

Minutes of a meeting of the Regulatory and Appeals Committee held on Thursday, 27 October 2022 in the Council Chamber - City Hall, Bradford

Commenced: 1010
Adjourned: 1115
Reconvened: 1125
Concluded: 1150

Present – Councillors

LABOUR	CONSERVATIVE	GREEN
Salam Alipoor Shabir Hussain	Brown Sullivan	Edwards

Apologies: Councillor Shafiq

Councillor Salam in the Chair

8. DISCLOSURES OF INTEREST

In the interest of transparency, the following Members made a declaration in relation to the item pertaining to the Former Station Yard, Cullingworth (Minute 12):

- (i) Councillor Sullivan indicated that the application site was within his ward and that he was aware of the application.
- (ii) Councillor Brown disclosed that he was a Member of the Committee at the time when the outline application was determined.

ACTION: Director of Legal and Governance

9. MINUTES

Resolved –

That the minutes of the meeting held on 26 May 2022 be signed as a correct record.

10. INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals submitted to review decisions to restrict documents.

11. MEMBERSHIP OF SUB-COMMITTEES

There were no changes proposed to Sub-Committee membership.

12. RESERVED MATTERS APPLICATION - FORMER STATION YARD, NEW SCHOOL LANE, HALIFAX ROAD, CULLINGWORTH, BINGLEY - 15/00378/MAO

The Assistant Director Planning, Transportation & Highways submitted a report (**Document “E”**) which set out a reserved matters application requesting consideration of appearance, landscaping, layout and scale for 53 dwellings, associated car parking, landscaping and areas of public open space (pursuant to outline approval 15/00378/MAO) on the Former Station Yard, New School Lane, Halifax Road, Cullingworth, Bingley.

The Senior Planning Officer gave a detailed PowerPoint presentation setting out the reserved matters application, showing photographs of the site and the adjoining area; site plans; sections through the site and proposed house types.

He stated that a further objection had been received asking for the inclusion of the cycleway within the Section 106 Agreement; which had already been included, if the Committee was minded to grant permission. In addition concerns had been raised about the damage to the existing trees during construction, again protection measures would be incorporated as part of the construction plan to be submitted by the applicant.

One of the main concerns expressed had been around overlooking, privacy and security issues and the applicant had given assurances, to work closely with residents to overcome these concerns. To this end an additional condition was being proposed regarding the proposed fencing, planting and reducing the levels of the Great Northern Trail, and details would need to be submitted by the applicant, and subject to the above, the application was recommended for approval.

A Member asked what assurances we had that the overlooking and reductions in levels would be achieved by the applicant to the satisfaction of residents. In response, it was stated that as part of the discharging of the conditions, plans will have to be submitted by the applicant and the levels arrived at will be shown on those plans, and approval will only be granted once we are satisfied with the plans.

In response to a question regarding existing trees and damage during the construction phase, it was explained that the trees to be retained as well as the ones to be lost, will also be shown on the plans, adding that any replacement planting would be by way of heavy standard trees.

In response to a question regarding the proposed fencing, it was stated that a 2 metre high palisade fence was being proposed with appropriate landscaping to

prevent overlooking; however as stated we were awaiting further details on this from the applicant.

A Member suggested that the applicant should also make provision for Metro cards as not everyone will have access to a car.

A Cullingworth Parish Councillor was present at the meeting and stated that the drawings submitted by the applicant were not to scale; that all those that had been consulted had not been advised regarding the security issue and the proximity of the footpath to the houses, and that overlooking will occur; that the visual amenity of existing and new residents would be severely affected by the development; was contrary to policy; that the level of tree retention was low; that the proposed cycleway needed relocating; will affect the wildlife and that any new tree planting would take years to establish; that the path would lead to incidents of anti-social behaviour; compromise security and privacy and that residents views had not been taken into consideration in drawing up the application.

A number of objectors were present at the meeting and stated that the proposed fencing needed to be at least two metres high to ensure the security and privacy of residents, and urged that the Committee visit the site.

In response to some of the Issues raised, the senior planning officer stated that it was important that the applicant and residents work together to ensure that the issues raised were resolved to everyone's satisfaction.

The applicant's representative was present at the meeting and gave a summary of the benefits the proposed new housing would have on the area and that the current site would be enhanced considerably as a consequence; adding that in relation to the issues raised around the fencing and the footpath, further detailed would be submitted by the applicant, however the applicant was keen to work with residents and the Parish Council to come to a solution that all parties were happy with.

