

## Decisions of the Regulatory and Appeals Committee on Thursday, 29 September 2016

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

### Decisions

5. **MEMBERSHIP OF SUB-COMMITTEES**

No resolution was passed on this item.

**NO ACTION**

6. **FORMER WYKE LIBRARY SITE, HUDDERSFIELD ROAD, BRADFORD**

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.

**Resolved –**

**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 together with two further conditions as follows:**

- (i) **Notwithstanding the details submitted, before the development hereby permitted is first brought into use details of a dedicated parking space for emergency services (including visiting nurses) shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.**
- (ii) **Before the development hereby permitted commences on site, details of the proposed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details of the trees (size and species) to ensure adequate replacement of those that are removed to accommodate the development. The development shall then be carried out in accordance with the approved details.**

***ACTION: Assistant Director - Planning, Transportation and Highways***



(John Eyles – 01274 434380)

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

Application for the construction of 10 dwellings – 16/06365/MAF.

**Resolved –**

- (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.**

- (3) That the Strategic Director – Children's Services be requested to provide a clear written statement for each consultation response for all future planning applications for housing, explaining why a particular school/s has been chosen for expansion by virtue of the allocation of Section 106 education infrastructure contributions and that this information be included in the Assistant Director - Planning, Transportation and Highways' reports to the Committee.**

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

(John Eyles – 01274 434380)

**8. LAND AT MIDDLEWAY, SILSDEN**

Application seeking outline permission for a residential development of 13 dwellings on land at Middleway, Silsden, Bradford – 16/03577/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 Highways' technical report subject to the amendment of Condition 10 as follows:

The development shall not commence until full details and calculations of the proposed means of disposal of surface water drainage, based on sustainable drainage principles and including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority *and these details shall be submitted in conjunction with the Reserved Matters application*. Furthermore, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

Reason: To ensure proper drainage of the site and to accord with Policies UR3 and NR16 of the Replacement Unitary Development Plan.

- (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 to be spent on improvements to local footpaths that provide linkages to Silsden Town Centre, bus routes or local amenities. (Authority being delegated to the Assistant Director - Planning, Transportation and Highways to determine and specify the appropriate footpath improvements, in consultation with the Town Council and the Ward Councillors, and to incorporate these into the legal planning obligation). In the event that the Assistant Director is unable to identify suitable footpaths for improvement then these monies shall be added to the recreation contribution to be used at Silsden Park, as in (i) above,

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

- (3) That the application for Reserved Matters be submitted to this Committee for consideration.

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

9. **FORMER BRONTE SCHOOL, KEIGHLEY ROAD, OAKWORTH, KEIGHLEY**

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.

**Resolved –**

- (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.**

***ACTION: Assistant Director - Planning, Transportation and Highways***

10. **PUBLIC SPACE PROTECTION ORDER FOR THE CITY CENTRE AND SURROUNDING AREA**

**Resolved –**

- (1) That the proposed Public Space Protection Order, as set out in Appendices C and D to Document "Z", be formally adopted; the Order having been amended, as a result of the consultation process, to extend the boundary of the exclusion zone 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**

- (2) That it be noted that:**
- (a) 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.**
  - (b) 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.**
  - (c) 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.****
- (3) That the Strategic Director, Environment and Sport be requested to investigate and, if feasible, make available local anti-social awareness sessions.**
- (4) 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.**
- (5) 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.**

***ACTION: Strategic Director, Environment and Sport  
City Solicitor***

(Rebecca Trueman – 01274 431364)

FROM: Parveen Akhtar  
City Solicitor  
City of Bradford Metropolitan District Council

Committee Secretariat Contact: Sheila Farnhill, 01274 432268