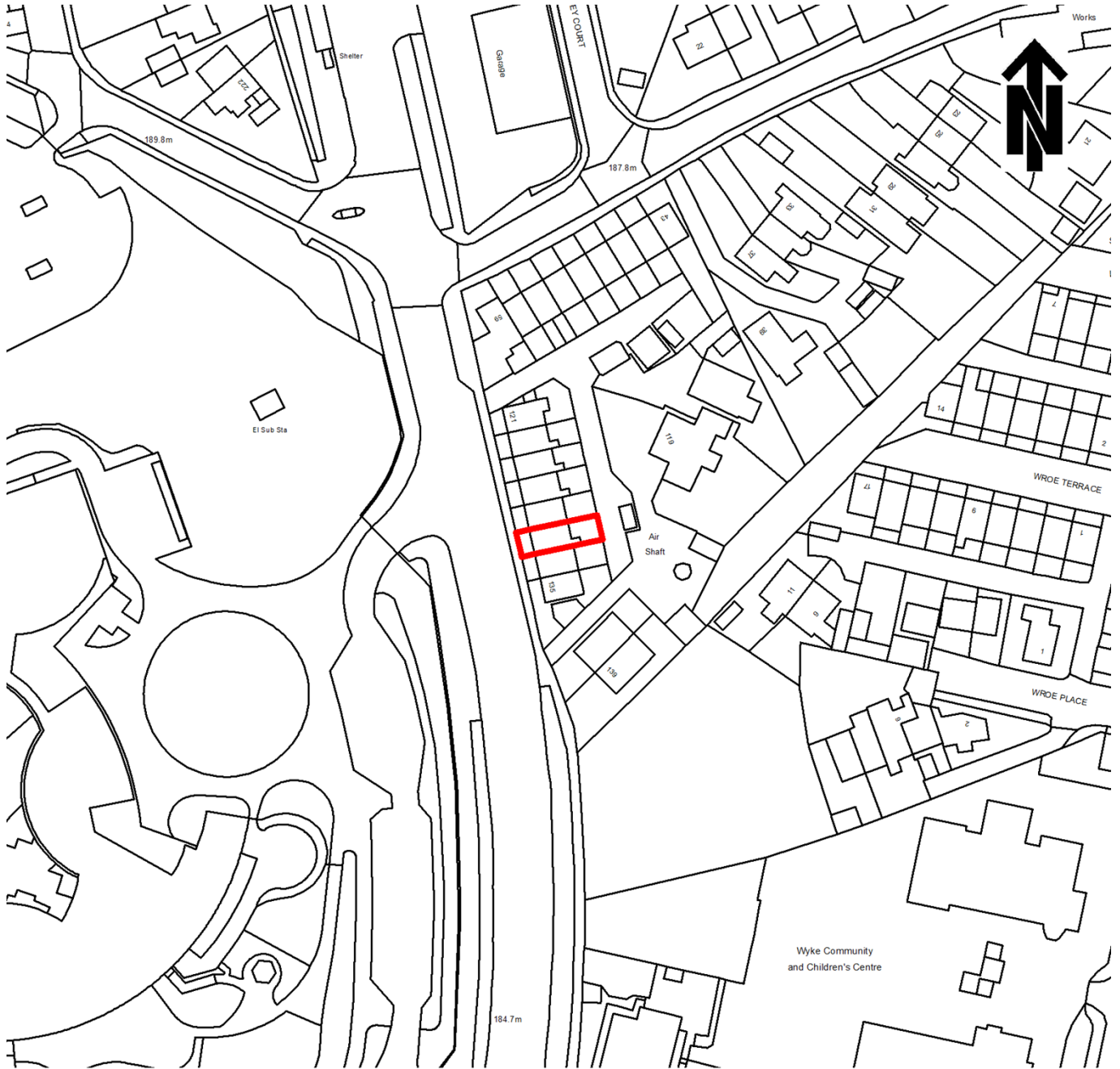
Circumstances:
In August 2020 the Council received an enquiry regarding development works at the property.

A number of issues were identified and retrospective planning permission reference 21/05843/HOU was subsequently granted for a detached garage and a front porch extension at the property. No further planning application has been submitted for a rear dormer window which has not been constructed in accordance with planning permission reference 20/00098/HOU.

The owner of the property has been requested to rectify the breach of planning control in respect of the rear dormer window, however no action has been taken.

On 9 January 2023 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 and forms an incongruous feature on the building, 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.

21/00958/ENFUNA



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**131 Woodside Road
Bradford
BD12 8AJ**

22 March 2023

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

Enforcement Reference:
21/00958/ENFUNA

Site Location:
131 Woodside Road Bradford West Yorkshire BD12 8AJ

Breach of Planning Control:

Without planning permission, the construction of a dormer window extension on the rear roof plane and a fence/wall along the common boundary with No 133 Woodside Road.

Circumstances:

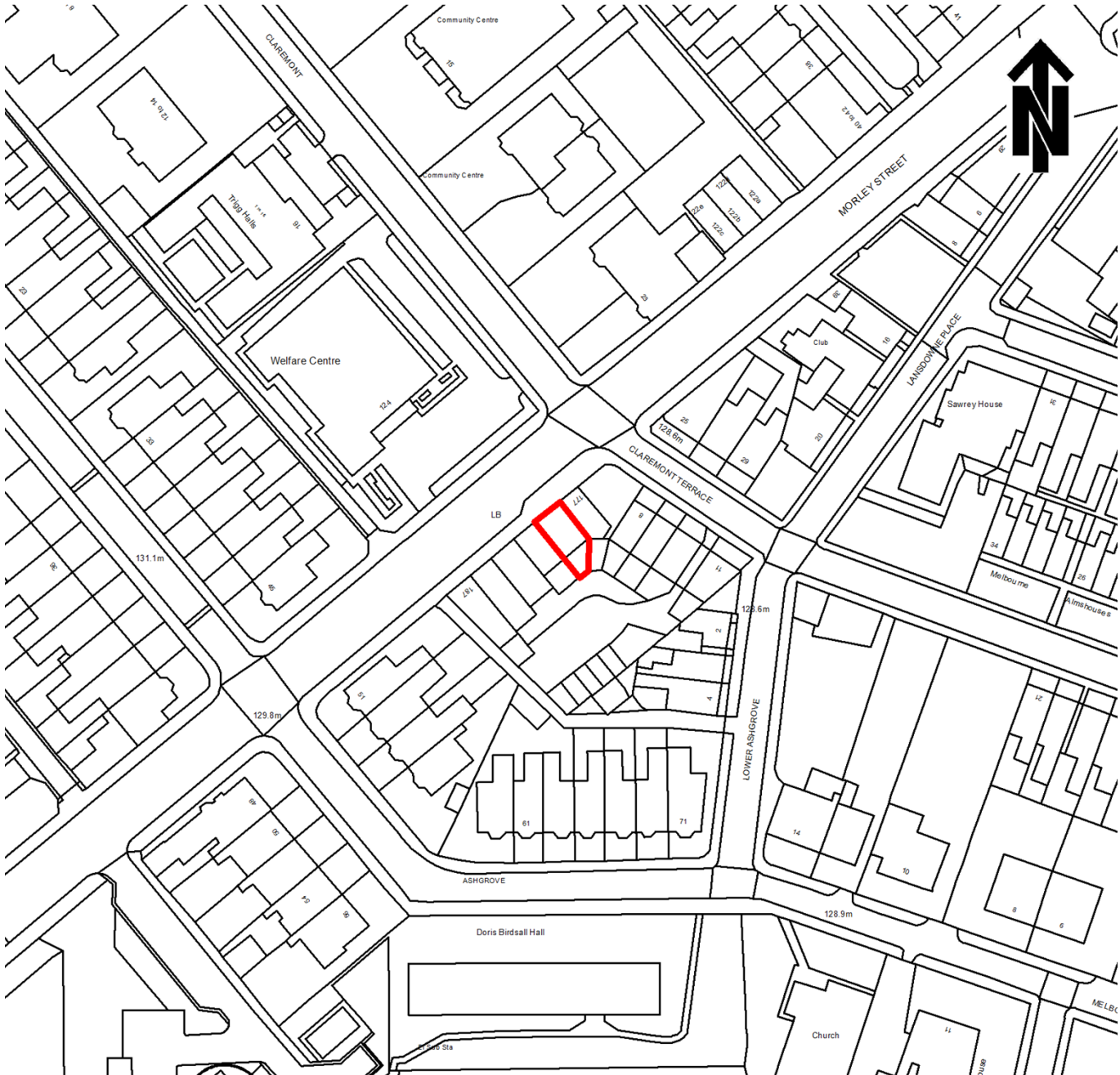
Following two complaints received in this office, a site visit revealed the above breach of planning control. Despite a request from the Local Planning Authority, the owner of the property has taken no action to rectify the matter.

It is considered expedient to issue an Enforcement Notice as the unauthorised rear dormer window extension is detrimental to the visual amenity of the parent building and surrounding area by virtue of its scale and design and the use of unsympathetic facing materials in its construction that do not match the existing roof of the host dwelling. It presents an incongruous feature which is at odds with the character of this residential area.

Upvc is not a traditional material for boundary fences in a domestic setting. The use of this material in combination with the height of the structure which rises to 2.4 metres, its length across the entire depth of the yard and its solid appearance, means that it is a dominant and incongruous feature in the street scene. The fence atop the wall detracts from the traditional and open character and appearance of the area.

The Planning Manager (Enforcement and Trees) authorised enforcement action on the 21 February 2023 requiring the removal of all facing materials from the rear dormer window extension and replacement with a tile to match the roof of the host building and dismantle the fence and supporting structures atop the common boundary wall between No 131 and 133 Woodside Road.

22/00485/ENFCOU



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179 Morley Street
Bradford
BD7 1BE

22 March 2023

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

Enforcement Reference:
22/00485/ENFCOU

Site Location:
179 Morley Street Bradford West Yorkshire BD7 1BE

Breach of Planning Control:
Unauthorised extractor flue

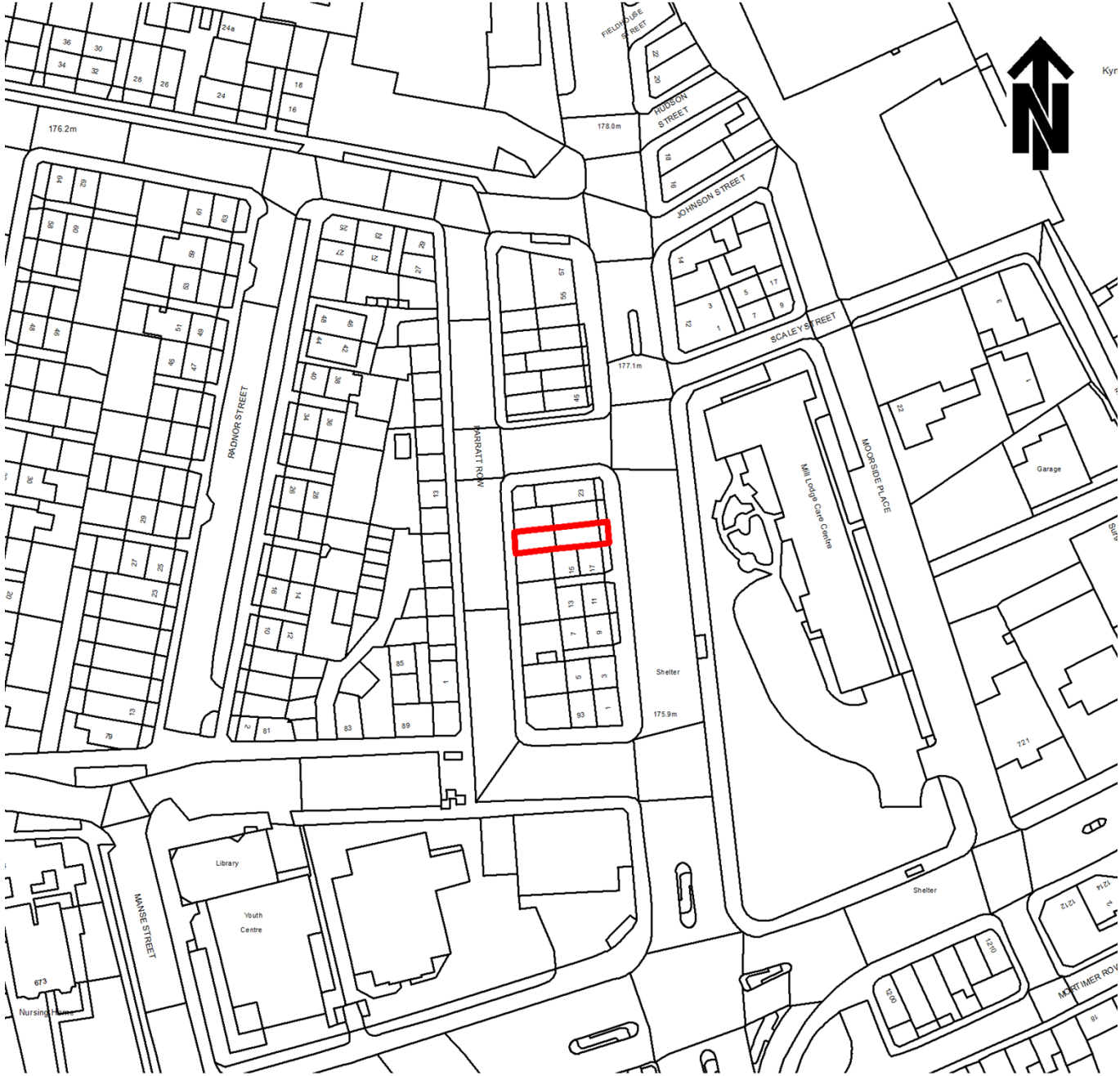
Circumstances:
In June 2022 the Council received enquiries regarding alterations to the property.

An inspection showed that an external extractor flue had been installed to the rear elevation of the property, for which the Council had no record of planning permission having been granted.

