

Agenda for a meeting of the Regulatory and Appeals Committee to be held on Thursday, 27 April 2017 at 10.00 am in the Banqueting Hall - City Hall, Bradford

Members of the Committee – Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT
Barker Brown	Warburton Abid Hussain Wainwright Watson	Griffiths

Alternates:

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT
Ellis Miller	Azam S Hussain Lal Lee	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.

From:

Parveen Akhtar
City Solicitor
Agenda Contact: Sheila Farnhill
Phone: 01274 432268
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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 meetings held on 15 December 2016, 12 January 2017 and 9 February 2017 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. **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)

6. **LAND AT SIMPSONS GREEN, APPERLEY ROAD, APPERLEY BRIDGE, BRADFORD** **Idle and Thackley**

Previous references: Minutes 36 (2014/15) and 12 (2016/17)

The Assistant Director - Planning, Transportation and Highways will present a report (**Document “AJ”**) in relation to a planning application, submitted under the provisions of Section 73 of the Town and Country Planning Act 1990, in respect of the residential development of 267 dwellings and integral public open space, with associated access, parking and landscaping on land at Simpsons Green, Apperley Bridge, Bradford -16/07708/VOC. The scheme had originally been granted planning permission on 17 December 2014 (14/00255/MAF).



The report explains that the application is for a minor material amendment to the previously approved development through a variation of Condition 2 to substitute revised drawings showing changes to retaining walls, boundary treatments, levels, layout and house designs. The changes partly relate to a change in house designs/ layout for 63 units, which are now proposed to be developed by a second house builder, and partly relate to the retrospective regularisation of changes to site retaining walls/ ground levels.

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 City Solicitor, to enter into a Deed of Variation of the original legal obligation under Section 106 of the Town and Country Planning Act 1990 and Section 278 of the Highways Act 1980 attached to Planning Permission 14/00255/MAF to retain all the obligations as follows:**
 - (i) Payment of a commuted sum of £1,926,006 towards the highway improvement scheme at the New Line/Harrogate Road junction in lieu of affordable housing provision, with any monies not required for the works to the junction being directed back to the provision of affordable housing within the Idle and Thackley Ward as the first priority and Bradford North Constituency as the second priority.**
 - (ii) Payment of a commuted sum of £21,000 to be used for improvements of the existing playing pitches in the nearby locality.**
 - (iii) On-site provision of recreation equipment in the area to be designated as Public Open Space. The equipment to be maintained in perpetuity by the management company responsible for the open spaces on the site (see (v) below) and the detail of the type and location of the equipment to be approved in writing by the Local Planning Authority.**
 - (iv) Payment of a commuted sum of £1,058,840 for educational infrastructure improvements within the Idle and Thackley Ward or adjoining wards; £462,054 towards primary facilities and £596,786 towards secondary facilities. (To be paid in four equal instalments at the following triggers: 25% on the occupation of the 50th unit, second instalment on the occupation of the 100th unit, third instalment on occupation of 150 units with the remainder paid on the occupation of the 200th unit.)**



- (v) A management plan agreement for the management of all communal areas on the site which shall include long term design objectives, management responsibilities and maintenance schedules for all the areas in addition to including biodiversity enhancements. The Public Open Spaces to be provided prior to occupation of the 50th unit and to remain open and free from any built form in perpetuity.
- (vi) Payment of a commuted sum of £134,000 for transport infrastructure improvements and/or initiatives to support modal shift in the locality such as; upgrades to the Bridleway and the Public Rights of Way network. £20,000 of these monies to be put towards the upgrading of bus stops 17179 and 17178.
- (vii) Payment of a commuted sum of £15,000 to fund a mid/post development assessment and consultation exercise and any highway improvements considered necessary on Apperley Road and neighbouring roads, with consideration being given to the introduction of a road closure/one way system and resident's permit parking.
- (viii) Payment of a commuted sum of £5,000 to fund a Resident's Permit Parking Scheme, if identified as necessary by the mid/post development assessment and consultation exercise. The scheme to be agreed with the Council.
- (ix) Highway works, to include:
 - (a) A contribution of £1,926,006 towards the planned improvements to the New Line/Harrogate Road junction.
 - (b) A contribution of £14,000 for Traffic Regulation Orders and a Speed Hump Order to implement waiting restrictions to the protect visibility splays at the junction and for the relocation of the existing speed humps on Apperley Road.
 - (c) The provision of an Emergency Access, along with a shared pedestrian/cycle link, between the site and Leeds Road,

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.

(John Eyles – 01274 434380)



7. **LAND AT TRAFALGAR STREET, BRADFORD**
City

Previous reference: Minute 28 (2016/17)

A report will be submitted by the Assistant Director - Planning, Transportation and Highways (**Document “AK”**) in respect of an outline application for the construction of a mixed-use development scheme comprising apartments and wedding venue with conferencing facilities and associated car parking on land at Trafalgar Street car park, Snowden Street, Bradford - 16/02316/MAO. The application is in outline form with details of the access and layout submitted for consideration at this stage

The report explains that the application was considered by the Committee on 4 August 2016 when it was resolved to grant permission subject to a Section 106 Legal Agreement covering a number of matters. However, the applicant has failed to complete the Agreement within a reasonable period of time and there are no indications that it will be completed imminently and therefore the application is now recommended for refusal.

Recommended –

That the application be refused for the reasons set out in the Assistant Director - Planning, Transportation and Highways’ technical report.

(John Eyles – 01274 434380)

8. **GREENHOLME MILLS, BURLEY IN WHARFEDALE/BRIDGEHOUSE MILLS, HAWORTH**
Wharfedale
Worth Valley

A report will be presented by the Assistant Director - Planning, Transportation and Highways (**Document “AL”**) which informs the Committee of the Secretary of State’s consultation responses further to the resolutions to approve the planning applications at Bridgehouse Mills, Haworth (15/07479/MAF) and Greenholme Mills, Burley in Wharfedale (15/03339/MAF) at the meeting held on 9 February 2017.

Recommended –

That Document “AL” be noted.

(John Eyles – 01274 434380)



9. PRIVATE HIRE AND HACKNEY CARRIAGES - NEW CONDITIONS

The report of the Strategic Director, Place (**Document “AM”**) seeks the approval of the Committee to implement new conditions for private hire driver/operator/proprietor licences and hackney carriage drivers and vehicle licences.

The report explains that the conditions will assist operators, proprietors and drivers in delivering an effective, safe service, improved vehicle maintenance and better business protocols. The use of good practice will increase the safety of the travelling public.

Recommended –

That the implementation of the proposed new conditions for private hire driver/operator/proprietor licences and hackney carriage drivers and vehicle licences, as set out in Paragraphs 3.1 to 3.6 of Document “AM”, be approved.

(Carol Stos - 01274 437506)

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

