

## Minutes of a meeting of the Regulatory and Appeals Committee held on Thursday, 28 September 2023 in Council Chamber - City Hall, Bradford

Commenced 10.15 am  
Concluded 11.05 am

### Present – Councillors

LABOUR	CONSERVATIVE	GREEN
Salam Alipoor Mullaney Lal	Brown Sullivan	Love

### Councillor Salam in the Chair

#### 11. DISCLOSURES OF INTEREST

Councillor Love disclosed, in the interest of transparency, that he had discussions previously with residents and developers about the site of the former HMRC building (Minute 16). He confirmed that those discussions were not related to the application under consideration, and he remained in the meeting during consideration and voting on the item.

#### 12. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

#### 13. MEMBERSHIP OF SUB-COMMITTEES

There were no changes proposed to Sub-Committee memberships.

#### 14. LAND OFF BOLTON ROAD, SILSDEN - 22/01184/MAF

Members were advised that, due to technical difficulties, they were being asked to defer consideration of this item to 26 October 2023.

Resolved –

That the application be deferred for consideration at the meeting on 26 October 2023.

*Action: Assistant Director, Planning, Transportation & Highways.*

**15. FULL PLANNING APPLICATION AT FORMER HMRC OFFICE, 2 RIVERSIDE ESTATE, SHIPLEY, BRADFORD BD98 8AA - 22/04182/MAF**

The Assistant Director (Planning, Transportation & Highways) submitted a report (**Document “E”**) which presented a full planning application for the demolition of the former HMRC office and the construction of a mixed-use development comprising 289 residential dwellings and 722 square metres of flexible Class E (Commercial, Business and Service) floor space providing a workspace hub and café at 2 Riverside Estate, Shipley, BD98 8AA.

A detailed PowerPoint presentation included location maps, photographs of the current site, the proposed layout and elevations as well as computer generated images and impressions of the proposed new dwellings.

Members were advised that the HMRC site was an extensive building which had been vacant for some time. A number of listed buildings were located close to the site and the location and proximity of those buildings was reported and depicted in the presentation. The World Heritage site located behind a mature tree line was also highlighted.

The report revealed that the loss of the existing office space had been robustly justified as it was no longer suitable in terms of its location, accessibility, relationship with neighbouring land uses and marked market significance. The proposal would re-develop a sustainably located brownfield site with high quality and much needed new housing and complimentary commercial uses, making a valuable contribution towards addressing the under supply and under delivery of housing in the district. The principle of development was considered to be acceptable.

The development would provide five affordable housing units which fell below the 58 maximum units required by policy HO11 of the Core Strategy, however, a Viability Assessment Report had been provided and independently reviewed by the District Valuation Office Agency. The report confirmed that because of the abnormal costs associated with developing the site a policy compliant level of affordable housing provision was not viable. The reduced level of affordable housing provision was considered to be justified having taken account of scheme viability.

A full assessment of the application against all relevant planning policies and material planning considerations was appended to the report. Through the attachment of the proposed conditions and a Section 106 Legal Agreement to secure affordable housing, a contribution of £108,551.29 towards offsetting recreational impacts on the South Pennine Moors SPA/SAC and the management arrangements for estates roads, car parking areas, drainage infrastructure and public open spaces the proposal was considered to be acceptable, and it is recommended that planning permission was granted.

Following a detailed presentation Members raised a number of questions including the robustness of the flood defences. Issues with the River Aire further upstream from the proposal were discussed and concern was expressed that

extreme weather could result in flood breaches in the future.

In response the Senior Planning Officer reported that during the detailed pre-application process undertaken the developer had engaged with the Environment Agency directly and a full risk assessment had been incorporated into the design. The Environment Agency had been satisfied with the developers' assessment and the site was set at a level which they were satisfied with against the level of the river Aire.

A Member questioned the provision of parking spaces for the residents of Jane Hills. It was believed they currently had 11 permit parking spaces and that would be reduced in the scheme proposed. The Senior Planning Officer explained that residents in the area currently had 10 permit spaces. The rationale for reducing that to eight was because two of the properties did have extensive off-street parking available at their homes. Number 8 Jane Hills had off street parking and number 12 had spaces for five vehicles. It had been felt that the proposed eight permit places would be sufficient provision for the six properties without off street parking. The location of Jane Hills and current parking provision was outlined in the PowerPoint presentation.

The availability of electronic vehicle charging points was questioned and Members were advised that a condition was included, in line with the Council's Low Emission Strategy, to ensure that these would be provided.

The Regional Director of the developer, Artisan Estates, addressed the meeting introducing the local team who would develop the proposals. He explained that his team were ready and motivated, subject to permission being granted, to make a start on the scheme beginning with the demolition of the existing building which it was felt would be a relief to local residents; reduce pressures placed on the emergency services and remove dangers and risks from unlawful visitors to the building. It was aimed to deliver new exemplar high quality homes by 2025 and in time for the City of Culture 2025.

Cycling provision at the site was questioned and it was confirmed that 473 cycle spaces would be provided as part of the development.

A representative of the residents of Jane Hills addressed the meeting and reported that residents were broadly in agreement with the proposals and were excited to see it happen. She explained that the only issue of concern was parking provision. Comments had been made during the planning consultation period, but residents wished to reiterate their concerns. It was explained that residents at the eight cottages in the Jane Hills location already struggled with parking despite two of the residents being away at the current time. Residents also relied on overflow parking available which was to be removed in the new development. It was understood that the proposal allowed for only eight permit places, one of which was not practical as it blocked a nearby driveway.

Residents believed they were entitled to three permits per household to accommodate them and their visitors which would result in 24 permits being required. It was accepted that this was not likely to happen, but it was felt that the current eight places proposed was woefully short of what was needed. Photographs depicting current and the proposed parking arrangements were

circulated.

The residents' representative reported that in discussions with the developer's they had been assured that parking provision would be provided on site for people using the public amenities including a café and working spaces. In the proposals presented that appeared not to be the case and all parking spaces were for residents. The concern of Jane Hills residents was that the eight resident's places proposed would be taken by visitors to those amenities. The amount of resident only parking, the protection of that parking and the availability of those permits for 24 hours seven days per week was the major concern to residents of Jane Hills.

A Member, in agreement with the request of residents to have additional parking provision, questioned if those concerns could be addressed. He was informed that the developer had held a parking workshop and that they were happy to authorise the Council to offer additional parking from the 81 visitor spaces which were included in the development. It was confirmed that to prevent abuse of the visitor parking the management company employed would introduce a vehicle registration scheme and implement fines if this were abused.

Members questioned if additional provision for the residents of Jane Hills could be legally safe guarded and conditioned, and it was agreed that it would be included as part of the S278 process and would be legally binding. The Principal Engineer explained that the provision would be subject to a Traffic Regulation Order and at that stage residents would be consulted.

The loss of parking during the construction phase of the development was discussed and a Member requested that the TRO process be accelerated to allow the additional provision to be available during the construction phase. In response it was explained that the TRO process can be lengthy but would be expedited as quickly as possible.

The developer reported the intention to use alternative access provision during the construction phase away from the Jane Hills cottages and agreed it would be sensible to create parking provision from the outset.

**Resolved –**

**That the application be approved subject to the conditions included within Appendix 1 to Document "E"; the completion of a Section 106 Agreement and the amendment of condition 41 to make provision for 10 permit parking spaces to serve the dwellings at Jane Hills and 1 car club space on Riverside Estate.**

***Action: Assistant Director, Planning, Transportation & Highways***

**16. LAND AT SKIPTON ROAD, ILKLEY - 21/05075/MAF**

The report of the Assistant Director, Planning, Transportation & Highways, (Document "F") asked Members to consider recommendations for the determination of a full planning application for the development of 35 dwellings

consisting of 12 pairs of semi-detached houses, two detached houses and one three storey block of 9 apartments on Land at Skipton Road, Ilkley.

The report revealed that the proposal was for the development on land within the Green Belt. It was explained that the development benefitted from an exception to inappropriate development under paragraph 149(g) of the National Planning Policy Framework as it consisted of the redevelopment of previously developed land to meet an identified affordable housing need without resulting in substantial harm to the openness of the Green Belt. The development would deliver much needed affordable housing in the context of a five-year housing land supply shortfall and the persistent under delivery of affordable housing in the Wharfedale.

Members were advised that the development would result in 'less than substantial harm' to the setting of nearby heritage assets. The harm incurred would be outweighed by the public benefits of delivering much needed affordable housing.

A Section 106 Agreement would secure the affordable housing provision as well a contribution of £16,526.84 towards offsetting recreational pressures arising from the development on the South Pennine Moors SPA/SAC.

A PowerPoint presentation presented an ariel view of the site and green belt and existing houses to the north of the site. Photographs to the west of the site showed the highway structure and a nearby Grade Two listed property. A view of the east of the site revealed that the site frontage was enclosed by trees. Illustrations of the types of properties proposed were provided and it was confirmed that there would be 49 parking spaces for 35 units which it was felt was sufficient to meet need at the location.

Soft landscape proposals were reported together with the planning of 48 trees and 497 shrubs. Hard landscaping included dry stone walling across the site.

Members queried the safety of the A65 for traffic unaware of the new proposals and it was explained that a safer roads scheme audit had been carried out at the scheme and new right turn lanes onto the A65 to prevent cars queuing on the highway and restricting traffic would be included. A new pedestrian refuge island was proposed to assist with pedestrian crossing and the existing 30mph speed limit to the eastern side of the site would be extended. It was confirmed that access arrangements were considered to be acceptable.

The application was recommended for approval subject to completion of the Section 106 Agreement and the imposition of the recommended conditions.

A representative from the developers, an approved housing association, addressed the meeting and explained that Ilkley was in the Wharfedale Housing Sub area and the Council's 2018 strategic housing market assessments had highlighted that 50% of the need for affordable housing was located in Wharfedale.

The scheme would provide a mix of 35 affordable 1,2-,3- & 4-bedroom homes to help meet help meet local need and would offer a range of affordable tenures including much needed affordable homes to rent. Affordable housing in perpetuity would be secured via a S106 agreement. The homes would be energy

efficient with photovoltaic technology and air source heat pumps to reduce reliance on gas heating. EV charging would be provided.

In conclusion the developer's representative reported that the scheme had both officer and consultee support and would deliver much needed affordable homes in an area of greatest need. He asked for committee support for the officer recommendation.

A Member queried the tenures proposed and was advised that the properties would be 60% social rent and 40% shared ownership.

**Resolved –**

**That the application be approved subject to the conditions included within Appendix 1 to Document "F" and the completion of a Section 106 Agreement.**

**Action: Assistant Director, Planning, Transportation & Highways.**

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