

Agenda for a meeting of the Regulatory and Appeals Committee to be held on Monday 14 May 2018 at 10.00 am in the Banqueting Hall, City Hall, Bradford

Members of the Committee – Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT AND INDEPENDENT
Brown Rickard	Warburton Amran Lee Watson	Griffiths

Alternates:

CONSERVATIVE	LABOUR
Ellis	Azam S Hussain Lal Wainwright

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 8 TO 11 WILL NOT BE CONSIDERED BEFORE 1.30PM.**

From:

Michael Bowness
Interim 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 meeting held on 8 February 2018 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. LAND AT SUN LANE AND ILKLEY ROAD, BURLEY-IN-WHARFEDALE Wharfedale

1 - 68

Previous reference: Minute 56 (2017/18)

The Assistant Director - Planning, Transportation and Highways will present a report (**Document “AT”**) in relation to an outline planning application for the demolition of existing buildings and permission (all matters reserved other than points of vehicular access into the site) for residential development (Use Class C3); education facility (Use Class D1); public spaces; landscaping; car/cycle parking; access routes within the site; drainage and other associated works (Supplementary Environmental Statement relating to the provision of an up to two-form entry primary school) on land at Sun Lane and Ilkley Road, Burley-in-Wharfedale - 16/07870/MAO.

Members will recall that this application was considered at the meeting of the Committee held on 11 January 2018 when it was resolved:

- (1) *That consideration of the application be deferred until a local referendum on the Burley Neighbourhood Plan has taken place in May 2018; this being subject to the prior approval of the Executive, or, if approval is not given to the undertaking of the referendum in May that it be re-submitted to the next appropriate meeting of this Committee.*
- (2) *That the applicant be requested to provide a more defined strategy to show how a school can be delivered on the site, including consideration of how this will fit within the overall phasing of the development.'*

Recommended –

- (1) That the application be referred to the Secretary of State for Communities and Local Government under the provisions of the Town and Country Planning (Consultation)(England) Direction 2009 and, subject to him deciding not to call-in the application for determination, it 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) Affordable housing provision of 30% of the total units on site (or equivalent value); these units to be prioritised for people living in, working in or having close family links to the Burley-in-Wharfedale Parish and secondly the wider Wharfedale area.**
 - (ii) The safeguarding of an area of land within the site for the provision of an up to two form entry Primary School and to offer this land to the City of Bradford Metropolitan District Council, if requested, in order to deliver the school. The area of land identified for the school will be reserved for a minimum period of 10 years and will be transferred to the Council at the appropriate time at a cost of £1. Also, the establishment of a Primary School Delivery Partnership whose remit and terms of reference will be to seek to deliver the new school in the most appropriate manner and at the most appropriate time.**
 - (iii) Payment of commuted sums to secure highway improvements and sustainable travel measures as follows:**

 - (a) £15,000 for a review of the existing Traffic Regulation Orders on Main Street, Burley-in-Wharfedale; to include a review of waiting restrictions, loading restrictions and the potential for 20 mph speed restrictions. This sum to be payable on occupation of the 1st unit.**
 - (b) £55,000 for traffic calming and footway strengthening Traffic Regulation Orders in the Sun Lane area. This sum to be payable upon completion of the pedestrian link between the site and Sun Lane.**

(c) £40,000 to implement improvements to the A65 Coutances Way/Wheatley Lane Junction; taking the form of the installation of Microprocessor Optimised Vehicle Actuation (MOVA) within the traffic signals. This sum to be payable on occupation of the 401st unit.

(d) £25,000 towards Vehicle Activated Signs and the introduction of traffic islands on Manor Park. This sum to be payable upon completion of the ghost island right turn lane access into the site from the A65 (as shown on Drawing 13-215-TR-009A).

(e) £65,000 towards TR2500 Controller specification software improvements to the traffic lights at the Buckle Lane/Bingley Road Junction. This sum to be payable on occupation of the 1st unit.

(f) £320,000 towards a scheme of wider improvements to the Buckle Lane/Bingley Road Junction, as shown on Plan 13-215-TR-024. This sum to be payable on occupation of the 301st unit.

(g) £75,000 per annum to fund improving, re-routing and increasing the frequency of the 962 bus service (or any equivalent replacement facility) for a period of five years (£375,000); in order to provide a regular public transport link between the site, Burley Rail Station and the remainder of the settlement. This sum to be payable to the West Yorkshire Combined Authority in five equal annualised payments with the first payment being made upon substantial completion of the internal estate road,

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

(John Eyles – 01274434380)

6. LAND AT HOLME MILL LANE, KEIGHLEY
Keighley West

69 - 88

A report will be submitted by the Assistant Director - Planning, Transportation and Highways (**Document “AU”**) in relation to an outline planning application for a residential development of up to 102 dwellings and a 90 bed nursing home, including means of access and the relocation of a Scout Hut, on land at Holme Mill Lane, Keighley – 16/08233/MAO.