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

On 23 January 2023 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 position, design and appearance, forming an incongruous feature on the building and within the Little Horton Lane Conservation Area, contrary to Policies EN3, DS1 and DS3 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

20/01558/ENFUNA



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19 Killingham Road
Bradford
BD3 8DN

22 March 2023

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

Enforcement Reference:
20/01558/ENFUNA

Site Location:
19 Killinghall Road Bradford West Yorkshire BD3 8DN

Breach of Planning Control:
Unauthorised outbuilding, wall and gate

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

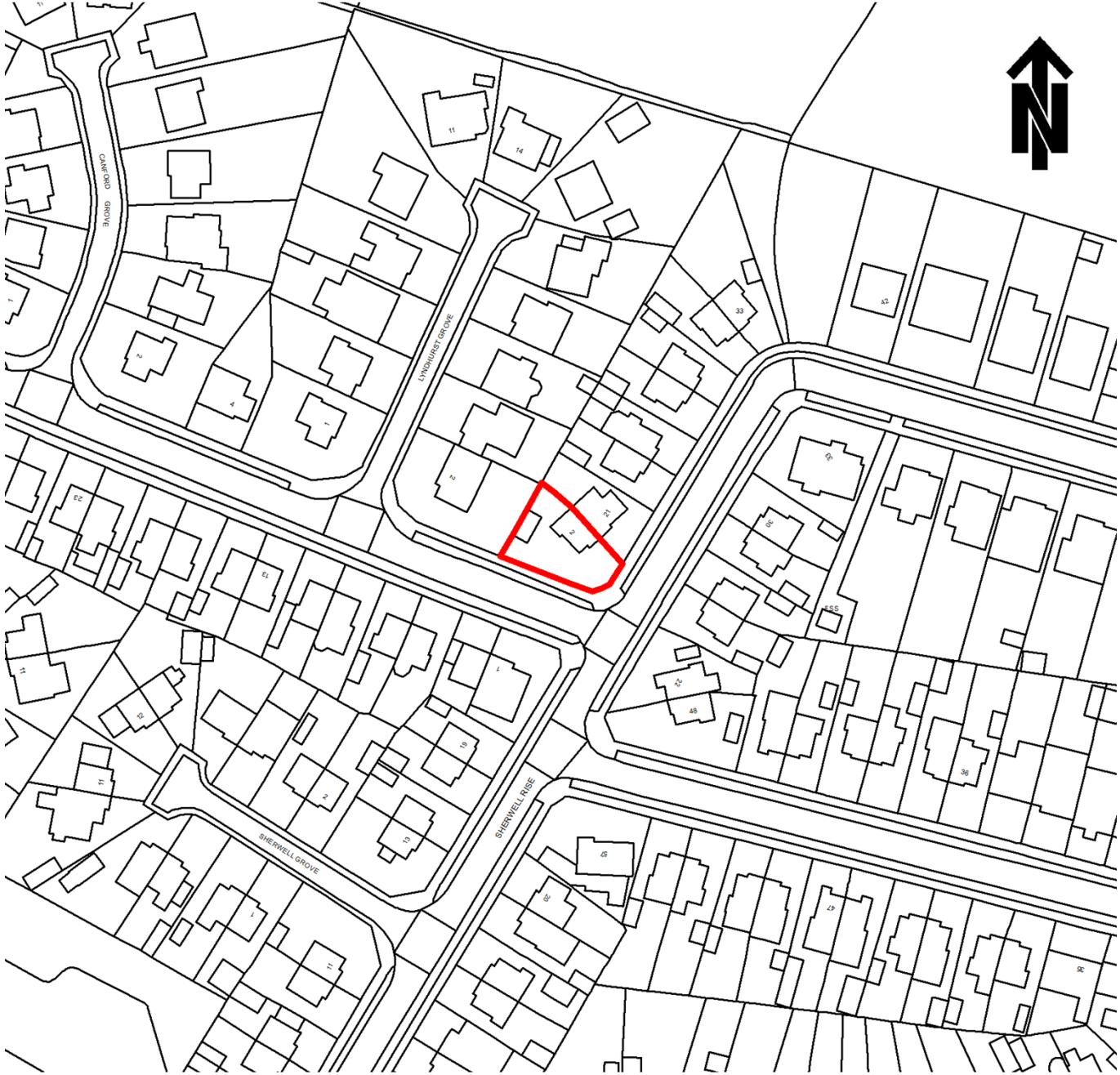
An inspection showed that a single storey outbuilding, concrete block boundary wall and gate had been erected to the rear yard area of the property, for which the Council had no record of planning permission having been granted.

Retrospective planning application reference 21/02397/FUL which included the outbuilding and boundary wall was refused by the Council in July 2021. No appeal made was made against the Council's decision.

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

On 16 January 2023 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised outbuilding, boundary wall and gate are detrimental to visual amenity by virtue of their position, design 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.

21/00326/ENFUNA



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**2 Canford Drive
Bradford
BD15 7AR**

22 March 2023

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

Enforcement Reference:
21/00326/ENFUNA

Site Location:
2 Canford Drive Bradford West Yorkshire BD15 7AR

Breach of Planning Control:

Without planning permission, the construction of an unauthorised two storey side/rear extension and dormer window extension on the rear roof slope of the building.

Circumstances:

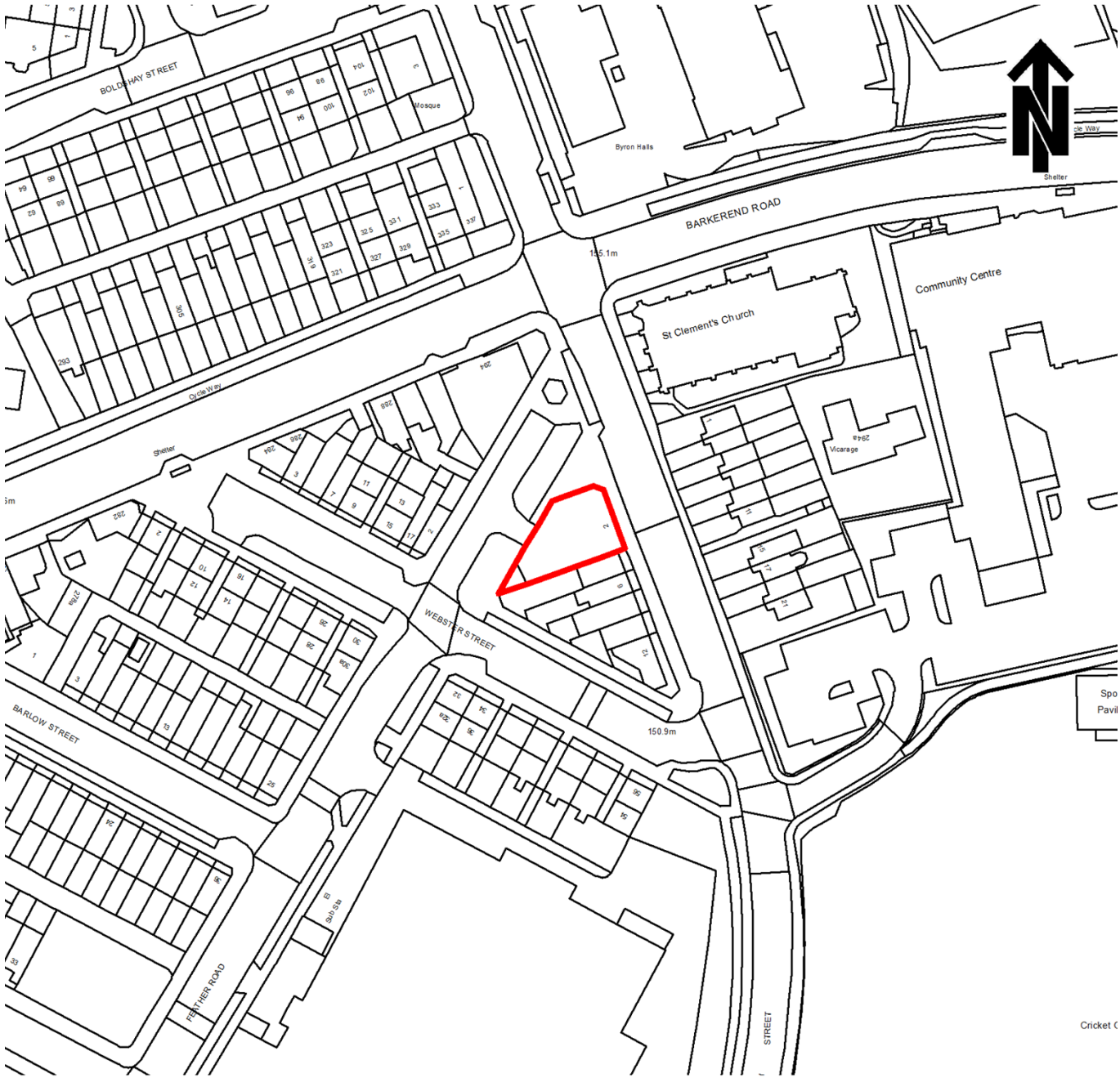
Following a complaint received in this office, a site visit revealed the above breach of planning control.

In response to a challenge letter, a retrospective planning application was submitted on 17 November 2021. The application was refused planning permission on the 21 January 2022. An appeal was submitted to the Planning Inspectorate against the Council's decision to refuse planning permission and on 11 May 2022 the appeal was dismissed.

It is considered expedient to issue an Enforcement Notice as the extension appears as an incongruous structure given its overall size lack of significant set back from the principal elevation and the awkward roof arrangement with a hipped style roof up against a gable style roof. It represents a discordant feature that has a detrimental effect on the property and adversely affects the appearance of the surrounding area. The rear dormer window extension is detrimental to the visual amenity of the parent building and surrounding area by virtue of its scale and design and the use of unsympathetic facing materials in its construction that do not match the existing roof of the host dwelling.

The Planning Manager (Enforcement and Trees) authorised enforcement action on 31 May 2022 requiring the extension to be demolished or constructed in accordance with planning permission 19/02210/HOU and the dormer window to be demolished or reclad with materials to match the roof of the host building.

22/00646/ENFCOU



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2 Gilpin Street
Bradford
BD3 9DG

22 March 2023

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

Enforcement Reference:
22/00646/ENFCOU

Site Location:
2 Gilpin Street Bradford West Yorkshire BD3 9DG

Breach of Planning Control:
Unauthorised vehicle detailing and bodywork business use

Circumstances:
In August 2022 the Council received enquiries regarding the use of the garage at the property.

An inspection showed that the garage at the property was being used for the operation of a vehicle detailing and bodywork business, for which the Council has no record of planning permission having been granted.

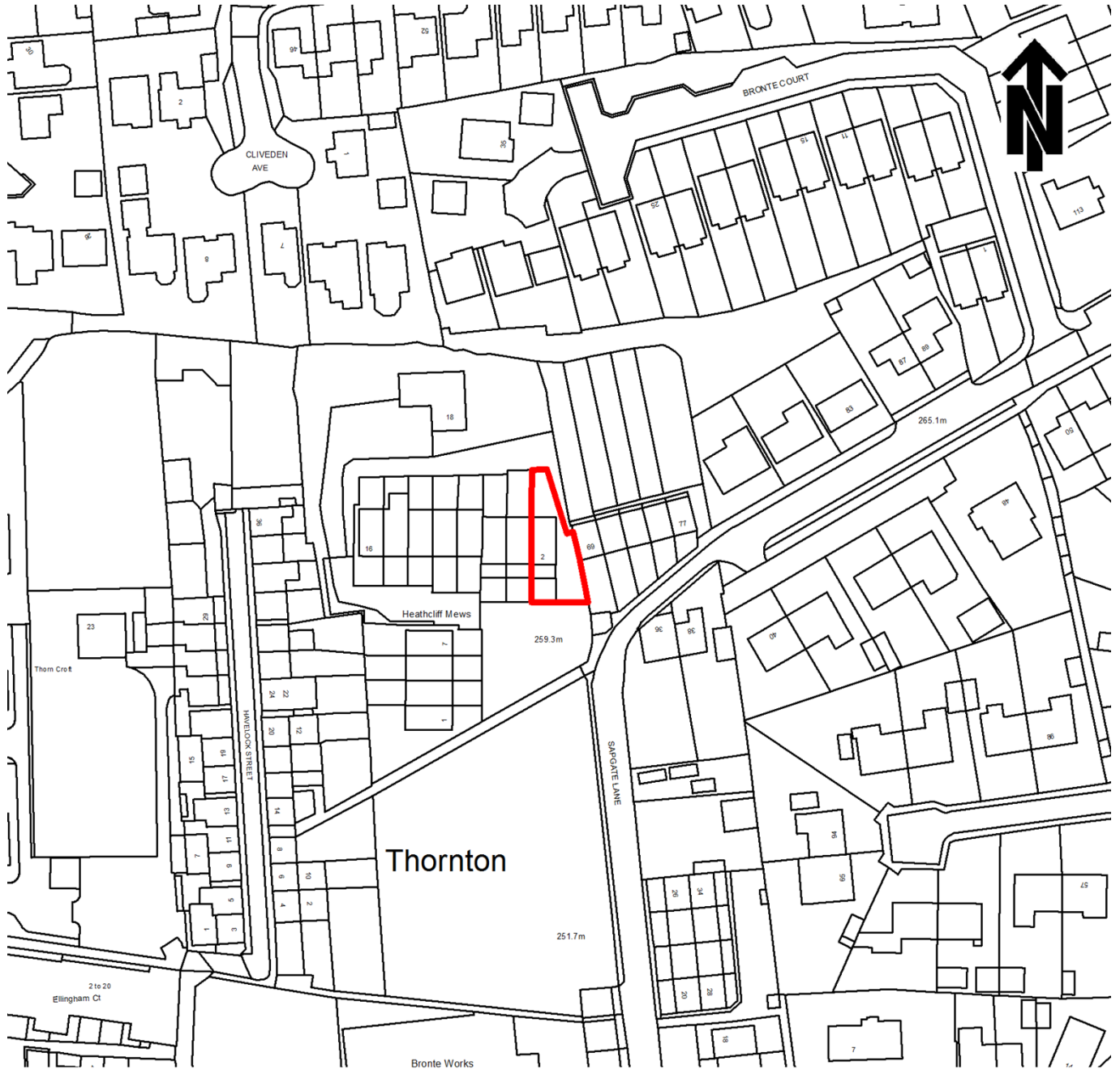
The owners of the property have been requested to rectify the breach of planning control, however no action has been taken.

