

Agenda for a meeting of the Regulatory and Appeals Committee to be held on Thursday, 9 February 2017 at 9.30 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 0900 in the Banqueting Hall on the day of the meeting.**
- Applicants, objectors, Ward Councillors and other interested persons are advised that the Committee may visit any of the sites that appear on this Agenda during the day of the meeting, without prior notification. The Committee will then reconvene in the meeting room after any visits in order to determine the matters concerned.
- At the discretion of the Chair, representatives of both the applicant(s) and objector(s) may be allowed to speak on a particular application for a maximum of five minutes in total.
- **INTERESTED PARTIES ARE ASKED TO NOTE THAT ITEMS 6 AND 7 WILL NOT BE CONSIDERED BEFORE 1400.**

From:

Parveen Akhtar
City Solicitor
Agenda Contact: Sheila Farnhill
Phone: 01274 432268
E-Mail: sheila.farnhill@bradford.gov.uk

To:



A. PROCEDURAL ITEMS

1. ALTERNATE MEMBERS (Standing Order 34)

The City Solicitor will report the names of alternate Members who are attending the meeting in place of appointed Members.

2. DISCLOSURES OF INTEREST

(Members Code of Conduct - Part 4A of the Constitution)

To receive disclosures of interests from Members and co-opted members on matters to be considered at the meeting. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the Member during the meeting.

Notes:

- (1) Members may remain in the meeting and take part fully in discussion and voting unless the interest is a disclosable pecuniary interest or an interest which the Member feels would call into question their compliance with the wider principles set out in the Code of Conduct. Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (2) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.*
- (3) Members are also welcome to disclose interests which are not disclosable pecuniary interests but which they consider should be made in the interest of clarity.*
- (4) Officers must disclose interests in accordance with Council Standing Order 44.*

3. INSPECTION OF REPORTS AND BACKGROUND PAPERS

(Access to Information Procedure Rules – Part 3B of the Constitution)

Reports and background papers for agenda items may be inspected by contacting the person shown after each agenda item. Certain reports and background papers may be restricted.



Any request to remove the restriction on a report or background paper should be made to the relevant Strategic or Assistant Director whose name is shown on the front page of the report.

If that request is refused, there is a right of appeal to this meeting.

Please contact the officer shown below in advance of the meeting if you wish to appeal.

(Sheila Farnhill - 01274 432268)

B. BUSINESS ITEMS

4. MEMBERSHIP OF SUB-COMMITTEES

The Committee will be asked to consider recommendations, if any, to appoint Members to Sub-Committees of the Committee.

(Sheila Farnhill – 01274 432268)

5. LAND TO THE EAST OF THE FORMER GAS WORKS, AIREDALE ROAD, KEIGHLEY 1 - 102 **Keighley East**

Previous references: Minutes 107 (2013/14) and 28 (2015/16)

A report will be submitted by the Assistant Director – Planning, Transportation and Highways (**Document “AF”**) in respect of a planning application for the development of two plants to recover energy from waste, including a materials reception, a waste bunker hall, a turbogenerator hall, a bottom ash hall, an education/visitors centre, offices and a workshop/warehouse for plant operatives with associated parking and landscaping, on land to the east of the Former Gas Works, Airedale Road, Keighley – 16/006857/FUL.

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 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 payment of a commuted sum of £8,200 for the undertaking of tree planting at East Riddlesden Hall,

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)

Interested parties are asked to note that the following item will not be considered before 14.00

6. **GREENHOLME MILLS, IRON ROW, BURLEY IN WHARFEDALE** 103 -
Wharfedale 180

Previous references: Minute 52 (2015/16)
6 October 2016

The Assistant Director - Planning, Transportation and Highways will present a report (**Document “AG”**) in relation to a full planning application for alterations and extensions to existing mill buildings to create a mixture of residential and commercial uses including a crèche, spa/gym and restaurant together with 20 new build houses and 6 new build apartments and ancillary infrastructure at Greenholme Mills, Iron Row, Burley in Wharfedale – 15/03339/MAF.

The report explains that the application had been granted planning permission previously, in February 2016, further to consideration by this Committee, on 4 November 2015, and the completion of an associated Section 106 legal agreement. However, further to an application for a Judicial Review, a Consent Order had been made on 29 June 2016 which had the effect of quashing the permission thus necessitating its reconsideration.

