

## Minutes of a meeting of the Regulatory and Appeals Committee held on Thursday 10 August 2017 at City Hall, Bradford

Commenced	10.40 am
Adjourned	12.45 pm
Reconvened	1.15 pm
Concluded	2.15 pm

### Present – Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT AND INDEPENDENT
Brown Ellis	Warburton Wainwright Amran	Griffiths

Apologies: Councillors Watson and Rickard

Observer: Councillor Naylor (Minutes 22 and 24)

### Councillor Warburton in the Chair

#### 18. DISCLOSURES OF INTEREST

In the interest of transparency, Councillor Ellis disclosed that he was a member of the Yorkshire Regional Flood and Coastal Committee and the Airedale Drainage Commissioners. The latter organisation had commented on the application concerning Land at Belton Road, Silsden (Minute 24) but he had had no involvement in this process.

In the interest of transparency, Councillors Brown, Ellis, Wainwright and Warburton disclosed that they had been Members of the Committee when the outline application concerning Land at Belton Road, Silsden (Minute 24) had been considered. They undertook to approach the issue with an open mind and to consider all the relevant material planning issues before making a decision.

During the meeting and in the interest of transparency, Councillor Ellis disclosed, in relation to the item concerning Land at Belton Road, Silsden, that he had passed on complaints about the re-building of the bridge at Marcel House, Silsden which had resulted in the retrospective application for the works and that he had consulted the Environment Agency in respect of the relevant permit.

**ACTION:** *City Solicitor*

## 19. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

## 20. MEMBERSHIP OF SUB-COMMITTEES

**Resolved –**

**That the appointment of Non-Voting Co-opted Members to the Corporate Parenting Panel, for the remainder of the 2017/2018 municipal year, be confirmed as set out below:**

- **Inspector Kevin Taylor - West Yorkshire Police**
- **Ali Jan Haider – Bradford District Clinical Commissioning Group**
- **Yasmin Umarji - Bradford Education**
- **The Chair of the Children in Care Council**

***ACTION: City Solicitor***

## 21. LOCAL COUNCIL'S CHARTER - PLANNING PROTOCOL REVIEW

The Assistant Director - Planning, Transportation and Highways presented a report (**Document “K”**) which sought approval for a revised Planning Protocol for inclusion within the Council and Local Council’s Charter.

The report explained that the Council worked closely with the district’s nineteen Parish, Town and Community Councils (local councils) as key stakeholders in support of the people of the district. To help manage relations and set out how Bradford Council and the local councils aimed to work together a charter had first been produced, and approved by the Executive, in 2006; and subsequently updated in 2015.

The Charter included agreements on general communications, liaison activity, elections, financial arrangements, town planning and relevant parts of the Localism Act such as neighbourhood planning and the Standards Committee arrangements.

The Assistant Director explained that the Planning Service had recently worked with a number of the local councils to review and update Appendix 5 of the Charter which specifically related to how the Planning Service and Parish/Town/Community Councils interact with one another in respect of planning applications. The revised Protocol had been approved at the Parish Council Liaison meeting held on 14 June 2017 and was now submitted for Members’ consideration.



**Resolved –**

**That the revised Planning Protocol, as set out in the appendix to Document “K”, be approved and that it replace the current Appendix 5 of the Council and Local Council’s Charter.**

***ACTION: Assistant Director - Planning, Transportation and Highways***

## **22. DARKWOOD HOUSE, THE STREET, ADDINGHAM**

The Assistant Director - Planning, Transportation and Highways presented a report (**Document “L”**) in respect of a planning application for the demolition of two existing properties and the erection of ten replacement dwellings at Darkwood House, The Street, Addingham – 17/00570/MAF.

The Assistant Director reported on the substance of an additional representation submitted on behalf of the Addingham Planning Scrutiny Group which stated that whilst there was no objection in principle to the proposal it was considered important to ensure that the drainage system would not have any detrimental impact and that bats were not adversely affected by the development. He explained that relevant conditions were proposed within his technical report.

A Ward Councillor asked if the Community Infrastructure Levy (CIL) applied to this development and how this would impact in terms of the request for approximately £14,000 towards recreational provision in the area.

The Assistant Director confirmed that CIL would apply and this levy was intended to address the impact of development on educational and recreation infrastructure, amongst other things. At this stage a precise figure for the amount of the CIL liability had not been calculated but it was anticipated that it would be in the region of £100,000 in this case.

He further explained that this money would go into a central pot to address infrastructure needs across the district with the exception of 15% which could go to a Parish or Town Council if there was one in the area concerned. The quoted £14,000 was therefore an indicative figure. It had been agreed that consultees would continue to calculate their requirements so that there was a record for consideration when the CIL money was allocated.

An objector raised concerns about the CIL in terms of public scrutiny of how the money would be spent, the 5% administrative charge and the amount that small scale developers would be liable to pay, as it was considered that this could favour larger developers. He expressed the view that the money should be spent locally and that members of the public have clarity about how much money was being generated by a development.



The Assistant Director explained that the CIL was a national scheme and that the Council could not change the rules that applied. The administrative charge was necessary to cover the costs of managing the scheme and the Council had a designated officer to undertake this role. Although Section 106 contributions had only been required for developments of 10 or more units CIL applied to any development of 1 unit upwards. The Council had been required to demonstrate to a Government appointed Inspector that the level of CIL that it would require to be paid was both deliverable and affordable and robust viability testing had been undertaken on a variety of different sites. This had meant that in some areas of the district the CIL requirement was nil. The calculation was based on the amount of floorspace that would be created by a development but this had to take account of any existing floorspace which meant that the calculation of the final figure could sometimes be complex.

The Assistant Director responded to questions from Members:

- In theory a greater number of houses could be developed on this site as the density was relatively low and the proposed houses were quite large.
- The trees to the southern boundary would be removed; they were not protected and were not significant specimens. A relevant condition would require the submission of details, and implementation, of a landscaping scheme to provide appropriate replacement planting.

The applicant's agent stated that his client was fully aware of his obligations in respect of CIL. He commended the Assistant Director's comprehensive report.

**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.**

***ACTION: Assistant Director - Planning, Transportation and Highways***

## **23. LAND AT REDWOOD CLOSE, LONG LEE, KEIGHLEY**

A report was submitted by the Assistant Director - Planning, Transportation and Highways (**Document "M"**) in relation to a planning application, with all matters reserved except for access, for a development of up to 45 dwellings on land at Redwood Close, Long Lee, Keighley – 17/02809/MAO.

In a correction to his written report the Assistant Director clarified that the barn at the adjacent farm was not listed; it would be unaffected by the development and was not within the site boundary.



He reported that 38 objections had now been received to the proposed development; the issues raised being covered within his report. He also reported the receipt of further comments from Yorkshire Water which had stated that there was no objection to the proposal subject to the imposition of appropriate conditions and that the details of the drainage could be dealt with at Reserved Matters stage.

In response to questions from Members he confirmed that:

- The figures quoted in his report for education and recreational infrastructure contributions were indicative. This site was located within an area where no Community Infrastructure Levy was payable but this scheme did include a Section 106 legal agreement to secure 15% affordable housing provision on-site.
- The Reserved Matters application could be submitted to this Committee for determination if Members considered this to be appropriate.

The applicant's agent was in attendance at the meeting and responded to a Member's question in respect of the delivery of the affordable housing provision:

- If problems arose with viability this was normally associated with abnormal costs arising once development was underway. In this case the results of the Phase 1 site investigation works had been quite positive so at this point it appeared likely that it would be possible to fulfil the requirements in full. It was, however, impossible to give complete reassurance until the detailed design work had been completed.

#### **Resolved –**

- (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 City Solicitor, in respect of:**

**On-site affordable housing provision of 15% of the total number of units.**

- (3) **That the Reserved Matters application be submitted to this Committee for determination.**

***ACTION: Assistant Director - Planning, Transportation and Highways***

#### **24. LAND AT BELTON ROAD, SILSDEN**



Previous references: Minutes 105 (2015/16) and 10 (2016/17)

The Assistant Director - Planning, Transportation and Highways submitted **Document “N”** in respect of a Reserved Matters application concerning approval of details of appearance, landscaping, layout and scale for a development of 223 dwellings and associated infrastructure on land at Belton Road, Silsden – 17/02617/MAR.

The Assistant Director reported on the substance of four additional representations received further to the publication of his technical report. He also said that, should the Committee be minded to approve the application, he proposed that a further condition be imposed in respect of the submission of full details of the measures to be taken to optimise the security of the site for approval in writing. This was in response to issues raised by the West Yorkshire Police Architectural Liaison Officer (WYPALO) and as suggested by the applicant.

In response to questions from Members, the Assistant Director clarified that:

- The comment by the Drainage Authority that the submitted information relating to the mitigation of flood risk was insufficient had been made prior to the External Works Plan being submitted; no formal revised response had been received further to the submission of this plan. Evidence had been provided to show that the site could be engineered to achieve the required finished floor levels.
- In terms of the increase from 190 to 223 units on the site; the area of development had not increased and the amount of hard surfacing had not changed to any substantial degree and these were the factors that affected surface water drainage. A detailed drainage scheme had not yet been submitted but a condition would require that this was done. The External Works Plan had indicated the provision of an attenuation tank. Highways Development Control had requested that the applicant submit an addendum to the Traffic Impact Assessment in respect of the increase in the number of units and this had concluded that there would not be a significant impact on the local highway network taking into account the mitigation measures that had already been secured.

A Town Councillor addressed the Committee:

- The access to this site was achieved via Belton Road which had been flooded on numerous occasions. People would have to wade through water to access these new houses.
- A second culvert had not been provided for Belton Road as planned a number of years previously.
- An earth bund and the wall of a bridge directed water away from the Marsel House site and this meant that it would go towards this site.
- A second culvert was needed.



- Photographic evidence was available which illustrated the problems, with large wagons driving through water that reached the top of their axles. Emergency services had had to help people to leave Marsel House when the area had flooded in 2015.

In response, the Assistant Director explained that the bund and the rebuilding of the bridge at Marsel House were currently the subject of a retrospective planning application. In assessing the application account would be taken of committed housing sites in the vicinity.

He reminded Members that the principle of development and a drainage strategy for this site had been considered as part of the outline planning application. A full Flood Risk Assessment had been undertaken and had been taken into account when designing the drainage scheme. Members had asked a number of questions at that stage and received specialist advice.

A Ward Councillor said that:

- Flooding and its effects were very important issues; the adjacent site was part of a large flood plain.
- The Authority had a duty in respect of crime prevention under Section 17 of the Crime and Disorder Act 1998. Developments should be designed to provide a safe and secure environment.
- The WYPALO had stated that her advice and recommendations in respect of this application had been disregarded and that the Police were unable to support the application.
- Yorkshire Water had stated that the details submitted on 14 July were not acceptable.
- The Assistant Director's report stated that this was considered to be a well designed development delivering a high standard of amenity but this statement was challenged by the comments made by Yorkshire Water and West Yorkshire Police.
- The Airedale Drainage Commissioners had stated that they stood by their initial comments on the application. This was a major development adjacent to a major flood plain but significant information was still missing. It was not considered appropriate to delegate the matter to officers; the information should be provided to the Committee and the matter should be deferred until this was done and the concerns expressed by Yorkshire Water, the Drainage Commissioners and the Police were addressed.

The Assistant Director explained that:

- Yorkshire Water's comments related to the detailed drainage scheme and the applicant was not seeking to discharge those conditions at this point, although they would have to do so at a later date.



- The WYPALO had raised concerns since the early stages of the application process. The approach taken by the Local Planning Authority was that design was not driven by security issues but it should be ensured that a design did not lead to problems with security. As explained earlier it was proposed that a condition be included so that agreement could be reached on the details.

An objector to the development said that:

- The scheme was disappointing, the site had been adapted to suit the developer's design.
- Important details were still unresolved.
- Public consultation was awaited on detailed layouts and to show that issues had been addressed. The residents of Silsden were very concerned.
- The visual design was important but it was considered that constructive local input had not been permitted.
- It was believed that the application had been brought before the Committee prematurely; it should be deferred and the applicant should consult the local community. There was a general perception within the local community that the scheme was poorly designed.
- The development did not satisfy a number of policies.
- There needed to be 100% flood mitigation adequate for 223 dwellings.
- It was considered that the Council was being short-changed by the Community Infrastructure Levy (CIL), why had an application not been made to increase the amount in light of the increased number of houses?
- The open space in the centre of the site had been removed and the roads would be narrower to accommodate extra houses.
- There was a shortfall in terms of the electricity supply for sites over 100 dwellings in this area, no indication had been given of the provision of a sub-station or any other measures to address this.
- Electric Vehicle (EV) charging points were needed.
- The street lighting officer still had concerns.
- This was a mixed residential and industrial area but no noise survey had been undertaken.
- The Rights of Way officer had concerns about the proposals.
- The Fire Service had not been consulted.
- There was only minimal waste disposal provision.
- The necessary infrastructure was not in place.

The Assistant Director said that:

- The outline application had been determined prior to the CIL scheme starting. The amount secured by the Section 106 legal agreement for education infrastructure had been increased to reflect the increase in the number of units. Although the number of units had increased the new application actually had a slightly reduced floor area so the amount of CIL that would have been due, if it had applied, would have decreased.





- Building Control was responsible for reviewing the application to ensure that there was adequate access available for emergency vehicles and this aspect would also have been considered by Highway Development Control.
- All the issues raised, including drainage, had been addressed previously or were considered within his technical report.
- The provision of EV charging points was a condition of the outline application.

The applicant's agent spoke in support of the proposal:

- The recommendation of the Assistant Director was supported. The outline application had been dealt with without any major issues and this application dealt with the Reserved Matters.
- Over a six month period significant discussion and negotiation had taken place on the proposals, including submission to the Design Review Panel.
- Contact had been made with the Town Council and Ward Councillors and meetings held with local residents. Only 8 objections had been received to this application.
- This scheme increased the number of 2 and 3 bed homes and would provide 44 affordable homes. There would be more open space on-site and additional landscaping. The house types had been amended to reflect local design and they would be built in stone.
- The applicant was working with the WYPALO to resolve the issues of concern.
- A stone wall was proposed for the western boundary and a landscaped buffer would be provided to the northern boundary.
- The separation distances achieved to the local businesses were higher than the standard requirements.
- The development would be incorporated into the surrounding landscape.
- It had been shown that there would be no adverse impact on the highway.
- Careful design would address flood risk and there were ten relevant conditions to ensure that drainage was dealt with properly. There had been no formal objections by drainage consultees at this point. It was possible that the development would bring about betterment of the drainage issues.
- An archaeological assessment had been undertaken and the results recorded.
- The financial infrastructure contributions were £40,000 higher than those associated with the outline permission and included £240,000 for education, £160,000 for recreational provision and a £100,000 contribution towards a footbridge for the A629. The amounts were higher than would have been required under CIL.
- This was a high quality scheme and the applicants would seek to commence work as soon as possible; the development would bring employment opportunities and new homes to this area and the applicant would seek to use local labour.



He responded to questions from Members:

- In respect of consultation; the Reserved Matters application had focussed on matters of design; the Ward Councillors and the Town Council had been contacted along with those people who directly overlooked the site. Forty letters had been sent out which had explained the scheme and made an offer to visit and discuss any issues; six one to one meetings had taken place as a result.

In response to a comment from a Member of the Committee in respect of the possibility of imposing a condition to restrict the conversion of garages to living accommodation, he confirmed that there would be no objection to this and that the developer had a duty to then pass this information on to future purchasers of the properties.

Members discussed how best this could be achieved to ensure that the obligation was retained into the future when houses were re-sold and whether it could be included within the deeds. The agent said that the applicant would be willing to work with the Local Planning Authority to address this. The City Solicitor advised that such a condition should be recorded on the Planning Register and on the Local Land Register and thus Solicitors should find this when conducting a search on a property and pass this information on to their clients.

#### **Resolved –**

- (1) That the Reserved Matters application for layout, scale, appearance and landscaping be approved for the reasons and subject to the conditions set out in the Assistant Director - Planning, Transportation and Highways' technical report together with additional conditions in respect of:**
  - (i) None of the dwellings to which this decision notice relates shall be brought into occupation until full details of the measures to be introduced to optimise the security of the development have been submitted to and approved in writing by the Local Planning Authority. Such measures shall include:**
    - 1. Provision of additional gates between terraced properties to provide two lockable and secure gated accesses to rear gardens of the terraced properties (a “doubling up” of secure gates);**
    - 2. Provision of additional gates at the sides of semi-detached and detached properties to provide a lockable and secure access to rear gardens of semi-detached and detached properties;**
    - 3. Provision of additional hedging/knee rail fencing at the frontage of properties which have open green areas in order to prevent people parking on these spaces;**
    - 4. Provision of evidence to establish that the**



locks/windows/doors fitted to the houses hereby approved will meet the standards requested by the Police.

Thereafter the approved details shall be implemented in full, either before any of the dwellings to which this decision notice relates are brought into occupation or in accordance with a Phasing Plan submitted to and approved in writing by the Local Planning Authority.

**Reason:** To optimise the security of the houses to accord with Policy DS5 of the Core Strategy.

- (ii) The retention of the garages on the development for the parking of vehicles at all times; with authority being delegated to the Assistant Director - Planning, Transportation and Highways to draft an appropriate condition to secure this requirement.
- (2) That authority be delegated to the Assistant Director - Planning, Transportation and Highways to issue the approval of Reserved Matters subject to a Deed of Variation being entered into in respect of the previously engrossed legal obligation under Section 106 of the Town and Country Planning Act 1990 to provide for an increased contribution for education infrastructure from £202,844 to £244,783.

**ACTION:** Assistant Director - Planning, Transportation and Highways

## 25. SCOTT WORKS, HOLLINGWOOD LANE, BRADFORD

Reports were submitted by the Assistant Director - Planning, Transportation and Highways, in respect of a site at Scott Works, Hollingwood Lane, Bradford, as follows:

- (i) (**Document “O”**) in respect of a full planning application for the construction of three individual retail units (Use Class A1) and a family pub restaurant (Use Class A3) with associated car parking, landscaping and associated works – 17/02462/MAF.
- (ii) (**Document “P”**) in relation to an outline planning application, with appearance and scale reserved, for the construction of a retail unit (Use Class A1), landscaping and associated works – 17/02466/OUT.
- (iii) (**Document “Q”**) relating to an outline planning application, with appearance and scale reserved, for the construction of a café/drive-through (Use Classes A1, A2, A3, A4 and A5), landscaping and associated works – 17/02473/OUT.



The Assistant Director reported on the substance of two additional representations received further to the publication of his technical report; one was from a local resident and the other from an agent acting on behalf of a major supermarket. He also responded to the points therein explaining that:

- The Local Planning Authority's view remained that Scott Works was the most sequentially preferable site.
- The Council's Retail Consultant's view was that both this scheme and a development on the site at Thornton Road were viable.
- There was only one duplication of identified end users across both schemes.
- Whilst it was accepted that there may be some impact on trade for the supermarket located on Cemetery Road this store was located outside the defined retail centre which meant that it had less protection.
- The submitted Noise Impact Assessment was considered to be acceptable.

He also reported that the applicant had requested the amendment of three of the proposed conditions in his report; 30 for 17/02473/OUT (relating to a restriction on the use of the drive through/café element of the scheme to prevent its use as a hot food takeaway); 35 (relating to the amalgamation/sub-division of the units) and 36 for 17/02462/MAF (relating to the levels of convenience and comparison goods floorspace). He recommended that an amendment to permit the sale of sandwiches be accepted in the case of Condition 30 but that Conditions 35 and 36 should remain as proposed as the application had been assessed on the basis of the details submitted.

In response to Members' questions the Assistant Director said that:

- The position of existing nearby businesses would always be considered in the assessment of the amendment/imposition of Traffic Regulation Orders (TROs) to control parking and a business would be able to make representations about any proposed TROs but it was necessary to protect visibility splays.
- He was not aware of the existence of a railway tunnel under the site but would take this issue up with the relevant Council officers.
- The Service Yard would be blocked off and not allow pedestrian access through to the retail units. (He referred to the displayed plans to give an indication of the various pedestrian routes to access the site).
- There was little protection offered to existing small retail units as they were not located within a defined retail centre however experience showed that they usually continued to trade post such development.

An objector to the development expressed the following concerns:

- It should be taken into account that the A1 retail use would not necessarily have to be occupied by the quoted retailer and could be any retailer.
- The site was located within an Employment Zone and it was considered that no need for an exception had been demonstrated.
- The highway safety issues were not known.



- The proposed parking provision was significantly below the standard requirements and would lead to on-street parking in the vicinity.
- The surrounding junctions were already operating over capacity.
- Planning permission should be refused.

The Assistant Director said that:

- The application had been assessed in terms of the level of convenience and comparison goods and was considered acceptable by the Authority's Retail Consultants. Conditions were proposed to restrict changes to these levels.
- This site was within an allocated Employment Zone but had a previous permission for residential use (2007) so the principle of the change of use had already been accepted. Residential use would provide no employment whereas retail use would include some employment; there was currently no employment provision on site.
- A comprehensive Transport Assessment had been submitted and reviewed.
- Parking standards were maximum rather than minimum requirements.
- The development included proposals to protect the surrounding areas from inconsiderate parking.

The applicant's agent made the following comments in support of the development:

- All relevant issues had been assessed and addressed.
- The proposal was supported by the local community and Ward Councillors.
- The applicant had considered all concerns raised and tried to address them where possible.
- The scheme represented a multi million pound investment which would provide local jobs and highway improvements.
- Other supermarket retailers had submitted objections but these were considered to be based on commercial reasons; all the points raised had been addressed by the applicant, the Local Planning Authority and the Council's appointed retail consultants.
- This development would be of great benefit to the local community; it would provide a good selection of retailers, a pub and a coffee shop.
- Conditions had been discussed with the planning officers and whilst the applicant was happy to accept most of them some amendments were requested. Condition 36 (17/02462/MAF) concerned the ratio of convenience to comparison goods for one of the units and this needed to be changed to match the terms of a legal contract with an operator; there were concerns that the delivery of this could be jeopardised if this was not done. It was requested that authority be delegated to the Assistant Director to negotiate further on the final wording of this condition.



- One of the Ward Councillors had written in support of the development; thanking the applicant for the consultation that had been undertaken and welcoming the investment in the area. She had stated that; the site was in a good location and the development would be beneficial for the area; the site was currently derelict and unattractive and this development would enhance the locality; the development would create number of jobs for the local community and that local residents were looking forward to the new facilities.
- A Ward Councillor from an adjoining ward had also commented that there was a lot of positive feeling towards the proposed development and local people were keen to see it go ahead. It was considered that it would add value to the local area and provide local employment opportunities.

In response to a Member's question he said that the proposal had been submitted as three applications in order to assist with marketing and delivery, allowing each element to be undertaken independently.

The Assistant Director pointed out that the applicant could submit an application for the variation of conditions in the future.

Members made the following comments:

- The Committee was in a position to make a considered decision.
- All three applications were supported.
- There was a reason for Condition 36 being framed as it was; the impact of alternative unit sizes had not been considered by the Local Planning Authority and the opportunity to submit an application to amend this was open to the applicant; authority could be delegated to officers to deal with this matter as it was not considered necessary for this to come back to the Committee for determination.

(i) 17/02462/MAF

**Resolved –**

- (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 and that authority be delegated to the Assistant Director - Planning, Transportation and Highways, in consultation with the Chair, to determine any submission made by the applicant in respect of the amendment of the wording of Condition 36.**
- (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:**

**The implementation of off site highway works/Traffic Regulation**



Orders as set out below:

- Installation of a Pelican Crossing on Clayton Road and an inductive loop detector on Hollingwood Lane.
- Extension of the waiting restrictions across the site frontage on Clayton Road.
- Provision of residents' parking on Clayton Road.
- Conversion of the existing parking bays across the site frontage on Hollingwood Lane to a combination of residents' permit parking and limited waiting.
- Provision of yellow box markings at the new access on Clayton Road and at the Hollingwood Lane and Scholemoor Lane junctions,

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.

(ii) 17/02466/OUT

**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.

(iii) 17/02473/OUT

**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, subject to the amendment of Condition 30 as set out below:

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, or any subsequent equivalent legislation, the premises shall be used for a drive through *coffee retail and sandwich* shop only and for no other purpose (including any other activity within Class A3 of the Order).

Reason: In order that the Local Planning Authority retains control over future changes of use with particular regard to car parking provision and impact on adjacent occupiers and to accord with Policy EC5 of the Local Plan for Bradford.

**ACTION:** *Assistant Director - Planning, Transportation and Highways*



## 26. BUILDING CONTROL CHARGES

A report was submitted by the Strategic Director, Place (**Document “R”**) which explained that the provision of a Building Regulations Service was a duty of each Local Authority under the provisions of Section 91 of the Building Act 1984. The Building (Local Authority Charges) Regulations 2010 allowed local authorities to individually set charges to recover the cost of providing the service.

The Council’s charges had last been amended in 2011 and the report set out a revised scheme of charges to meet the anticipated costs of providing the service in the next few years.

### **Resolved –**

**That, subject to the amendment of the total figure for the Inspection Charge for ‘other alterations, extensions and new build’ of between £15,001 and £20,000 in Table E from £164.00 to £264.00, the proposed Scheme of Recovery of Building Regulations Charges, as set out in the Appendix to Document “R”, be adopted with effect from 4 September 2017.**

***ACTION: Strategic Director, Place***

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

