

Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 5th March 2020

AG

Subject:

A full application for mixed-use development comprising of event/exhibition venue (D2) and ten B1 (Business), B2 (General Industrial) and B8 (Storage or Distribution) units, land at Princeville Industrial Estate, 2 Princeroyd Way, Bradford.

Summary statement:

This application is for an events/exhibition venue, with ten light industrial, general industrial and warehousing units. The application site is located south of Bradford Beck and industrial premises, with residential properties to the south, at a higher level, on Princeville Road. Following demolition of former manufacturing premises, the site was cleared and has been vacant for a number of years.

The application site was allocated as a waste management site, WM1 in the Waste Management Development Plan Document, 2017. The type of operations considered suitable for the site being enclosed recycling activity; mechanical biological treatment; clean material reclamation facility; dirty material reclamation facility and anaerobic digestion. Under policy WMD3, development of an allocated waste management site will be resisted unless the applicant can demonstrate that the use of the site for waste management activities are proved to be economically unviable and market testing effectively demonstrates there is no realistic prospect of the site being used for waste management purposes.

Additionally, the events/exhibition use, D2, leisure, is subject to a sequential test, as required by National Planning Policy Framework (NPPF). The sequential test promotes main town centre uses within town centre locations first, then, if no town centre locations are available, to edge of centre locations, and, if neither town centre locations nor edge of centre locations are available, to out of centre locations, with preference for accessible sites which are well connected to the town centre. Thereby, the sequential approach supporting the viability and vitality of centres by putting existing centres foremost in decision-taking. The sequential test carried out by the applicant is not considered to have looked flexibly at sites with the City Centre and has not demonstrated that the site is sequentially preferable. Additionally, as part of the sequential test, an impact assessment is required. Again the work carried out by the applicant has not adequately shown that there would be no impact on existing facilities nor the centres where the facilities are located.

The application is recommended for refusal being contrary to the NPPF and policies WM1 and EC5 of the Core Strategy. However, if the Committee is minded to approve the application, as a departure to the statutory development plan, the application would have to be referred to the Secretary of State who would decide whether or not to call-in the application.

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Portfolio:

Change Programme, Housing, Planning and Transport

Overview & Scrutiny Area:

Regeneration and Economy

1. SUMMARY

The application is recommended for refusal for the reasons included within the Technical Report, Appendix 1.

2. BACKGROUND

The application is reported to Committee as the proposed development would be contrary to the Waste Management Development Plan, as the site is allocated as a waste management site, under policy WM1. Additionally, policy WDM3 applies where an application would result in the loss of a proposed waste management site. This states that the Council will safeguard existing waste management facilities and allocated waste management sites; and resist the loss of existing facilities and allocated sites through redevelopment or change of use for any other purposes other than waste management, unless the applicant can demonstrate any of the particular circumstances exist:

- a) there is no longer any identified need for the facility or site across any form of waste arising in the District and sub-region; and such a facility could be accommodated elsewhere; or
- b) the facility or site does not accord with Bradford's core waste policies or cannot contribute to the waste hierarchy's objectives; or
- c) the use of the facility or site for waste management activities are proved to be obsolete or economically unviable and market testing effectively demonstrates there is no realistic prospect of the site being used for waste management purposes; or
- d) an alternative, suitable waste facility site is identified elsewhere in the District enabling a site swap that is capable of satisfying the site location criteria for the waste management facility.

3. OTHER CONSIDERATIONS

All considerations material to the determination of this planning application are set out in Appendix 1.

4. FINANCIAL & RESOURCE APPRAISAL

The presentation of the proposal is subject to normal budgetary constraints.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

No implications.

6. LEGAL APPRAISAL

The determination of the application is within the Council's powers as Local Planning Authority.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

Section 149 of the Equality Act 2010 states that the Council must, in the exercise of its functions "have due regard to the need to eliminate conduct that is prohibited by the Act, advancing equality of opportunity between people who share a protected characteristics and people who do not share it, and fostering good relations between people who share a protected characteristic and people who do not share it. For this purpose section 149 defines "relevant protected characteristics" as including a range of characteristics including disability, race and religion. In this particular case due regard has been paid to the section 149 duty but it is not considered there are any issues in this regard relevant to this application.

