

Minutes of a meeting of the Regulatory and Appeals Committee held on Thursday, 15 November 2018 in the Banqueting Hall - City Hall, Bradford

Commenced 10.20 am
Concluded 1.45 pm

Present – Councillors

LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT
Amran Wainwright Warburton Watson	Brown Cooke	R Ahmed

Observers: Councillor Imran Khan (Minute 60)

Apologies: Councillor Alun Griffiths

Councillor Warburton in the Chair

56. DISCLOSURES OF INTEREST

In the interests of transparency, Councillor R Ahmed disclosed, in relation to the item concerning Former Wapping First School, Wapping Road, Bradford (Minute 60) that he had been a student at the school, however, he had not discussed the application with anyone or expressed a view.

In the interests of transparency, Councillor R Ahmed disclosed, in relation to the item concerning Land at Dick Lane, Bradford (Minute 62), that he had worked in the vicinity of the site but he had not discussed the application with anyone nor expressed an opinion.

ACTION: *City Solicitor*

57. MINUTES

Resolved –

That the minutes of the meetings held on 14 May and 31 May 2018 be signed as a correct record.

58. INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals submitted by the public to review decisions to restrict documents.

59. MEMBERSHIP OF SUB-COMMITTEES

No resolution was passed on this item.

60. FORMER WAPPING FIRST SCHOOL, WAPPING ROAD, BRADFORD

A report was submitted by the Assistant Director - Planning, Transportation and Highways (**Document “AE”**) in respect of an outline planning application (18/00861/MAO) and an associated application for Listed Building Consent (18/01396/LBC) for the demolition of the existing school buildings and school house (Grade II Listed) and the erection of a three storey residential building for up to 90 students, a two storey educational teaching building and the construction of a car park at the former Wapping First School, Wapping Road, Bradford.

The Assistant Director - Planning, Transportation and Highways informed Members that a letter from the applicant’s representative had been received following the publication of the report which covered the recent history of the school; the background to the ownership, criminal activity in the area and the work of the applicant. It was explained that the outline application proposed the construction of educational buildings, accommodation and a car park and the associated Listed Building Consent was for the demolition of the existing school buildings. There were residential properties in the area and land under the ownership of the applicant. It was a sloped site and the proposed access would be via Prospect Road. It was noted that limited information had been submitted as the application was outline, however, the footprint of the proposed scheme would be more or less the same as the existing buildings.

The Assistant Director - Planning, Transportation and Highways reported that the principle of construction for educational and student accommodation was supported, however, objections had been received from all the heritage consultees. Bats had been found on the site, surveys had been undertaken and the mitigation proposals were acceptable. Representations had been submitted in support of the application, including Ward Councillors and against the proposal and the details were included in the officer’s report. A substantial amount of history was associated with the listed buildings and due regard had to be given to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The application proposed the demolition of the buildings with the possible retention of the boundary wall and steps, however, concerns had been raised that this alone would not represent the history. The Assistant Director - Planning, Transportation and Highways stated that a number of meetings had taken place in order to try to resolve the issues and look at possible options. Elements of the façade could be retained, but the heritage consultees and the applicant had reached an impasse and insufficient information had been received. Members were informed that the National Planning Policy Framework (NPPF) stated that when considering applications that involved listed buildings “clear and convincing justification” was required. The work of the applicant had significant merit, however, the tests to be met were for the benefit of the public at large and the

scheme would be for the private use of the applicant. The heritage consultees had significant concerns that no detailed proposals had been submitted in respect of the substitute buildings.

A fence had been erected in 2015 around the perimeter and West Yorkshire Police had no details of crime occurring on the site since the construction of the fence, however, it did take place in the area. The Assistant Director - Planning, Transportation and Highways informed Members that the construction of new buildings on the site would not guarantee a reduction in crime levels and it was reiterated that all four of the tests within Paragraph 195 of the NPPF had to be met.

