

Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on the 14th January 2021

AV

Subject:

A hybrid application comprising - full planning application for the construction of a retail food store (Use Class A1) and 3 retail units, together with car parking, landscaping and associated works and outline planning for a retail unit (Use Class A1) and coffee drive-thru (Use Class A3/A5) requesting consideration of access.

Summary statement:

The Committee deferred determination of the hybrid application at the November Committee. The application being deferred in order for the applicant to undertake further consultation with the Assistant Director (Planning, Transportation and Highways) on the layout of the site and the pedestrian link to the town centre at the intersection of East Parade/Coney Lane. The applicant has subsequently revised the application and redesigned the proposed development to include retail units on East Parade and included pedestrian links as part of the full part of the hybrid application. It is now considered that the applicant has addressed the issues raised and the application is recommended for approval subject to conditions contained in the technical report.

Julian Jackson
Assistant Director (Planning,
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Portfolio:
**Change Programme, Housing, Planning and
Transport**

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Overview & Scrutiny Area:
Regeneration and Economy

1. SUMMARY

The application site is located at a key location between Keighley town centre and the railway station, with street frontages to East Parade, Coney Lane and Gresley Road. The full element of the application shows the Aldi store located on the eastern boundary. The car parking being located between the town centre and the Aldi unit. To the East Parade frontage there would be three retail units, in one building.

The outline element shows an indicative layout, as siting of buildings is not part of the application. This shows a drive-thru coffee unit at Gresley Road and a large retail unit to the Coney Lane frontage of the site.

2. BACKGROUND

Attached at Appendix 1 is a copy of the Officer's Report which identifies the material considerations of the proposal. The application is reported to the Committee following its deferral at the November Committee, where the resolution was that the applicant reconsiders the layout of the proposal and pedestrian connections with the town centre.

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 within Keighley, which is served by numerous bus services, and Keighley train station is c.150m from the application site. Whilst many shoppers may travel to the store by car, there is good public transport access to serve the proposed store. It is considered therefore that the proposed development is located in a sustainable location.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

New development invariably results in the release of greenhouse gases associated with both construction operations and the activities of the future users of the site. Consideration should be given as to whether the location of the proposed development is such that sustainable modes of travel by users would be best facilitated and future greenhouse gas emissions associated with the activities of building users are minimised. As part of the development, rapid charge electric vehicle points would be provided.

7.4 COMMUNITY SAFETY IMPLICATIONS

None

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 approve the application, as per the recommendation, or refuse the application. If the application is refused, reasons for refusal based on material planning grounds and with reference to adopted Council planning policy and or national planning policies would have to be given.

10. RECOMMENDATION

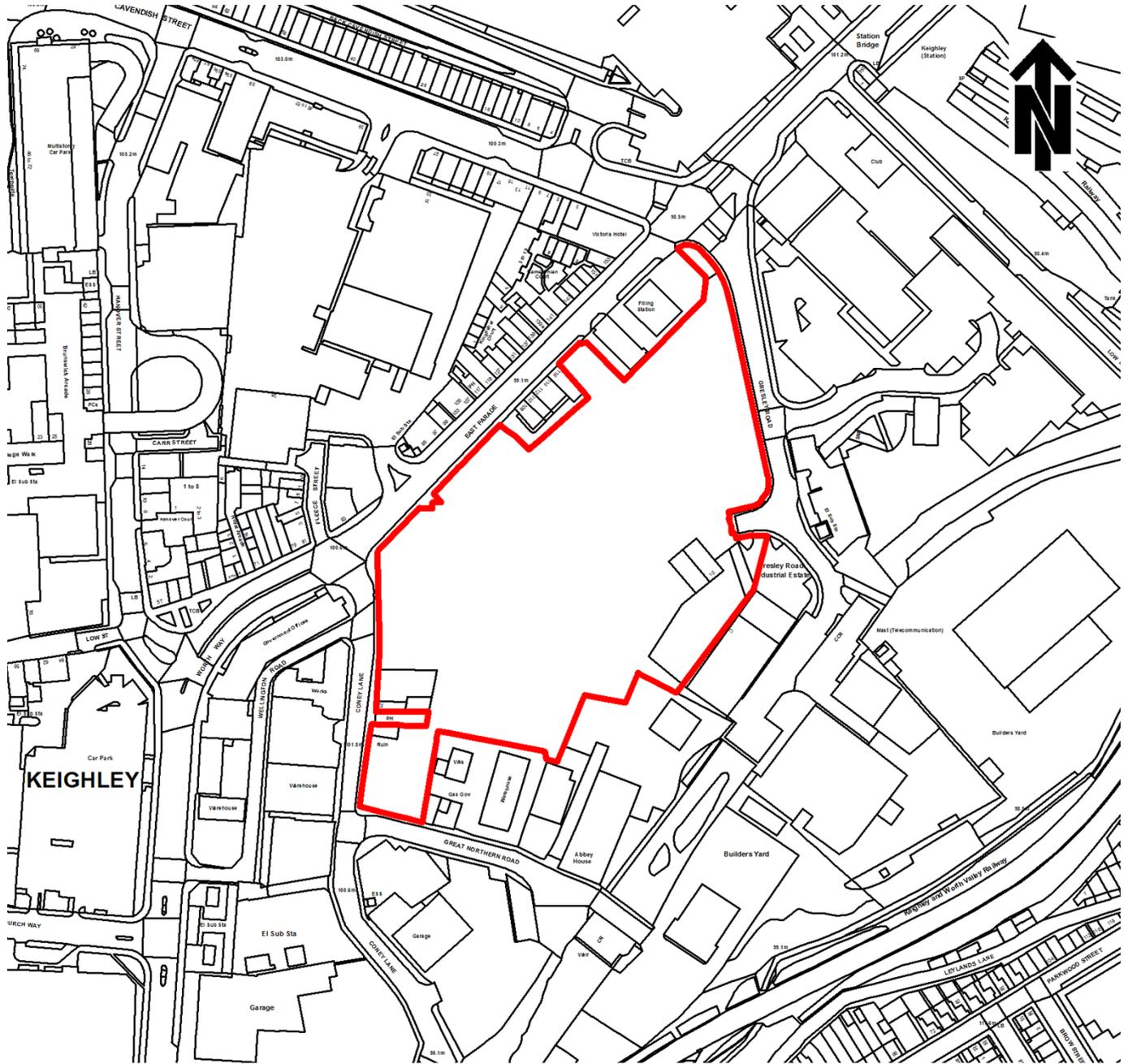
To approve the application subject to conditions contained within Appendix 1.