7.2 SUSTAINABILITY IMPLICATIONS

The application site is located some distance from both Gurlington and the City Centre and is not particularly well-served by public transport. Whilst the wedding use could serve the local population, the proposal would be primarily dependent on private car use for most visits.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

New development invariably results in the release of greenhouse gases associated with construction operations and the activities of the future users of the site. Consideration should be given as to the likely traffic levels associated with development. Consideration should also be given as to whether the location of the proposed development is such that sustainable modes of travel would be best facilitated and future greenhouse gas emissions associated with the activities of building users minimised. If permission were to be granted for this development it would be a requirement to install EV charging points for staff and customer use.

7.4 COMMUNITY SAFETY IMPLICATIONS

Core Strategy Policy DS5 states that development proposals should be designed to ensure a safe and secure environment and reduce the opportunities for crime. In this instance, subject to appropriate access control, boundary treatments, being implemented, it is not considered that there are grounds to conclude that the proposed development would create an unsafe or insecure environment or increase opportunities for crime, in accordance with Core Strategy Policy DS5.

7.5 HUMAN RIGHTS ACT

Article 6 - right to a fair and public hearing. The Council must ensure that it has taken into account the views of all those who have an interest in, or whom may be affected by the proposal.

7.6 TRADE UNION

None

7.7 WARD IMPLICATIONS

None

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS

None

7.9 IMPLICATIONS FOR CORPORATE PARENTING

None

7.10 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

None

8. NOT FOR PUBLICATION DOCUMENTS

None

9. OPTIONS

The Committee can refuse the application as per the recommendation contained in Appendix 1, or approve the application.

If the Committee decides that the application should be approved, in which case the reason(s) for approval would have to be given, based upon development plan policies or other material planning considerations.

10. RECOMMENDATION

The application is recommended for refusal.

11. APPENDICES

Appendix 1 Technical report.

