



Appeal Decision

Site visit made on 17 March 2026

by Zoë, Franks Solicitor

an Inspector appointed by the Secretary of State

Decision date: 2 APRIL 2026

Appeal Ref: APP/W4705/C/25/3374431

6 Poplar View, Horton Bank Top, Bradford, West Yorkshire, BD7 4PH

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Miss Sarah Binns against an enforcement notice issued by City of Bradford Metropolitan District Council.
 - The notice was issued on 12 August 2025.
 - The breach of planning control as alleged in the notice is without planning permission, the construction of first floor rear extension as shown in the attached photographs.
 - The requirements of the notice are to: i. Demolish the unauthorised first floor rear extension. ii. Reinstall the roofline of the single storey rear extension and the rear wall of the property to its former appearance, using facing and roofing materials to match the existing roofline and walls of the host dwelling. iii. Remove all arising materials from the land.
 - The period for compliance with the requirements is 3 calendar months.
 - The appeal is proceeding on the grounds set out in section 174(2)(f), (g) of the Town and Country Planning Act 1990 (as amended).
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Decision

1. It is directed that the enforcement notice is varied by the deletion of 3 months and its substitution with 6 months as the period for compliance.
2. Subject to the variations, the enforcement notice is upheld.

Ground (f)

3. An appeal on this ground is on the basis that the steps required by the notice to be taken exceed what is necessary to remedy the breach of planning control stated in the notice.
4. The appellant states that the cladding material could be changed but has not provided details and there is not a ground (a) appeal in any event so that the planning merits could not be considered.
5. In addition, the Council states that it was expedient to issue the notice because the height and massing of the dormer is also harmful to the character and appearance of the host dwellinghouse, and has a detrimental impact on the residential amenity of the occupiers of No. 8 in that it is overbearing of the neighbouring garden. Changing the cladding alone would not remedy this harm.
6. The purpose of the notice is to remedy the breach of planning control by reinstating the host dwelling to its previous appearance. The requirements do not seek to achieve more than this and the appeal under ground (f) does not succeed.

Ground (g)

7. The appellant seeks an extension of the compliance period to 12 months.

8. The notice was issued in August 2025 but the appellant has indicated that they have been seeking ways in which to resolve this matter including consideration of an alternate scheme which would require permission, all of which would take time and preclude full reinstatement of the roof and host property. It may also be difficult to find a builder who can start and complete the work within three calendar months, and I therefore extend the period to 6 months which is proportionate in all of the circumstances.
9. The appeal under ground (g) therefore succeeds.

Zoë Franks

INSPECTOR