

## Minutes of a meeting of the Regulatory and Appeals Committee held on Thursday, 10 January 2019 in the Banqueting Hall - City Hall, Bradford

Commenced 10.00 am  
Concluded 10.34 am

### Present – Councillors

LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT
Amran Wainwright Warburton Watson	Brown Cooke	Griffiths

### Councillor Warburton in the Chair

#### 70. DISCLOSURES OF INTEREST

The Chair noted, in the interests of clarity, that he had also been Chair of the Committee when the original application for the development of 130 dwellings at Shann Lane, Keighley had been considered in 2013. He stated that, as Document “A1” represented a new application, he would consider it with an open mind.

***ACTION: City Solicitor***

#### 71. MINUTES

**Resolved –**

**That the minutes of the meetings held on 19 July 2018 be signed as a correct record.**

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

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

#### 73. MEMBERSHIP OF SUB-COMMITTEES

No resolution was passed on this item.

#### 74. LAND AT SHANN LANE, KEIGHLEY

Previous reference: Minute 109 (2012/13)

The Assistant Director - Planning, Transportation and Highways presented a report (**Document "A1"**) in respect of a reserved matters application for 128 dwellings (approved by outline permission 12/04674/MAO) requesting consideration of access (other than at Broadway and Shann Lane), appearance, landscaping, layout and scale on land at Shann Lane, Keighley – 18/01755/MAR.

The Assistant Director made a detailed presentation in respect of the application, highlighting first that the number of dwellings concerned had been revised to 128 from the original 130 as a result of a very recent amendment to the application to integrate the existing public right of way into the development in a sympathetic manner which would also reduce the effect on the amenity of existing properties near the footpath. He presented a series of photos and plans explaining the layout of the site, the route of the new road within the site which would link the existing roads better and permit access onto the new development by public transport and highlighting the issues which had been caused by the significant change of levels within the site.

He also highlighted that properties on the new development would now front onto Shann Lane, which would present a more attractive street scene but would bring which it increased traffic movement onto and off Shann Lane as residents accessed their driveways. A deed of variation was therefore being recommended to which the applicant had agreed and which would provide for traffic calming on Shann Lane.

He explained the materials proposed to be used for the 128 dwellings and outlined the landscaping that was proposed to create a small copse within the development.

He outlined the representations that had been made in response to the application, including concerns that the development was on green belt land; that drainage problems would ensue; that local schools were already at full capacity and responded to those concerns by advising that the development was not on a green belt site; that significant measures had been put in place to deal with both draining and highways issues and that a contribution towards education provision had already been secured at outline planning stage. He also explained that loss of view did not represent a legitimate planning consideration.

Members then questioned the Assistant Director about the possible need for a traffic regulation order for the proposed works on Shann Lane and were advised that, while a formal TRO would not be needed, the works would be advertised and would be presented to Bradford East Area Committee for information. In response to questions about increased parking on Shann Lane, members were advised that parking restrictions would not be required and that in effect parked vehicles often served to reduce speeds, performing the same function as carriageway narrowing. It had also been proven that driving through a residential environment had a slowing effect on traffic speeds and Shann Lane would look more obviously residential once the development was concluded. The Principal Engineer, Highways Development also advised that traffic lights would not be appropriate at the Shann Lane/Spring Gardens Lane junction as there was a

proven effect of low level accidents when lights were installed at an otherwise quiet location.

In response to member questions about drainage, it was confirmed that a detailed programme of works had been developed which would ensure water run-off rates remained at current levels. Those works had to be agreed before any building work could commence.

Members also asked detailed questions about the route of the proposed footpath and whether it was now further away from the nearest neighbouring properties. They were assured that it was and that a planting scheme had been developed for the space in between the footpath and the existing wall at the edge of the development, beyond which was the nearest existing property. They were also reminded that the applicant had agreed to reduce the number of properties within the development by two to prevent overlooking to that property.

The applicant's agent attended the meeting and highlighted that the site had been a particularly challenging one as a result of the significant change of levels which had amounted to a 30 metre difference across the site. He stressed that the scheme could not have been progressed without the positive and proactive involvement of Council officers. He also pointed out that, while the existing right of way was less than a metre from the nearest residence, the proposed footpath would be 15 metres away and would be improved by the removal of the two properties already referred to. He concurred with the Assistant Director's view that the representations which had been made had either been dealt with by conditions or amendments to the scheme or had not been in respect of material planning considerations. He concluded by stating that this development would contribute to the District's requirement for housing stock over the next five years.

**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 and (2) below.**
- (2) That authority be delegated to the Assistant Director - Planning, Transportation and Highways (in consultation with the City Solicitor) to enter into a Deed of Variation, in respect of the Section 106 Legal Obligation attached to Planning Permission 12/01755/MAR, to secure additional off-site highway works – traffic calming on Shann Lane.**

***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