

Appeal Decision

Site visit made on 21 April 2026

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th April 2026

Appeal Ref: APP/W4705/C/25/3375822

Land at 10 Florence Avenue, Wilsden, Bradford, BD15 0HE

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Martin Charles against an enforcement notice issued by City of Bradford Metropolitan District Council.
 - The notice was issued on 7 October 2025.
 - The breach of planning control as alleged in the notice is: without planning permission, the construction of an outbuilding to the rear of the property.
 - The requirements of the notice are to:
 - i) Demolish the unauthorised outbuilding to the rear.
 - ii) Remove all arising materials from the land.OR
 - iii) Make changes to the existing outbuilding so that it is constructed in strict accordance with planning permission reference 25/00966/HOU (dated 10.06.2025) and all conditions attached to this approval.
 - The period for compliance with the requirements is: Three calendar months.
 - The appeal is proceeding on the ground set out in section 174(2)(g) of the Town and Country Planning Act 1990 (as amended).
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Decision

1. The appeal is dismissed and the enforcement notice is upheld.

The appeal on ground (g)

2. The appeal on ground (g) is made on the basis that the period for compliance specified in the notice falls short of what should reasonably be allowed. A longer period of 12 months has been suggested by the appellant.
3. The appellant is willing to undertake the works required to alter the building so that it accords with planning permission ref. 25/00966/HOU. I understand, from the plans provided, that this would involve partial demolition of the building to reduce its width, thereby increasing its distance from the boundary with No.12 Florence Avenue to two metres. I accept that the nature of the works required would need to be undertaken by a builder. The appellant states that three months is not sufficient time for him to raise the funds to pay the necessary tradesmen, due to recent family bereavements resulting in unexpected financial burdens.
4. I note that the matter has been ongoing for some time, with multiple applications and an appeal having previously been submitted, dating back to early 2024. Whilst the appellant states that Council officers visited the site during the construction of the building and did not advise that planning permission was required, I understand that these visits related to Building Regulation inspections rather than Planning or Enforcement.

5. The unauthorised building, due to its size and proximity to the boundary, is causing unacceptable harm to the appearance of the site and to the living conditions of occupiers of No.12. Extending the compliance period to 12 months, would extend the suffering to neighbours who have objected.
6. I acknowledge the unfortunate personal circumstances of the appellant and his financial position. However, the appellant has known since lodging the appeal in November 2025, on ground (g) only, that he would have to comply with the notice. Furthermore, this appeal process has already provided an extension beyond the original three-month period of compliance specified in the notice.
7. I am therefore satisfied that the three-month period specified in the notice is reasonable and proportionate to the breach of planning control, and I see no reason to extend it.

Conclusion

8. For the reasons given above, I conclude that the appeal should not succeed and I shall uphold the enforcement notice without variation.

R Bartlett

INSPECTOR