

# Agenda for a meeting of the Regulatory and Appeals Committee to be held on Thursday 19 July 2018 at 10.00 am in the Banqueting Hall - City Hall, Bradford

## Members of the Committee – Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT
Brown Cooke	Amran Wainwright Warburton Watson	Griffiths

## Alternates:

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT
Ellis M Pollard	Azam Godwin S Hussain Jenkins	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 TO 12 WILL NOT BE CONSIDERED BEFORE 1.30 PM.**

## 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. 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**

### **4. 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)

### **5. LAND AT HOLTS LANE, BRADFORD Clayton and Fairweather Green**

1 - 28

Previous reference: Minute 47 (2017/18)

The Assistant Director - Planning, Transportation and Highways will submit a report (**Document G**) in relation to a full application for the substitution of 76 dwellings, approved under reference 17/05251/MAF, together with the construction of an additional dwelling (making 100 in total) and associated works on land at Holts Lane, Bradford - 18/01540/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 authority be delegated to the Assistant Director - Planning, Transportation and Highways (in consultation with the Interim City Solicitor) to enter into a Deed of Variation in respect of the original Section 106 legal obligation attached to Planning Permission 17/05251/MAF to secure the on-site affordable housing provision of 20 dwellings.**

(John Eyles – 01274 434380)

6. **LAND TO THE REAR OF DELPH TERRACE, HOLTS LANE,  
BRADFORD**  
**Clayton and Fairweather Green**

29 - 48

Previous reference: Minute 47 (2017/18)

The Assistant Director - Planning, Transportation and Highways will present a report (**Document “H”**) in relation to a full application for off-site enabling works for a neighbouring residential development (planning permission reference 17/05251/MAF) on land to the rear of Delph Terrace, Holts Lane, Bradford – 18/01745/MAF.

The works include a drainage compound comprising a concrete base and 2 kiosks above ground and 6 manholes/inspection chambers set into the surface, a 1.5 metre high retaining wall in stone, a fence around the compound and a grasscrete road to serve it. It also includes the provision of an embankment along the western boundary of the site.

**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)

7. **LAND TO THE SOUTH OF WOODLANDS CE PRIMARY SCHOOL,  
MILL CARR HILL ROAD, BRADFORD**  
**Tong**

49 - 72

Previous reference: 5 April 2018

Members may recall that, at the meeting of the Committee held on 5 April 2018, consideration was given to an outline planning application for the provision of a school car park for Woodlands CE Primary School (linked to an application within the Kirklees district for the redevelopment of a former waste water treatment works off Cliff Hollins Lane to provide employment uses Classes B1(C), B2 and B8) on land to the south of Woodlands CE Primary School, Mill Carr Hill Road, Oakenshaw, Bradford – 16/06146/MAO.

*It was resolved:*

*“That consideration of the application be deferred for a period of 3 months from the date of this meeting and that the applicant be requested to consult Woodlands CE Primary School/Diocese of Leeds in respect of all the concerns raised in respect of the provision of the car park and pedestrian crossing as proposed; to include consideration of the possibilities for the use of an alternative site.”*

The Assistant Director - Planning, Transportation and Highways will now submit **Document “I”** which updates the Committee on the discussions that have since taken place and requests that the application be determined.

**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)

8. **UNION MILLS, HARROGATE ROAD, BRADFORD**  
**Eccleshill**

73 - 92

The Assistant Director - Planning, Transportation and Highways will submit a report (**Document “J”**) in respect of an application to vary two conditions (16 and 17) of planning permission 17/04007/MAF associated with a retail development at Union Mills, Harrogate Road, Bradford – 18/01622/VOC.

Condition 16 includes restrictions on the hours of use of Units 1A and 1B on Sundays; the proposed variation would remove the restriction as these units are below the size threshold for which hours of trading are limited under the Sunday Trade Act 1994. Condition 17 relates to the permitted delivery and servicing hours for Unit 7 and the variation would bring this unit in line with the other units on this site.

**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***

9. **LAND TO THE EAST OF 43 BRUNSWICK ROAD, BRADFORD**  
**Idle and Thackley**

93 - 110

The Assistant Director - Planning, Transportation and Highways will present a report (**Document “K”**) in respect of a full planning application for a residential development comprising 8 two bedroom flats and 2 studio flats, including parking, on land to the east of 43 Brunswick Road, Bradford – 17/05824/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***

10. **100 HOLLINGWOOD LANE, BRADFORD** 111 -  
**Great Horton** 132

The report of the Assistant Director - Planning, Transportation and Highways (**Document “L”**) considers a full planning application for the construction of 14 self contained flats and ancillary staff/carer's accommodation and part demolition and conversion of an existing dwelling to form a 3 bed shared house at 100 Hollingwood Lane, Bradford – 18/01043/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***

11. **LAND TO THE EAST OF KEIGHLEY ROAD/NORTH OF HARDEN** 133 -  
**ROAD, HARDEN** 164  
**Bingley Rural**

Previous reference: Minute 11 (2015/16)

A report will be presented by the Assistant Director - Planning, Transportation and Highways (**Document “M”**) in relation to a reserved matters application for the construction of 28 dwellings, including consideration of access (other than at Keighley Road), appearance, landscaping, layout and scale, on land to the east of Keighley Road and to the north of Harden Road, Harden – 18/00158/MAR.

The report also explains that the outline application (15/01039/MAO) was subject to a Section 106 legal obligation and a Deed of Variation is now requested on the grounds of financial viability.

**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 authority be delegated to the Assistant Director - Planning, Transportation and Highways (in consultation with the Interim City Solicitor) to enter into a Deed of Variation, in respect of the Section 106 Legal Obligation attached to Planning Permission 15/01039/MAO, to remove the obligations in respect of affordable housing provision, recreation and public transport and retain that in respect of public open space provision as follows:

An obligation to provide the Village Greenspace and other Public Open Spaces as shown on Drawing 1357DHP/MCH/IMO1 REV J, or as otherwise agreed by the Local Planning Authority, to a minimum area of 1,900m<sup>2</sup>, as open spaces [containing no buildings] in perpetuity; to include the submission of full details of the arrangements which shall be made for the management and maintenance of the Public Open Spaces shown on Drawing 1357DHP/MCH/IMO1 REV J, or as otherwise agreed by the Local Planning Authority.

(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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| 12. | <b>LAND AT RYSHWORTH HALL, KEIGHLEY ROAD, BINGLEY</b><br><b><u>Bingley</u></b> | 165 -<br>188 |
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A report will be submitted by the Assistant Director - Planning, Transportation and Highways in respect of an application for outline planning permission for a residential development of up to 10 dwellings on land to the west of the Grade II\* Listed Ryshworth Hall, Keighley Road, Bingley (**Document "N"**) – 16/09490/MAO.

The proposal includes the construction of 6 new build dwellings, the conversion of an existing building to create 3 new dwellings and the conversion of another existing building to form a single dwelling. Access is the only matter for consideration at this stage with details of layout, appearance, landscaping and scale being subject to a separate application for reserved matters in due course.

**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)

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