The application had therefore been submitted to the meeting of this Committee held on 6 October 2016 when it had again resolved to approve the application. However, this decision had been made, in part, on the basis of policies set out in the emerging Local Plan Core Strategy (LPCS). The LPCS currently has no legal effect as a consequence of a ‘Holding Direction’ which was issued by the Minister



of State for Housing and Planning, under Section 21A of the Planning and Compulsory Purchase Act 2004 (inserted by Section 145(5) of the Housing and Planning Act 2016), on 10 October 2016. The report now before the Committee therefore reflects the altered status of the LPCS.

The report also states that, as the site is within the Green Belt, the Secretary of State will have to be consulted to ensure that he is still content for the application to be determined by the Council as Local Planning Authority.

Recommended -

- (1) That the application be referred to the Secretary of State for Communities and Local Government under the provisions of the Town and Country Planning (Consultation)(England) Direction 2009 and, subject to him deciding not to call-in the application for determination, it 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:**
 - (i) On-site affordable housing provision of 6 units at a level of discount on the open market value of the properties necessary to allow disposal of the properties to a Registered Social Landlord,**
 - (ii) The payment of a sum of £93,415 to the Local Planning Authority for the purpose of upgrading the existing educational infrastructure at Menston Primary School or Burley Oaks Primary School,**
 - (iii) The payment of a sum of £120,660 to the Local Planning Authority for the purpose of upgrading the existing educational infrastructure at Ilkley Grammar School,**
 - (iv) The payment of a sum of £21,334 to the Local Planning Authority for the purpose of improving recreational infrastructure; to be used either towards the delivery of a new Multi Use Games Area on land to the west of Iron Row or for drainage works, footpath works and fencing at Iron Row Recreation Ground and Burley Park,**



- (v) **On-site Recreation/Open Space Provision:**
 - (a) **Provision of a ‘Public Plaza and Gardens’ in the area shown on the ‘Landscape Management Plan’, to be made available and accessible for public use in perpetuity in accordance with details to be approved in writing by the Local Planning Authority;**
 - (b) **Provision of the ‘Riverside Walk’ in the area shown on the ‘Landscape Management Plan’ to be made available and accessible for public use in perpetuity in accordance with details to be approved in writing by the Local Planning Authority;**
 - (c) **Approval of details and implementation of a plan for the management/maintenance of the Public Plaza and Gardens, Riverside Walk, Woodland Areas and Wildlife Meadows, as shown on the ‘Landscape Management Plan’,**

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)

Interested parties are asked to note that the following item will not be considered before 14.00

7. BRIDGEHOUSE MILLS, BRIDGEHOUSE LANE, HAWORTH 181 -
Worth Valley 260

The Assistant Director – Planning, Transportation and Highways will submit a report (**Document “AH”**) in relation to a planning application for a mixed use development at Bridgehouse Mills, Bridgehouse Lane, Haworth – 15/07479/MAF and an associated application for Listed Building Consent for partial demolition and alterations to this Grade II Listed building complex – 15/07481/LBC.

The development would comprise the change of use for residential purposes; the alteration, conversion, extension and partial demolition of the existing mill buildings to develop 45 retirement living apartments; the construction of 77 new dwellings including associated access arrangements; the construction of an extension to the existing industrial building accommodating Airedale Springs; the construction of a new factory for Wyedean Weaving; junction improvement works; landscaping works; flood water storage works; provision of parking and links to public footpaths.



The report states that, as part of the site is within the Green Belt, if the Committee is minded to approve the planning application (15/07479/MAF) the Secretary of State will have to be consulted to allow him to call-in the application for determination if he considers this to be necessary.

Recommended –

(i) 15/07479/MAF

- (1) That the application be referred to the Secretary of State for Communities and Local Government under the provisions of the Town and Country Planning (Consultation)(England) Direction 2009 and, subject to him deciding not to call-in the application for determination, it 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:**
 - (i) The provision of 5 units at a discount of 20% on the open market value of the properties, subject to occupancy restrictions (properties to be offered to people who have not previously been a home buyer and want to own and occupy a home and who are below the age of 40 at the time of purchase) and appropriate restrictions being put in place to ensure that these starter homes are not re-sold or let at their open market value for five years following the initial sale,**
 - (ii) The maintenance and management of the Public Open Space and Flood Storage Area provided as part of the development and described as Bridgehouse Beck Park, in accordance with details which shall be submitted to the Local Planning Authority for approval in writing,**

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) 15/07481/LBC

Recommended –

That the application for Listed Building Consent be approved for the reasons and subject to the conditions set out in the Assistant Director - Planning, Transportation and Highways' technical report.

(John Eyles – 01274 434380)

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

