

Agenda for a meeting of the Regulatory and Appeals Committee to be held on Thursday, 6 October 2016 at 9.30 am in Committee Room 1 - City Hall, Bradford

Members of the Committee – Councillors

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

Alternates:

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

From:

Parveen Akhtar

City Solicitor

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

1 - 82

Previous reference: Minute 52 (2015/16)

The Assistant Director - Planning, Transportation and Highways will present a report (**Document “AA”**) 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 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 report sets out the circumstances and issues associated with the Consent Order and addresses the relevant issues in detail.

The report also states that, as the site is within the Green Belt, the Secretary of State will have to be consulted again 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 Strategic Director, Regeneration (after consultation with the City Solicitor) considers appropriate.

(John Eyles – 01274 434380)

6. **LAND AT THE FORMER RIVERSIDE WORKS, KEIGHLEY ROAD, SILSDEN** 83 - 118
Craven

A report will be submitted by the Assistant Director - Planning, Transportation and Highways (**Document "AB"**) in relation to an outline application for the demolition of existing buildings and a residential development of up to 142 houses, with means of access to be considered, on land at the Former Riverside Works, Keighley Road, Silsden – 16/03804/MAO.

Appearance, landscaping, layout and scale are not for consideration at this stage.

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:
 - (i) 20% on-site affordable housing provision (2 and 3 bedroom units),
 - (ii) The payment of a commuted sum of £265,299 for the improvement of educational infrastructure at primary level in Silsden,
 - (iii) The payment of a commuted sum of £141,132 towards the enhancement of recreation facilities in Silsden; to be used towards the following priorities:
 - (i) the provision of additional community facilities in Silsden to include bringing the existing structures in the park back into use and providing a new



- facility/flexible space for sports/meetings/changing rooms for those playing sports in the park; (ii) the retention of the Multi Use Games Area (MUGA) next to the Youth Centre in Eliot Street or towards general recreational facilities in Silsden Park,
- (iv) The payment of a contribution of £20,000 to mitigate impacts on sensitive habitats by bringing forward improvements on nearby footpath routes,
 - (v) The payment of a contribution of £100,000 towards the provision of a footbridge to cross the A629.
 - (vi) The payment of a contribution of £20,000 for the provision of two bus shelters for stop numbers 16917 and 16918,
 - (vii) The safeguarding of the area of land adjacent to the proposed junction with Keighley Road, as shown hatched in red on Plan Reference: SIL-BWB-00-01-DR-TR-101 Rev P1, to provide for any improvements to the junction which may be required in future to facilitate access beyond the current application site,
 - (viii) A Section 278 Agreement in respect of the delivery of necessary works on Keighley Road to facilitate access to the site,

the legal planning obligation to contain such other ancillary provisions as the Strategic Director, Regeneration (after consultation with the City Solicitor) considers appropriate.

(John Eyles – 01274 434380)

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

