

# Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 23<sup>rd</sup> September 2021

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## Subject:

Planning application reference 21/02307/MAO – This is an outline planning application for a redevelopment of a site of 2.85 hectares for commercial and business units (use classes E, B2, and B8), requesting consideration of access only at the Aire Valley Business Centre, Lawkholme Lane, Keighley.

## Summary statement:

This application proposes a development comprising commercial and business units in use classes E, B2, and B8, at the Aire Valley Business Centre, Lawkholme Lane, Keighley. The application seeks outline consent with details of the means of access submitted for consideration and all other matters reserved for future approval.

Although all matters except access are reserved, the application includes an indicative site plan which shows how the site could be developed. The indicative site plan shows that the site could accommodate ten new buildings, each accommodating a number of units, in addition to the existing Airedale Mill, forming a total floorspace of 11,232 sqm. Access would continue to be taken via both Lawkholme Lane and Alice Street, with relatively minor alterations to the Alice Street entrance to improve access.

The site is not allocated for any specific land-use purposes and the application has been assessed against all relevant local and national planning policies and is considered to meet the requirements of the relevant planning policies and is therefore suitable for the proposed development, subject to the suggested conditions detailed below.

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## Portfolio:

**Regeneration, Planning and Transport**

## Overview & Scrutiny Area:

**Regeneration and Economy**

## **1. SUMMARY**

This is an outline planning application for redevelopment of the Aire Valley Business Centre, Lawkholme Lane, Keighley. The application includes details of the proposed means of access with all other matters reserved for future approval. Access to the site will be taken from the existing accesses from Lawkholme Lane and Alice Street, with relatively minor alterations proposed to the Alice Street access to increase its width and improve accessibility.

The development comprises commercial and business units identified for use classes E, B2, and B8, with the total floorspace of the redeveloped site indicated at 11,232 sqm.

## **2. BACKGROUND**

Attached at Appendix 1 is the Technical Report of the Assistant Director (Planning, Transportation and Highways). This identifies the material considerations relevant to the application

## **3. OTHER CONSIDERATIONS**

All considerations material to the determination of this planning application are as 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 the 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 characteristic 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**

No significant issues raised. The site is located within a relatively sustainable location in that it is located close to the urban centre and benefits from nearby frequent bus services and a short distance from Keighley train station.

## **7.3 GREENHOUSE GAS EMISSIONS IMPACTS**

New developments inevitably result in greenhouse gas emissions associated with both construction operations and activities of future users of the site. Consideration should be given to the likely traffic levels associated with the development and whether the location of the proposed development is such that the use of sustainable modes of travel would be best facilitated and future greenhouse gas emissions associated with the activities of building users are minimised.

Whilst it is accepted that the proposed development would result in greenhouse gas emissions, it is considered that such emissions are likely to be relatively lower than would otherwise be the case for alternative, less sustainable locations, where public transport options are of limited availability.

In order to encourage alternative means of transport, Electric Vehicle (EV) charging points will be secured as part of the development at a rate set out in the suggested condition detailed below and in accordance with the Council's Low Emissions Strategy.

## **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. All community safety implications material to the determination of this application are included in the technical report at Appendix 1.

## **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**

Ward members have been fully consulted on the proposal and it is not considered that there are any significant implications for the Ward itself.

**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 contained within Appendix 1, or refuse the application.

If the Committee decide that planning permission should be refused, reasons for refusal will have to be given based upon development plan policies or other material planning considerations.

**10. RECOMMENDATIONS**

The application is recommended for approval, subject to the conditions as set out in Appendix 1.