The Senior Planning Officer, Landscape, Design and Conservation addressed the Committee and explained that the Council had a duty under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which exceeded other matters. He stated that a substantial amount of public concern had been raised in relation to the loss of the heritage. It was acknowledged that the buildings required a significant amount of work, however, it was not believed that sufficient effort had been made to incorporate the existing buildings. The Council would be willing to engage with the applicant on this matter, as the lack of definitive plans and proper evaluation meant that the development could not be accurately assessed against the NPPF.

In conclusion the Assistant Director - Planning, Transportation and Highways reiterated that the applications were contrary to the NPPF and the Council's Core Strategy in light of the insufficient information regarding the retention of the heritage asset and the proposed replacement buildings. Both applications were then recommended for refusal as per the reasons set out in the officer's report.

In response to questions Members' were informed that:

- Listed Building consent applied to the entire structure. The Local Planning Authority had to identify its significance and the former school buildings were a heritage asset.
- The structural report was based upon the state of the buildings from the outside only, as it was too dangerous inside, however, the inside could be assessed by other means. It was accepted that the buildings were in a poor condition, but this would not prevent the retention of the façade and this aspect had not been given adequate consideration.
- If reasons as to why the façade was not safe, or proposals to incorporate the façade, were to be submitted then they would be considered with an open mind.
- The previously approved application for housing on the site had proposed the retention and conversion of the majority of the listed buildings.
- It had been demonstrated that grant funding was unlikely to be available. The applicant had requested funding in order to retain the buildings and had confirmed it would not be possible.
- All four of the National Planning Policy Framework (NPPF) tests had to be demonstrated.

A representative of the applicant was present at the meeting and addressed Members stating that:

- Life Church had started many years ago in Bradford and was now over 2500 strong within the Yorkshire Region.
- The Church had used the school for its Children's Church and had placed a bid for the building in 2000 when the school had been closed by the Council.
- The Council had been warned by the Church that the building could be vandalised and destroyed if left unoccupied.
- Two attacks of arson and 20 fires had been recorded at the property.
- In 2015 the North East Region Asset Recovery Team informed the Church that the school building had been seized by the Crown Prosecution Service.
- A closed bid to buy the property had been submitted by the Church and was successful.
- Since 2015 the Church had tried to keep the buildings safe, but they had and still were deteriorating.
- Crimes had occurred in the vicinity.
- The application proposed the expansion of the Church's current leadership college and would meet the needs of students.
- Spending millions on the property would push the charity to its limits.
- The Church had promised a Senior Magistrate of the Crown Court that the school buildings would be used to help people.

A Ward Councillor was present at the meeting and stated that:

- The proposal provided the best opportunity to restore the area.
- The Life Church was a Charity.
- The application aimed to establish the principle of development on the site.
- It was too late to protect the buildings.
- Why had the heritage societies not been interested in the site before the application?
- Crimes had taken place on the site.
- The site was close to Bradford Cathedral and was an important part of the Bradford District.
- The Council had not taken responsibility for the site.
- The Life Church should be supported and their application provided an opportunity to bring the area back into good use.
- The proposal met all the National Planning Policy Framework (NPPF) criteria.
- The proposal would create a safe environment.
- The development would not be open to the wider public, but it would make the area safer for the public.
- If the façade had been closer to the road it would have been demolished as it was unsafe.
- The buildings were not safe in their current form and were ready to collapse.
- It was frustrating that the Council was placing barriers in the way of an organisation was willing to improve the area.
- Members should consider the proposal fairly.

The applicant's agent then made the following points:

- The report focussed on the demolition of a heritage asset.
- No other objections had been submitted.
- The principle of the development of the site was acceptable but overridden by the heritage issues raised.
- The heritage consultees had acknowledged the issues faced.
- The applicant owned the land and it could be used for housing.
- In 2007 the previous applicant had not pursued a housing scheme as it had not been deemed viable.
- Drones could be utilised to assess the buildings internally.
- Over 20 records of fires had been logged at the site from April 2009 to May 2017.
- Slates had blown off the roof onto adjoining buildings.
- The historic relevance of the buildings would be acknowledged and displayed within the new development.
- The buildings had deteriorated beyond the point of no return and were a hazard.
- There was extensive local support for the scheme.
- Retention of the buildings had not been viable in 2007 and was not now due to the effect of the fires and further deterioration over the last 11 years.

