

**Report of the Assistant Director (Planning,  
Transportation & Highways) to the meeting of  
Regulatory and Appeals Committee to be held on  
Thursday the 27<sup>th</sup> of April 2017.**

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**Subject:**

Secretary of State's Consultation Responses following the Regulatory and Appeals Committee's resolution to grant planning application ref. 15/07479/MAF: Bridgehouse Mills and planning application ref. 15/03339/MAF: Greenholme Mills

**Summary statement:**

The Regulatory and Appeals Committee are asked to note that the Secretary of State has decided, having had regard to his policy for calling in planning applications, not to call in the applications for either the redevelopment of Greenholme Mills, Burley-in-Wharfedale, or the redevelopment of Bridgehouse Mills, Haworth. He is content that the applications should be determined by the local planning authority. Both applications include proposals for development within the Green Belt.

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Transportation & Highways)  
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**Portfolio:**  
**Regeneration, Planning and Transport**

**Overview & Scrutiny Area:**  
**Regeneration and Economy**



## **1. SUMMARY**

The purpose of this report is to update the Regulatory and Appeals Committee on the outcome of the consultation with the Secretary of State on the planning applications for development at Greenholme Mills, Burley-in-Wharfedale, and Bridgehouse Mills, Haworth, following the positive Committee Resolutions at the Regulatory and Appeals Committee Meeting of 09 February 2017.

Both sites are within the Green Belt and represent Green Belt Development, as defined by paragraph 4 of the Town and Country Planning (Consultation) (England) Direction 2009. In accordance with the requirements of the Consultation Direction, the Secretary of State was required to be consulted to allow him opportunity to call-in the applications for his own determination, if he so choose, following the resolutions of the Regulatory and Appeals Committee to grant conditional planning permission.

The Secretary of State was duly consulted, via the National Planning Casework Unit, on 10 February 2017 following the Committee Meeting of 09 February 2017. The Secretary of State's consultation response on the Greenholme Mills development was received on 13 February 2017 (Appendix B) and his response on the Bridgehouse Mills development was received on 02 March 2017 (Appendix A). In both cases the Secretary of State confirmed as follows:

In deciding whether to call in the application, the Secretary of State has considered his policy on calling in planning applications. This policy gives examples of the types of issues which may lead him to conclude, in his opinion that applications should be called in. The Secretary of State has decided, having had regard to this policy, not to call in the application. He is content that the application should be determined by the local planning authority.

## **2. BACKGROUND**

This report is to update the Regulatory and Appeals Committee following the resolutions made at the meeting of 09 February 2017, the relevant resolutions were as follows:

### **GREENHOLME MILLS, IRON ROW, BURLEY IN WHARFEDALE**

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 4 '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.

### **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 obscuring 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 obscurity 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.

### **3. OTHER CONSIDERATIONS**

None.

### **4. OPTIONS**

The Committee are asked to note the consultation responses received from the Secretary of State (Appendices A and B). The Committee Resolutions of the Meeting of 09 February 2017 already authorise the formal granting of planning permission in respect of both planning applications, following the completion of the requisite legal agreements under Section 106 of the Act. At the time of writing this report the decision notice formally granting planning permission has been issued in respect of the planning application for development at Greenholme Mills, Burley-in-Wharfedale.

## **5. FINANCIAL & RESOURCE APPRAISAL**

Not applicable.

## **6. RISK MANAGEMENT & GOVERNANCE ISSUES**

Not applicable.

## **7. LEGAL APPRAISAL**

The consultation process with the Secretary of State described in this report fulfils the requirements placed upon the Council by the Town and Country Planning (Consultation) (England) Direction 2009. This process allows the Secretary of State opportunity to call-in for his own determination proposals which include significant development within the Green Belt. On this occasion he has chosen not to do so in respect of either application.

## **8. OTHER IMPLICATIONS**

### **8.1 EQUALITY & DIVERSITY**

Not applicable.

### **8.2 SUSTAINABILITY IMPLICATIONS**

Not applicable.

### **8.3 GREENHOUSE GAS EMISSIONS IMPACTS**

Not applicable.

### **8.4 COMMUNITY SAFETY IMPLICATIONS**

Not applicable.

### **8.5 HUMAN RIGHTS ACT**

Not applicable.

### **8.6 TRADE UNION**

Not applicable.

### **8.7 WARD IMPLICATIONS**

The proposal sites are within the Worth Valley and Wharfedale Wards. Ward Councillors the Parish Councils and local residents were consulted on the applications and were also given the opportunity to speak at the Regulatory and Appeals Committee Meeting of 09 February 2017. The Regulatory and Appeals Committee's Resolutions were informed both by the verbal representations made by residents and Councillors at the Committee Meeting and a Committee Report which summarised the material planning issues raised in the public and Councillor/ Parish Council representations and assessed the potential effects of the development proposals upon residents within the relevant Wards.

## **9. NOT FOR PUBLICATION DOCUMENTS**

None

## **10. RECOMMENDATION**

The Committee are asked to note the consultation responses received from the Secretary of State in respect of the planning applications for development at Greenholme Mills, Burley-in-Wharfedale, and Bridgehouse Mills, Haworth.

**11. APPENDICES**

Appendix 1: Secretary of State Consultation Response Letter in respect of Bridgehouse Mills, Haworth.

Appendix 2: Secretary of State Consultation Response Letter in respect of Greenholme Mills, Burley-in-Wharfedale.

**12. BACKGROUND DOCUMENTS**

- The Town and Country Planning (Consultation) (England) Direction 2009
- Application file 15/07479/MAF
- Application file 15/03339/MAF
- Minutes of the Regulatory and Appeals Committee Meeting of 09 February 2017

## Appendix 1



### Department for Communities and Local Government

Mr Michael Eaglestone  
City of Bradford Metropolitan District Council

Via email:  
Michael.Eaglestone@bradford.gov.uk

**Please ask for:** Fiona Hobbs  
**Tel:** 0303 44 48066  
**Email:** Fiona.hobbs@communities.gsi.gov.uk  
**Your ref:** 15/07479/MAF  
**Our ref:** NPCU/CONS/W4705/77429  
**Date:** 2 March 2017

Dear Mr Michael

#### **The Town and Country Planning (Consultation) (England) Direction 2009**

**Mixed Use Development Comprising: Change of use, alteration, conversion, extension and partial demolition of existing mill buildings to develop 45 retirement living apartments; construction of 77 new dwellings including associated access; construction of an extension to the existing industrial building accommodating Airedale Springs; construction of a new factory for Wydean Weaving; provision of junction improvement works, landscaping works, flood water storage works, parking and links to public footpaths**  
**Location: Bridgehouse Mills, Bridgehouse Lane, Haworth, West Yorkshire, BD22 8PA**  
**Application: 15/07479/MAF**

I refer to your letter of 10 February referring to the Secretary of State for Communities and Local Government ("The Secretary of State") an application for planning permission for the above development.

The Secretary of State has carefully considered the case against call-in policy, as set out in the Written Ministerial Statement by Nick Boles on 26 October 2012. The policy makes it clear that the power to call in a case will only be used very selectively.

The Government is committed to give more power to councils and communities to make their own decisions on planning issues, and believes planning decisions should be made at the local level wherever possible.

In deciding whether to call in the application, the Secretary of State has considered his policy on calling in planning applications. This policy gives examples of the types of issues which may lead him to conclude, in his opinion that applications should be called in. The Secretary of State has decided, having had regard to this policy, not to call in the application. He is content that the application should be determined by the local planning authority.

In considering whether to exercise the discretion to call in the application, the Secretary of State has not considered the matter of whether the application is EIA Development for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The local planning authority responsible for determining these applications remains the relevant authority responsible for considering whether these Regulations apply to these proposed developments and, if so, for ensuring that the requirements of the Regulations are complied with.

Yours sincerely

*Edward Chapman*

**Edward Chapman**  
**Planning Casework Manager**



## Appendix 2



### Department for Communities and Local Government

Michael Eaglestone  
City of Bradford MDC  
Department of Regeneration  
Major Developments, Minerals and Waste  
Team  
4<sup>th</sup> Floor Britannia House  
Bradford  
BD1 1HX

**Please ask for:** Rachael Beard  
**Tel:** 0303 44 48073  
**Email:** rachael.beard@communities.gsi.gov.uk  
**Your ref:** 15/03339/MAF  
**Our ref:** NPCU/CONS/W4705/77421  
**Date:** 13 February 2017

Dear Mr Eaglestone

#### **The Town and Country Planning (Consultation) (England) Direction 2009**

**Full planning application for alterations and extensions to existing mil buildings to create a mixture of residential and commercial uses including 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 Wharfdale, Ilkley, West Yorkshire, LS29 7DB  
Application reference 15/03339/MAF**

I refer to your letter of 10 February referring to the Secretary of State for Communities and Local Government ("The Secretary of State") an application for planning permission for the above development.

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Yours sincerely

*Rachael Beard*

**Rachael Beard**  
**Planning Casework Manager**