12. BACKGROUND DOCUMENTS

National Planning Policy Framework 2018

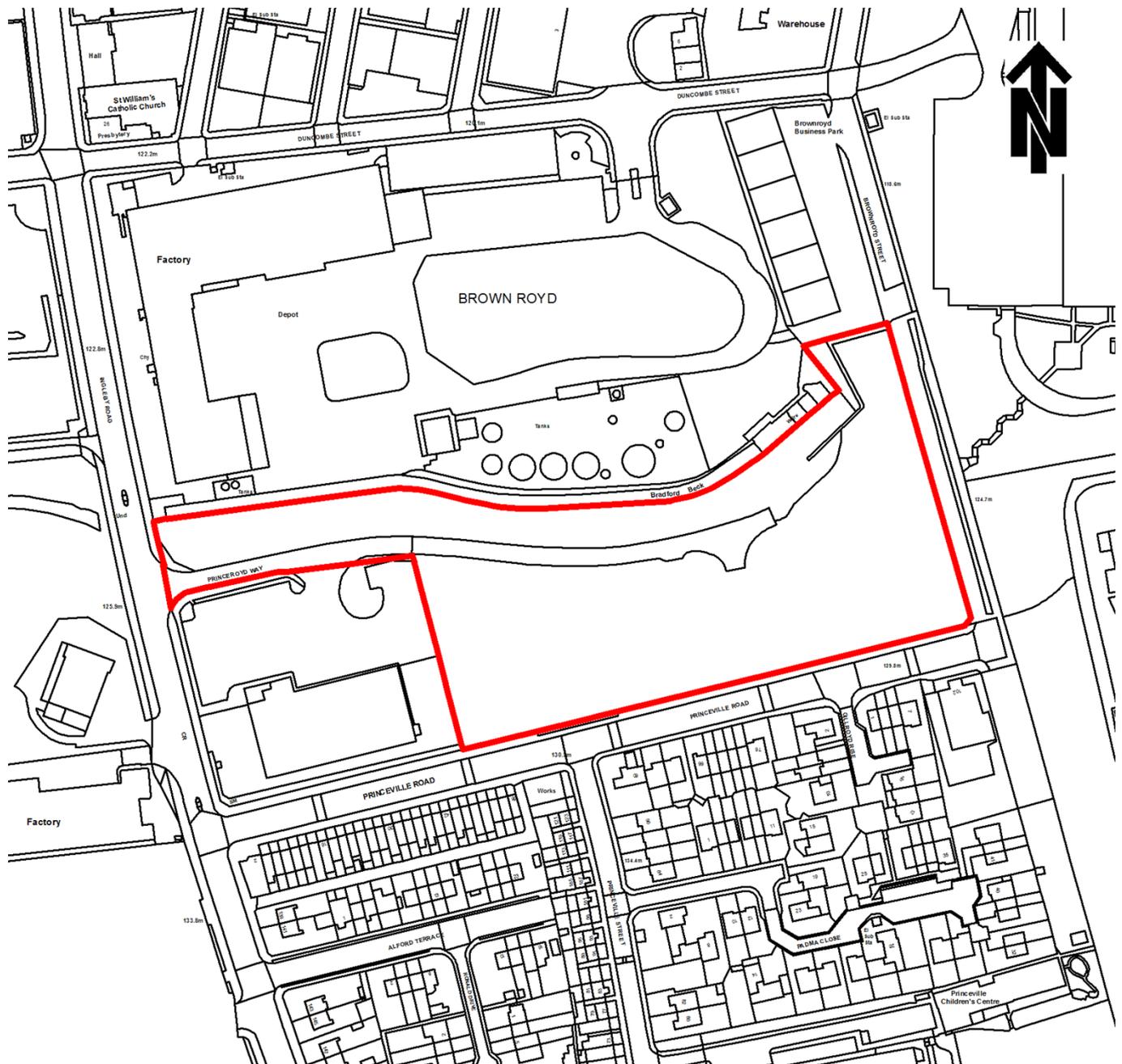
Core Strategy 2017

Waste Management DPD 2017

18/04052/MAF



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:2,500

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Land At Princerville Industrial Estate
2 Princeroyd Way
Bradford BD7 2BH

Appendix 1

Ward

City

Recommendation

That planning permission is refused for the reason set out in this report.

Application No.

18/04052/MAF

Type of application

Full application for mixed-use development comprising of event/exhibition venue (D2) and 15 B1 (Business), B2 (General Industrial) and B8 (Storage or Distribution) units.

Applicant

Ingleby Developments Limited

Agent

TH3M Architects

Site Description

The application site is adjacent to a Wickes retail DIY store, with a shared access; a food production plant to the north and housing to the south. The application site is located at a lower level than the housing on Princeville Road, immediately south of the application site. Bradford Beck runs along the northern boundary of the site.

The application site is vacant having been cleared of industrial buildings a number of years ago and consequently, the application site appears unkempt.

Background

The application site was previously allocated as an employment site in the RUDP. This was superseded when the site was allocated as a waste management site, under policy WM1 in the Waste Management DPD, 2017.

Relevant Site History

None

RUDP

Allocation

The site was allocated as an employment site and within an employment zone Employment Allocation BW/E1.17 and Employment Zone BW/E.6.2, with no site specific use identified.

Core Strategy

There are a number of Core Strategy Policies to be considered in the determination of the application.

EC1 Creating a successful and competitive Bradford District economy

EC5 City, Town, District and Local Centres

TR2 Parking Policy

WM1 Waste Management

DS1 Achieving Good Design

Waste Management DPD

The application site is identified as WM1 in the Waste Management DPD. Potential site uses are –

enclosed recycling activity; Mechanical Biological Treatment; Clean Material Reclamation Facility; Dirty Material Reclamation Facility; Anaerobic Digestion.

Policy WDM3 Applications Resulting in the Loss of a Proposed or Existing Waste Management Facility

The Council will safeguard existing waste management facilities and Allocated Waste Management Sites identified in Appendix 1 and Policy W3 respectively.

The National Planning Policy Framework (NPPF).

Local planning authorities are required to approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development, where possible

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

Substantial weight is given to the value of using suitable brownfield land within settlements for homes and other identified needs.

Planning policies and decisions should make more intensive use of existing land and buildings, especially where it would help to meet housing need.

The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

Planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and f) create places that are safe, inclusive and

accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Publicity and Representations

The application was advertised through site notices and in the local press. There has been one objection to the application and a petition with 102 signatures. The petitioners support the application and oppose the site being used for waste management purposes.

Summary of Representations Received

There will be too much traffic to and from the venue.

There will be too much noise, fireworks etc because it's going to be a wedding venue. This would cause unnecessary grief to neighbours.

Consultations

Landscape Design

The Design and Access statement refers to the role landscaping around the site will have to the success of the proposed scheme, helping create a sense of nature.

The CGI Aerial Perspective shows a well- managed external environment.

The general principle shown on the CGI Aerial would be acceptable but we need to see the detail designs submitted for the hard and soft external works.

The application area includes the embankment and trees bounding Bradford Beck. This is an important area, forming a green/blue corridor leading towards the City. We require details showing how the applicant intends to use or manage this area of the site. It will need careful consideration as any disturbance or clearance may have an impact on the ecology of the Beck environment.

The beckside vegetation must be retained and protected, including during any construction works on the site.

LLFA

The Lead Local Flood Authority (LLFA) has assessed the documentation relating to the surface water disposal on the proposed development, against the requirements of the National Planning Policy Framework, Planning Practice Guidance and local planning policies. An assessment of the submitted documentation has been undertaken and if the details are implemented and secured by way of a planning condition on any planning permission the LLFA has no objection to the proposed development.

Policy

The proposed mixed-use development comprising of event/exhibition venue (D2) & ten B1 (Business), B2 (General Industrial) & B8 (Storage or Distribution) units has two primary planning policy concerns. The first being - the development is proposed on an adopted Waste Management DPD site for a future waste management facility (Waste Management DPD Policy W3, Site WM1; and Policy WDM3). The second being the fact the proposal is a town centre use in an out of centre location (Core Strategy Policy EC5).

Waste Management DPD - Policy W3, Site WM1; and Policy WDM3

In October 2017, the Council formally adopted the Waste Management DPD as the statutory planning framework to be used for the development of waste infrastructure and for use in all relevant planning applications (alongside the Core Strategy) for the next 15 years. The Waste Management DPD established a planning policy framework and allocates a number of sites for waste management facilities to ensure that the District has

sufficient and appropriate waste infrastructure to deliver established aspirations for net self-sufficiency in waste management where appropriate, over the plan period. The proposal is located on Site Allocation WM1, and given the site the application is for a non-waste use it would result in the loss of this allocated site for any potential future waste management facility. The Waste Management DPD policy framework looks to safeguard the allocated sites and will resist the loss of these, unless the applicant can demonstrate any of the following criteria under Policy WDM3:

1. There is no longer any identified need for the facility or site across any form of waste arising in the District and sub-region; and such a facility could be accommodated elsewhere; or
2. The facility or site does not accord with Bradford's core waste policies or cannot contribute to the waste hierarchy's objectives; or
3. The use of the facility or site for waste management activities are proved to be obsolete or economically unviable and market testing effectively demonstrates there is no realistic prospect of the site being used for waste management purposes; or
4. An alternative, suitable waste facility site is identified elsewhere in the District enabling a site swap that is capable of satisfying the site location criteria for the waste management facility.

The applicant has submitted a number of supplementary papers throughout the course of the application, and it appears they are pursuing criteria 3 of WDM3. However, the evidence submitted to date is not considered sufficient to satisfy the requirements of the criteria. The Council has not received any information relating to whether or not the site for waste management activities is proved to be obsolete or economically unviable. In addition to this, the Council does not consider the market testing information submitted to date is sufficient to satisfy whether or not there is a realistic prospect of the site being used for waste management purpose, especially in regards to open market test, to which the Council would expect a minimum of 12 months.