In response to some of the comments made, the Assistant Director - Planning, Transportation and Highways stated that the many of the points had been covered in her presentation to the Committee. West Yorkshire Police had confirmed that crime levels on the site had significantly reduced since the erection of the fence, however, it was accepted that crime did occur in the area. The tests required by the NPPF were at a high level and it had been acknowledged that the buildings were in a state of disrepair, however, Historic England and the other historical societies were looking for the retention of some of the façade and they believed that insufficient investigations had been undertaken into the feasibility.

In relation to the undertaking of a site visit, the Chair confirmed that the Committee had viewed the site on two previous occasions and nothing new had come to light, therefore, it would not be required.

During the discussion a Member indicated that due to the required Listed Building Consent, the applications would have to be submitted to the Secretary of State for approval and, therefore, there was a need to be confident in respect of the replacement scheme. He stated that it was a significant site which was visible from around the City and insufficient information had been provided as to why the buildings had to be demolished, what could be retained and what would replace them. The Member acknowledged that the applicant's intention was not in dispute and that the principle of the use was accepted, however, he explained that under planning law he had little choice but to agree with the officer's recommendation.

In response to a Member's further queries, the Assistant Director - Planning, Transportation and Highways explained that it was accepted that the buildings were in a poor state of repair, however, the issues needed to be addressed. It was confirmed that the photographs shown had been taken within the last 6

months and visits had been made to the site recently. Crime was not always reported and Members had been informed of the comments made by the police. With regard to the application, the Assistant Director - Planning, Transportation and Highways confirmed that it was outline only for a specific use, but no information had been submitted in respect of the replacement buildings. If an understanding of the design of the replacement buildings had been provided it could be taken into consideration against the NPPF requirements.

A Member recognised the good work of the applicant but agreed that the proposal did not provide any information in relation to the retention of the listed buildings or any assurances for the Secretary of State. Another Member concurred with the previous views. In conclusion the Chair explained an innovative plan and the use of the façade would have been welcomed, or a clear report as to why the buildings could not be retained. He then suggested that, if minded, the applicant could withdraw both applications and submit an improved proposal.

Resolved -

Applications 18/00861/MAO and 18/01396/LBC:

That subject to written confirmation, these applications be regarded as withdrawn and formal notification to be received by the Assistant Director - Planning, Transportation and Highways within 7 days and that if notification is not received then the applications be refused by the Assistant Director - Planning, Transportation and Highways under delegated powers.

ACTION: Assistant Director - Planning, Transportation and Highways

61. SITE OF THE FORMER BRONTE SCHOOL, KEIGHLEY ROAD, OAKWORTH

Previous reference: Minute 45 (2016/17)

The Assistant Director - Planning, Transportation and Highways presented **Document “AC”** in respect of a planning application submitted under Section 73 of the Town and Country Planning Act 1990 – 18/02252/VOC.

The application related to a residential development of 51 mixed tenure houses, including associated infrastructure, on the site of the former Bronte School, Keighley Road, Oakworth. (Planning permission was granted on 6 October 2016, Reference: 16/02526/MAF).

The report explained that the application was for a minor material amendment to the previously approved development through a variation of Condition 25 to substitute revised drawings. The revised drawings sought approval for the removal of two trees and retrospective regularisation for; the retention of an underground attenuation tank, alterations to the finished floor levels of Plots 35, 36, 39, 40, 41, 42 and 43, road level changes and the addition of gabion retaining walls.

The Assistant Director - Planning, Transportation and Highways informed Members that 51 objections had been submitted, including one from the local MP and the issues were detailed within the officer’s report. With regard to the gabion retaining walls he confirmed that they were acceptable and would not have an

adverse effect on amenity. They were stone faced, as the previously approved walls had been built from stone and had been constructed to the same height as those granted permission. The road level changes consisted of minor modifications to the primary route through the site, which were in accordance with Section 38 requirements and acceptable to the Council's Highways Department. It was noted that the plot level changes were not largely visible or caused any issues. The Assistant Director - Planning, Transportation and Highways reported that an application to remove one of the trees on the site had been submitted and approved by the Council's Tree Officer, however, another had been damaged during the construction period. It had been assessed and its removal agreed subject to the planting of additional trees on Keighley Road to fill the existing gaps. The new trees would also be protected under a Tree Preservation Order. Members were informed that the previous scheme had included an attenuation pond, however, a Health and Safety Review had been undertaken and this had resulted in the pond being replaced by an underground tank covered by an area of public open land. A contribution of £10, 000 had also been suggested in order to mitigate the impact of the development on the North Yorkshire Moors.

The Assistant Director - Planning, Transportation and Highways then recommended the application for approval, subject to the conditions as set out in the report, the deletion of condition 10 and footnotes in respect of the obligations of the scheme and the proposed financial contribution.

In response to Members' queries, the Assistant Director - Planning, Transportation and Highways explained that:

- A condition relating to tree protection measures was in place, however, the tree damaged during the construction process had been of low value and, from a planning perspective, the proposal satisfied the situation.
- An attenuation tank had been installed.
- There was a condition on the application to maintain the open space.
- Five new specimen trees had been secured for planting and would be located where they would provide maximum benefit for the site. If replanted in the same place, they would be in front of properties and obstruct the view.
- The application to replace the pond with the tank was retrospective, however, the Committee needed to consider whether the proposals were suitable and balance the provision of the pond against the open space provided.
- If the application was refused, the attenuation tank would have to be removed and an alternative solution provided, which would be at a cost to the Council.
- The attenuation tank provided a net balance in relation to flood risk, as both the pond and tank would hold the same volume. The tank would be adopted by Yorkshire Water and they would maintain it, however, the pond would not be adopted.

A representative of a local MP, who was also a resident, was present at the meeting and commented that:

- The application reneged on the promise to residents.

- The attenuation tank removed the pond which would have been an attractive feature.
- The developer should keep their promises.
- The pond had been an integral part of the plan.
- Were the proposed changes minor?
- The removal of the pond was not a minor feature.
- Negligible discrepancies such as land levels were accepted.
- The construction of an 11foot wall was not an insignificant change.
- It was hard to believe that the issue had not been anticipated at the planning stage.
- Residents had been promised an open green space and trees.
- He was opposed to the proposed amendments.
- It was believed that the alterations would allow Phase 2 of the site to be developed.
- The proposed tank, walls and levels were already in place.
- It was not an ideal approach to planning and what example would the Council set?
- The application should be refused.

In response to some of the issues raised, the Assistant Director - Planning, Transportation and Highways reported that:

- The permissions did not vary a great deal.
- The pond had been removed and an open green space would be provided.
- Gardens would be retained.
- It was believed that the minor changes were in relation to the development of 51 dwellings, however, they still warranted consideration.
- It was unfortunate that the changes were retrospective, however, officers believed them to be acceptable.
- A Health and Safety Review had prompted the removal of the pond, however, it was irrelevant to the recommendation.
- Planning officers had to consider whether the proposal was suitable for the site.
- Gardens would now be graded and this had not been possible previously.

In response to further queries from Members, it was confirmed that the land to the south of the site was formerly the school's playing fields. The approved scheme had given an indicative layout for housing on the land, however, no plans had been submitted under the current application. Future development could not be ruled out though. The Assistant Director - Planning, Transportation and Highways reiterated that comments in relation to the Health and Safety Review were irrelevant and any changes had to be acceptable for the amenity of the site.

Representatives of the applicant were present at the meeting and addressed the Committee stating that:

- They appreciated and acknowledged that high standards had not been met and apologised.
- Work had not ceased whilst the planning process had been undertaken and procedures would be reviewed to ensure this did not happen again.
- The application had not materially changed and no additional houses

would be built.

