

## Agenda for a meeting of the Regulatory and Appeals Committee to be held on Thursday, 29 September 2016 at 10.00 am in City Hall, Bradford

### Members of the Committee – Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT
Barker Brown	Warburton Lee Abid Hussain Wainwright	Griffiths

### Alternates:

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT
Ellis Miller	Azam S Hussain Lal Watson	R Ahmed

### Notes:

- This agenda can be made available in Braille, large print or tape format on request by contacting the Agenda contact shown below.
- The taking of photographs, filming and sound recording of the meeting is allowed except if Councillors vote to exclude the public to discuss confidential matters covered by Schedule 12A of the Local Government Act 1972. Recording activity should be respectful to the conduct of the meeting and behaviour that disrupts the meeting (such as oral commentary) will not be permitted. Anyone attending the meeting who wishes to record or film the meeting's proceedings is advised to liaise with the Agenda Contact who will provide guidance and ensure that any necessary arrangements are in place. Those present who are invited to make spoken contributions to the meeting should be aware that they may be filmed or sound recorded.
- If any further information is required about any item on this agenda, please contact the officer named at the foot of that agenda item.
- **A legal briefing for all Members will take place at 0915 in the Banqueting Hall on the day of the meeting.**
- Applicants, objectors, Ward Councillors and other interested persons are advised that the Committee may visit any of the sites that appear on this Agenda during the day of the meeting, without prior notification. The Committee will then reconvene in the meeting room after any visits in order to determine the matters concerned.
- At the discretion of the Chair, representatives of both the applicant(s) and objector(s) may be allowed to speak on a particular application for a maximum of five minutes in total.
- **INTERESTED PARTIES ARE ASKED TO NOTE THAT ITEMS 9 AND 10 WILL NOT BE CONSIDERED BEFORE 12.00.**

### From:

Parveen Akhtar  
City Solicitor  
Agenda Contact: Sheila Farnhill  
Phone: 01274 432268  
E-Mail: sheila.farnhill@bradford.gov.uk

### To:



## A. PROCEDURAL ITEMS

### 1. ALTERNATE MEMBERS (Standing Order 34)

The City Solicitor will report the names of alternate Members who are attending the meeting in place of appointed Members.

### 2. DISCLOSURES OF INTEREST

(Members Code of Conduct - Part 4A of the Constitution)

To receive disclosures of interests from Members and co-opted members on matters to be considered at the meeting. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the Member during the meeting.

*Notes:*

- (1) *Members may remain in the meeting and take part fully in discussion and voting unless the interest is a disclosable pecuniary interest or an interest which the Member feels would call into question their compliance with the wider principles set out in the Code of Conduct. Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (2) *Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.*
- (3) *Members are also welcome to disclose interests which are not disclosable pecuniary interests but which they consider should be made in the interest of clarity.*
- (4) *Officers must disclose interests in accordance with Council Standing Order 44.*

### 3. MINUTES

**Recommended –**

**That the minutes of the meetings held on 16 and 26 May 2016 be signed as a correct record.**

(Sheila Farnhill – 01274 432268)



#### 4. INSPECTION OF REPORTS AND BACKGROUND PAPERS

(Access to Information Procedure Rules – Part 3B of the Constitution)

Reports and background papers for agenda items may be inspected by contacting the person shown after each agenda item. Certain reports and background papers may be restricted.

Any request to remove the restriction on a report or background paper should be made to the relevant Strategic or Assistant Director whose name is shown on the front page of the report.

If that request is refused, there is a right of appeal to this meeting.

Please contact the officer shown below in advance of the meeting if you wish to appeal.

(Sheila Farnhill - 01274 432268)

#### B. BUSINESS ITEMS

#### 5. MEMBERSHIP OF SUB-COMMITTEES

The Committee will be asked to consider recommendations, if any, to appoint Members to Sub-Committees of the Committee.

(Sheila Farnhill – 01274 432268)

#### 6. FORMER WYKE LIBRARY SITE, HUDDERSFIELD ROAD, Wyke 1 - 22 BRADFORD

The Assistant Director - Planning, Transportation and Highways will submit a report (**Document “V”**) in relation to an outline application for the demolition of the Police Call-In Station and the erection of a new Police Call-In Station, 3 bungalows and a 64 bedroom Extra Care facility, including details of the layout and access arrangements – 16/03851/MAO.

**Recommended –**

**That the application be referred to the Health and Safety Executive for further consideration and, subject to it deciding not to request that the application be called in for consideration by the Secretary of State, that authority be delegated to the Assistant Director - Planning, Transportation and Highways to grant planning permission for the reasons and subject to the conditions set out in his technical report.**

(John Eyles – 01274 434380)



7. **ASHWELL FARM, 47-49 ASHWELL ROAD, HEATON, BRADFORD** Heaton 23 - 44

A report will be presented by the Assistant Director - Planning, Transportation and Highways (**Document “W”**) in relation to an application for the construction of 10 dwellings the design of which have been amended from the details approved under previous planning permissions for this site – 16/06365/MAF.

