



Minutes of a meeting of the Regulatory and Appeals Committee held on Thursday, 29 July 2021 at 10.00 am in The Council Chamber

Commenced 10.05 am
Concluded 10.35 am

Present – Councillors

LABOUR	CONSERVATIVE	GREEN
Warburton	Ali	Edwards
Wainwright	Brown	
Lee		
Shafiq		

Councillor Warburton in the Chair

14. DISCLOSURES OF INTEREST

In the interest of transparency Councillors Lee, Wainwright and Warburton declared an interest in the item relating to Foreside Mill (Minute 18) as they had been Members of this Committee when the previous application on this site was considered, however they stated that they would look at this new application afresh.

ACTION: City Solicitor

15. MINUTES

Resolved –

That the minutes of the meeting held on 24 June 2021 be signed as a correct record.

16. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

17. MEMBERSHIP OF SUB-COMMITTEES

Resolved –

That Councillor Humphreys replaces Councillor S Akhtar as a Member of the Area Planning Panel (Keighley & Shipley).

ACTION: City Solicitor

18. LAND AT THE FORMER SITE OF FORESIDE MILL, HALIFAX ROAD, DENHOLME, BRADFORD, BD13 4EZ - 19/01478/MAO

The Assistant Director Planning, Transportation and Highways submitted a report (**Document “F”**) which set out an application for outline planning permission, with all matters reserved for the residential development of up to 40 dwellings on land at the former site of Foreside Mill, Halifax Road, Denholme.

The Assistant Director gave an overview of the application, showing plans, photographs of the site and adjoining area, alluding to the site history. The application details were set out in the report. Objections received were summarised, including the representations received from Denholme Town Council.

The principle of development, including highway access were the main issues under consideration. The Assistant Director also drew Member's attention to the new page references contained within the National Planning Policy Framework which was updated on 20 July 2021, a copy of the revised NPPF, together with the new page references were circulated to Members.

In conclusion it was felt that although there would be an impact on the openness, visual appearance would be enhanced by the development, subject to appropriate landscaping measures, and it was therefore felt that the development would not have a substantial impact, and was recommended for approval, subject to minor amendments to Conditions 11, 12 and 24 and also subject to the completion of a Section 106 Legal Agreement, details of which were set out in the report.

During questions, a Member ascertained the extent of the Traffic Regulation Order affecting the site entrance and the impact, the TRO would have on parking on Halifax Road. In response, the Assistant Director stated that the proposed TRO would prevent parking on Halifax Road, in order to maintain visibility splays.

In response to a question on how many garages were proposed on the site, it was stated that this would be detailed in a future reserved matters application. The Member stated that permitted development rights should be removed to ensure that garages were not converted into habitable rooms in the future.

In response to a question regarding flooding, it was stressed that no flooding risk had been identified by the Environment Agency, however details regarding the water flow model would have to be provided by the developer at reserved matters stage.

In response to a question regarding the impact of the development on air quality, it was stated that although any development would result in an impact, measures in the form of EV charging points and the upgrade to nearby bus shelters, would offer some form of mitigation in terms of encouraging the use of more sustainable modes of transport.

In response to a question regarding the provision of open space and whether a play area was being proposed, as the development was likely to attract families with children, it was stated that this could be flagged up with the developer to look at as part of the Section 106 agreement covering open space provision.

The applicant's agent was present at the meeting and added that a number of issues that Members had raised, including play provision on the site would be detailed in a future reserved matters application and that he was happy to support the scheme as set out in the Assistant Director's report.

Subject to the inclusion of removing permitted development rights pertaining to the garages, receiving details on the use of the open space as part of the Section 106 Agreement as well as future consideration of the reserved matters application, it was:

Resolved –

- (1) That outline planning permission be granted subject to the conditions set out at Appendix 1 to Document “F” and subject to the following amended conditions:**

- (i) That Condition 24 be updated to the following wording:**

Prior to any part of the development being brought into use a plan shall be submitted to and approved in writing by the Local Planning Authority detailing the extent of waiting restrictions to be implemented on Halifax Road. The waiting restrictions shall be implemented in full in accordance with the approved detail and retained thereafter.

Reason: In the interest of highway and pedestrian safety and to accord with paragraph 110 of the National Policy Framework.

The following informative to be added:

The local waiting restrictions to be approved and implemented in accordance with Condition 23 will require the making of a Traffic Regulation Order. You are advised to contact John Rowley of the Councils Highway Department to discuss the procedure for the making the Traffic Regulation Order.

- (ii) That Condition 11 and 12 be updated to read “approved in writing by the Local Planning Authority” rather the Lead Flood Authority.**

- (2) That permission also be subject to the completion of a Section**

106 Legal Agreement to secure:

**25% affordable housing provision
4,475m² open space provision, details of which be submitted at the Reserved Matters stage
£26,000 contribution for the provision of bus shelters at bus stop references 23539 and 23540.**

- (3) **That any future Reserved Matters Application be brought back to this Committee for determination.**
- (4) **That the application be referred to the Secretary of State for Housing Communities and Local Government under the provisions of the Town and County Planning (Consultation) (England) Direction 2021.**
- (5) **If the Secretary of State confirms that he does not intend to intervene then the Assistant Director (Planning, Transportation and Highways) be authorised to issue the grant of planning permission.**

ACTION: Assistant Director Transportation, Design and Planning

Chair

Note: These minutes are subject to approval as a correct record at the next meeting of the Regulatory and Appeals Committee.