- Permission was sought for the removal of two trees and replacements would be planted.
- Scaffolding had been erected to protect the trees, however, two were too large for their location and the Council's Tree Officer had been contacted in relation to their removal.
- Excessive excavation would have been necessary to establish the roads, therefore, level changes were required.
- The attenuation tank had been installed following a Health and Safety Review, as the depth of the pond would have been 1.7 metres in order for the scheme to work. Concerns had been raised and the alternative solution of a tank had been proposed.

Members then questioned the representatives of the applicant and were informed that:

- They were not aware of any promises made and views could not be guaranteed.
- The damaged tree had been protected during the construction period, however, the ground around it had been excavated and the Council's Tree Officer had agreed that it did not have a high survival rate.
- The attenuation tank had increased the costs, but was preferable in terms of Health and Safety.
- The placing of a pond on top of the attenuation tank had been suggested, however, the implications of whether it could be provided were not known.
- Residents would be able to walk over the tank.
- As the houses had been constructed first the road levels had to be changed, therefore, every level had to be revised in order to achieve an even access to the houses.

The Assistant Director - Planning, Transportation and Highways explained that a pond placed above the attenuation tank would drain into the tank, however, Yorkshire Water would not permit this to happen as they would have adopted the tank. In relation to the replacement trees, Members were informed that they would be a stock size and specific value agreed with the Council.

During the discussion Members expressed concerns in relation to the processes undertaken and why work had been carried out without permission. A review of the procedures was welcomed and it was requested that the Portfolio Holder be informed. In conclusion Members, though disappointed in the example set by the applicant and with their reservations noted, supported the application.

Resolved –

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 and subject to the following:

- (i) **The deletion of condition 10.**
- (ii) **The additional drawing references to be included in condition 2:**

- 1884.61.303 Proposed S38 Drainage Layout Rev.C5
- 1884.61.306 Plot Drainage Rev.C4
- 1884.61.316 Proposed S104 Drainage Layout
- 1884.61.317 Adopted Manhole Schedule
- 1884.61.327 Highway Longitudinal Sections (1 of 2) Rev.T6
- T-PRE-PR249024_KT_D1-RevC Polypipe Attenuation
- T-PRE-PR249024_KT_D2-RevC Polypipe Attenuation
- Net-1C-Piped Attenuation Microdrainage surface water drainage calculations

And that the permission is subject to the following obligations:

- (i) That the scheme provides affordable housing units as part of the 2015-18 Approved Housing Programme of delivering affordable housing across six sites in the District that have received Housing and Communities Agency (HCA) funding, now operating as Homes England. Note: within the programme there will be 155 houses for rent across the programme and 33 for sale with the sales properties at full market value and at a cross subsidy to the whole programme.
- (iii) That payment of a contribution of £10,000 prior to occupation of the development to mitigate impacts on sensitive habitats by bringing forward the improvements on routes leading to and at the Special Protection Areas (SPAs). On these routes, erosion of adjacent habitat caused by widening footpaths is an issue and this can be addressed through a suitable contribution.

ACTION: Assistant Director - Planning, Transportation and Highways

62. LAND AT DICK LANE, BRADFORD

The Assistant Director - Planning, Transportation and Highways presented a report (**Document “AD”**) in relation to a full planning application for the construction of a function hall, comprising 2,450 square metres of floor space over three floors, on land at Dick Lane, Bradford – 17/06698/MAF.

The report explained that the access to the site would be taken directly off Dick Lane into a car park that would provide 293 parking spaces, 25 cycle spaces and 3 coach parking spaces.

The Assistant Director - Planning, Transportation and Highways informed Members that three additional representations had been received since the report had been published. He confirmed that Leeds City Council had been consulted in relation to the boundary and they had not raised any concerns. With regards to the use class for the facility, D2 had been suggested and this would not raise any implications, as it would be a specific use for a function hall. It was noted that there were residential properties and industrial buildings in the vicinity and around the site boundary. The dwellings were a significant distance from the proposal and access to the venue would be from Dick Lane. A noise survey had been submitted which stated that there would not be an impact on the houses and the Council’s Environmental Health Unit had concurred.