**Recommended –**

- (1) **That the application be approved for the reasons and subject to the conditions set out in the Assistant Director - Planning, Transportation and Highways’ 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 £49,237 for the purpose of the improvement of educational infrastructure in the area; £21,485 for primary level to be used at Heaton Primary School and £27,752 for secondary level to be used at Parkside Secondary School,**
  - (ii) **The payment of a commuted sum of £14,048 for the purpose of enhancing recreational infrastructure in the area; to be used at Lister Park,**

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

(John Eyles – 01274 434380)

8. **LAND AT MIDDLEWAY, SILSDEN** Craven 45 - 66

A report will be submitted by the Assistant Director - Planning, Transportation and Highways (**Document “X”**) in respect of an application seeking outline permission for a residential development of 13 dwellings on land at Middleway, Silsden, Bradford – 16/03577/MAO.

The report explains that layout is the only matter for consideration at this stage and that details of access, appearance, landscaping and scale will be considered at Reserved Matters stage.



**Recommended –**

- (1) That the application be approved for the reasons and subject to the conditions set out in the Assistant Director - Planning, Transportation and Highways' 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 £13,795 to mitigate the effects of the development on biodiversity and to enhance the recreational infrastructure in the area; to be used at Silsden Park,
  - (ii) The payment of a contribution of £11,261 towards the provision of Metrocards to encourage use of public transport,

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

(John Eyles – 01274 434380)

**Interested parties are asked to note that the following items will not be considered before 12.00**

9. **FORMER BRONTE SCHOOL, KEIGHLEY ROAD, Keighley West 67 - 96**  
**OAKWORTH, KEIGHLEY**

The Assistant Director - Planning, Transportation and Highways will present a report (**Document “Y”**) in relation to a full application for the erection of 51 mixed tenure houses including associated infrastructure on land at the former Bronte School, Keighley Road, Oakworth – 15/02526/MAF.

**Recommended –**

- (1) That the application be approved for the reasons and subject to the conditions set out in the Assistant Director - Planning, Transportation and Highways' technical report.
- (2) That the grant of planning permission be subject also to the following obligations:



- (i) **The scheme is to provide affordable housing units as part of the 2015-2018 Approved Housing programme, to deliver affordable housing across six sites in the District, that has received funding from the Homes and Communities Agency. (Note: Across the programme there will be 139 houses for rent and 49 for sale with the sales properties at full market value and at a cross subsidy to the whole programme.)**
- (ii) **Payment of a contribution of £10,000 to mitigate the impact on sensitive habitats by bringing forward improvements on routes leading to, and at, the Special Protection Areas where erosion of adjacent habitat caused by widening footpaths is an issue.**

(John Eyles – 01274 434380)

**10. PUBLIC SPACE PROTECTION ORDER FOR THE CITY CENTRE AND SURROUNDING AREA** 97 - 154  
City; Little Horton; Manningham

Previous reference: Minute 90 (2015/16)

Members may recall that, at the meeting of the Committee held on 17 February 2016, consideration was given to a proposal to implement a Public Space Protection Order (PSPO) for the Bradford City Centre and it was resolved:

- '(1) That the Strategic Director, Environment and Sport be authorised to undertake the required (minimum 6 week) consultation exercise to implement a Public Space Protection Order for Bradford City Centre, in the area shown in Appendix A and subject to the terms set out in Paragraph 4.8 of the report.*
- (2) That, further to the completion of the necessary consultation process, the proposed Order be submitted to this Committee for approval.'*

The Assistant Director – Neighbourhoods and Customer Services will now submit a report (**Document "Z"**) which provides a summary of the responses from the consultation and presents the final proposed Order for the Committee's approval.

**Recommended –**

- (1) That, as a result of the consultation process, the Public Space Protection Order be amended as follows:**
  - (a) The boundary of the exclusion zone be extended to include the following streets and places:**



**Trinity Green Campus  
University accommodation (close to the existing  
proposed boundary)  
Dixon's Trinity Academy, Trinity Road  
Laisterdyke Lane towards All Saints' Road (Dirkhill area)  
Grantham Road  
Grantham Place  
Spring Place  
Dirkhill Road  
Rand Street  
Rand Place  
Alexandra Street  
To the junction of All Saints' Road with Great Horton  
Road  
Retford Place,  
St Luke's Hospital**

- (b) Under Section 63(5) of the Act an authorised person can dispose of any item that has been surrendered under Section 63(2) ie alcohol or a container for alcohol.**
- (c) An authorised person in the context of this Public Space Protection Order is defined as being either a Police Constable, Police Community Support Officer or Council Officer.**
- (d) An authorised person can decide when it is appropriate to either:**
- (i) Impose a Fixed Penalty Notice,**
  - (ii) Waive the Fixed Penalty Notice in the event that a person who would have been issued with a Fixed Penalty Notice agrees to and attends an alcohol or substance misuse service, or**
  - (iii) If anti-social awareness sessions are made available locally, reduce the level of the Fixed Penalty Notice if the person who would have been issued with a Fixed Penalty Notice agrees to and attends an anti-social awareness session.**
- (2) That the Strategic Director, Environment and Sport be requested to investigate and, if feasible, make available local anti-social awareness sessions.**
- (3) That the Strategic Director, Environment and Sport be authorised to take all the necessary action to implement the Public Space Protection Order, as amended, and to make it operational.**



- (4) That the Bradford City Centre Anti-Social Behaviour Partnership review the Order in 12 months time, taking account of the comments and suggestions made by respondents during the consultation exercise and the evidence arising during the time the Order is in force.**

(Rebecca Trueman – 01274 431364)

THIS AGENDA AND ACCOMPANYING DOCUMENTS HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER