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 Interim City Solicitor, in respect of:

The payment of a financial contribution of £25,000 towards measures to mitigate against potential impacts on habitats from increased recreational pressures on the South Pennines Special Protection Area,

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

(John Eyles – 01274 434380)

7. **LAND AT FAGLEY YOUTH AND COMMUNITY CENTRE, FAGLEY ROAD, BRADFORD** 89 - 118
Eccleshill

A report will be presented by the Assistant Director - Planning, Transportation and Highways (**Document “AV”**) in respect of a full planning application for the construction of 128 traditional two storey 2, 3 and 4 bed semi-detached and detached homes including garages, access roads and general infrastructure on land at Fagley Youth and Community Centre, Fagley Road, Bradford – 17/05678/MAF.

Recommended –

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.

(John Eyles – 01274 434380)

INTERESTED PARTIES ARE ASKED TO NOTE THAT THE FOLLOWING ITEM WILL NOT BE CONSIDERED BEFORE 1.30 PM

8. **BOLTON WOODS QUARRY, BOLTON HALL ROAD, BRADFORD** 119 -
Bolton and Undercliffe 154
Windhill and Wrose

The Assistant Director - Planning, Transportation and Highways will submit a report (**Document “AW”**) in relation to an outline planning application for a residential development of up to 700 dwellings, with part means of access, and including demolition of buildings and fixed-surface infrastructure associated with the existing use, at Bolton Woods Quarry, Bolton Hall Road, Bradford – 15/06249/MAO.

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 Interim City Solicitor, in respect of:
 - (i) A financial contribution of £245,000 towards car charging points per household,
 - (ii) A financial contribution of £35,000 towards personalised Travel Plans,
 - (iii) A financial contribution of £220,000 towards site specific emission reduction measures,
 - (iv) A financial contribution of £49,000 towards mitigating recreational impacts on protected habitats,
 - (v) A financial contribution of £441,000 towards on-site affordable housing provision,

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

(John Eyles – 01274 434380)

INTERESTED PARTIES ARE ASKED TO NOTE THAT THE FOLLOWING ITEM WILL NOT BE CONSIDERED BEFORE 1.30 PM

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| 9. LAND TO THE SOUTH OF THORNTON ROAD, BRADFORD
<u>Thornton and Allerton</u> | 155 -
182 |
|---|--------------|

The report of the Assistant Director - Planning, Transportation and Highways (**Document "AX"**) considers an outline application for a development of up to 250 dwellings, including means of access, on land to the South of Thornton Road, Bradford – 17/06423/MAO.

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 Interim City Solicitor, in respect of:

- (i) On site affordable housing provision of up to 20% of the total number of units to be offered at an affordable rent by a Registered Provider,
- (ii) Relocation of the bus stop on Thornton Road and the implementation of Traffic Regulation Orders for the extension of the 30mph speed limit and double yellow line 'no waiting at any time' parking restrictions across the site frontage at the expense of the applicant,

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

(John Eyles – 01274 434380)

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10. SECTION 106 PLANNING AGREEMENTS - MONITORING REPORT 183 - 200

The Assistant Director – Planning, Transportation and Highways will present the latest monitoring report in respect of Section 106 Agreements signed in the financial year 2017/18 and the income received since the appointment of the Planning Obligations Monitoring Officer (**Document “AY”**).

Recommended –

That Document “AY” be noted.

(John Eyles – 01274 434380)

INTERESTED PARTIES ARE ASKED TO NOTE THAT THE FOLLOWING ITEM WILL NOT BE CONSIDERED BEFORE 1.30 PM

11. **PUBLIC SPACE PROTECTION ORDER (PSPO) BRADFORD CITY CENTRE AND SURROUNDING AREA 2016 - REVIEW** 201 - 232
City
Manningham

Previous references: Minute 90 (2015/16) and 46 (2016/17)

The Strategic Director, Place will submit a report (**Document "AZ"**) which details the main findings of a recent review of the Public Space Protection Order (PSPO) for Bradford City Centre and Surrounding Area 2016, for Member's consideration.

The PSPO was implemented further to the decision of this Committee on 29 September 2016 and enforcement commenced in April 2017. The Committee requested that a review of the Order be undertaken after a period of 12 months.

Recommended –

- (1) That no changes be made to the current Public Space Protection Order (PSPO) Bradford City Centre and Surrounding Area 2016.**
- (2) That the Strategic Director, Place be asked to give consideration to:**
 - (i) Increasing the number of officers patrolling this and other areas protected by PSPOs.**
 - (ii) Enforcing the PSPO during evenings and weekends.**
- (3) That referral to Alcohol Awareness Sessions be discontinued with signposting to Drug and Alcohol Services continuing.**
- (4) That the impact of the use of Community Protection Notices (CPNs), Community Protection Warnings (CPWs) in conjunction with PSPOs be monitored.**
- (5) That the impact of the 'Bradford Cares' initiative be monitored.**
- (6) That the Strategic Director, Place be requested to undertake a further review of the effectiveness of the PSPO with particular regard to the impact of the use of Community Protection Notices (CPNs), Community Protection Warnings (CPWs) and 'Bradford Cares' in 12 months time, and prior to September 2019 when the Council will be required to consider its renewal.**

(Rebecca Trueman – 01274 431364)