11. APPENDICES

Appendix 1 Technical report.

12. BACKGROUND DOCUMENTS

National Planning Policy Framework 2019
Core Strategy 2017
RUDP 2005



1:2,500

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**Site Of Former Alexandra Works
Gresley Road
Keighley**

APPENDIX 1

Ward

Keighley Central

Recommendation

To approve planning permission subject to conditions and for the reasons set out in this report.

Application No.

20/00359/MAF

Type of application

Hybrid planning application comprising of full planning for the construction of a retail food store (Use Class A1) and three retail units, together with car parking, landscaping and associated works and outline planning for a retail unit (Use Class A1) and coffee drive-thru (Use Class A3/A5) requesting consideration of access.

Applicant

Aldi Stores Ltd & UAIH Yorkshire Ltd

Agent

Planning Potential

Site Description

The application site measures 4.75 acres in area and is located to the north east of Keighley town centre, c.150m south of Keighley train station.

The north western boundary is bounded by East Parade which consists of primarily retail units and restaurants. Beyond this are a B&M and Sports Direct units, while further north are residential properties and the Sainsburys and Asda superstores.

The north eastern boundary is bounded by Gresley Road from which an Aldi store, Iceland and industrial units are accessed. Further on is Keighley train station, c.150m from the application site. To the southern boundary are industrial units, which can be accessed from Great Northern Road. The railway line is directly to the south of these with a mix of residential and small industrial units beyond. The south western boundary is bound by Coney Lane and includes The Cricketers Arms pub.

Relevant Site History

The application site has been the subject of previous planning permissions including for a retail & leisure development, 11/05268/MAF. This was not implemented and planning permission has expired.

The National Planning Policy Framework (NPPF).

Para. 87 When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.

Para. 91. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow

for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages; b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas; and c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

Para. 110. Within this context, applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use; b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport; c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Para.127. 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 39 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 users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Para. 128 Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.

Core Strategy

Strategic Core Policies

Strategic Core Policy 1 (SC1): Overall Approach and Key Spatial Priorities

A. Manage the delivery of development and change to meet the needs of the District to 2030 in order to deliver the Spatial Vision and objectives and achieve sustainable development in line with National Planning Policy Framework and Policy P1.

B. Planning decisions as well as plans, strategies, programmes and investment decisions should seek to:

1. Transform economic, environmental and social conditions of the District, in particular the Regional City of Bradford including Bradford City Centre, Canal Road Corridor and Leeds Bradford Corridor as well as Airedale, and Shipley.
2. Manage and spread the benefits of continued growth of the Bradford economy as part of the Leeds City Region.
3. Enhance the role of Bradford District within the wider Leeds City Region as an important business location with a good supply of labour, housing, services including retail and associated community provision.
4. Optimise the opportunities provided by the close proximity of Leeds Bradford International Airport as an international business gateway for the District and the region.
5. Support, protect and enhance the roles of the Principal Towns of Ilkley, Keighley and Bingley and the Local Growth Centres of Burley in Wharfedale, Menston, Queensbury, Thornton, Silsden and Steeton with Eastburn as hubs for the local economy, housing and community and social infrastructure and encourage diversification of the rural economy of the District.
6. Support the Local Service Centres as defined in Policy SC4 in providing for homes and local services.
7. Protect and enhance the District's environmental resources including areas of international and national importance, such as the South Pennine Moors, the character and qualities of the Districts heritage, landscape and countryside and maximise the contribution they can make to the delivery of wider economic and social objectives.
8. Ensure resilience and become adaptable to environmental threats to the District and minimise the District's exposure to those threats.
9. Avoid increasing flood risk, and manage land and river catchments for flood mitigation, renewable energy generation, biodiversity enhancement and increased tree cover.
10. Ensure that transport management and investment decisions support and help deliver the spatial strategy, in particular sustainable patterns of development, inclusive access to jobs and facilities, and shift to sustainable forms of movement.
11. Ensure that developments are of high quality and well designed and that they contribute to inclusive built and natural environments which protect and enhance local settings, and heritage and reinforce or create a sense of local character and distinctiveness.

