

Decisions of the Regulatory and Appeals Committee on Thursday, 9 February 2017

These decisions are published for information in advance of the publication of the Minutes

Decisions

4. **MEMBERSHIP OF SUB-COMMITTEES**

No resolution was passed on this item.

NO ACTION

5. **LAND TO THE EAST OF THE FORMER GAS WORKS, AIREDALE ROAD, KEIGHLEY**

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

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.

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 further to the amendment of Conditions 5 and 30 as set out below:**

HGV hours when facility operational

5. Heavy goods vehicles, including those for the transportation of waste, biofuel and any other materials (including Incinerator Bottom Ash (IBA)) shall only enter or leave the site between 07:30-18:00 hours Monday to Friday and 07.30–12.00 Saturday. No transportation shall take place on Sunday, bank or public holidays.



Reason: In the interests of residential amenity and to accord with policies UR3, P7, P8 and P11 of the Replacement Unitary Development Plan; paragraph 123 of the National Planning Policy Framework; and paragraphs 1 and 7 of the National Planning Policy on Waste.

Details colour finish etc

30. Notwithstanding any details shown on the permitted plans, on completion of the acoustic fence and prior to any other development commencing details of the colours and finishes to be used on all the buildings and stack, *including full sample panels*, shall be submitted for approval in writing by the Local Planning Authority before construction commences, and the development shall thereafter be constructed in the approved colours and finishes. The details shall include future maintenance of the colour, finishes and materials.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies UR3, D1 BH4A and BH7 of the Replacement Unitary Development Plan; paragraphs 128,129 and 132 of the National Planning Policy Framework and paragraph 7 of the National Planning Policy on Waste.

and an additional condition in respect of:

Prior to the development hereby permitted being brought into use, the operator shall submit to the Waste Planning Authority for approval in writing, verification that the facility has achieved Stage R1 Status through Design Stage Certification from the Environment Agency. The facility shall thereafter be configured in accordance with these approved details. Once operational, alterations to the processing plant may be undertaken to satisfy Best Available Technique or continued compliance with R1.

- (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.

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

(John Eyles – 01274 434380)

6. **GREENHOLME MILLS, IRON ROW, BURLEY IN WHARFEDALE**

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

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.

Resolved -

- (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.

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

(John Eyles – 01274 434380)

7. BRIDGEHOUSE MILLS, BRIDGEHOUSE LANE, HAWORTH

(i) Planning application for a mixed use development at Bridgehouse Mills, Bridgehouse Lane, Haworth – 15/07479/MAF

(ii) Associated application for Listed Building Consent for partial demolition and alterations to this Grade II Listed building complex – 15/07481/LBC.

Resolved –

(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 further to the inclusion of an additional condition as set out below:**

None of the residential units to be formed within the existing Bridgehouse Mills buildings, as shaded in red on drawing 3901-02 PL01, shall be brought into occupation until details of the level of obscenity of the windows to be provided to the eastern elevation of the eastern building wing have been submitted to and approved in writing by the Local Planning Authority. The approved obscurely glazed windows shall be fully installed in accordance with the approved details before any of the residential units are occupied and the approved level of obscenity shall be maintained whilst ever any of the residential units remain in occupation.

Reason: To prevent overlooking, in the interests of amenity, in

accordance with saved policy UR3 of the replacement Unitary Development Plan.

- (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, such maintenance and management details shall include provisions for removing any silt and debris which accumulates within the Public Open Space and Flood Storage Area following a flood event and for the inspection of the Public Open Space and Flood Storage Area following any flooding event which occurs or, where no such event occurs in any given year, on an annual basis,

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

Resolved –

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.

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

(John Eyles – 01274 434380)

FROM: Parveen Akhtar
City Solicitor
City of Bradford Metropolitan District Council

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