

Decisions of the Regulatory and Appeals Committee on Monday, 15 May 2017

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

Decisions

3. **MINUTES**

Resolved –

That the minutes of the meetings held on 9 March 2017 be signed as a correct record.

(Sheila Farnhill – 01274 432268)

5. **MILNER FIELDS FARM, PRIMROSE LANE, GILSTEAD**

Planning application for the development of an Innovation Centre (sui generis use) on the site of Milner Field Farm, Primrose Lane, Gilstead – 15/05538/MAF.

The Committee noted the withdrawal of this application by the applicant.

ACTION: Assistant Director - Planning, Transportation and Highways

(John Eyles – 01274 434380)

6. **SITE OF THE FORMER AVENEL CLUB, WHITBURN WAY, BRADFORD**

Full planning application for a residential development of 23 dwellings, 8 two bed and 15 four bed, on the site of the former Avenel Club, Whitburn Way, Bradford – 16/09318/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 £57,066 towards the enhancement of the educational infrastructure at secondary school level, to be used at Parkside School,
 - (ii) The payment of a commuted sum of £21,334 towards the enhancement of recreational facilities in the vicinity of the site, to be used for the provision and/or enhancement of the existing facilities and infrastructure at Ley Top Rec or Ladyhill Park,
 - (iii) The provision of up to 20% of the units on site as affordable housing, to be transferred to a Registered Provider,

the legal planning obligation to contain such other ancillary provisions as the Assistant Director - Planning, Transportation and Highways (after consultation with the City Solicitor) considers appropriate.

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

(John Eyles -01274 434380)

7. **SPORTS GROUND, HARROGATE ROAD, BRADFORD**

Planning application for the erection of 45 dwellings with associated access works at the former Crag Road United football ground, Harrogate Road, Bradford – 16/09142/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 further to the amendment of Condition 7 to read as follows:

7. Notwithstanding the provision of Class A, Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, or any subsequent legislation, the development hereby permitted shall not be begun until a plan specifying arrangements for the management of the construction site has been submitted to and approved in writing by the Local Planning Authority. The construction plan shall include the following details:

- i) full details of the contractor's means of access to the site including measures to deal with surface water drainage;
- ii) hours of construction work, including any works of demolition;

- iii) hours of delivery of materials;
- iv) location of site management offices and/or sales office;
- v) location of materials storage compounds, loading/unloading areas and areas for construction vehicles to turn within the site;
- vi) car parking areas for construction workers, sales staff, customers, *plant and site vehicles*;
- vii) a wheel cleaning facility or other comparable measures to prevent site vehicles bringing mud, debris or dirt onto a highway adjoining the development site;
- viii) the extent of and surface treatment of all temporary road accesses leading to compound/storage areas and the construction depths of these accesses, their levels and gradients;
- ix) temporary warning and direction signing on the approaches to the site

The construction plan details as approved shall be implemented before the development hereby permitted is begun and shall be kept in place, operated and adhered to at all times until the development is completed. In addition, no vehicles involved in the construction of the development shall enter or leave the site of the development except via the temporary road access comprised within the approved construction plan.

Reason: To ensure the provision of proper site construction facilities on the interests of highway safety and amenity of the surrounding environment and its occupants and to accord with Policies TM2 and TM19A of the Replacement Unitary Development Plan,

and Condition 9 to read as set out below:

9. Construction work shall only be carried out between the hours of 0730 and 1800 on Mondays to Fridays, 0830 and 1300 on Saturdays and at no time on Sundays, Bank or Public Holidays, unless specifically agreed otherwise in writing by the Local Planning Authority.

Reason: To protect the amenity of the occupants of nearby dwellings and to accord with Policy UR3 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, relating to:

- (i) The payment of a commuted sum of £63,391 towards the enhancement of the educational infrastructure at primary level, to be used at Greengates, Holybrook, Our Lady & St Brendan's and Thorpe Primary Schools,

- (ii) The payment of a commuted sum of £25,000 towards the enhancement of recreational facilities, to be used towards the redevelopment of Harrogate Road Playing Fields,
- (iii) The provision of 9 affordable housing units on site,
- (iv) The payment of a commuted sum of £30,000 for the provision of a bus shelter and a live bus information display at Bus Stop No. 18116 and a live bus information display at Bus Stop No. 18117,
- (v) The payment of a commuted sum of £13,792 towards improvements to the culvert at Carr Beck,

the legal planning obligation to contain such other ancillary provisions as the Assistant Director - Planning, Transportation and Highways (after consultation with the City Solicitor) considers appropriate.

- (3) That the applicant be required to enter into a legal agreement under Section 278 of the Highways Act 1980 in respect of:

The undertaking of off-site highway works on Harrogate Road to support the development, to include the relocation of the bus shelter, provision of bus clearway markings; construction of a parking lay-by; implementation of a Traffic Regulation Order; and the amendment of existing ghost hatched markings to provide a right hand turn lane.

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

(John Eyles – 01274 434380)

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

Committee Secretariat Contact: Sheila Farnhill, 01274 432268