Strategic Core Policy SC9: Making Great Places A. Planning decisions as well as plans, development proposals and investment decisions should contribute to creating high quality places, and attractive, cohesive, sustainable settlements through: 1. Understanding the place and wider context, and taking opportunities to improve areas and make them as good as they can be. 2. Being place specific by responding to the District's distinctive features and character, and being appropriate to the local context. 3. Creating a strong sense of place through the design of the buildings, streets and spaces. 4. Providing a well-connected network of attractive routes and spaces that are safe and easy to move around for all members of the community. 5. Designing places which can adapt to changing circumstances and needs, and which will function well over the long term.

Achieving Good Design

Policy DS1 development proposals should contribute to achieving good design and high quality places through –

- A. Taking a holistic, collaborative approach to design putting the quality of the place first.
- B. Being informed by a good understanding of the site/area and its context.
- C. Working with local communities and key stakeholders to develop shared visions for the future of their areas.
- D. Taking opportunities to improve places, including transforming areas which have the potential for change and supporting the regeneration aspirations of the District.
- E. Referring schemes where appropriate to design review and acting on the recommendations of the review.

F. Taking a comprehensive approach to redevelopment in order to avoid piecemeal development which would compromise wider opportunities and the proper planning of the area.

Policy DS3 development proposals should create a strong sense of place and be appropriate to their context in terms of layout, scale, density, details and materials. In particular designs should:

- A. Respond to the existing positive patterns of development which contribute to the character of the area, or be based on otherwise strong ideas. Innovative and contemporary approaches to design which respond to and complement the local context will be supported.
- B. Retain and integrate existing built features which could contribute to creating a distinctive identity.
- C. Take opportunities to create new public spaces, landmark buildings, landscape features (including street trees), views and public art as an integral part of the design.
- D. Provide variety on larger developments with different character areas and a hierarchy of street types.
- E. Create attractive streetscapes and spaces which are defined and animated by the layout, scale and appearance of the buildings.
- F. Display architectural quality and create original architecture or tailor standard solutions to the site.
- G. Contribute positively to skylines through the roofscape of new development.
- H. Ensure that tall buildings are appropriate to their location, are of high quality design and that they do not detract from key views or heritage assets or create unacceptable local environmental conditions.
- I. Design shop front units which are consistent with the character, scale, quality and materials of the existing façade, building and street scene of which they form part.

Policy DS4: Streets and Movement Plans and development proposals should take the opportunities to encourage people to walk, cycle and use public transport through:

- A. Creating a network of routes which are well overlooked and convenient and easy for all people to understand and move around.
- B. Connecting to existing street and path networks, public transport and places where people want to go in obvious and direct ways, and where necessary improving existing routes and public transport facilities.
- C. Integrating existing footpaths/cycle routes on the site into the development.
- D. Take an approach to highway design which supports the overall character of the place and which encourages people to use streets as social spaces rather than just as routes for traffic movement.
- E. Take a design led approach to car parking so that it supports the street scene and pedestrian environment whilst also being convenient and secure.

RUDP

The application site is identified within an Expansion Area, Worth Way (east) as shown in the RUDP. Under policy CT1, saved until adoption of the Allocations DPD, these areas allow for the growth of the town centre and in particular the amount of potential additional retail floor space forecast for the centre. They also provide the ability for qualitative improvements to facilities in the town centre to take place. These areas have the potential to change during the Plan period. Their designation took account of the need to maintain a compact centre, to keep walking distances to the edge of the primary shopping area to a minimum and to ensure any obstacles to easy and safe pedestrian movement around the expanded centre can be alleviated. The development of these areas for retail and leisure uses and other town centre uses is acceptable provided there are no alternative sites within the centre which are available, suitable and viable.

(There is reference to the highway network and planned highway works, the East Parade/Worth Way relief road. However, there is no current programme for delivery of this highway scheme).

Publicity and Representations

The application was advertised through site notices and in the local press. There have been 42 letters of support and two letters of objection.

Summary of Representations Received

The letters of support comment on - wider retail choice for residents; improving the appearance of the site; increased job opportunities in Keighley.

The letters of objection raises concern on the design of the Aldi store, the location is contrary to national planning policy. The proposal would harm the vitality and viability of Keighley town centre.

Aldi should locate in the former M&S unit, or the Sunwin House, or the Beales unit. The layout of the proposal provides no relationship to the town centre and would not encourage linked trips. The size of the car park suggests it's a standalone destination, which would be accessed only by car borne trips. The proposal is contrary to aims and objectives of the Airedale Masterplan which includes a regeneration plan for Keighley Town Centre.

It should provide a frontage and interaction with East Parade, with a rear parking area, encourage shoppers to venture into the town centre, particularly if a pedestrian crossing was also provided. The urban design and public realm is poor, the proposal will worsen local traffic and has no benefits. Development of the site is required, but not at any cost, particularly when it is of a poor design, and when it will further harm the role and function of Keighley Town centre by further diverting trade away from it.

Aldi conducted a PR exercise to gain support for the proposal.

The other letter of objection is submitted on behalf of a supermarket operator and concerns issues around traffic generation, types of trip and congestion in Keighley.

The letters of support comment on wider choice for residents; improving the appearance of the site; increased job opportunities.

Consultations

Urban Design

This is a large site in a sustainable location next to the town centre and the train station. It represents the opportunity to create a lasting, positive legacy for Keighley.

Currently it is not considered that the scheme takes the opportunities available to improve the character and quality of the area and the way it functions.

The applicant's Design & Access Statement provides no proper analysis of the site and local context, it just gives a brief description of adjacent uses and some photos showing viewpoints. There is no commentary or identification of any positive qualities which the design could respond to, or negative things which it could improve.

The existing form of development on East Parade is defined by a strong, continuous line of buildings which have entrances, shop displays and windows facing the street, the buildings animate the edge of this route as you would expect in a town centre. The proposed design doesn't respond to this.

There is no evidence that the design has been informed by an understanding of the site/area, that it responds to existing positive patterns, which contribute to local character. Therefore, it is not considered to be in accordance with Core Strategy policies SC1, SC9, DS1 and DS3, NPPF paragraph 127.

The junction of East Parade with Coney Lane (which forms a key approach from the town centre is now characterised by a rather weak, small area of public realm, side elevations of retail units and car parking. On Gresley Road the street frontage would be car parking and limited landscaping. None of this would help to create proper streets with a strong identity, that could add to the quality of the town centre.

This includes large areas of glazing, a pitched roof with an oversailing canopy, areas of stonework, columns and plinths, and anthracite grey metal cladding which could be an appropriate colour for this location. The main objection to this building is its position – sited at the back of the site rather than alongside a street – and it's poor setting within a large area of surface car parking where any contribution it could have had to the wider townscape will be lost.

It is not considered that the design and layout of the buildings, streets and spaces will create attractive streetscapes and a positive identity which could enhance the town centre.

The pedestrian routes through the car park follow an indirect line and are unattractive. They also involve numerous crossings bringing the potential for conflict between pedestrians and cars.

The scheme doesn't address how pedestrians will move between the scheme and the town centre.

Based on the above it is not considered that the design and layout of the scheme gives priority to pedestrians, it would not provide a network of attractive, direct and convenient routes, it would not help to enhance East Parade (and other existing streets) and it would fail to provide good quality connections to the town centre.

It is not considered that this optimises the potential of the site in terms of density of development, an appropriate mix of development and open space, or providing a compact form of development which can help to reduce dependency on the car.

The scheme is designed around a large surface car park which would dominate the development. Minimal landscaping is provided on some left over strips of land around the edges of the car park and there is some limited tree planting within it.

The scheme does not create attractive streets/routes with active building frontages which are well connected into the wider town. Nor does it create any high quality public space. An area of public space is provided at the pedestrian entrance off East Parade but it is not clear what function it is intended to have.

Overall this feels like a place which is designed around getting people into and out of it by car and, in the case of the coffee shop, driving through it. It's not a place that would encourage people to dwell and spend time in public areas, that facilitates linked trips with other destinations in the town centre.

Landscape Design

It would be appropriate to design the site with either the Aldi store or the other large retail unit fronting onto East Parade. The building frontage should address the street with active frontage at an appropriate scale. There are a number of ways of creating active frontage

onto East Parade that could be considered and a pedestrian thoroughfare that provides direct access into the site from the corner of East Parade and Coney Lane should be part of this. Such an approach would not be new, as there are examples in other parts of the country where Aldi supermarkets in similar town centre or edge of town centre positions have been placed fronting the street with car parking behind the store. The existing Asda supermarket in Keighley has been designed with positive frontage and an entrance direct onto Bradford Road opposite the railway station. The existing Morrisons supermarket was designed with active frontage directly onto Church Way and with the building close to the market and Low Street. The same reasoning should apply to the built form on this site.

The proposal ignores the presence of the public house, The Cricketers Arms. The blank side elevation of the retail unit that is the subject of outline planning permission has been placed next to the pub as frontage to Coney Lane. Coney Lane should not be fronted by bland built form that is not accessible from the street, and placing such negative frontage there would simply clash with the intimacy of the pub and its close relationship with the street.

Pedestrian access to the site along the path that is behind the Sainsbury's Petrol Station passes by a pleasant landscaped strip with trees but it is not a direct route to the store. Soft planting on corners may get walked on as people short-cut across it. The need for pedestrians to walk in a 'zig-zag' fashion between cars through a car park should be avoided if at all possible. It is well documented that, in general, pedestrians will take what they perceive to be the shortest route between places, and this is likely to override the presence of 'walkways' through the car park if they are not direct. The provision of direct shortest distance walkways would be the best way to avoid conflict between pedestrians and vehicles.

In conclusion, the developer should reconsider the layout of the site and in particular the relationship between the buildings, the car parking, the soft landscaped areas, and how these elements relate to the character of Keighley beyond the site.

Lead Local Flood Authority

The following comments with reference to the Flood Risk Assessment, B1282 Aldi, Keighley, Ref: B1282-C-RP-0001, Rev: 00, dated 21/02/2020.

Fluvial Flood Risk: The source of flooding is the river Worth, which is Main River at this location, hence the Environment Agency should be consulted. The developer is proposing to set FFLs at 98.70m AOD and this will need to be conditioned, if this is acceptable to the EA.

The surface water flood map indicates that part of the site could potentially be impacted, but if the floor levels of the food store and drive thru are raised above the external ground levels by a sufficient margin, this should be acceptable.

Surface Water Drainage Strategy: Section 3.6 states that the existing drainage system is understood to discharge to the public sewers running along East Parade and Gresley Road and the rest of the surface water discharges into the River Worth. There currently does not appear to be any form of flow controls or attenuation on the existing drainage system.

Ideally, the surface water drainage principles (ie maximum discharge rate(s) and point(s) of connection) should be agreed, prior to the application being determined, but given what is being proposed I am satisfied that the surface water drainage details can be conditioned. We will expect the surface water drainage hierarchy to be observed and the peak surface water discharge rate, post-development, will need to be reduced by 30%.

The existing runoff will be assessed as 140L/s/ha for impermeable areas which are positively drained, off-site, otherwise greenfield runoff rates will apply. The developer will need to carry out a survey of the existing drainage system(s) and provide supporting CCTV to accompany their assessment of existing runoff.

Trees

Trees Team has no objections but tree planting and species could be improved by increasing numbers and better species choice, with less emphasis on ornamental varieties.

Environmental Health (Pollution)

For the purpose of the Bradford and WYLES planning guidance this is a medium development. This classification is based on the size of the proposed development and the additional AADT traffic flow it is expected to create (as detailed in the air quality impact assessment submitted by the applicant).

Under the provisions of the LES planning guidance medium developments are required to provide Type 1 and 2 emission mitigation as follows:

Type 1 Mitigation

- Provision of electric vehicles charging facilities at the rates set out in the WYLES planning guidance.
- Adherence to the IAQM Guidance on the Control of Dust and Emissions from Construction and Demolition during all demolition, site preparation and construction activities at the site.

Type 2 Mitigation

- Inclusion in the Travel Plan of mitigation measures that will discourage the use of high emission vehicles and facilitate the uptake of low emission vehicles.

Exposure assessment

Whilst there would be some exposure to air pollutants by members of the public using the proposed facilities this will only be short term. As there are no concerns about compliance with short term air quality objectives in this location an air quality exposure assessment is not required.

Air quality impact assessment

The applicant has submitted an air quality impact assessment for the proposal which considers the predicted increase in pollutant concentrations as a result of the development being operational by 2025. As expected for a development of this size the impacts have been predicted to be negligible and unlikely to result in any new exceedance of air quality objectives at relevant receptor points with the immediate vicinity.

Type 1 mitigation

The application indicates that EV charging is to be provided on the site but there is limited detail regarding the type and capacity of these charging units. As there are a total of 250 parking spaces across the entire site (145 Aldi store, 105 retail unit / coffee shop) the equivalent of 12 (16A, 3.5kW) mode 3 type 2 car parking bays (5% of the total parking bays) should be provided with operational EV charging points from the opening date of the

development. A further 5% of spaces should be provided with enabling ducting to allow easy addition of further charging points as demand increases.

The minimum requirement for the Aldi store alone (based on 145 spaces) will be equivalent of 7 (16A, 3.5kW) mode 3 type 2 parking bays at opening and enabling ducting in a further 7 spaces. The current plans show only 4 operational EV charging points and 4 reserved spaces on the Aldi proposal but the quality of these charging points is currently unknown (see comments below regarding flexibility around fast and rapid charge provision).

Due to the expected relatively short dwell time of visitors to this site it is recommended that the minimum standard for charging points adopted on this site should be fast (32A, 7-23KW) or Rapid (43kW+). Where Fast (32A, 7-23KW) or Rapid(43kW+) charging points are to be provided (along with restrictions on how long vehicles are allowed to park in charging bays) a smaller % number of EV parking bays may be acceptable subject to agreement with the council.

Environmental Health (Nuisance)

The Environmental Noise Impact Assessment and Acoustic Consultancy Report reference ADT/2983 ENIA submitted as part of the application, provides a detailed noise assessment of the proposal.

From the information provided within the Report, satisfied that the proposal will not have a detrimental impact on the occupiers of nearby residential properties.

Therefore, no objections raised.

Highways Development Control

The applicant has submitted further information addressing the concerns raised previously regarding traffic generation, pedestrian connections with the town centre and a second site access from Coney Lane.

The applicant has agreed to provide a signalised crossing facility on East Parade to link the site with the town centre. This should be located close to Coney Lane to provide a connection to pedestrian routes to Cavendish Court and to Hannover Court via Royal Arcade. This would need to be implemented through a S278 agreement.

The applicant has also demonstrated that a second site access from Coney Lane is not feasible due to levels difference between the site and the highway.

No objections raised on the proposed development in highway terms.

Summary of Main Issues

Principle of development

Design & Layout

Highways

Other Matters

Appraisal

Principle of development

The application site is located within an Expansion Area, as identified in the RUDP. Retail uses are acceptable in Expansion Areas on the basis that there are no alternative sites, within the centre, which are available, suitable and viable. Whilst the applicant has not put forward details of any alternative sites that have been considered, the Aldi store would be

a replacement for the existing Aldi on the opposite side of Gresley Road. (It is noted that the existing Aldi is located outside of the town centre, as defined by the RUDP).

On consideration of sites within the town centre, the proposed development, including a supermarket and large retail unit could not practically be located at alternative sites available within the town centre. In terms of operational requirements, any supermarket will need to be served by on-site car parking. Therefore, the re-use of existing vacant buildings in Keighley, which do not have on-site parking would not be suitable.