On 6 February 2023 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised use of the garage for the operation of a vehicle detailing and bodywork business is detrimental to residential amenity by reason of increased noise, disturbance and vehicle movements, contrary to policies DS1, DS5 and SC9 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

20/00916/ENFUNA



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**2 Heathcliff Mews
Thornton
Bradford BD13 3HY**

22 March 2023

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

Enforcement Reference:
20/00916/ENFUNA

Site Location:
2 Heathcliff Mews Thornton Bradford West Yorkshire BD13 3HY

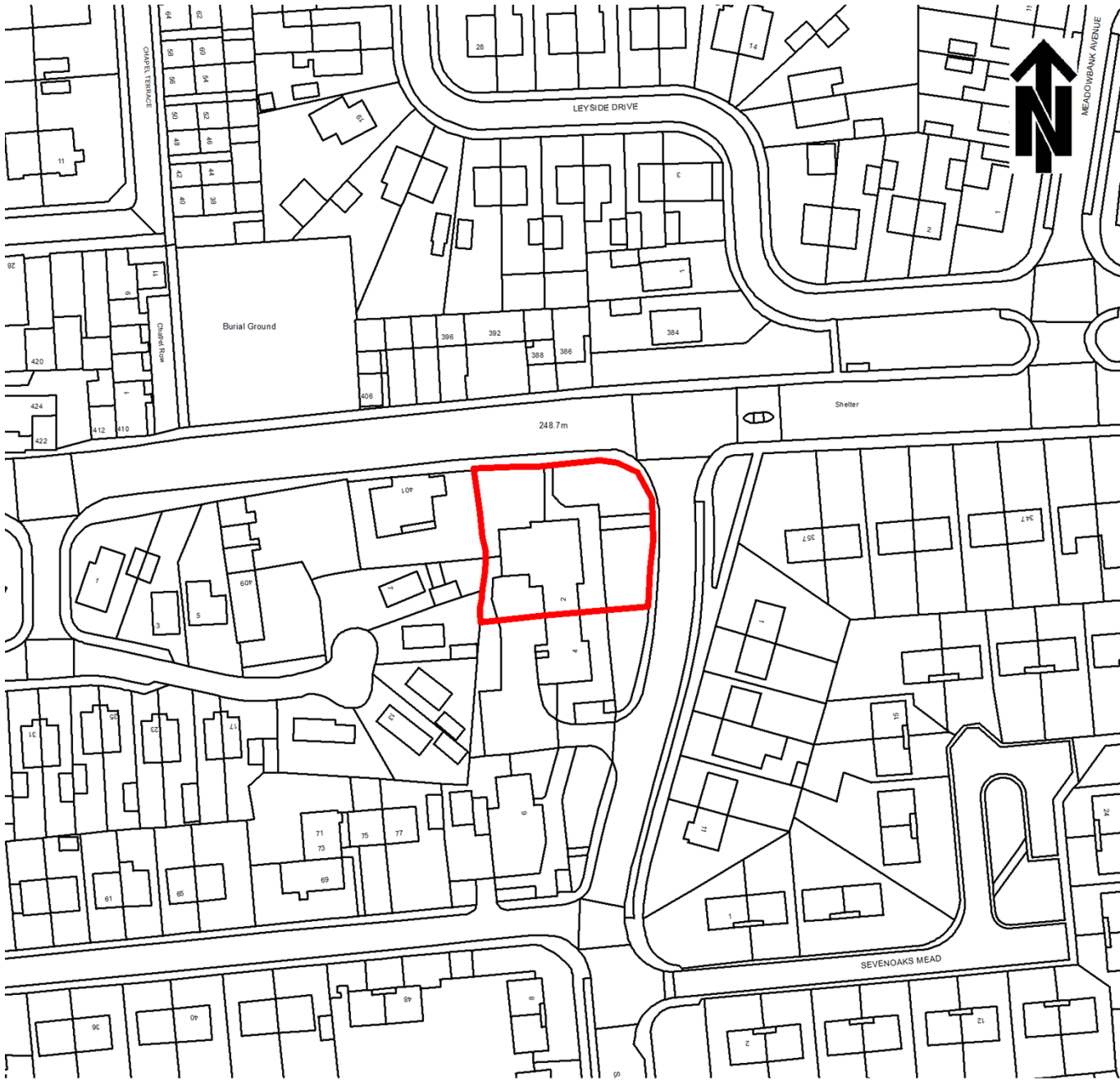
Breach of Planning Control:
Without planning permission, the construction of an outbuilding within the front garden of the property.

Circumstances:
The Local Planning Authority has received two enquiries regarding the above development. Despite a request from the local planning authority the owners/occupiers of the property have taken no action to rectify the breach and the matter remains unresolved.

It is considered expedient to issue an Enforcement Notice because the outbuilding due to its prominent location within the front garden of the property introduces a dominant and strident feature that is detrimental to the appearance of the parent building and street scene.

The Planning Manager (Enforcement and Trees) authorised enforcement action on 17 January 2023 requiring the demolition of the outbuilding.

20/00261/ENFUNA



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2 Saffron Drive
Bradford
BD15 7LD

22 March 2023

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

Enforcement Reference:
20/00261/ENFUNA

Site Location:
2 Saffron Drive Bradford West Yorkshire BD15 7LD

Breach of Planning Control:
Unauthorised externally mounted roller shutters

Circumstances:
In December 2020 the Council received an enquiry regarding development works at the property.

An inspection showed that four externally mounted roller shutters had been installed, for which the Council had no record of planning permission having been granted.

Retrospective planning application reference 22/02066/FUL for the retention of the four externally mounted roller shutters was refused by the Council in August 2022. No appeal has been made against the Council's decision.

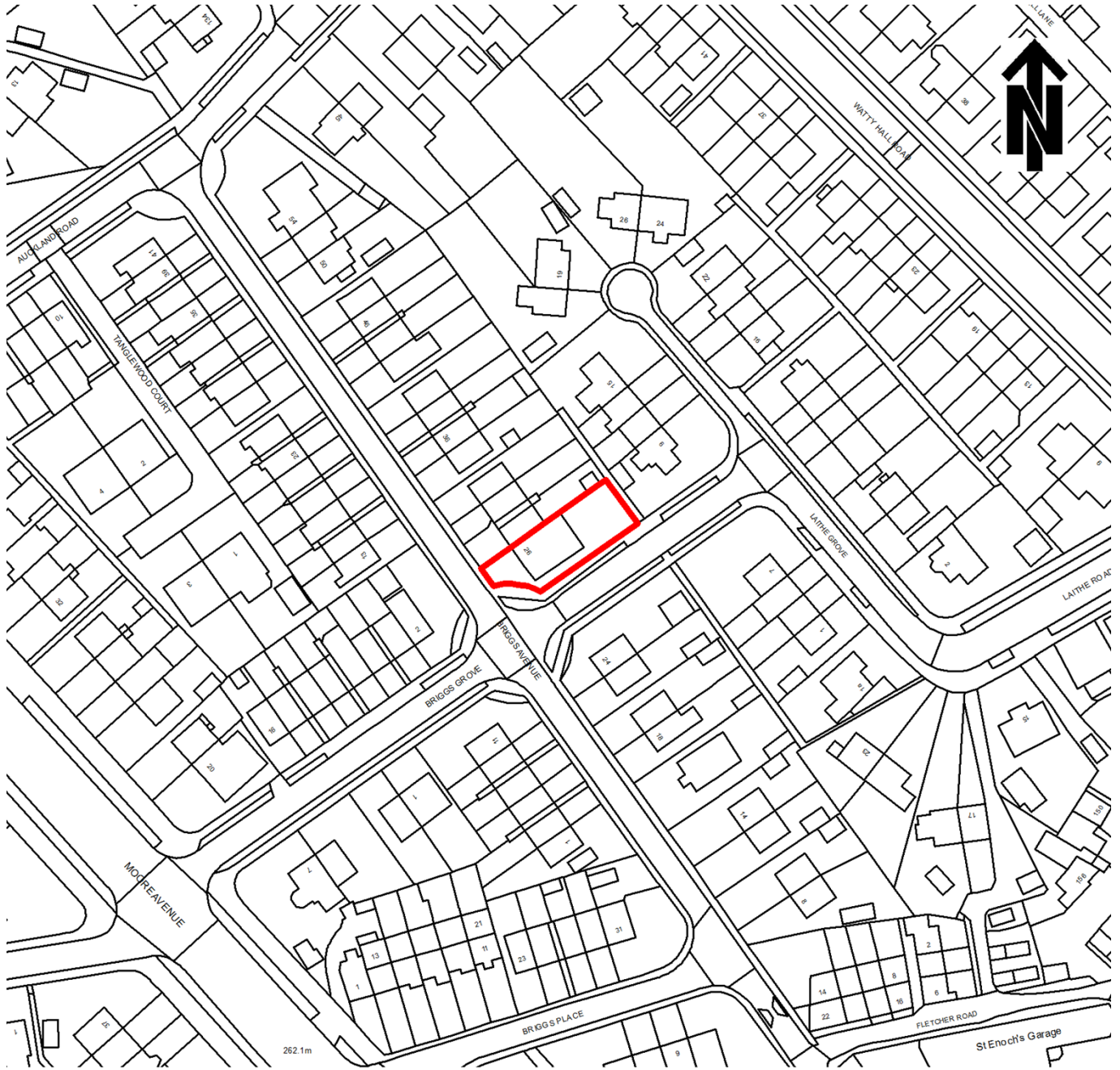
The owner of the property has been requested to rectify the breach of planning control, however no action has been taken

On 16 January 2023 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the four unauthorised externally mounted roller shutters, shutter boxes and guide rails 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 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.

21/00617/ENFUNA



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**26 Briggs Avenue
Bradford
BD6 3AS**

22 March 2023

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

Enforcement Reference:
21/00617/ENFUNA

Site Location:
26 Briggs Avenue Bradford West Yorkshire BD6 3AS

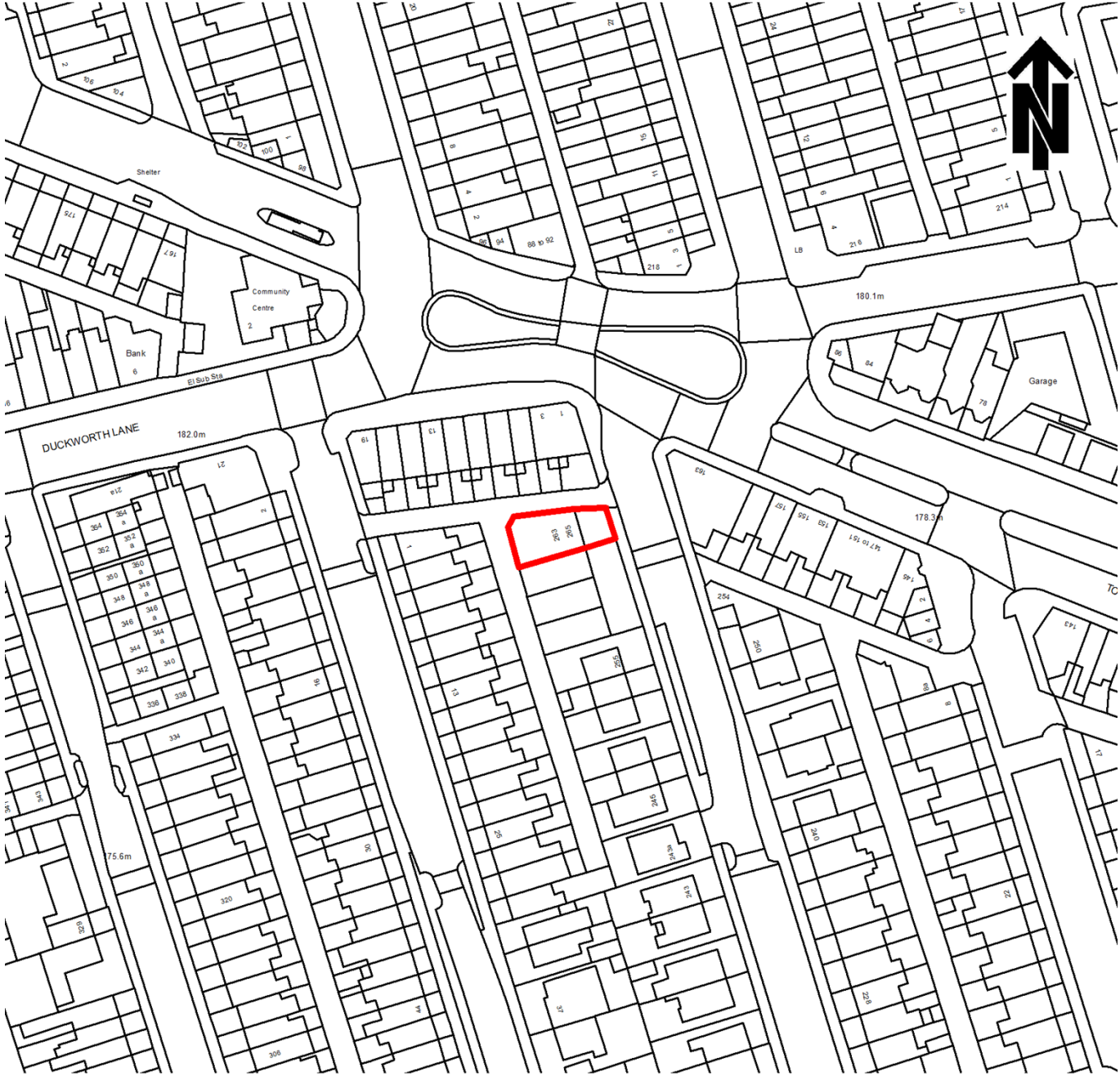
Breach of Planning Control:
Without planning permission, the construction of a raised platform, supporting structure, steps and railing.

Circumstances:
The Local Planning Authority has received two enquiries regarding the above development. Despite a request from the local planning authority the owners/occupiers of the property have taken no action to rectify the breach and the matter remains unresolved.

It is considered expedient to issue an Enforcement Notice because the raised platform leads to a significant degree of overlooking of the private garden of No 28 Briggs Avenue to the detriment of residential amenity.

The Planning Manager (Enforcement and Trees) authorised enforcement action on the 7 November 2022 requiring the demolition of the raised platform, supporting structure, steps and dismantle the railing and remove all arising materials from the land.

20/01569/ENFUNA



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**263 Upper Woodlands Road
Bradford
BD8 9JQ**

22 March 2023

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

Enforcement Reference:
20/01569/ENFUNA

Site Location:
263 Upper Woodlands Road Bradford West Yorkshire BD8 9JQ

Breach of Planning Control:
Without planning permission, the construction of a canopy on the front elevation of the property.

Circumstances:
Following complaints, a site visit revealed that the above development which requires planning permission had taken place and it was also noted that goods were being sold within the designated car parking bays. A retrospective planning application to retain the canopy was submitted to the Local Planning Authority for consideration and determination. Planning permission was refused.

To date the matter remains unrectified.