During the discussion Members' acknowledged that the main issues pertaining to the levels of the Great Northern Trail, the proposed fencing and the screening of the fence needed resolving, and urged that the applicant works closely with the residents and the Parish Council to come up with a workable solution, and it was therefore:

Resolved –

That the application be approved subject to the completion of a Section 106 Agreement and the conditions set out in Appendix 1 to Document "E", and also subject to the following additional conditions:

(i) Great Northern Trail condition:

Development above damp proof course level on any dwelling within the Development shall not take place until a scheme of works to the Great Northern Railway Trail has been submitted to and approved in writing by the Council. The Scheme of Works shall include the following details;

- (i) Details of existing and proposed levels of the Great Northern Railway Trail.
- (ii) Details of a fence and or other infrastructure designed to protect the privacy of adjoining domestic curtilages from users of the Great Northern Railway Trail.
- (iii) Details of planting on the Great Northern Railway Trail.

The approved scheme of works shall be carried out in full before the Occupation of [any Dwellings] within the Development.

That following submission of the above, the Parish Council is consulted prior to a final decision by the Chair of this Committee.

(ii) **Public transport infrastructure condition**

The development shall not begin until a scheme for public transport infrastructure improvements, including the provision of a bus shelter at local bus stop number 20075 and bus only Residential MetroCards for the future occupiers of the development for a 1 year period, together with a timetable for the implementation of the agreed scheme has been submitted to and agreed in writing by the Local Planning Authority. The Approved scheme shall then be implemented in full in accordance with the approved details.

Action: Assistant Director Transportation Design and Planning

13. ADOPTION OF UPDATED MODEL BYELAWS TO REGULATE ACUPUNCTURE, TATTOOING AND ELECTROLYSIS AND TO EXTEND REGULATION TO SEMI-PERMANENT SKIN COLOURING AND COSMETIC PIERCING

The Director of Health and Wellbeing submitted a report (**Document “F”**) which sought approval for the adoption of a single consolidated model byelaw to regulate acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis. This will also require revocation of the existing three byelaws that regulate acupuncture, tattooing, ear piercing and electrolysis in accordance with sections 14 and 15 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by section 120 of the Local Government Act 2003.

In response to a question regarding age verification and certification, it was stated that all licensed premises had to ensure that any users were over 18 and age verification was also undertaken, and that premises would also have to display their certification on entry.

Resolved –

- (1) That the model byelaws for the regulation of skin piercing activities be adopted in accordance with section 15 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by section 120 of the Local Government Act 2003.
- (2) That it be authorised that the Common Seal of the Council be applied to the new byelaw.
- (3) That the Director of Legal and Governance be requested to carry out the statutory procedure for seeking confirmation of the byelaws by the Secretary of State.
- (4) That it be approved that the requirements of the byelaws will come into effect from the date on which the byelaws are confirmed by the Secretary of State and the current byelaws revoked.

ACTION: *Director of Health and Wellbeing /Director of Legal & Governance*

14. PUBLIC SPACE PROTECTION ORDERS FOR BRADFORD CITY CENTRE, KEIGHLEY TOWN CENTRE, SHIPLEY TOWN CENTRE AND BINGLEY TOWN CENTRE.

The Assistant Director Neighbourhoods and Customer Services submitted a report (**Document “G”**) which provided a summary of the statutory consultation responses and proposed amendments to the alcohol Antisocial Behaviour Public Space Protection Orders (PSPO's) for Bradford City Centre, Keighley Town Centre, Shipley Town Centre and Bingley Town Centre.

It was stated that to date 3,000 cans and bottles of alcohol had been confiscated from street drinkers since the PSPO had been in operation. However with limited resources, officers could only deal with a small number of offenders and the problem remained acute in some areas of the district, however targeting the worst offenders was seen as a more proportionate response. Many street drinkers had complex needs and may also be homeless, and where possible, they were signposted to appropriate services where they could get additional help.

Members acknowledged the extent of the problem, particularly in our town centres, however problems also existed in many residential areas of the district and it was difficult to see how the Order would solve these issue, however within the limited resources available, the current approach was having some impact.

Resolved –

That the Assistant Director, Neighbourhoods and Customer Services be authorised to extend the current PSPOs for three years in Bradford City Centre, Shipley Town Centre, Bingley Town Centre and Keighley Town Centre with the amendments made.

ACTION: *Assistant Director Neighbourhoods and Customer Services*

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