In view of the 2011 permission granted for mixed-use development, including retail, this is considered a factor in assessing the current application. The fact that there has been no material change in circumstances results in the principle of retail development being acceptable.

Design & Layout

The application site has lain vacant for a number of years, following the demolition of the former works at the site. The application site is viewed when entering and leaving Keighley town centre, on the A6035. Whilst the application site is outside of the main shopping area, it is in close proximity to the shopping area, and a number of retail and commercial uses are sited along East Parade, to the western side of the application site. The redevelopment of the site would be welcomed in improving the appearance of the site and the perception of this part of the town centre.

The applicant submitted a pre-application enquiry in 2019. The advice provided by officers was that any scheme would have to be designed to ensure the development integrated with the town centre and related to the town centre, physically and visually; including the development to be attractive for shoppers visiting the town centre, and those visiting the town centre and this development in a single journey and on foot.

This hybrid application, part-full and part-outline, splits the application site into two elements. The outline element originally included the site frontage to East Parade and the East Parade/Coney Lane junction. Following concerns expressed by the Committee, the applicant has revised the proposed development and now the building to East Parade and the public space are included within the full part of the application. (The drive- thru unit would now be located towards the Gresley Road entrance to the development. The larger retail unit submitted as outline is indicatively shown to the Coney Lane frontage).

Whilst the building to East Parade is of single-storey construction, the three retail units contained within the building, with entrances to East Parade is considered to provide an appropriate form of enclosure to the application site. The type and form of building would introduce active frontage to East Parade and connect the town centre with the development.

It is along the East Parade frontage that connections to and from the town centre are considered integral to a successful scheme. By including the buildings on East Parade and the area of public space at Coney Lane/East Parade junction, connections both physically and visually, with the town centre, including Cavendish Court & Hannover Court via Royal Arcade, can be provided.

As part of the proposal, the applicant has agreed the introduction of a signalised pedestrian crossing on East Parade. Together with the opportunities for connections with the town centre, it's considered that the proposal would meet the objective of connectivity & linkages between the town centre and the proposed scheme.

In respect of the design of the Aldi unit, the original building was considered to be of a generic design, not designed to reflect its location in Keighley. Consequently, the buildings

design was revised with the principal elevations to include natural stone. It is considered that the proposed store would better reflect the context of the area. At the front elevation, facing East Parade, this comprises the corner of the glazed store entrance, with upper level glazing to the principal elevation, and cladding. The extent and type of glazing to the shopfront would be conditioned to ensure this element was active and provided visual interest. It is now considered that the store would be appropriate in the context of the surrounding part industrial, part commercial setting.

Highways

Following the objection submitted on behalf of a supermarket operator, the highways submissions have been reviewed by Highways Development Control. This has involved consideration of traffic movements associated with the proposed development, along with the impacts on the local highway network including the town centre. In conclusion, Highways DC has confirmed that it does not consider there would be any adverse impact and there is no objection to the proposed development in highway terms.

Other Matters

The outline element of this application includes the demolition of the warehouse building and part demolished structure, that sandwich The Cricketers pub. As part of future development, the developer would have to ensure that the relevant party wall legislation and Building Regulations were met. Once the two buildings were demolished, it is expected that the owner of the pub and developer would reach agreement to make good any exposed parts of the building.

Options

The Committee can approve the application as recommended, or refuse the application. If the application is refused, reasons for refusal based on material planning grounds and with reference to adopted Council planning policy and or national planning policies would have to be given.

Reason for Granting Planning Permission:

The proposed retail development on an allocated site, a retail expansion area, is considered appropriate, providing growth and qualitative improvements within Keighley. The proposed development would ensure that the character of the surrounding area is not adversely affected. The proposal would not adversely impact on biodiversity, nor the surrounding locality and has been assessed and is considered acceptable. As such, the proposal would meet policies SC9, DS1, DS2, DS3, DS4 of the Core Strategy, policy CT1 of the RUDP and para. 87, 91, 110 & 128 of the NPPF.

Conditions

1. The development hereby approved shall only be carried out in accordance with the amended plans shall be carried out in accordance with the following plans 2765-100F; 2765-VL_L01C; 2765-VL_102C; 2765-103B;2765-112;2765-113.

Reason: For the avoidance of doubt as to the terms under which this planning permission has been granted since amended plans have been received.

2. The development shall be carried out in accordance with the details shown on the submitted plan, "18104 PWA 00 XX DR C 500 (revision P02) dated 07/09/2020".

Reason: In the interest of satisfactory and sustainable drainage.

3. The development shall not begin until details of a scheme for foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The maximum surface water discharge rate, off-site, shall be agreed in consultation with the Lead Local Flood

Authority. The scheme so approved shall thereafter be implemented in accordance

with the approved details.

Reason: In the interests of the amenity of future occupiers, pollution prevention and the effective management of flood risk and to accord with Policies DS5, EN7 and EN8 of the Core Strategy

Development Plan Document.

4. The development shall not begin until a Maintenance Plan for the surface water drainage scheme has been submitted to and approved in writing by the Lead Local Flood Authority. Once built, the drainage scheme shall be maintained thereafter, in accordance with the approved Plan.

Reason: In the interests of the amenity of future occupiers, pollution prevention and the effective management of flood risk and to accord with Policies DS5, EN7 and EN8 of the Core Strategy Development Plan Document.