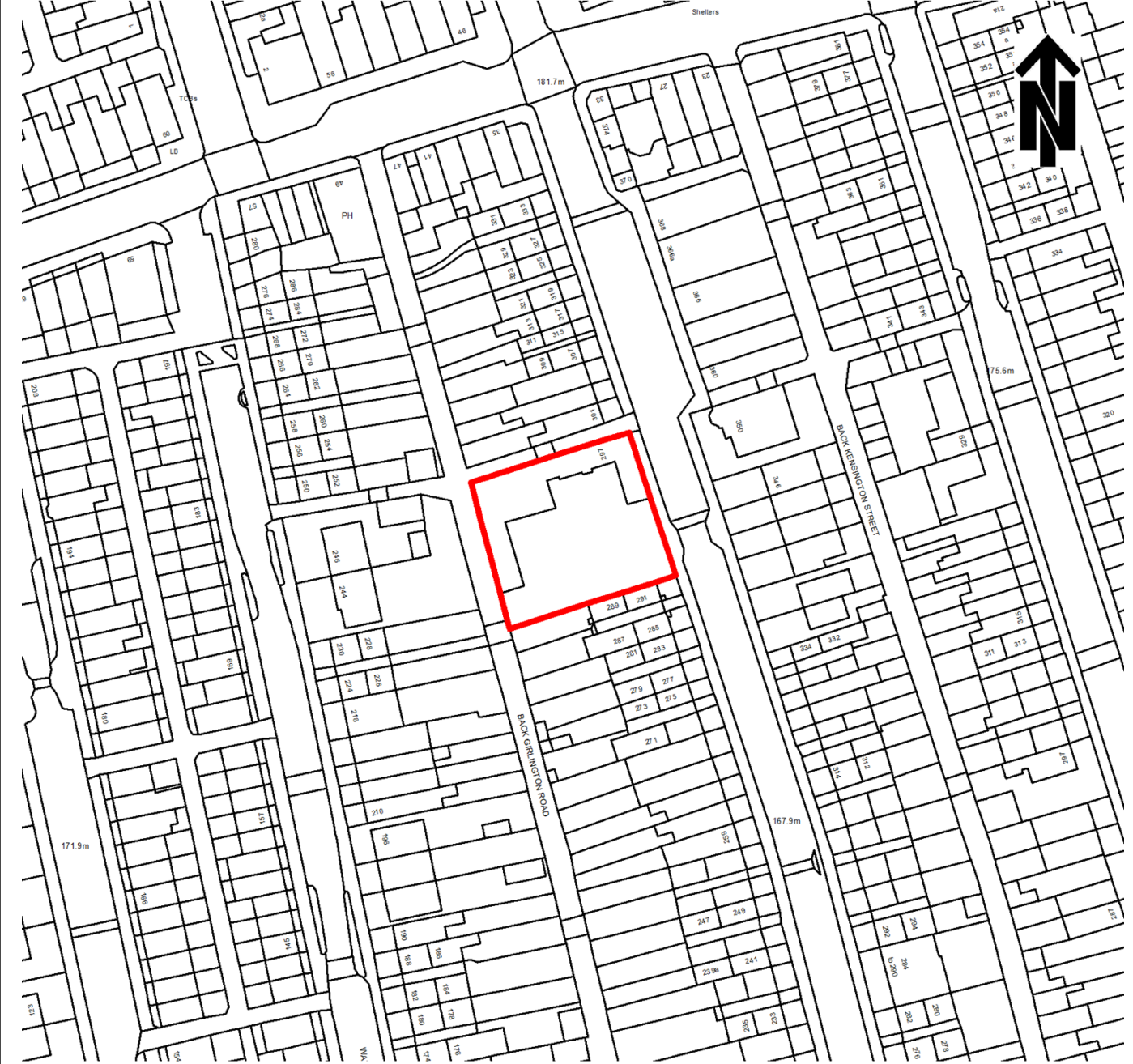
It is considered expedient to issue an Enforcement Notice because the canopy due to its poor design, inappropriate materials and appearance, creates an incongruous feature that has a detrimental impact on the appearance of the host property, the existing shopping parade and surrounding area.

The Planning Manager (Enforcement and Trees) authorised enforcement action on 22 November 2022 requiring the owner of the property to remove the canopy, all supporting structures and fixtures and fittings from the land and to cease storing goods for sale within the car parking bays.

22/00107/ENFUNA



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297 Girlington Road
Bradford
BD8 9NX

22 March 2023

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

Enforcement Reference:
22/00107/ENFUNA

Site Location:
297 Girlington Road Bradford West Yorkshire BD8 9NX

Breach of Planning Control:
Unauthorised single storey structure

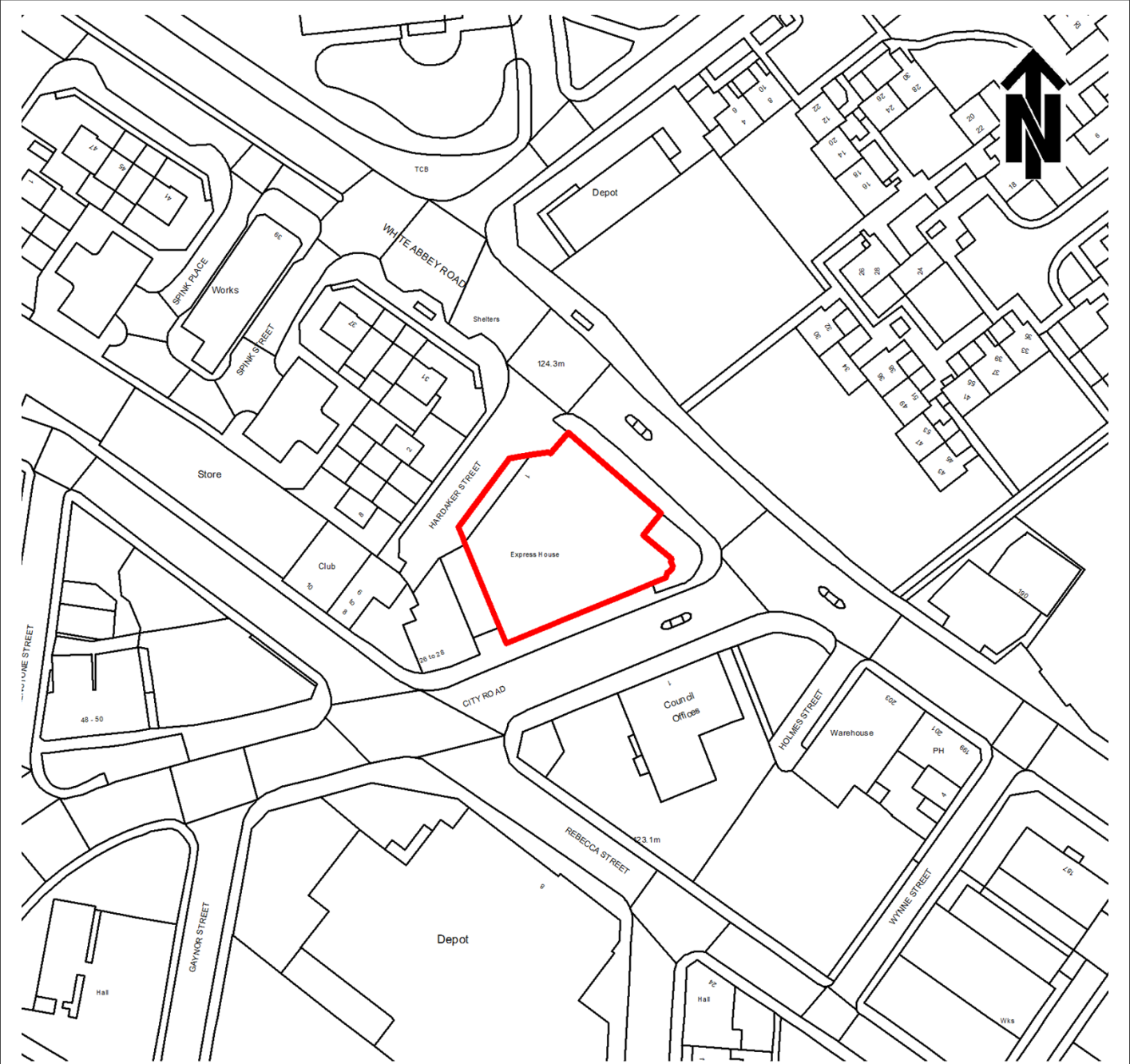
Circumstances:
In February 2022 the Council received enquiries regarding development works on the land.

An inspection showed that a single storey structure had been erected on the land, for which the Council had no record of planning permission having been granted.

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

On 23 January 2023 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 structure is detrimental to visual amenity by virtue of its position, design and appearance, forming an incongruous feature 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

22/00820/ENFCON



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**36 City Road
Bradford
BD8 8ER**

22 March 2023

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

Enforcement Reference:
22/00820/ENFCON

Site Location:
36 City Road Bradford West Yorkshire BD8 8ER (part of Express House, White Abbey Road)

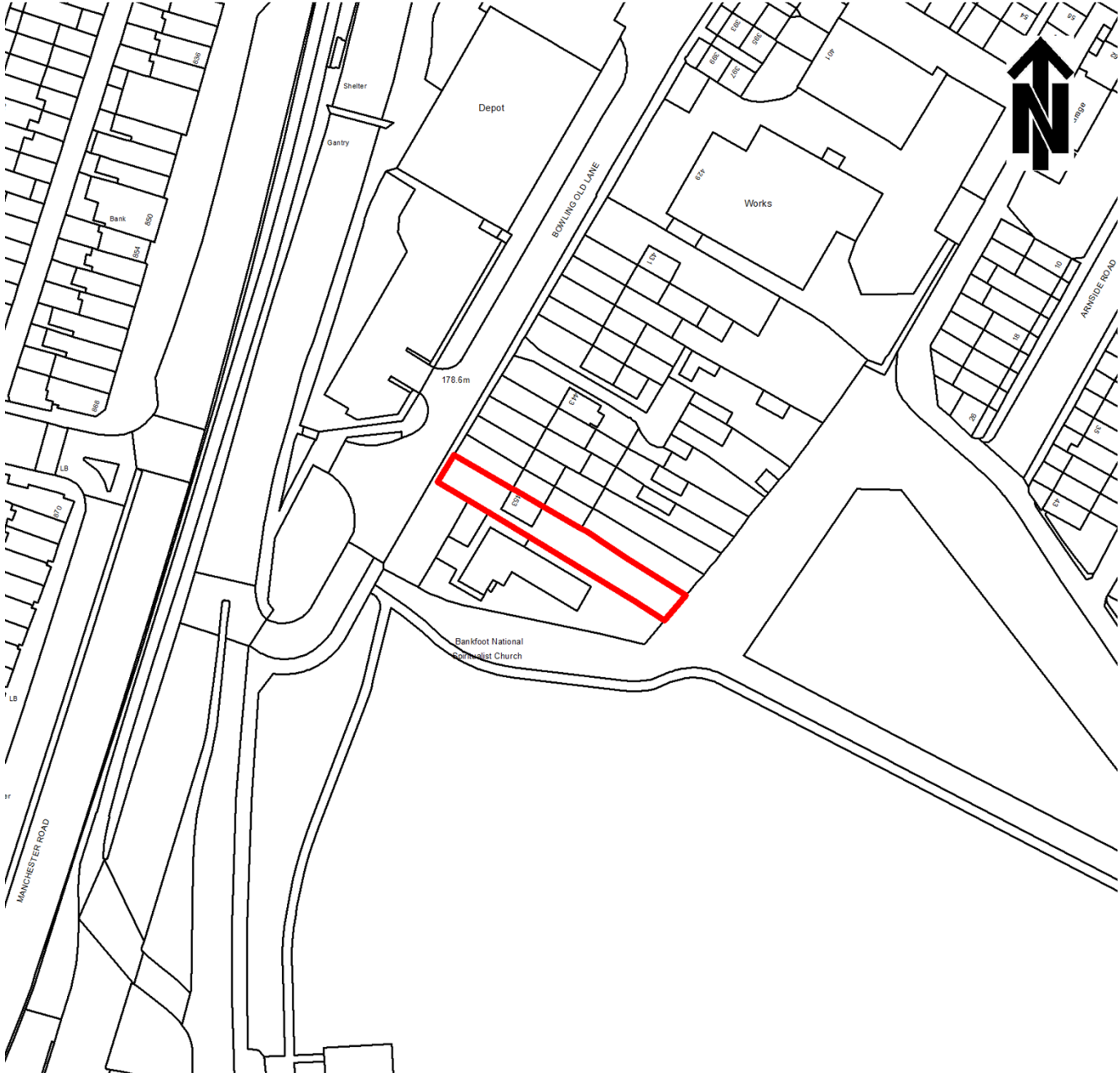
Breach of Planning Control:
Breach of condition 3 of planning permission reference 20/00990/FUL

Circumstances:
In May 2020 planning permission reference 20/00990/FUL was granted by the Council for a Class A3 café use of the first floor of the premises.

Condition 3 of the planning permission restricts the hours of use of the premises to between 0800 hours and 2300 hours Monday to Saturday and between 0900 hours and 2000 hours on Sundays, Bank or Public Holidays. The Council has received complaints that the premises are being used outside the permitted hours.

On 29 November 2022 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 3 of the planning permission is detrimental to residential amenity.

20/01588/ENFUNA



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**453 Bowling Old Lane
Bradford
BD5 8HL**

22 March 2023

Item Number: O
Ward: LITTLE HORTON
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
20/01588/ENFUNA

Site Location:
453 Bowling Old Lane Bradford West Yorkshire BD5 8HL

Breach of Planning Control:
Unauthorised single storey rear extension

Circumstances:
In December 2020 the Council received an enquiry regarding an extension to the property.

