

Minutes of a meeting of the Regulatory and Appeals Committee held on Friday, 15 September 2023 in the Council Chamber - City Hall, Bradford

Commenced 10.00 am
Concluded 10.55 am

Present – Councillors

LABOUR	CONSERVATIVE	GREEN
Salam Shafiq Alipoor Mullaney	Brown Sullivan	Edwards

Councillor Salam in the Chair

6. DISCLOSURES OF INTEREST

In the interest of transparency, Councillors Salam, Alipoor, Mullaney, Brown, Sullivan and Edwards declared that they were Members of the Committee on 27 April 2023, when another application on the same site was determined, however they stated that they would consider the application set out in Minute 10, with an open mind.

ACTION: Director of Legal and Governance

7. MINUTES

Resolved –

That the minutes of the meeting held on 1 June 2023 be signed as a correct record.

8. INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals submitted to review decisions to restrict documents.

9. MEMBERSHIP OF SUB-COMMITTEES

There were no changes proposed to Sub-Committee membership.

10. LAND WEST OF 177 THORNTON ROAD BRADFORD - 23/01541/MAF

The Assistant Director Planning, Transportation and Highways submitted a report (**Document “C”**) which set out a proposal for construction of an energy centre with associated access and landscaping, and the temporary use of adjacent land for contractor activities and material storage at land West of 177 Thornton Road Bradford. - 23/01541/MAF.

The Principal Planning Officer drew Members' attention to a number of matters arising and corrections in relation to the proposals since the writing of the report; stating that there were two condition 13's on page 36 of the Assistant Directors' technical report and that they will be re-numbered appropriately in the decision notice, should planning permission be granted; In addition the first condition 13 (highway) would need to be altered to remove the need to close off the existing Thornton Road access (Listerhills still to be closed), as the agent has noted this existing access is not in the control of the applicant. Highways had confirmed this to be acceptable, as it was not essential that the existing access is closed off due to a very low number of vehicle movements once the plant is operational. In addition, it was noted the reference to the 26m stack (page 16) should actually read 30m high as noted elsewhere in the report and on drawings.

A location map, photographs of the current site, the proposed layout and elevations as well as artist impressions showing the proposed energy centre view from both the Thornton and Listerhills Road aspects were alluded to and depicted on the PowerPoint presentation. During the presentation it was also stated:

- That the proposed energy centre would be using Air Source Heat Pumps (ASHP) to provide heat energy.
- That ASHPs' worked by transferring heat from the outside air to water using a compressor circuit with evaporators, along with condensers.
- That the hot water created is stored in thermal tanks and then transferred by underground pipes to buildings.
- That the majority of time ASHPs would be utilised, however they would be supplemented by gas boilers to provide additional heat at times of peak demand (expected to be winter when energy demand is highest).
- That the proposed building would be 70m long x 16.5 wide and 15m high, with the stack approximately 30m high.
- The proposal would also include a temporary contractors yard, for build out and continuation of pipe laying.
- One of the principal issues around the application was that within the City Centre Area Action Plan (CCAAP), the land was earmarked for residential led development and thus this proposal would not be in accordance with the CCAAP and therefore a departure. In considering the application Members had to determine whether the public and wider benefits for this non-conforming use outweigh the CCAAP residential allocation as well as

a need for an Energy Centre in this location.

The Principal Planning Officer also alluded to the wider benefits arising from the development:

- That it will provide an alternative to fossil fuel heating and be a low carbon source of heat energy.
- That it would reduce carbon emissions (equivalent to approx. 36 million car miles of CO2 emissions), dramatically improving air quality and supporting the Bradford Clean Air Zone.
- Provide a more economical option to developers/economy to achieve net zero and speed up carbon reductions, by enabling a simpler route to zero carbon heat than a building-by-building approach.
- Create investment/growth/regeneration in Bradford as businesses can achieve low carbon more cheaply than non-district heating served cities.
- Provide a cornerstone of Bradford's Net Zero Infrastructure.
- In addition, there was a need to locate the Energy Centre in close proximity of the city centre buildings.
- That the pipework being laid needed to connect to a suitable and sustainable energy centre, in a suitable and sustainable location.
- That the CCAAP/Core Strategy supported District Heat Networks and carbon reduction/net zero, but do not provide allocated sites, therefore sites allocated for other development needed to be utilised.
- The public/wider benefits of the energy centre and locational needs outweigh the partial loss of the CCAAP allocated housing site.

In terms of design and landscape the building would be prominent and the stack will be one of the most visible elements. It is envisaged that this will be an iconic landmark building, with a high quality, distinctive design. There would be improved boundary treatments and the addition of climbing plants to the fence.

In relation to air quality, nuisance and land quality it was envisaged that there would be significant carbon savings. Although the proposed gas boilers would introduce a new point source, overall emissions will be significantly reduced.

A comprehensive noise assessment had been undertaken with restricted hours of construction and controls on dust, noise etc, with the Environmental Health officer satisfied the controls can be addressed by way of conditions.

In terms of biodiversity, Ecological Surveys submitted indicated a new woodland loss. However, a commuted sum of £12,750 would be provided for woodland loss, which would be used for planting on council owned sites.

The de-culverting of Bradford Beck would not be possible, however a commuted sum of £20,000 would be provided by the applicant for works elsewhere on the beck and surveys/creation of a fish pass at Shipley Field Weir.

A number of peripheral issues such as the drainage strategy were considered acceptable; a number of various standard conditions had been requested by highways e.g. visibility splays, construction traffic management plan and given that the proposed building would un-manned for majority of time (maintenance visit once a week) there would be no contribution for a bus stop in the vicinity. Subject to the completion of a Section 106 agreement and the conditions set out the Assistant Director's technical report, the application was recommended for approval.

In response to a question regarding the previous approval on this site, it was noted that if Members were minded to approve this application and it was implemented, it would mean the Petrol Filling Station and café in the previous application would be unlikely to also be developed, as it was likely any phasing plan approved under that permission would require residential on the main site prior to a petrol filling station/café but at this stage a decision on that could not be pre-judged.

In response to a question on landscaping details, it was stated that there would be some retention of trees/greenery, however a new scheme with planting of standard trees was being proposed as part of the application.

A number of questions were raised in relation to the operational aspects of the energy centre and the following responses were given by the applicant:

- That there would be no gas storage on this site just hot water retention tanks.
- That the energy centre would have sufficient capacity to add additional users over time without impacting on its efficiency.
- The energy centre itself would be designed in a way that would allow for expansion over time as demand and the number of end users increased.
- That the gas boilers would be phased out over time and would only be utilised initially as a back-up system and as a secondary source to meet initial demand during the winter period.
- That any other utility related works that maybe necessary will be flagged up with Highways prior to completion of laying of the current pipework for the energy centre.
- That the pipe work would have a lifespan of 50-100 years; the Air Source Heat Pump would have an average lifespan of 15-20 years and would be replaced accordingly. In addition, there would be back up systems and contingency plans in place in case of breakdown and other issues being experienced.

The applicant's agent briefly stated that 1energy were in the process of securing

£20m of grant funding; in total the investment for the energy centre would be around £40-£45m and would be the first of its kind in the UK as part of a low carbon strategy. The intention was that the energy centre would be operational by Spring 2026, subject to the completion of the construction phase and connecting customers to the network.

Members welcomed the detailed presentation by the Principal Planning Officer as well as the candid responses to Members' question from the applicants' agent, and subject to a number of minor alterations to the conditions, it was therefore:

Resolved –

That the application be approved subject to the completion of a Section 106 Agreement and the conditions set out in Appendix 1 to Document "C", and also subject to the following amendments:

- (i) That the proposed flues for the gas boilers and surrounding windshield will be at a height of 30m and not 26m as referenced in part of the Assistant Director's technical report.**
- (ii) That the first condition 13 (highway condition) in the Assistant Director's technical report be amended to remove the requirement to permanently close off the existing access from Thornton Road, as this is not in the applicants' control.**
- (iii) That renumbering of the conditions be undertaken accordingly, as there are two conditions numbered 13 in the Assistant Director's technical report.**

ACTION: Assistant Director Planning, Transportation and 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