5. Notwithstanding the details contained in the supporting information, the drainage works shall not be installed until further details are submitted to show how vehicle parking and/or manoeuvring areas serving the development are to be drained using road type gullies with trapped sumped outlets. These details shall be subsequently approved by the local planning authority and the development shall thereafter proceed in accordance with the approved drainage details.

Reason: In the interests of the amenity of future occupiers, pollution prevention and the effective management of flood risk and to accord with Policies DS5, EN7 and EN8 of the Core Strategy Development Plan Document.

6. Development above damp proof course level of any buildings on the site shall not begin until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall show the following details:

- i) Position of all trees to be retained on the site, including any trees planted subject to requirements of previous consents to fell;
- ii) Details of proposed new trees and details of new shrub and grass areas - including the extent of such areas and the numbers of trees and shrubs in each position with size of stock, species and variety;
- iii) The extent, types and heights of the means of enclosure to all curtilages.
- iv) Details of types of hard surfaces within the development other than those within the domestic curtilages.
- v) Details of any re-graded contours and details of changes in level required for purposes of landscaping within the site.

The landscaping scheme so approved shall be implemented during the first available planting season following the completion of the development hereby approved and in accordance with the approved details.

Any trees or plants comprising the approved landscaping that become diseased or die, or which are removed or damaged within the first 5 years after the completion of planting shall be removed and a replacement landscape planting using the same or similar species/specifications shall be planted in the same position no later than the end of the first available planting season following the demise of the original landscape planting.

Reason: In the interests of visual amenity and to accord Policies EN5, DS2 and DS3 of the Core Strategy Development Plan Document.

7. Prior to the occupation of any part of the development, a schedule of landscape maintenance for all amenity and recreation open space areas within the site and covering a minimum period of 25 years shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include a plan to define all communal hard and soft landscaped areas to be maintained under the maintenance

regime, an outline of maintenance works to be undertaken and the frequency of those works, together with details of responsibilities for implementing the maintenance regime by a Management Company or other agency. It shall provide email, postal address and telephone contact details of such a company or agency.

Landscape maintenance of the identified areas shall subsequently be carried out in accordance with the approved schedule for the period agreed.

Reason: To ensure effective future maintenance of the landscaped areas in the interests of visual amenity and to accord with Policies DS2, DS3 and DS 5 of the Core Strategy Development Plan Document.

8. Before development above damp proof course commences on site, arrangements shall be made with the Local Planning Authority for the inspection of all external facing and roofing materials to be used in the development hereby permitted. The samples shall then be approved in writing by the Local Planning Authority and the development constructed in accordance with the approved details.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies DS1 and DS3 of the Core Strategy Development Plan Document.

9. A methodology for quality control of any material brought to the site for use in filling, level raising, landscaping and garden soils shall be submitted to, and approved in writing by the Local Planning Authority prior to materials being brought to site.

Reason: To ensure that all materials brought to the site are acceptable, to ensure that contamination/pollution is not brought into the development site and to comply with policy EN8 of the Local Plan for Bradford.

10. Prior to construction of the development, a detailed remediation strategy, which removes unacceptable risks to all identified receptors from contamination and contains a completed ground gas risk assessment, shall be submitted to and approved in writing by the Local Planning Authority. The remediation strategy must include proposals for verification of remedial works. Where necessary, the strategy shall include proposals for phasing of works and verification. The strategy shall be implemented as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy EN8 of the Local Plan for Bradford.

11. A remediation verification report, including where necessary quality control of imported soil materials and clean cover systems, prepared in accordance with the approved remediation strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of each phase of the development (if phased) or prior to the completion of the development.

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy EN8 of the Local Plan for Bradford.

12. If, during the course of development, contamination not previously identified is found to be present, no further works shall be undertaken in the affected area and the contamination shall be reported to the Local Planning Authority as soon as reasonably practicable (but within a maximum of 5 days from the find). Prior to further works being carried out in the identified area, a further assessment shall be made and appropriate remediation implemented in accordance with a scheme also agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy EN8 of the Local Plan for Bradford.

13. Details of the shopfronts shall be submitted to and approved in writing by the LPA prior to the commencement of development. The approved scheme to be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of visual amenity.

14. Before any part of the development is brought into use, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced, sealed and drained within the site in accordance with the approved plan and completed to a constructional specification approved in writing by the Local Planning Authority.

Reason: To ensure that a suitable form of access is made available to serve the development in the interests of highway safety and to accord with policies DS4 and DS5 of the Local Plan for Bradford.

15. Before any development work starts on site, full details of the highway works associated with any Section 278 Agreement shall be submitted to and approved in writing by the Local Planning Authority. The plans so approved as well as appropriate timescales for the delivery of these highway improvements shall be implemented in accordance with the approved specifications.

Reason: In the interests of highway safety and to accord with policies DS4 and DS5 of the Local Plan for Bradford.

16. Before any part of the development is brought into use, the visibility splays shown on the approved plan shall be laid out and there shall be no obstruction to visibility exceeding 900mm in height within the splays so formed above the road level of the adjacent highway.

Reason: To ensure that visibility is maintained at all times in the interests of highway safety and to accord with policies DS4 and DS5 of the Local Plan for Bradford.