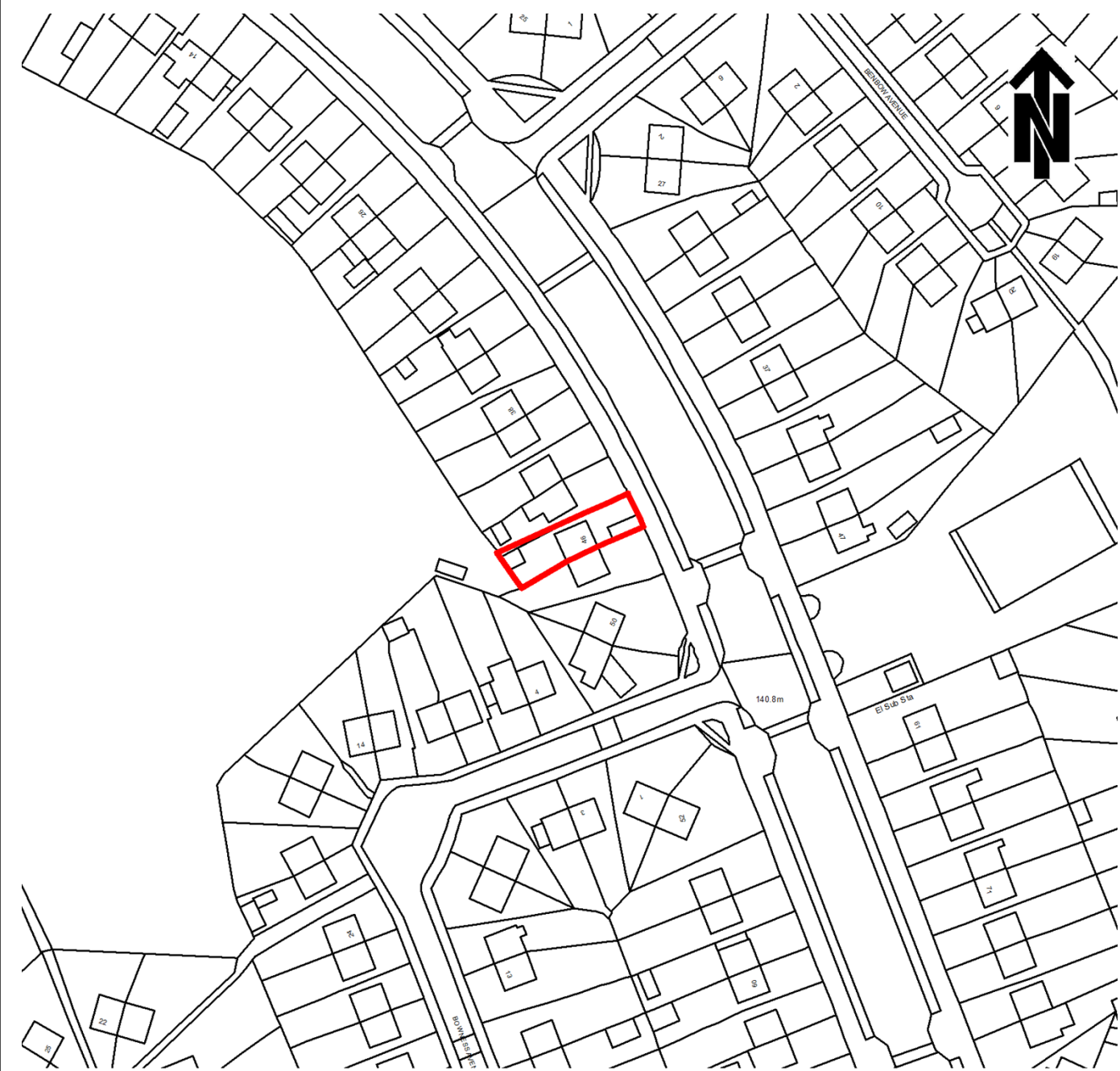
An inspection showed that a single storey rear extension had been constructed for which the Council had no record of planning permission any having been granted.

Retrospective planning application reference 21/03464/HOU for the single storey rear extension was refused by the Council in August 2021. A further planning application was submitted, reference 21/05609/HOU, and planning permission for a single storey rear extension with an amended roof design was granted by the Council in December 2021.

Following the grant of planning permission, the owner of the property was requested to carry out remedial works to the unauthorised single storey rear extension to rectify the breach of planning control.

The breach of planning control was not rectified and on 31 May 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 rear extension is detrimental to visual amenity due to its design 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.

20/00973/ENFCOU



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**46 Ravenscliffe Avenue
Bradford
BD10 0HX**

22 March 2023

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

Enforcement Reference:
20/00973/ENFCOU

Site Location:
46 Ravenscliffe Avenue Bradford West Yorkshire BD10 0HX

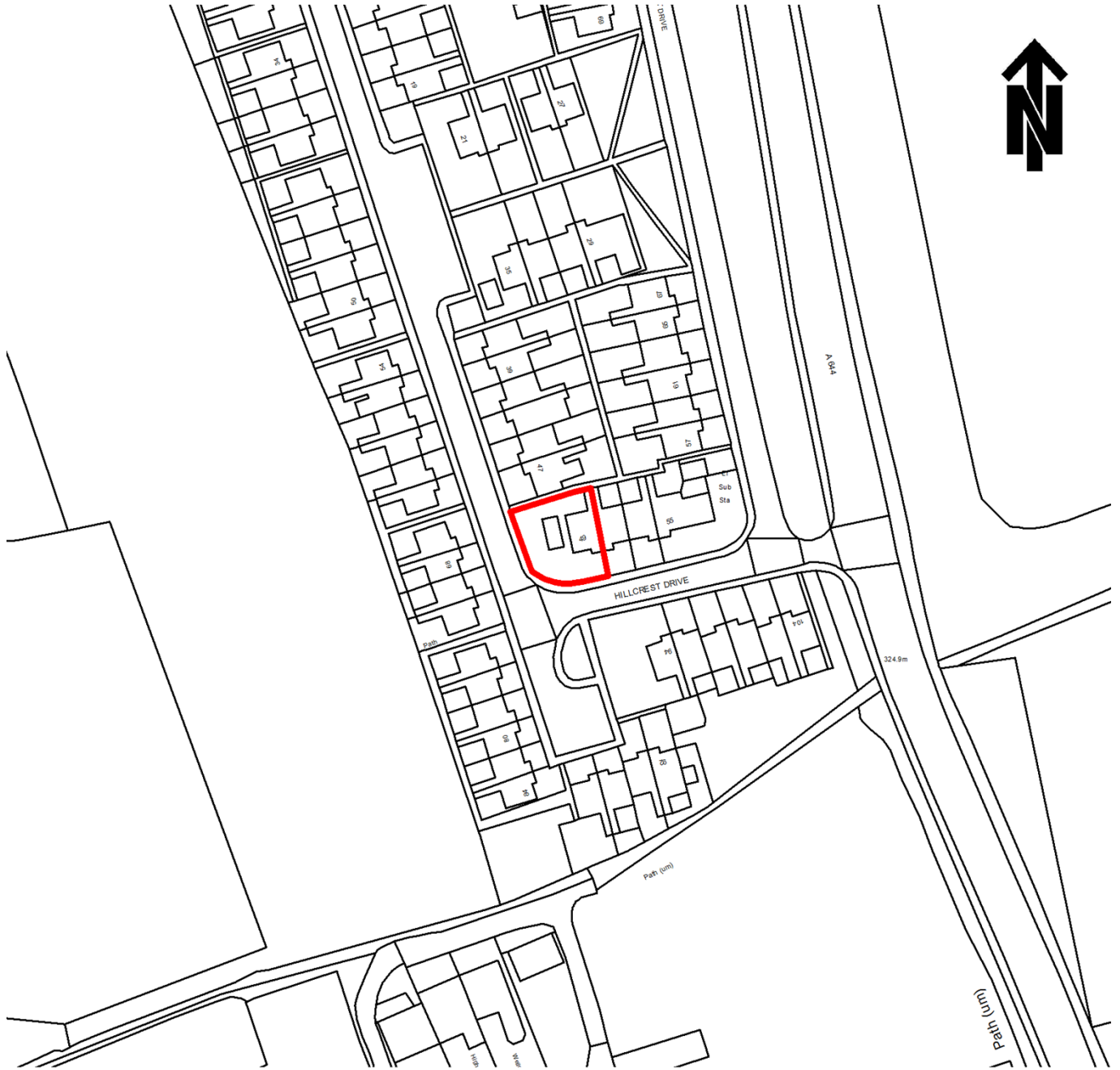
Breach of Planning Control:
Unauthorised structure

Circumstances:
A large blue metal container was installed in front garden of a residential property to which cladding was added to some of the siding side and an overhanding roof installed. This was challenged and on investigation identified as a permanent structure. The unauthorised structure is an example of poor design in a prominent location, is incongruous in its setting, harms visual amenity and does not contribute to creating a high quality place and attractive, cohesive and sustainable settlement. Contrary to policies SC9, and DS1 and DS5 of the Council's Core Strategy Development Plan Document. The planning enforcement manager authorised an enforcement notice on 7 November 2022.

20/00855/ENFUNA



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**49 Hillcrest Drive
Queensbury
Bradford BD13 2QS**

22 March 2023

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

Enforcement Reference:
20/00855/ENFUNA

Site Location:
49 Hillcrest Drive Queensbury Bradford West Yorkshire BD13 2QS

Breach of Planning Control:
Without planning permission, the construction of a fence at the above property.

Circumstances:
Following a complaint, a site visit confirmed that the above development which requires planning permission had taken place. Despite a request from the Local Planning Authority the owners/occupiers of the property have taken no action to rectify the breach and the matter remains unresolved.

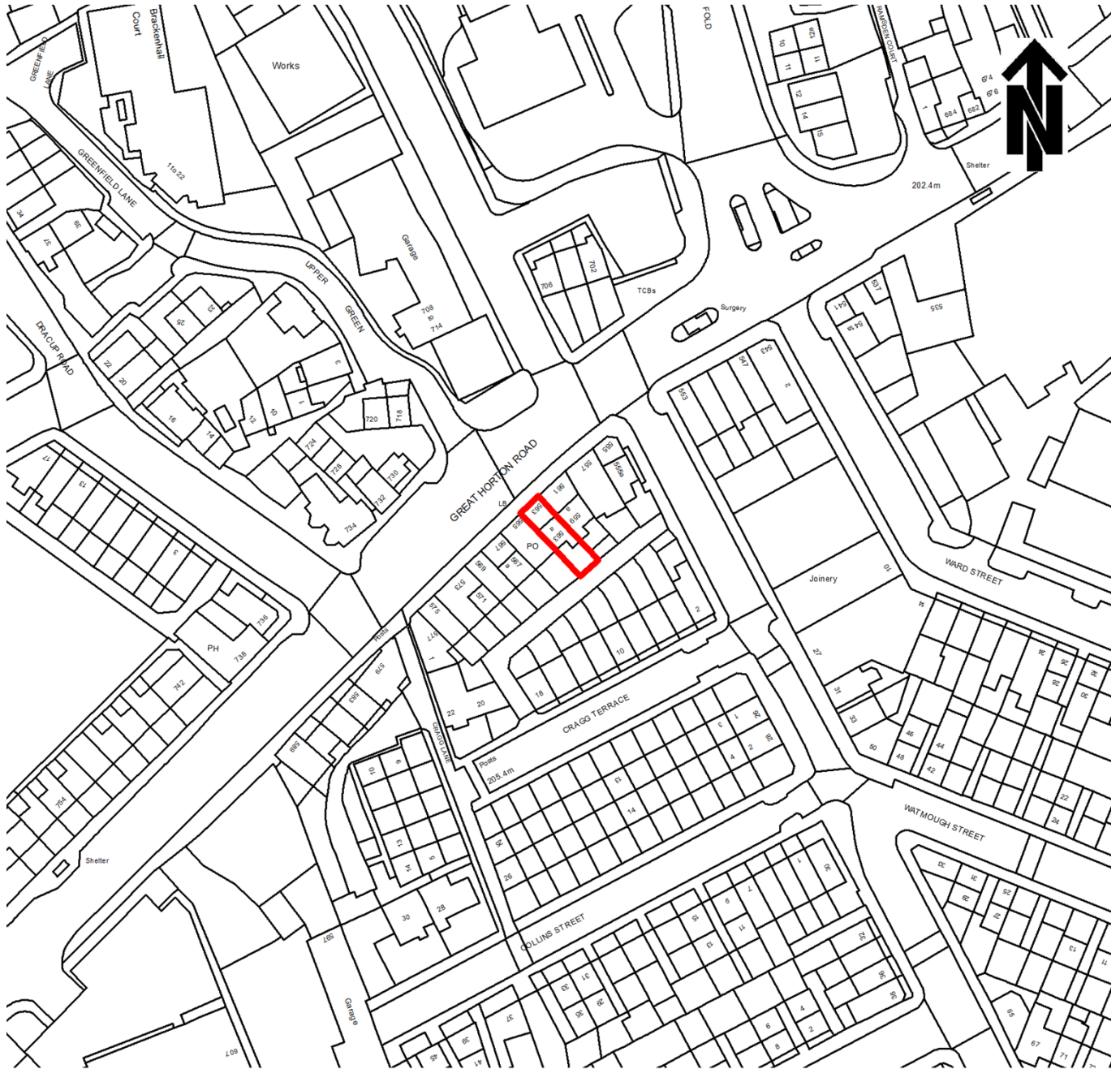
It is considered expedient to issue an Enforcement Notice because the fence by reason of its height and position represents an unwelcome and strident feature visually incongruous with the prevailing character of the locality and due to its height and position is detrimental to highway and pedestrian safety as it restricts visibility for users of vehicles turning right from the adjacent junction.

The Planning Manager (Enforcement and Trees) authorised enforcement action on the 22 November 2022 requiring the owner of the property to dismantle the fence and supporting structures between A - B or reduce the height of the fence between A-B so that no point exceeds 1 metre in height from the original ground level.

20/01222/ENFUNA



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**563 Great Horton Road
Bradford
BD7 4EF**

22 March 2023

Item Number: R
Ward: GREAT HORTON
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
20/01222/ENFUNA

Site Location:
563 Great Horton Road Bradford West Yorkshire BD7 4EF

Breach of Planning Control:

Without planning permission, the construction of a single storey extension, flue and two heat exchange units on the rear elevation of the building.

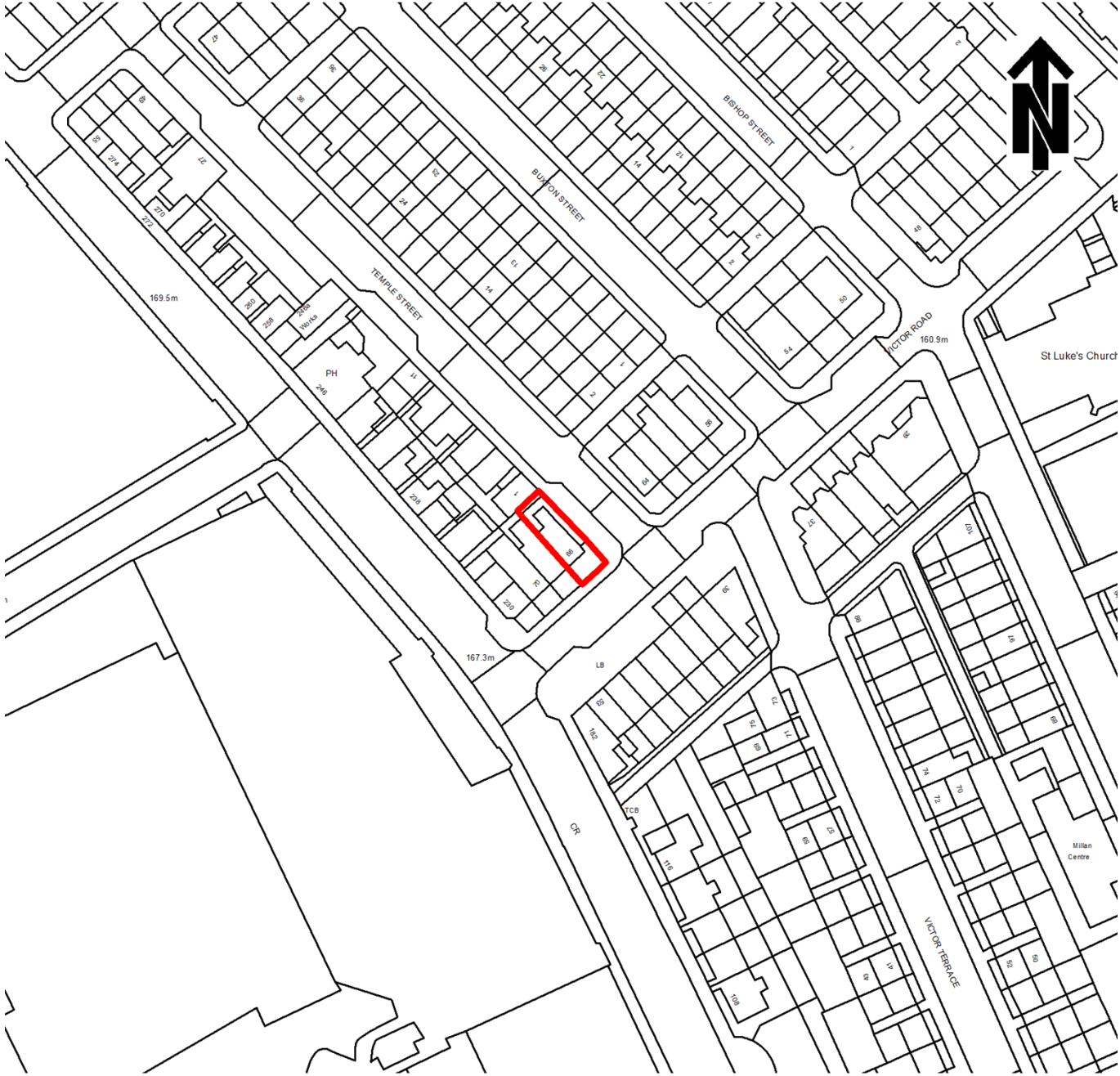
Circumstances:

Following a complaint, a site visit revealed that the above development had taken place and is unauthorised. Despite a request from the Local Planning Authority the owner of the property has taken no action to rectify the breach.

It is considered expedient to issue an Enforcement Notice because the rear extension has been constructed using materials that do not match the host building and it appears as a solid and stark structure. The negative impact of the extension is further exacerbated by the flue and two heat exchange units which add visual clutter. The single storey extension, flue and heat exchange unit in combination detract from the traditional character of the building and terrace row to the detriment of the local environment.

The Planning Manager (Enforcement and Trees) authorised enforcement action on the 22 November 2022 requiring the owner of the property to demolish the single storey extension, remove the flue and two heat exchange units including all fixtures and fittings from the rear elevation of the building; remove all arising materials from the land and make good any damage caused to the property.

21/00626/ENFCOU



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**66 Victor Road
Bradford
BD9 4QP**

22 March 2023

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

Enforcement Reference:
21/00626/ENFCOU

Site Location:
66 Victor Road Bradford West Yorkshire BD9 4QP

Breach of Planning Control:
Use of property in connection with commercial vehicle repairs

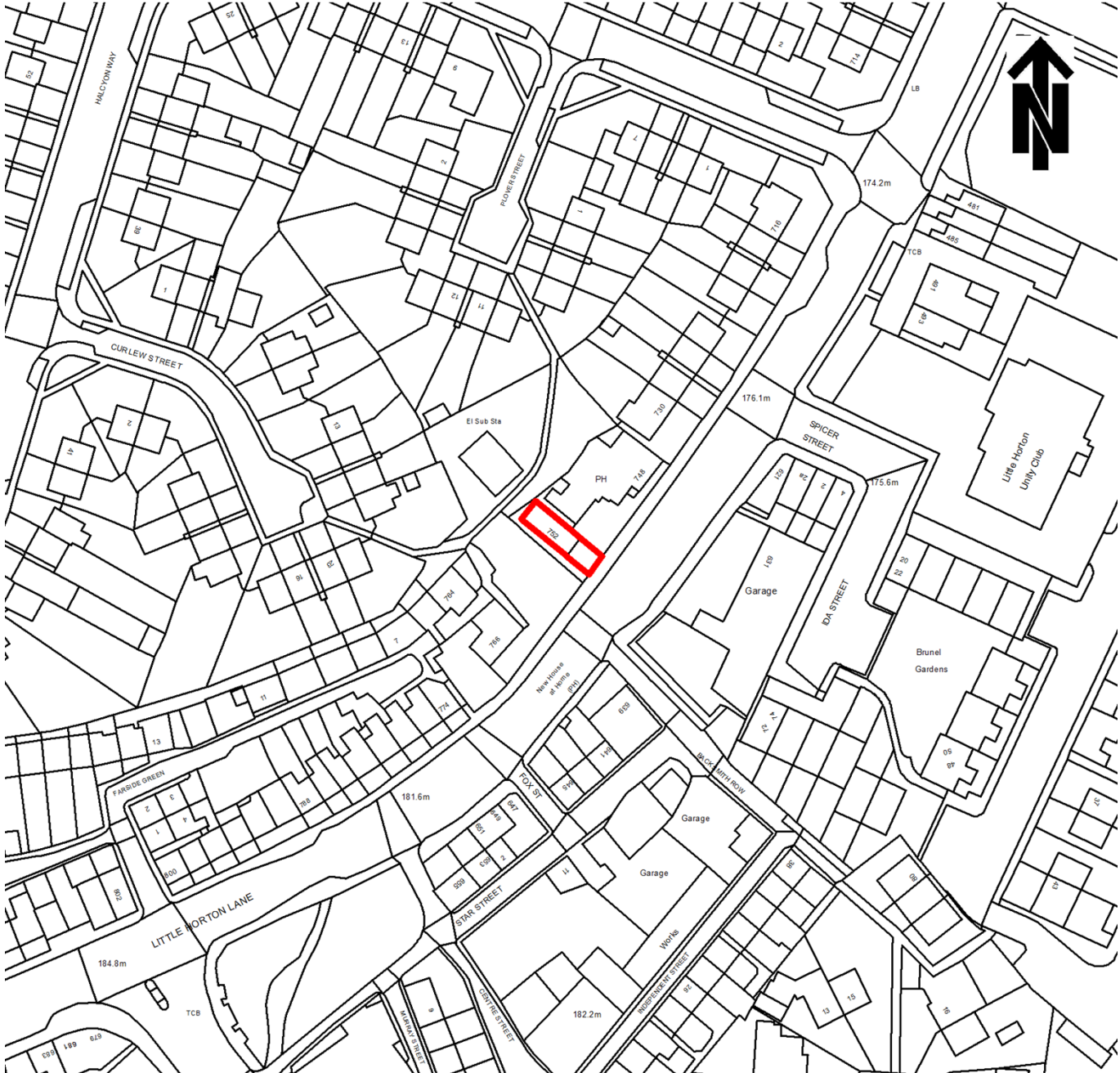
Circumstances:
In June 2021 the Council received enquiries regarding the use of the property in connection with vehicle repairs.

An inspection showed that the vehicle repairs and vehicle storage activity is taking place on the public footway and highway adjacent to the property. However, the domestic garage at the property is being used to store equipment which is being used in connection with the vehicle repairs activity.

The owner/occupier of the property has been advised that planning permission has not been granted to use the property in connection with vehicle repairs, however no action has been taken.

On 21 February 2023 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised use of the property in connection with commercial vehicle repairs is detrimental to residential amenity by reason of increased noise, disturbance and vehicle movements, contrary to policies DS1, DS5 and SC9 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework

21/01167/ENFUNA



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752 Little Horton Lane
Bradford
BD5 9BL

22 March 2023

Item Number: T
Ward: LITTLE HORTON
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
21/01167/ENFUNA

Site Location:
752 Little Horton Lane Bradford West Yorkshire BD5 9BL

Breach of Planning Control:
Unauthorised external extraction equipment

Circumstances:
In April 2021 it was noted that an extractor flue and two heat exchange units had been installed on the flat roof of the property, for which the Council had no record of planning permission having been granted.

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

On 23 January 2023 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised external extraction equipment is detrimental to visual amenity by virtue of its position, design and appearance, forming incongruous features on the building 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.

19/00730/ENFUNA



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**87 Kirkgate
Bradford
BD1 1SZ**

22 March 2023

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

Enforcement Reference:
19/00730/ENFUNA

Site Location:
87 Kirkgate Bradford West Yorkshire BD1 1SZ

Breach of Planning Control:
Unauthorised externally mounted roller shutter

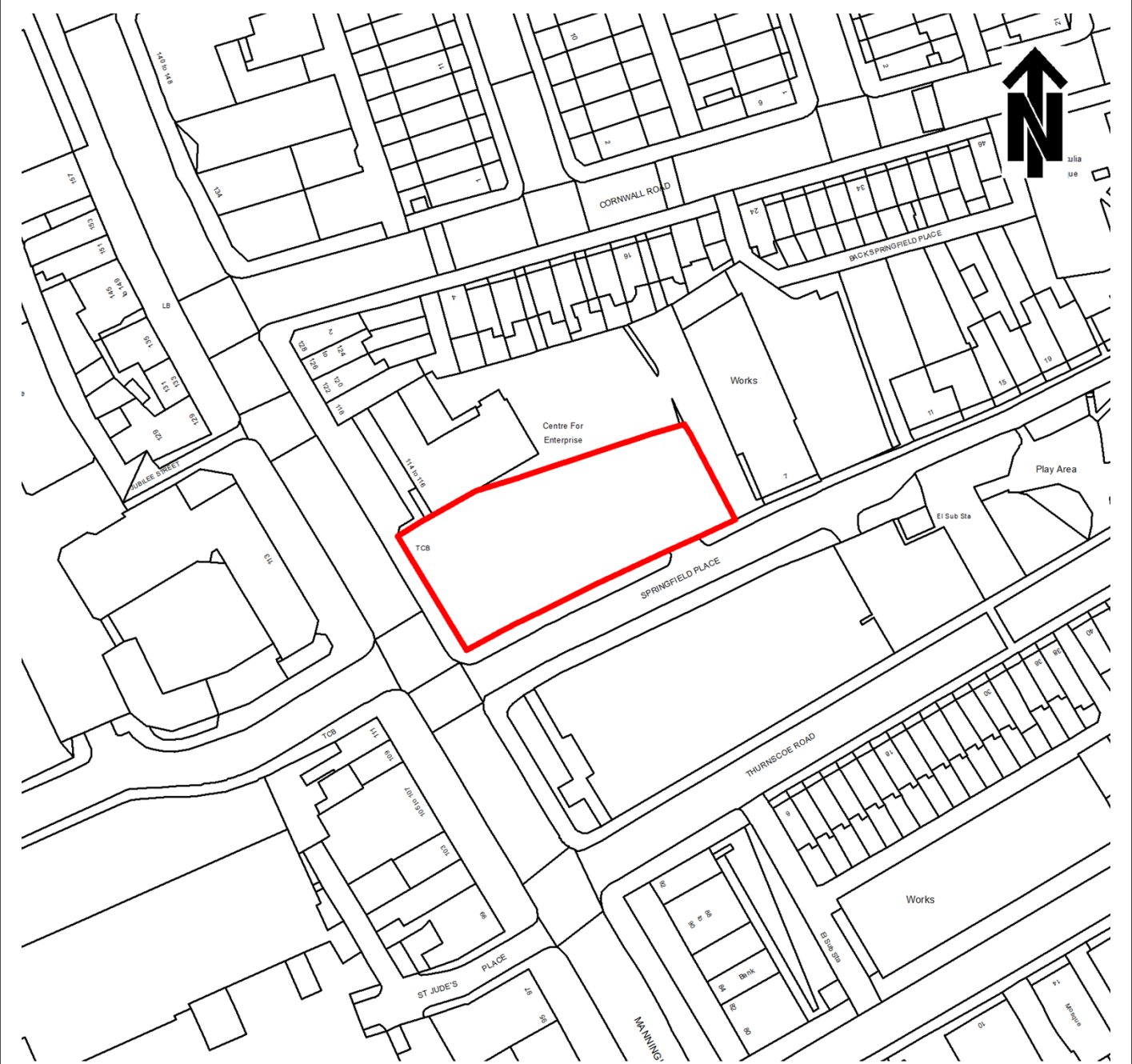
Circumstances:
In August 2019 the Council received an enquiry regarding alterations to the shop property, which stands within the City Centre Conservation Area.

An inspection showed that a bare metal externally mounted roller shutter had been installed to the front elevation of the property, for which the Council had no record of planning permission having been granted.

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

On 23 January 2023 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, shutter box and guide rails are detrimental to visual amenity by virtue of their design and appearance, forming incongruous features on the building and within the City Centre Conservation Area, contrary to Policies EN3, DS1 and DS3 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

20/01211/ENFUNA



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**Car Park 110 Manningham Lane
Bradford
BD1 3ES**

22 March 2023

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

Enforcement Reference:
20/01211/ENFUNA

Site Location:
Car Park 110 Manningham Lane Bradford West Yorkshire BD1 3ES

Breach of Planning Control:
Unauthorised adapted storage container with an attached canopy structure and raised decking

Circumstances:
In August 2020 the Council received an enquiry regarding the siting of a storage container on the land.

An inspection showed that a yellow coloured adapted storage container with an attached canopy structure and raised decking had been sited on the land, for use as a takeaway food and drink business.