The Assistant Director - Planning, Transportation and Highways explained that concerns had been raised in respect of the use of fireworks at events. In response the applicant had submitted a Management Plan and confirmed that during an Asian wedding fireworks were only used at the point when the groom arrived. The Council's Environmental Health Unit had considered the proposal and was satisfied. It was noted that a condition prohibiting the use of fireworks would not be enforceable, therefore, the management plan would have to cover such issues. However, if fireworks were causing a statutory nuisance Environmental Health had statutory powers to deal with the matter. Planting and an acoustic barrier would be placed on the boundary and was covered by a condition on the application. The applicant had proposed measures to help mitigate the noise nuisance to residents that included a one way system for the car park, which would be located away from residential properties. The Assistant Director - Planning, Transportation and Highways reported that the Council's Highways Department had requested a Traffic Regulation Order (TRO) to prohibit parking at either side of the access and an additional condition would need to be added if Members were minded to approve the application. The application was then recommended for approval subject to the conditions as set out in the report and the additional condition for a TRO.

Members were then informed that:

- Data in relation to the parking requirement was still being gathered, however, there needed to be sufficient spaces to cover the approximate number that the venue could accommodate. Spill over parking was a concern and was the reason behind the request for a TRO.
- Sporting arenas, for example, were used as a comparator for this type of venue with regards to parking. There were currently two points of entry onto the site and vehicles could easily migrate onto residential streets to park, therefore, the access from Watt Street would be permanently closed. Any additional parking would be provided on the industrial area.
- Dick Lane was a wide road and there were residential properties opposite.
- Initial considerations regarding on-street parking had focussed on Wellington Street, however, the access on Watt Street would be removed and the requirement for a parking review could be looked at again.
- Leeds City Council had not raised any objections in relation to the impact on highways.
- The Council's Environmental Health, Air Quality Team had requested that six electric charging points be provided and a further six were available if required.
- Further expansion requests would be considered when and if they were submitted. Concerns would be raised if any further development would result in a reduced parking provision.
- The hours of use had been limited as the proposed use was for a function hall that would include weddings.
- The number of guests attending the venue could not be controlled.
- A Travel Plan had been submitted by the applicant.
- The objection regarding parking submitted by the Council's Highways Department had been withdrawn, however, Members could request that a resident parking scheme be considered and included on the application on approval.

- Building Control and Fire Regulations covered the number of people permitted on the premises.

Objectors were present at the meeting and made the following comments:

- Dick Lane was wide close to the access point, however, it was narrower at the Dudley Hill and Thornbury ends.
- Local people parked in the area.
- A great deal of traffic would collect in the area.
- The pedestrian crossing nearby was not well lit.
- An increase in traffic flow could cause issues.
- The volume of traffic using the road had increased year on year.
- Local residents were concerned that the venue would exacerbate the problems.
- Only six electric car charging points would be provided, but more would be required.
- Dick Lane was used by heavy transport as it was a main link to the motorway.

In response to some of the points made the Assistant Director - Planning, Transportation and Highways confirmed that:

- The number of electric charging points was based upon current trends and the Council's Environmental Health Unit had based the requirement on current usage. There would be a greater need if the electric vehicle demand increased and it would be the applicant's responsibility to provide further charging points.
- The Management Plan would have to specify incentives in relation to the Travel Plan.
- The width of Dick Lane was not a problem and officers were satisfied with the proposed parking provision, however, the issues regarding the pedestrian crossing were accepted.

Members then posed further questions and it was reported that:

- Any additional traffic due to the venue had to be balanced against the current traffic use of Dick Lane and an additional 300 vehicles compared to the overall capacity of the road would be negligible.
- The applicant could only be burdened with the cost of any infrastructure and was not responsible for any existing problems.
- It was anticipated that a large number of people would attend the venue by car and as the proposed parking provision was sufficient, it would be difficult to suggest that pedestrians would need to cross the road. The proposal would have to demonstrate a strain on the road.
- The entrance complied with the Council's visibility requirements.

