

Decisions of the Regulatory and Appeals Committee on Thursday, 7 December 2017

**These decisions are published for information in advance of the
publication of the Minutes**

Decisions

5. MEMBERSHIP OF SUB-COMMITTEES

No resolution was passed on this item.

NO ACTION

6. LAND AT HOLTS LANE, BRADFORD

Full planning application for a residential scheme of 99 dwellings, with associated works – 17/05251/MAF.

Resolved –

- (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 together with an additional condition relating to:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) the integral garages within the dwelling(s) hereby permitted shall remain available for the purposes of garaging and no subsequent alterations to convert these garages to primary residential accommodation addition shall be carried out without the express written permission of the Local Planning Authority.

- (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:

On-site affordable housing provision of 20 two bed houses,

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.

ACTION: Assistant Director - Planning, Transportation and Highways

(John Eyles – 01274 434380)

7. UNION MILLS, HARROGATE ROAD, BRADFORD

Full application for the demolition of existing buildings and infill of an existing mill pond and the construction of seven retail units including a discount food store (Class A1), five retail units (Class A1) and one sub-divisible unit (Class A1, A3, A5), with access, car parking, landscaping and associated works – 17/04007/MAF.

Resolved –

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 subject to the amendment of Conditions 16 and 17 to read as follows:

16. Opening times – retail units

Unless otherwise agreed in writing by the Local Planning Authority, the use of the premises shall be restricted to the following hours:

Units 1A and 1B: 05:00 to 23:00 hours Monday to Saturday and 10:00 to 18:00 on Sundays

Units 2, 3, 4, 5, 6 and 7: 05:00 to 23:00 hours Monday to Saturday and 10:00 to 18:00 on Sundays

Reason: In the interests of the amenities of neighbouring residents and to accord with policies SC9, DS1, DS2, DS3, DS4, and, DS5 of the Local Plan for Bradford.

17. Delivery times – retail units

No deliveries/servicing shall be taken in or dispatched from the site outside the hours of:

Units 1A and 1B: 05:00 to 23:00 hours

Units 2, 3, 4, 5, 6 and 7: 05:00 to 23:00 hours

Reason: In the interests of the amenities of the neighbouring properties and to accord with policies SC9, DS1, DS2, DS3, DS4, and, DS5 of the Local Plan for Bradford.

ACTION: Assistant Director - Planning, Transportation and Highways

(John Eyles – 01274 434380)

8. LAND AT GAIN LANE AND WOODHALL ROAD, BRADFORD

Outline planning application for the construction of an employment development scheme comprising B1, B2 and B8 uses and including means of access on land at Gain Lane and Woodhall Road, Bradford – 17/02463/MAO.

Resolved –

- (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 subject to the deletion of Condition 26 and its replacement with the following:

26. Noise levels

The level of noise emitted from the application site (excluding vehicles on the public highway) shall not exceed: 48 dB LAr (1 hour daytime) and 38 dB LAr (15 minutes night time) at the residential dwellings off Foston Lane and 50 dB LAr (1 hour daytime) and 44 dB LAr (15 minutes night time) at the Dales Nursing Home off Woodhall Lane.

Reason: To protect the amenity of the occupants of nearby dwellings and to accord with policies SC9, DS1, DS2, DS3, DS4, and, DS5 of the Local Plan for Bradford.

27. Noise and traffic management plan

Prior to the occupation of a Use Class B2/B8 building, a noise and traffic management plan for the service yards shall be submitted to and approved in writing by the Local Planning Authority. This should consider noise generated from deliveries, loading/unloading activities, along with general service yard activities, and consideration of any mitigation measures required. The development shall be carried out in accordance with the approved details, which shall be retained and adhered to at all times.

Reason: To protect the amenity of the occupants of nearby dwellings and to accord with policies SC9, DS1, DS2, DS3, DS4, and, DS5 of the Local Plan for Bradford.

28. Noise attenuation measures

Prior to the occupation of any building hereby permitted, details of noise mitigation measures to be incorporated within the design of the building and its curtilage shall be submitted to and approved in writing by the Local Planning Authority. These measures should include, amongst other things, the positioning of any openings in the elevations and roof, the location of any associated plant, and, appropriate fencing. The approved details shall be implemented in full prior to the building being first occupied and shall be retained whilst the building is in use.

Reason: To protect the amenity of the occupants of nearby dwellings and to accord with policies SC9, DS1, DS2, DS3, DS4, and, DS5 of the Local Plan for Bradford.

- (2) That the Reserved Matters application be submitted to this Committee for determination.

ACTION: *Assistant Director - Planning, Transportation and Highways*

(John Eyles – 01274 434380)

9. **UNIT 3A, SAPPER JORDAN ROSSI PARK, OTLEY ROAD, BAILDON**

Full planning application for a material change of use of Unit 3A from Use Class B1 (Business) to Use Class B2 (General Industrial) in order to allow the chemical treatment of metal parts and the storage of associated chemicals – 17/04012/FUL.

Resolved –

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.

ACTION: *Assistant Director - Planning, Transportation and Highways*

(John Eyles – 01274 434380)

10. **LAND TO THE NORTH OF ROYD INGS AVENUE (BETWEEN THE A629 AND THE RIVER AIRE), KEIGHLEY**

Full planning application for the extension of Keighley Industrial Park through the formation of eight structures housing nine commercial units (B8 and B2 uses), with associated car parking, highways connection, drainage and landscaping - 17/05255/MAF.

Resolved –

That consideration of the application be deferred to the meeting of the Committee to be held on 8 March 2018 and that the applicant be requested to submit further information to address the reasons for refusal set out in the Assistant Director - Planning, Transportation and Highways' technical report, with specific reference to:

- (i) **An explanation of how the proposals for these unique buildings will not create flood risk issues, including examples of similar successful development elsewhere,**
- (ii) **What mitigation circumstances may apply,**
- (iii) **Consideration of any flood plain works being carried out elsewhere that may assist this development,**
- (iv) **A Sequential Test and an Exceptions Test in accordance with the requirements of the National Planning Policy Framework (NPPF),**

- (v) **Habitat mitigation measures,**
- (vi) **More detailed proposals for flood safe car parking provision,**
- (vii) **The regeneration and employment benefits of the scheme; to include dialogue with the Council's Economic Development Department.**

ACTION: Assistant Director - Planning, Transportation and Highways

(John Eyles – 01274 434380)

FROM: Parveen Akhtar
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