Core Strategy - Policy EC5

The proposed event/exhibition venue (D2) is a town centre use, and is not located within an existing centre. Due to the size of the proposed event/exhibition venue (D2), it requires a sequential test and impact assessment. The Council does not consider the Sequential Test has been satisfied, as there are a number of issues relating to this. This relates to the lack of flexibility within the proposed development, primarily relating to how a number of City Centre sites have been discounted due to the lack of space for surface car parking. The Council has demonstrated a surplus of car parking within the City Centre Parking Study (2016) and thus sufficient levels of car parking, and the abundance of public transport opportunities, mean this should have been taken into account when considering flexibility). The Council also considers there to be a lack of information in regards to sites being ruled out due to viability.

In regards to the Impact Assessment, the Council does not consider the applicant's submission to satisfy the requirements. It is lacking in the assessment of planned investment by means of unimplemented planning permissions for similar facilities, with some recently approved proposals (18/03366/FUL) not assessed, and others not considered correctly assessed (The Madison considered inappropriate due to lack of parking, but was approved following consultation with the Council's Highways department). The Impact Assessment also makes frequent reference to the fact that existing facilities are not stemming the flow of expenditure of the district, and thus there would be no impact. However, the Council considers there is a lack of evidence in regards to expenditure levels to justify the apparent lack of impact upon these existing facilities.

West Yorkshire Police

Access control on the site.

Recommend installing access control measures on the entrance to the site eg. 1800mm high lockable gates which are automated and set on a timer to be left open during operational hours but close at night, when the venue is not in use, this would prevent any strangers or vehicles entering the site and reduce the opportunities for vehicles parking up and causing anti-social behaviour problems. If the gates are to be a manual style, these should include a pad bolt style locking mechanism, care should be taken over the locking area, so that the pad bolt has a lock guard fitted on the outer face of the gate which would prevent any climbing aids.

Recommend installing boundary fencing to a minimum height of 1800mm, closed welded mesh (LPS 1175 SR2 or above) that secures the blue line area of the parking bay and the rear of the units on the site plan (drawing no GA104). This type of fencing would allow natural surveillance into the site and the parking area. If there does need to be access, installing a gate would allow a management company access for maintenance purposes.

There should be good lighting levels within the car park and work in unison with the CCTV.

Events / Exhibition venue.

In relation to the events venue, bollards should be placed along the front and north east side of the pathways in order to protect the curtain wall/windows and pedestrians footpaths against any accidental or deliberate collision damage. Suitable standards for bollards are to IWA or PAS 68, fitted to PAS 69 standards which are placed at 1200mm apart.

Management plan for public space.

Any areas of public space, planting, hedges should include a management plan so that they are pruned and kept tidy over the coming years.

External lighting and monitored CCTV.

Recommend that there is good lighting levels above the entrances, footpath routes and car parking areas and undercroft areas. Low energy photo-electric cell or dusk until dawn lighting is cost effective to use. Fittings, including the wiring should be vandal resistant and located within positions to deter any criminal attack. There should be good lighting levels around the site.

Monitored CCTV is preferable so that either a security or a monitoring company can view the location and pick up on any suspicious activity in the first instance rather than reviewing hours or CCTV when an incident has occurred.

Yorkshire Water

The developer is proposing to discharge surface water to public sewer however, sustainable development requires appropriate surface water disposal and Yorkshire Water promotes the surface water disposal hierarchy. The developer must provide evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical before considering disposal to public sewer. It is understood that Bradford Beck is located to the north of the site and appears to be the obvious place for surface water disposal. Only as a last resort may surface water drain to public sewer at the rate suggested in the application documents of 4.5 litres a second.

On the Statutory Sewer Map, there is a 3660 mm diameter public combined sewer recorded in the land between Bradford Beck and Princeroyd Way. Vehicular access, including with large tankers, could be required at any time. It is essential that the presence

of this infrastructure is taken into account in the design of the scheme but given the area is shown as remaining as green space, provided the development is constructed in accordance with drawing (GA) 104, no protective condition is required.

Transportation & Highways

The applicant has submitted a revised site plan which addresses the concerns raised previously. Further clarification has been provided regarding maximum capacity of the proposed D2 event/exhibition facility and the proposed level of car parking for this. The internal road layout has also been amended to ensure it is safe for all users.

The D2 use would have a capacity of approximately 900 people. The applicant has accepted advice for assessing car parking demand for a wedding venue, based on vehicular occupancy and number of guests. The applicant has used 3 guests per vehicle based on assessments carried out elsewhere. A vehicular occupancy of 3 guests per vehicle is agreed, as this figure was also derived from site surveys carried out for a recent planning application on Manningham Lane. The worst case parking demand based on this methodology equates to 300 spaces. The applicant is providing 188 parking spaces to cater for 564 guests; this includes 9 disabled bays and 4 electric charging bays. The remaining guests would arrive as follows: 5 coach trips @ 50 guests per coach catering for 250 guests and 40 taxi trips catering for 120 guests. This equates to 934 guests. The level of car parking provision is therefore acceptable. Cycle parking facilities are also being provided.

A new footway would be provided on the north side of the access from Ingleby Road to the site access. A S278 agreement would be required to implement these works.

A 20m square turning area would be provided for the B1, B2 & B8 units. Tracking analysis for a 12m rigid vehicle demonstrates that a vehicle could enter and leave the site in forward motion.

A coach drop off/pick up facility is provided within the site and the internal layout has been amended to ensure the coach can enter and leave the site in forward motion and without over running footways.

The layout is now considered acceptable.

Environmental Protection

The noise impact assessment report (dated 10 September 2018) submitted by Nova Acoustics on behalf of the applicants. It identifies 3x noise sources: Plant, Amplified Music; Customer Vehicles (engine and doors), which it considers individually and cumulatively. The report predicts that each source considered individually meets the noise appropriate criteria and predicts that the cumulative noise of these identified sources will result in an overall +0.4 dB increase in ambient noise levels.

This being the case, no objections to the application based upon the predicted sound levels and music sound level limits provided. Strongly advise that the setting off of fireworks from the premises be prohibited at any time.

Summary of Main Issues

Principle of development

Design

Residential amenity

Transportation & Highways

Other Issues

Appraisal

Principle of development

The proposed use has been considered in relation to national and local planning policies. In this case, the National Planning Policy Framework (NPPF) 2019, and the Waste Management Development Plan Document 2017.

In terms of the NPPF, the relevant sections are – 2 Delivering sustainable development para. 11; Decision making, para. 47; 6 Building a strong and competitive economy, paras. 80, 81 and 7 Ensuring the vitality of town centres, paras. 86, 87 & 89.

A wide range of complementary uses can, if suitably located, help to support the vitality of town centres, including residential, employment, office, commercial, leisure/entertainment, healthcare and educational development.

Evening and night time activities have the potential to increase economic activity within town centres and provide additional employment opportunities. They can allow town centres to diversify and help develop their unique brand and offer services beyond retail. In fostering such activities, local authorities will also need to consider and address any wider impacts in relation to crime, noise and security.

Given the town centre use, the applicant was required to carry out a sequential test, in selecting the site and consequently, provide an impact assessment. It is acknowledged that the applicant has expended some time in providing the above information, as required by the NPPF.

The sequential approach to site selection has been considered and it has not been demonstrated that there are no sequentially preferable sites within the City Centre. The applicant contends that a number of sites identified would not be suitable, as they would not provide the levels of car parking required by the applicant. A number of sites were identified within the City Centre, which the applicant reviewed. Using the sequential test in decision making, the NPPF states the following should be taken into account -

- with due regard to the requirement to demonstrate flexibility, has the suitability of more central sites to accommodate the proposal been considered? Where the proposal would be located in an edge of centre or out of centre location, preference should be given to accessible sites that are well connected to the town centre.
- is there scope for flexibility in the format and/or scale of the proposal? It is not necessary to demonstrate that a potential town centre or edge of centre site can accommodate precisely the scale and form of development being proposed, but rather to consider what contribution more central sites are able to make individually to accommodate the proposal.

Whilst the applicant has considered other central sites, these were ruled out by the applicant, as not providing enough car parking. Due to the nature of the events use, car parking is required at the events building and the applicant has commented that it's expected there would be a number of shared trips to the events use. One of the results of guiding town centre uses to centres would be a reduction in car use, with visitors travelling by public transport to the centre. Evidently, it does not appear that the applicant has looked flexibly at sites within the City Centre and considered sites with reduced levels of car parking, served by public transport thus reducing the need for car parking.

Impact Assessment

The purpose of the test is to consider the impact over time of certain out of centre and edge of centre proposals on town centre vitality/viability and investment. The test relates

to retail and leisure developments (not all main town centre uses) which are not in accordance with up to date plan policies and which would be located outside existing town centres. It is important that the impact is assessed in relation to all town centres that may be affected, which are not necessarily just those closest to the proposal and may be in neighbouring authority areas.

Waste Management Development Plan Document

Policy WM1 identifies the application site as being suitable for the following waste management uses - enclosed recycling activity; mechanical biological treatment; clean material reclamation facility; dirty material reclamation facility; anaerobic digestion.

In policy WDM3, the Council will resist the loss of allocated sites, unless the applicant can demonstrate any of the following:

- a) there is no longer any identified need for the site across any form of waste arising in the District and sub-region; and such a facility could be accommodated elsewhere; or
- b) the site does not accord with Bradford's core waste policies or cannot contribute to the waste hierarchy's objectives; or
- c) the use of the site for waste management activities are proved to be obsolete or economically unviable and market testing effectively demonstrates there is no realistic prospect of the site being used for waste management purposes; or
- d) an alternative, suitable waste facility site is identified elsewhere in the District enabling a site swap that is capable of satisfying the site location criteria for the waste management facility.

The applicant has set out a case to seek to demonstrate an exception to policy WDM3, based on c). The case put forward however, does not include all aspects of a viability assessment of waste management uses, as required by policy WDM 3c). The applicant has stated that as part of matters discussed, officers advised that a viability assessment of the site on a range of proposed waste management uses should be prepared to demonstrate how these may, or may not, be viable. In the words of the applicant - *these would be "virtual" appraisals in terms of the size and costs of the various types of kit, the foundation and building envelope costs to house the kit and the guesstimate of the notional through put of waste from which cost and values could be derived. There would be so many unknowns and guesstimates that any study could not be regarded as robust.*

No bank or funder would be prepared to support a project on the basis of an imprecise study.

The current reality renders such exercises irrelevant because after four years plus of marketing no waste processor has shown even the slightest interest in this site. The written comments of the two main operators based in the District are particularly pertinent. Clearly waste processing operators regard this site an unviable location."

Without a suitable viability assessment the applicant cannot reasonably demonstrate that there would be an exception to policy WDM3, supporting the potential loss of a waste management site.

Notwithstanding the above policy concerns, the applicant has set out a case which they consider supports the proposal and should be considered by the decision maker when balancing the material planning considerations of this case. The applicants consider that the proposal would support the economic objective because it brings into beneficial use a long-term neglected site; involves capital investment and the creation of c. 100 jobs. It also supports the environmental objective because it makes effective use of a brown field

site and will provide a statement building of quality. The applicants have made reference to these objectives being found in the Council's Economic Strategy for Bradford District 2018-2030. It is considered by the applicant that the application would make a worthwhile contribution to the ambitions for local investment and job creation, set out in this document.

As part of the marketing exercise, eleven waste operators were sent a sales pack and were consulted on a number of occasions, prior to reporting back to the LPA. It is noteworthy that two Bradford waste operators confirmed their lack of interest, with one commenting that other sites were being investigated.

Furthermore, it is stated by the applicant, that the wider Bradford economy is losing out on potential spend because there is a lack of capacity in venues capable of staging large-scale Asian weddings. The applicants submit that clients who would like to hold large-scale weddings and events in Bradford are not able to do so. This means that "spend" is leaking to Manchester, Leeds, and Harrogate.

Conclusion

The NPPF states that where a planning application conflicts with an up-to-date development, permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The application has been assessed accounting for the policy requirements above and the benefits associated with the proposed development. These being, the further investment in Bradford and resultant job creation. It is also acknowledged that the proposal would result in the use of a brownfield site, improving the appearance of the site, to the benefit of the surrounding area. It is further noted that the development, due to its scale and nature, would generate local employment and economic investment both locally and in the wider Bradford area. However, these considerations in officer's judgement do not, on balance, override policies WM1 and EC5 of the Core Strategy, indicating that the development plan, should not be followed.

Design

The application proposes ten B1, B2 and B8 units in the south west part of the site and an events/exhibition venue to the south east part of the application site. The existing access from Princeroyd Way would be used, with car parking provided to the northern parts of the site.

The industrial units would be regular in form, with mono-pitch roofs, constructed in cladding. Whilst functional in appearance, the industrial units are considered appropriate in the context of the area, part industrial, part residential.

The event/exhibition venue is composed of four elements, each available for use independently. The principal building element, to the north west, is designed as a part-cantilevered 'pavilion' structure, with a recessed frame, housing areas of glazing. This along with the other building elements would all be flat-roofed with a linked atrium connecting the buildings.

The proposed design of the events building would provide a contemporary addition to the benefit of the surrounding area.

Residential amenity

Along the southern side of Princeville Road there are residential properties. The proposed development would be situated along the northern side of Princeville Road, several

metres below street level. Environmental Protection has been consulted on the application and its response will be reported verbally.

Highways

Following discussion between the applicant and Highways, agreement has been reached on acceptable levels of car parking. This being based on previous experience of other event venues in Bradford. The proposed level of parking is seen as appropriate, without resulting in detriment to other highway users.

Proposed access arrangements to and from the application site have been considered and are acceptable in highways terms.

Comments on the Public Representations Received

The one letter of objection raises the following issues (comments on the matters raised are made in italics):

- There will be too much traffic to and from the venue. *(It is not considered that traffic associated with this development would adversely impact on either residential amenity or highway safety)*
- There will be too much noise, fireworks etc because it's going to be a wedding venue. This would cause unnecessary grief to neighbours. *(Conditions could be imposed re: the opening hours).*

In support of the application a petition has been submitted. This has been signed by local residents from the nearest residential streets: Princeville Road, Princeville Street, Gillroyd Rise, Padma Close and Telford Court.

The petition states that support is given for the proposals and raises concern that the site is allocated as a waste site. *(The preparation of the Waste Management DPD included consultation with site owners and other interested parties & a notice was placed in the local press. It is understood that local opposition to the allocation of the site as a waste site was not made at that stage).*

Options

The Committee can either refuse the application or approve the application. If the Committee is minded to approve the application then they would be required to set out the circumstances why they consider it is appropriate to deviate from planning policy wherein this is a protected waste site. In such circumstances, the application would also have to be referred to the Secretary of State who would determine whether or not to intervene in the determination of the application. The Committee would also be asked under such circumstances, if there are any specific conditions it would wish to include.

Community Safety Implications

None

Human Rights Act

Article 6 – right to a fair and public hearing. The Council must ensure that it has taken into account the views of all those who have an interest in, or whom may be affected by the proposal.

Not for publication documents

None

Reasons for Refusal

1. The proposal would result in the loss of an allocated waste management site prejudicial to ensuring the District has sufficient and appropriate waste infrastructure for self-sufficiency in waste management contrary to Policy WM1 of the Waste Management DPD. The application has failed to demonstrate any of the particular circumstances, as required by Policy WDM3, to allow for the loss of an allocated waste management site.
2. The application does not include evidence that demonstrates that the application site is sequentially preferable and could not be located in the City Centre, as required by para. 86 of the NPPF and Policy EC5 of the Core Strategy.