

Decisions of the Regulatory and Appeals Committee on Thursday, 4 August 2016

These decisions are published for information in advance of the publication of the Minutes

Decisions

5. MEMBERSHIP OF SUB-COMMITTEES

Resolved –

That Councillor Shabbir replace Councillor Malcolm Slater as an Alternate Member of the Area Planning Panel (Keighley and Shipley).

ACTION: *City Solicitor*

6. LAND AT HARROGATE ROAD, BRADFORD

Previous reference: Minute 22 (2015/16)

Reserved Matters application seeking approval for details of appearance, landscaping, layout and scale in respect of the residential development of land to the east of Harrogate Road/north of Carr Bottom Road, Greengates, Bradford – 16/02834/MAR.

Resolved –

(1) That the applicant be requested to consider amending the layout of the development in terms of the siting and design of the play area and the public open space, informed by the views expressed by the Ward Councillors and local residents at the meeting, and to submit their response to the Local Planning Authority. Thereafter, that authority be delegated to the Assistant Director – Planning, Transportation and Highways to grant the application for Reserved Matters Approval (further to consultation with the Chair) for the reasons and subject to the conditions set out in his technical report.

(2) That authority be delegated to the Assistant Director – Planning, Transportation and Highways to enter into a Deed of Variation of the original Section 106 legal obligation attached to Planning Permission 14/05285/MAO to amend the affordable housing obligation as shown below whilst retaining all the other obligations:

On-site affordable housing provision of 16 units.



**ACTION: Assistant Director – Planning, Transportation and Highways
City Solicitor**

(John Eyles – 01274 434380)

7. LAND AT MAYFIELD ROAD, ILKLEY

Full planning application for the construction of 44 retirement living apartments, 56 assisted living units, a 77 bedroom care home, a 2896 m² office building, two extensions to Spooner Industries Ltd totalling 1520 m² and a children's nursery of 376m² together with associated parking and landscaping works on land at Mayfield Road and Railway Road, Ilkley - 15/07583/MAF.

Resolved –

(1) That the application be approved for the reasons set out in the Assistant Director – Planning, Transportation and Highway's technical report and subject to the conditions set out in Committee Document "R" together with two further conditions (relating to the entire site) as set out below:

(i) Notwithstanding the retaining wall proposals shown on boundary treatment plan NE-2102-03-01-AC-040B full details of the boundary treatment (retaining wall) adjacent to the railway should be submitted to and agreed in writing with the Local Planning Authority in consultation with Network Rail prior to commencement of works on site. The approved details shall be implemented and retained whilst ever this development subsist.

Reason: To ensure the provision of a suitable boundary treatment between the development site and the railway line and its infrastructure.

(ii) A full connectivity survey to show the relationship between the railway and site drainage systems shall be submitted to and approved by the Local Planning Authority in conjunction with Network Rail prior to commencement of works on site. Any measures agreed as part of the connectivity survey shall be implemented in accordance with an approved timetable.

Reason: In order to clarify the relationship between the railway and site drainage systems and enable the development of an effective drainage strategy in accordance with the principles of the National Planning Policy Framework.

(2) That the grant of planning permission be subject also to the completion of a legal planning obligation under Section 106 of the Town and Country Planning Act 1990, or such other lawful mechanism for securing the heads of terms as may be agreed in consultation with the City Solicitor, in respect of:

- (i) The payment of a contribution of £7,201.63 towards the provision of off-site recreational facilities and/or the enhancement of existing recreational facilities and associated infrastructure including, but not exclusive to, drainage works, footpath works and fencing at East Holmes Fields or Riverside Gardens,
- (ii) The payment of a contribution of £28,000 for the purpose of upgrading the existing recreational facilities at Riverside Gardens, West View Park and two areas on Ilkley Moor; the boating lake and Ilkley Tarn, and their environs. The monies to be used to improve signage, walking routes and other amenities in order to provide pleasant alternatives to the wider moor itself,
- (iii) The payment of a sum of £281,050.37 for the purpose of the provision of affordable housing in the Ilkley Ward. Any money which remains unspent after three years can then be spent within the Parliamentary Constituency of Keighley,
- (iv) The payment of a sum of £10,000 for the provision and future maintenance of a bus shelter at Bus Stop No. 14149,
- (v) The payment of the costs associated with the implementation of a Traffic Regulation Order to restrict parking on Mayfield Road and Railway Road (approximately £12,000)

the legal planning obligation to contain such other ancillary provisions as the Strategic Director, Regeneration (after consultation with the City Solicitor) considers appropriate.

***ACTION: Assistant Director – Planning, Transportation and Highways
City Solicitor***

(John Eyles – 01274 434380)

8. TRAFALGAR STREET, BRADFORD

Outline application for the construction of a mixed-use development scheme comprising apartments and wedding venue with conferencing facilities and associated car parking on land at Trafalgar Street Car Park, Snowden Street, Bradford – 16/02316/MAO.

Resolved –

- (1) That the application be approved for the reasons and subject to the conditions set out in the Assistant Director - Planning, Transportation and Highway's technical report.
- (2) That the grant of planning permission be subject also to the completion of a legal planning obligation under Section 106 of the Town and Country Planning Act 1990, or such other lawful mechanism for securing the heads of terms as may be agreed in consultation with the City Solicitor, in respect of:

- (i) The payment of a commuted sum of £41,261 towards enhancing the recreational infrastructure at Thurnscoe Road Play Area and Lupton Street Play Area and a contribution towards delivery of Bradford Council's Playing Pitch Strategy in the area.
- (ii) The payment of a commuted sum of £77,067 towards the enhancement of educational infrastructure; £33,629.40 for primary sector level to be used at Poplars Park Primary School and £43,437.60 for secondary sector level to be used at Oasis Academy Lister Park,
- (iii) The provision of 25 affordable homes in the form of 19x1 bedroom apartments and 6x2 bedroom apartments,
- (iv) Off-site highway works including the payment of the costs of amending the existing Traffic Regulation Order on Trafalgar Street (approximately £7,000 - £8,000),
- (v) The 63 self-serviced apartments to be used only on a short term basis in association with use of the wedding venue and conference facilities on-site and any change in the nature of the use of the self serviced apartments in the future to be subject to a planning application,

the legal planning obligation to contain such other ancillary provisions as the Strategic Director, Regeneration (after consultation with the City Solicitor) considers appropriate.

ACTION: *Assistant Director – Planning, Transportation and Highways
City Solicitor*

(John Eyles – 01274 434380)

9. **ENFORCEMENT NOTICE - BRAITHWAITE EDGE QUARRY, BLACK HILL LANE, KEIGHLEY**

Resolved -

That the enforcement action being undertaken in respect of the unauthorised development of land at the Former Braithwaite Edge Quarry, Black Hill Lane, Keighley be noted.

NO ACTION

(John Eyles - 01274 434380)

FROM: Parveen Akhtar
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