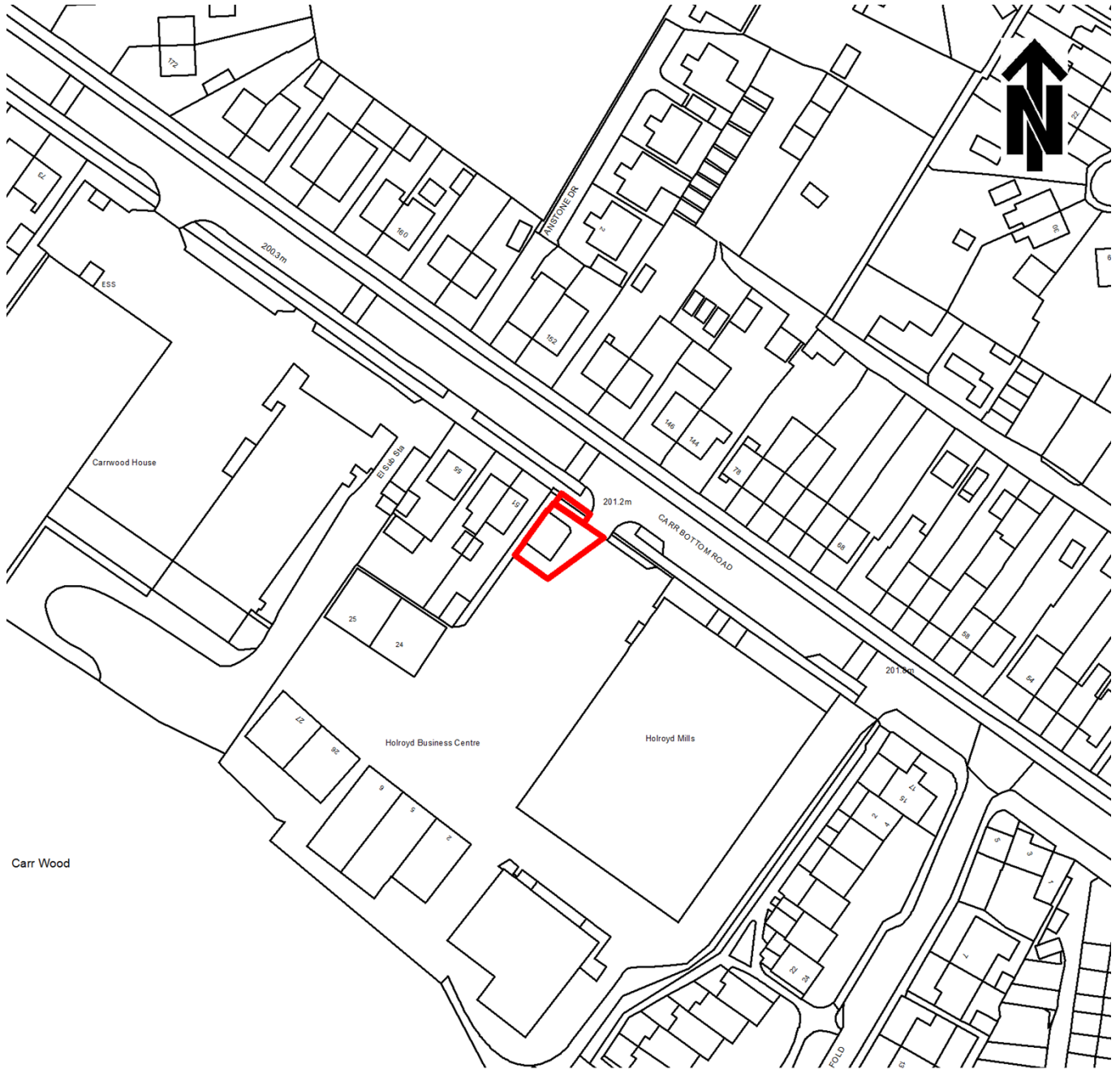
The Council had no record of planning permission having been granted and the land owner was requested to take action to rectify the breach of planning control.

No action has been taken and 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 adapted storage container is detrimental to visual amenity, 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.

20/01155/ENFCOU



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**Holroyd Business Centre
Carr Bottom Road
Little Horton
Bradford BD5 9BP**

22 March 2023

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

Enforcement Reference:
20/01155/ENFCOU

Site Location:
Holroyd Business Centre Carr Bottom Road Little Horton Bradford West Yorkshire BD5 9BP

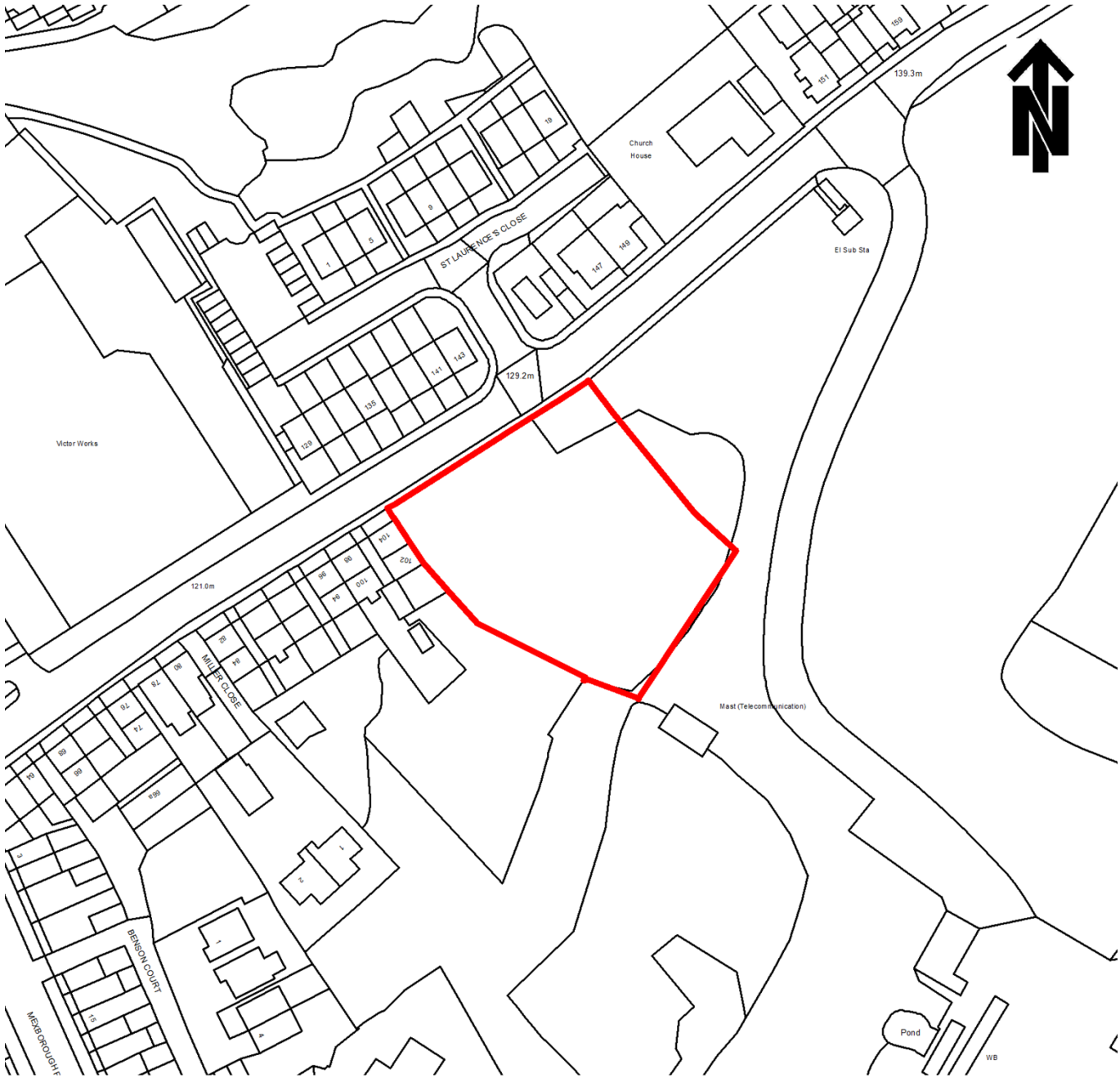
Breach of Planning Control:
Without planning permission, the unauthorised construction of a building.

Circumstances:
Following a complaint, a site visit revealed that the building had not been constructed in accordance with the approved drawing and is unauthorised. Despite a request from the Local Planning Authority the owner/occupier has taken no action to rectify the breach.

It is considered expedient to issue an Enforcement Notice because the building has been constructed using metal cladding and has an industrial appearance which is at odds with the residential setting in which it is located. The building introduces a strident feature to the street scene to the detriment of the local environment.

The Planning Manager (Enforcement and Trees) authorised enforcement action on 22 November 2022 requiring the owner of the land to demolish the building and remove all arising materials from the land.

18/00404/ENFCON



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Land North East Of
104 Bolton Hall Road
Bradford

22 March 2023

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

Enforcement Reference:
18/00404/ENFCON

Site Location:
Land North East of 104 Bolton Hall Road Bradford West Yorkshire

Breach of Planning Control:
Unauthorised engineering operation

Circumstances:
Planning permission reference 17/05557/FUL for the construction of a detached dwelling on the land has now expired, as the conditions of the permission have not been complied with.

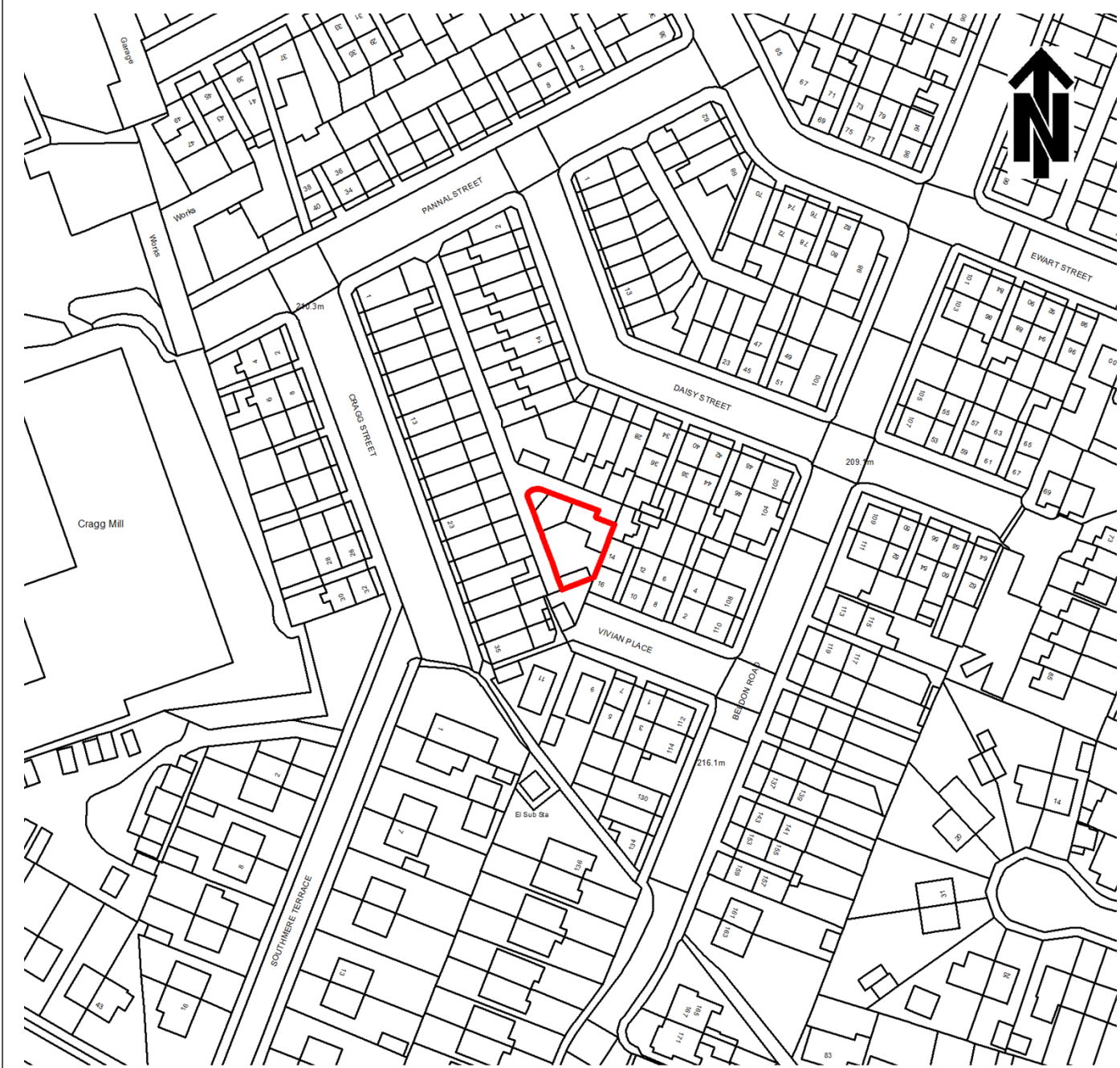
However, works have taken place on the land constituting an engineering operation for which planning permission is required.

Retrospective planning application reference 22/00224/FUL for the engineering operation was refused by the Council in April 2022. No appeal has been made against the Council's decision.

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

On 1 November 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 engineering operation is detrimental to visual and residential amenity by virtue of the appearance of the land and the associated noise and disturbance, contrary to policies DS1, DS5 and EN8 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework

22/00387/ENFCOU



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Land West Of
14 Vivian Place
Bradford

22 March 2023

Item Number: Y
Ward: GREAT HORTON
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
22/00387/ENFCOU

Site Location:
Land West of 14 Vivian Place Bradford West Yorkshire

Breach of Planning Control:
S.215 of the Town and Country Planning Act 1990 (land adversely affecting the amenity of an area)

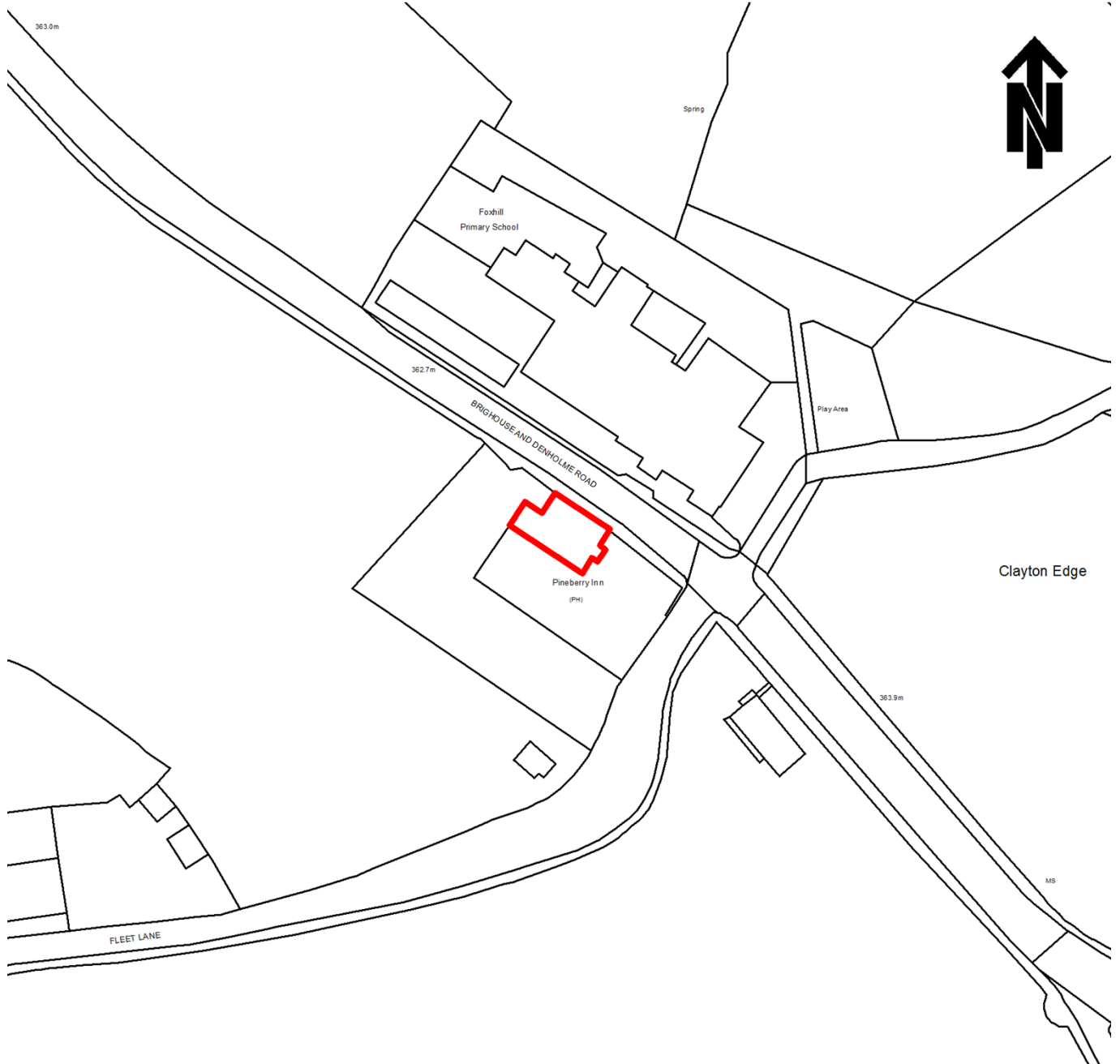
Circumstances:
The Council has issued correspondence to the property to seek voluntary co-operation and address the amenity issues. The property is in an abandoned state and there has been no response. The run down and abandoned appearance and untidy condition of the land and buildings and inadequate and untidy boundary treatment is such that it harms residential amenity and encourages fly tipping and environmental concerns from mixed waste deposits in a residential neighbourhood. Formal action is recommended to address the issues by remedying the condition and appearance of the land and securing the land to discourage further deterioration. The Council's environmental enforcement board welcome further action and in the event of non-compliance with a notice Direct Action will be considered.

The Planning Manager (Enforcement and Trees) authorised a S.215 notice on 3 October 2022.

21/00637/ENFCOU



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**Pineberry Inn
Brighouse and Denholme Road
Queensbury
Bradford BD13 1LN**

22 March 2023

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

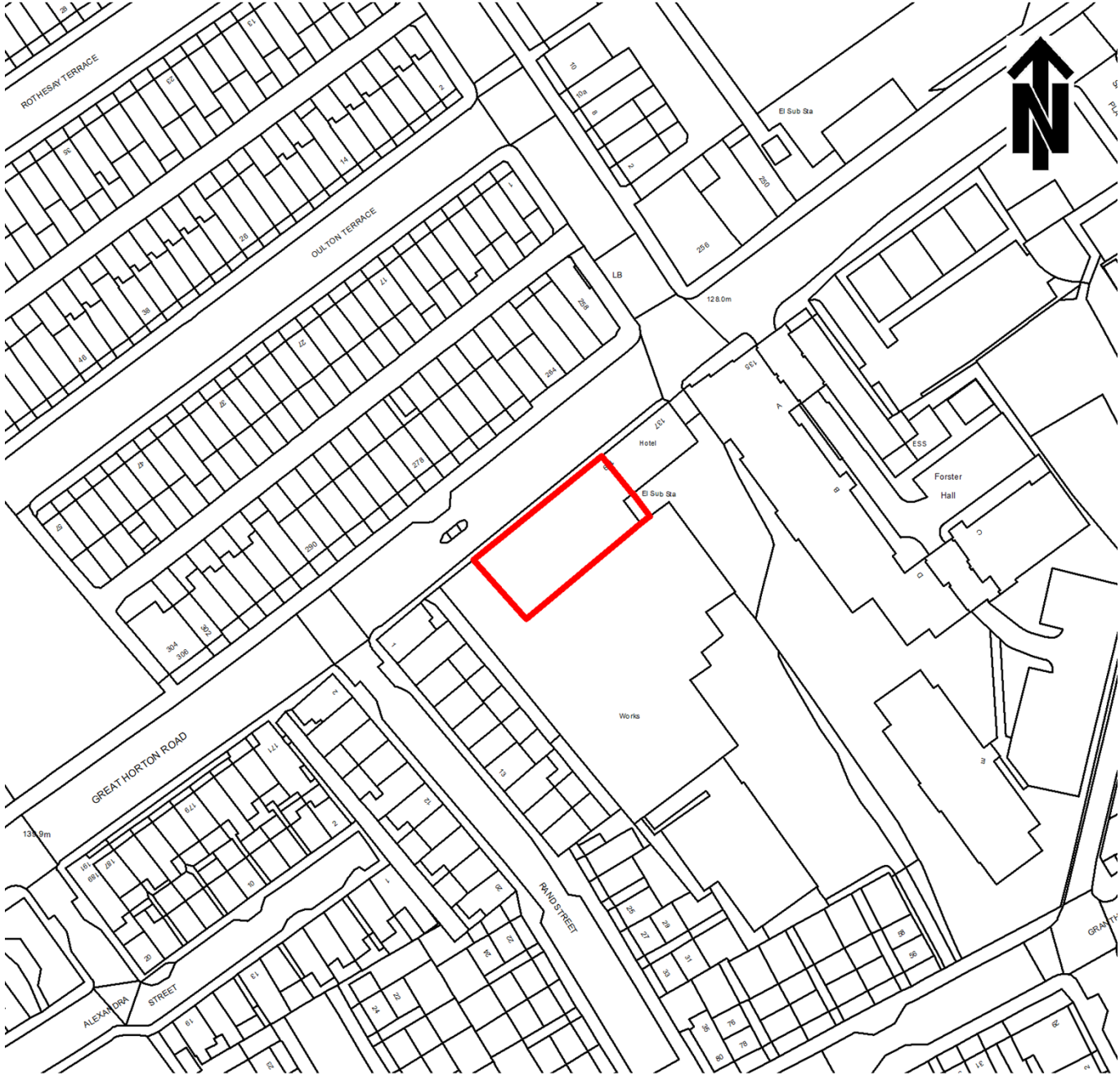
Enforcement Reference:
21/00637/ENFCOU

Site Location:
Pineberry Inn Brighouse and Denholme Road Queensbury Bradford West Yorkshire
BD13 1LN

Breach of Planning Control:
The siting of metal containers for storage purposes.

Circumstances:
The use of land was challenged and planning enforcement were advised that the containers are intended for storage of demolition and building materials. There is no relevant planning permission or permitted development for this use. The use of land for storage is an inappropriate use and the incongruous appearance of the containers being sited in a prominent location is harmful to openness and detrimental to visual amenity, contrary to the purposes of including land in the green belt and does not contribute to creating a high quality place and attractive, cohesive and sustainable settlement. Contrary to policies SC9, and DS1 of the Council's Core Strategy Development Plan Document and Section 13 of the National Planning Policy Framework (Protecting Green Belt Land) paragraphs 137, 138, 147 and 148. The planning enforcement manager authorised an enforcement notice on 8 November 2022.

21/01022/ENFCON



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**Shearbridge Mills
137 Great Horton Road
Bradford BD7 1QG**

22 March 2023

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

Enforcement Reference:
21/01022/ENFCON

Site Location:
Shearbridge Mills 137 Great Horton Road Bradford West Yorkshire BD7 1QG

Breach of Planning Control:
Breach of condition 3 of planning permission reference 10/06245/FUL

Circumstances:
In March 2012 planning permission reference 10/06245/FUL was granted by the Council for the change of use of the premises.

Condition 3 of the planning permission restricts the hours of use of the premises to between 0800 hours to 2100 hours Monday to Saturday and 0900 hours to 2100 hours on Sundays, Bank and Public Holidays. The Council has received complaints that the premises are being used outside the permitted hours.

On 29 November 2022 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 3 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>
AB	Heaton (ward 12)	59 Midland Road Frizinghall Bradford BD9 4HX Retrospective application for change of use from unadopted highway to private garden - Case No: 21/04390/FUL Appeal Ref: 22/00039/APPFL2
AC	Bowling And Barkerend (ward 05)	Advertising Right 900 On Gable of 4 New Hey Road Bradford BD4 7HY 48 sheet (6m x 3m) digital poster on gable wall - Case No: 22/02587/ADV Appeal Ref: 22/00116/APPAD1
AD	Bowling And Barkerend (ward 05)	New World Payphones Kiosk O/S 199 Barkerend Road Bradford BD3 9AL Illuminated digital advertisement display integrated within replacement Telephone Kiosk - Case No: 22/03060/ADV Appeal Ref: 22/00129/APPAD1
AE	Bowling And Barkerend (ward 05)	Railway Club Wakefield Road Bradford BD4 7PE Installation of D-Poster Digital LED Advertisement Display - Case No: 22/03753/ADV Appeal Ref: 22/00145/APPAD1

Appeal Dismissed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
AF	Eccleshill (ward 10)	1 Ravenscliffe Farm Fagley Road Bradford BD2 3QN Alterations to agricultural outbuildings - Case No: 22/01261/FUL Appeal Ref: 22/00134/APPFL2

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
AG	Tong (ward 25)	13 Bellhouse Crescent Bradford BD4 6AJ Single storey side extension (retrospective); wall height increase - Case No: 22/02677/HOU Appeal Ref: 22/00114/APPHOU
AH	Baildon (ward 01)	2 Baildon Road Baildon BD17 6AE Construction of detached dwelling - Case No: 22/02502/FUL Appeal Ref: 22/00113/APPFL2
AI	Clayton And Fairweather Green (ward 08)	2 Cemetery Road Lidget Green Bradford BD8 9RY Upgrade of existing 48 sheet advert to support digital poster - Case No: 22/03038/ADV Appeal Ref: 22/00119/APPAD1
AJ	Toller (ward 24)	528 Thornton Road Bradford BD8 9NB Retrospective application for installation of non-perforated black aluminium roller shutters (in place of perforated green roller shutters). The proposed shutters formed an extension to the corner of the property (Retrospective) - Case No: 22/02642/FUL Appeal Ref: 22/00122/APPFL2
AK	Bolton And Undercliffe (ward 04)	61 Norman Avenue Bradford BD2 2ND Raise of roof to add a floor above with double storey front and single storey rear extension - Case No: 22/03204/HOU Appeal Ref: 22/00141/APPHOU
AL	Eccleshill (ward 10)	72B Fagley Lane Bradford BD2 3NS Installation of gates and fence - Case No: 22/03315/HOU Appeal Ref: 22/00132/APPHOU

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
AM	Wyke (ward 30)	<p>Advertising Right Board No 1702 On Gable of 609 Huddersfield Road Bradford</p> <p>Installation of new digital poster display - Case No: 22/03372/ADV</p> <p>Appeal Ref: 22/00148/APPAD1</p>
AN	Wibsey (ward 27)	<p>Advertising Station 1325 Adjacent to 769 Little Horton Lane Bradford</p> <p>Removal of two existing paper and paste billboards and replacement with one digital billboard - Case No: 22/03888/ADV</p> <p>Appeal Ref: 22/00143/APPAD1</p>
AO	City (ward 07)	<p>Ground Floor and Basement Broadway House 11 Bank Street Bradford BD1 1HJ</p> <p>Change of use of the ground floor and basement from Class E to an Adult Gaming Centre (AGC) (Sui Generis) - Case No: 22/02839/FUL</p> <p>Appeal Ref: 22/00117/APPFL2</p>
AP	Wyke (ward 30)	<p>Land South 4 To 16 Brick Row Wyke Bradford</p> <p>Outline application for residential development of land (site area) for 5 dwellings requesting consideration of access and layout - Case No: 21/04611/OUT</p> <p>Appeal Ref: 22/00121/APPOU2</p>
AQ	Queensbury (ward 20)	<p>Land West of 22 Halifax Road Queensbury Bradford</p> <p>Construction of detached dwelling with amended access - Case No: 22/00024/FUL</p> <p>Appeal Ref: 22/00115/APPFL2</p>

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
AR	Bradford Moor (ward 06)	New World Payphones Kiosk O/S Barkerend Health Centre Barkerend Road Bradford BD3 8QH Illuminated digital advertisement display integrated within replacement Telephone Kiosk - Case No: 22/03056/ADV Appeal Ref: 22/00131/APPAD1
AS	Queensbury (ward 20)	Springfield Lane Side Queensbury Bradford BD13 1NE Ancillary building to form garage, home office and leisure suite - Case No: 22/04407/HOU Appeal Ref: 22/00159/APPHOU

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

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
AT	Eccleshill (ward 10)	5 Moorwell Place Bradford BD2 2EX Pre-fab concrete garage to rear and wooden boundary fence to enclose garden - dismissed on appeal. Free-standing wooden Pergola to rear - allowed on appeal - Case No: 22/03787/HOU Appeal Ref: 22/00138/APPHOU

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