The applicant's representative was present at the meeting and commented that:

- His grandparents had opened the Sweet Centre restaurant on Dick Lane.
- The family wanted to develop the business.
- The function hall would primarily be used as a wedding venue.

- Planning officers had been consulted.
- The building had been re-located away from residential properties; the rear access would be blocked; parking spaces and adequate visibility splays at the access would be provided.
- The proposal would improve business in Bradford and had been welcomed.
- It was hoped that the Committee could see the positives of the proposal.
- The maximum number of parking spaces would be provided.
- The garden area to the front of the building could be used for parking.
- Staff had used the bus provided in the past and cycle bays would be provided.
- The timings of the venue would not interact with school times.
- The wedding season occurred in school holidays.

Members then questioned the applicant's representative and were informed that:

- The booking contract would make it clear that fireworks would not be permitted on the site and a breach would result in the loss of the deposit. This stance would be reinforced during the process leading up to the event. Attendants would be employed to patrol the car park and stop fireworks from being set alight along with signs stating that they were not allowed. As many Management Plans as possible would be put place to in order to control the venue.
- It was accepted that the use of fireworks would be difficult to stop, however, the aim was to create an elegant venue and many facilities did not permit the use of fireworks now. They operated another venue and only two noise complaints had been received, which indicated that their Management Plans were effective. His family had been running wedding events for many years and traditionally fireworks were lit when the groom arrived, however, they would be banned at the venue.
- The opening hours requested would provide flexibility for the type of events that could be held at the venue and it would enable preparation time prior to an event.
- Approximately 4 to 5 attendants would be required to manage the car park.
- Guests would start to arrive around 10.30am, the main event would take place between 12pm and 1pm and conclude by 10.30pm. Only staff would be present in the premises after 10.30pm and they would be taken home on the staff bus.
- The use of work experience placements would be considered.

The Assistant Director - Planning, Transportation and Highways added that the hours of use could be restricted by a condition and if the premise was granted a class D2 use it could change to a restaurant or café without planning permission.

During the discussion a Member stated that he was impressed by the applicant's presentation and application. It was agreed that the proposal would be a good use of the land and the roads in the vicinity could cope with the potential traffic, however, it was proposed that the hours of operation be amended and a condition requiring a TRO be placed on the scheme. Other Members echoed these sentiments.

Resolved –

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 and subject to the following:

(i) That condition 28 be amended as follows:

“Unless otherwise agreed in writing by the Local Planning Authority, the use of the premises shall be restricted to the hours of 10.00 – 00.00 Monday to Sunday.”

(ii) That the following additional conditions be added to the application:

30. Parking Review Study

Within 12 months of the development hereby permitted becoming operational, a timetable for the implementation of a Parking Review Study shall be submitted to and approved in writing by the Local Planning Authority. The Review Study shall examine the impact of the development on the overflow parking within the local area and identify any mitigation measures that may be required. Any mitigation measures identified in the approved Review Study shall then be carried out in full accordance with the agreed timetable and at the expense of the Developer.

Reason: In the interests of highway safety and to accord with Policies DS4 and DS5 of the Local Plan for Bradford.

31. Traffic Regulation Order

A drawing indicating the extent and full details of a Traffic Regulation Order for parking restrictions on Dick Lane in the vicinity of the site access/egress shall be submitted to and approved in writing by the Local Planning Authority prior to construction of the development continuing above damp proof course. No part of the development hereby approved shall be brought into use until best endeavours to implement the Traffic Regulation Order have been undertaken by the Highway Authority with all costs borne by the applicant.

Reason: In order to ensure that a safe access is maintained and to mitigate vehicular movements in the interest of highway safety and to accord with Policies TR2 and DS4 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

ACTION: Assistant Director - Planning, Transportation and Highways

Chair

Note: These minutes are subject to approval as a correct record at the next meeting of the Regulatory and Appeals Committee.

THESE MINUTES HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER