# Bradford homeowner fined £16,000 for 15 years of illegal third-storey extension in conservation area



Warren Benton, a 72-year-old resident of Bradford, has faced a significant court ruling regarding an illegal construction that has lasted over 15 years on his property. He was fined £16,000 after failing to demolish a third-storey extension built without the necessary planning permission. This extension, which was constructed on his home located in a conservation area, notably failed to adhere to the approved plans he had received in 2009.

Bradford Council issued an enforcement notice in 2010, mandating that the extension be removed because it was 60 centimetres taller than allowed and did not fit in with the architectural style of the surrounding terraced houses. Judge Colin Burn, presiding over the case at Bradford Crown Court, described the structure as “jarring” within its context. “This is a building in a Conservation Area,” he stated. “From a layman’s point of view, this extension is out of odds with the surrounding buildings.” He further noted that the illegal construction undermined the overall planning control, not only in the locality but across Bradford generally.

Despite being given leeway by council officials, who observed periods of apparent compliance when Benton indicated intentions to demolish or sought alternative approvals, he ultimately failed to act. This resulted in further visits and reminders enforced by the council. The financial burden of compliance with the court orders, which has been estimated between £15,000 and £25,000 for the demolition, is something that Benton will still grapple with — a situation echoing the struggles faced by other homeowners in Bradford who have encountered similar issues.

An analogous case involved Mohammed Azhar, another Bradford resident who took over 12 years to comply with an enforcement notice requiring him to demolish an unlawful extension meant to accommodate a toilet for his elderly parents. Azhar eventually acknowledged his non-compliance and received a fine significantly lower than Benton’s, reflecting the courts' differing approaches based on the specifics of each case. Azhar was fined £200 and was ordered to pay an additional £800 in costs.

The importance of adhering to established planning controls cannot be overstated, as these regulations not only reflect local governance but also protect the character of neighbourhoods. Similar situations have arisen across Yorkshire, where courts have ruled against various homeowners for erecting structures deemed inappropriate without planning consent. In Wombwell, for example, a resident faced removal of an unapproved carport that conflicted with the local streetscape, highlighting a consistent theme of preserving community aesthetics.

Against this backdrop, the case of Benton serves as a reminder of the potential ramifications of ignoring planning regulations. With a fine that could have been £18,000 were it not for his guilty plea at the first opportunity, the ruling illustrates a firm stance by the judiciary on planning law adherence. It reinforces the role of local councils in safeguarding community standards and penalising residents whose actions may jeopardise them.

As Benton contemplates his next steps for compliance, the situation epitomises a broader challenge: striking a balance between personal residential needs and communal planning integrity. In the eyes of local governance, the communal fabric of neighbourhoods must be preserved, ensuring that modifications align with established guidelines and maintain the character that residents value.

### Reference Map

1. Paragraph 1
2. Paragraph 2, 3
3. Paragraph 4
4. Paragraph 5
5. Paragraph 6
6. Paragraph 7

Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

* <https://www.independent.co.uk/news/uk/home-news/warren-benton-idle-planning-extension-b2748446.html> - Please view link - unable to able to access data
* <https://www.independent.co.uk/news/uk/home-news/warren-benton-idle-planning-extension-b2748446.html> - An article detailing the case of Warren Benton, a 72-year-old homeowner in Bradford, UK, who was fined £16,000 after failing to demolish an illegal third-storey roof extension built 15 years prior. The extension, constructed without proper planning permission, was deemed 'jarring' and out of place within the conservation area. Despite multiple enforcement notices from Bradford Council, Benton had not complied, leading to the substantial fine and ongoing requirement to remove the extension.
* <https://www.bbc.com/news/uk-england-bradford-west-yorkshire-68337540> - A report on a Bradford homeowner, Mohammed Azhar, who agreed to demolish an unlawful extension built without planning permission after 12 years. The extension, intended to house a downstairs toilet for his elderly parents, was ordered to be removed by Bradford Council in 2012. Despite initial resistance, Azhar admitted to failing to comply with the enforcement notice and was fined £200, with an additional £800 in costs to the council.
* <https://www.thetelegraphandargus.co.uk/news/24125840.12-years-man-agrees-pull-illegal-extension/> - Coverage of Mohammed Azhar's case in Bradford, where he agreed to demolish an illegal extension after 12 years. The extension, built without planning permission, was ordered to be removed by Bradford Council in 2012. Azhar admitted to failing to comply with the enforcement notice and was fined £200, with an additional £800 in costs to the council.
* <https://www.wearebarnsley.com/news/17242/car-port-facing-removal-after-appeal-fails> - An article about Raymond Law, who constructed a carport without planning consent in Wombwell, Barnsley. After his retrospective planning application was refused and an appeal dismissed, the structure was ordered to be removed. The planning inspector noted the carport's incongruity with the street's open frontages and its harmful effect on the area's character and appearance.
* <https://www.planningportal.co.uk/services/weekly-planning-news/planning-news-30-november-2023/> - A report detailing the case of Kendall, who unlawfully created a separate dwelling and extended another property without planning permission. Retrospective planning applications were refused, and enforcement notices were issued. Kendall's appeals were dismissed, and the court ruled that he had benefited from his criminal conduct, leading to a confiscation order of £77,133.58, a fine of £8,000, and costs of £7,877.84.
* <https://www.planningportal.co.uk/services/weekly-planning-news/planning-news-2-march-2023/> - A report on the High Court ruling that an individual who has declared bankruptcy cannot pursue a section 289 appeal. The case involved Ebele Muorah, who had erected a door and canopy at a property on Harlesden Road and subdivided the building into two properties without planning permission. Her appeal against the enforcement notice was dismissed, and the High Court upheld the decision, stating that she no longer had an interest in the property due to bankruptcy.