17. Before any part of the development is brought into use, the vehicle service areas for loading/unloading, including the turning and manoeuvring space, hereby approved shall be laid out, hard surfaced, sealed and drained within the site, in accordance with details shown on the approved plan. They shall be retained for that purpose whilst ever the development is in use.

Reason: In the interests of highway safety and to accord with policies DS4 and DS5 of the Local Plan for Bradford.

18. Before any part of the development is brought into use, the proposed car parking spaces shall be laid out, hard surfaced, sealed, marked out into bays and drained within the curtilage of the site in accordance with the approved plan and to a specification to be submitted to and approved in writing by the Local Planning Authority. The car park so approved shall be kept available for use while ever the development is in use.

Reason: In the interests of highway safety and to accord with policy TR2 of the Local Plan for Bradford.

19. The development hereby approved shall not be brought into use until a car parking management plan, which shall include full details of how the car parking on the site is to be used, has been submitted to and approved in writing by the Local Planning Authority. The car parking management plan shall be carried out as approved.

Reason: To ensure that car parking is managed in a way that facilitates linked trips between the site and the Town Centre and to accord with policies TR1, TR3, DS4 and DS5 of the Local Plan for Bradford.

20. Notwithstanding the provision of Class A, Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, or any subsequent legislation, the development hereby permitted shall not be begun until a plan specifying arrangements for the management of the construction site has been submitted to and approved in writing by the Local Planning Authority. The construction plan shall include the following details:

- i) full details of the contractor's means of access to the site including measures to deal with surface water drainage;
 - ii) hours of delivery of materials;
 - iii) location of site management offices and/or sales office;
 - iv) location of materials storage compounds, loading/unloading areas and areas for construction vehicles to turn within the site;
 - v) car parking areas for construction workers, sales staff and customers;
 - vi) the extent of and surface treatment of all temporary road accesses leading to compound/storage areas and the construction depths of these accesses, their levels and gradients;
 - vii) temporary warning and direction signing on the approaches to the site
- The construction plan details as approved shall be implemented before the development hereby permitted is begun and shall be kept in place, operated and adhered to at all times until the development is completed. In addition, no vehicles involved in the construction of the development shall enter or leave the site of the development except via the temporary road access comprised within the approved construction plan.

Reason: To ensure the provision of proper site construction facilities on the interests of highway safety and amenity of the surrounding environment and its occupants and to accord with policies TR1, TR3, DS4, and, DS5 of the Local Plan for Bradford.

21. The developer shall prevent any mud, dirt or debris being carried on to the adjoining highway as a result of the site construction works. Details of such preventive measures shall be submitted to and approved in writing by the Local Planning Authority before development commences and the measures so approved shall remain in place for the duration of construction works on the site unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to accord with policies DS4, and, DS5 of the Local Plan for Bradford.

22. Notwithstanding the details shown on plan, within 6 months of the development hereby permitted commencing on site, full details of the type and position of downlighting units for the buildings and car parking areas, including measures for ensuring that light does not shine directly on the adjacent public highways or is visible to highway users, shall first have been submitted to and approved in writing by the Local Planning Authority. The details and measures so approved shall be carried out and maintained thereafter whilst ever the use subsists.

Reason: No suitable details have been submitted, to avoid road users being dazzled or distracted in the interests of highway safety and to accord with the policies SC9, DS1, DS2, DS3, DS4, and, DS5 of the Local Plan for Bradford.

23. Within 6 months of the first occupation of the building, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall promote sustainable travel options for future occupants of the development and include measures and incentives to reduce their reliance upon the private car. The Travel Plan as approved shall be implemented within 3 months of its approval in writing. The Travel Plan will be reviewed, monitored and amended as necessary on an annual basis to achieve the aims and targets of the Plan.

Reason: In the interests of promoting sustainable travel and to accord with policy PN1

of the Local Plan for Bradford.

24. Prior to commencement of the development a Construction Dust Management Plan for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The dust management plan must be prepared with due regard to the guidance set out in the London Best Practice Guidance on the Control of Dust and Emissions from Construction and Demolition and must include all the mitigation measures recommended in table 20 of the air quality impact assessment submitted by the applicant (3248r2 - Redmore Environmental). All works on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect amenity and health of surrounding residents in line with the Council's Low Emission Strategy, policy EN8 of the Bradford Local Plan (core strategy) and the NPPF.

25. No demolition/development shall take place/commence until a written scheme of investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
- The programme for post investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: In order to assess the significance of any heritage asset.

26. Before the opening date of the development a scheme detailing the type and location of EV charging facilities across the site shall be submitted to and approved in writing by the Local Planning Authority. A minimum of 5% of the total parking bays (unless otherwise agreed in writing with the council prior to the opening date) shall have operational EV charging points at the opening date of the development. A further 5% of the total parking bays will be required to have enabling ducting. The minimum standard for the EV charging points provided will be purpose built standard Electric Vehicle Charging points (minimum output of 16A/3.5kW with mode 3, type 2 capability). Buildings on the site shall not be brought into use until the agreed number of operational charging points have been installed and are fully operational. Charging points installed shall be clearly marked with their purpose and retained in a safe operational state thereafter.

Reason: To facilitate the uptake of low emission vehicles by staff and customers and to reduce the emission impact of traffic arising from the development in line with the council's Low Emission Strategy and National Planning Policy Framework (NPPF).