**11. APPENDICES**

Appendix 1 Technical Report

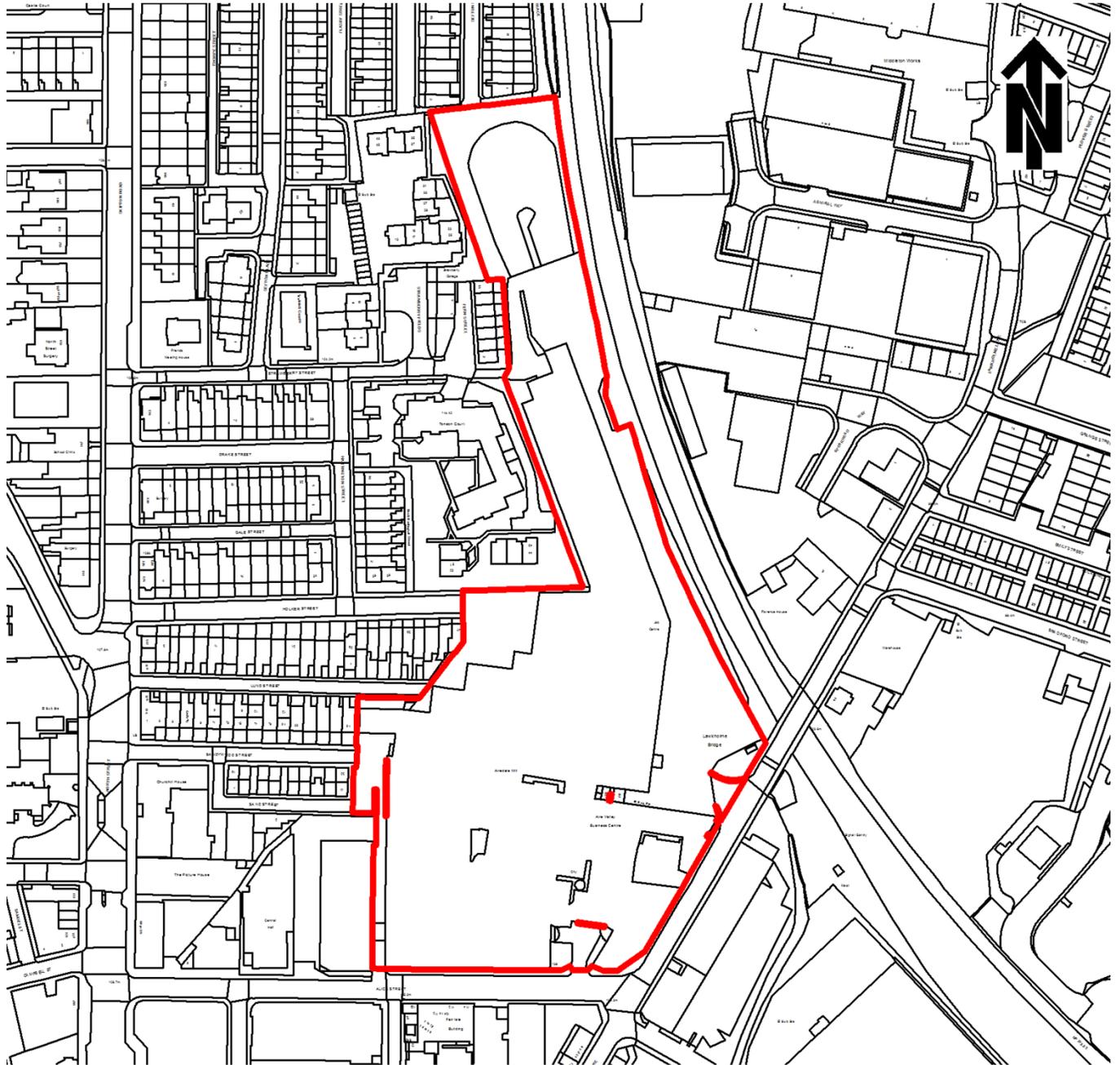
**12. BACKGROUND DOCUMENTS**

National Planning Policy Framework  
Core Strategy Development Plan Document  
Replacement Unitary Development Plan

**21/02307/MAO**



City of  
**BRADFORD**  
METROPOLITAN DISTRICT COUNCIL



1:2,500

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**Aire Valley Business Centre  
Lawholme Lane  
Keighley  
West Yorkshire**

Appendix 1  
23<sup>rd</sup> September 2021

**Ward:** Keighley Central

**Recommendation:**

That the Committee be minded to grant planning permission subject to the conditions as listed in this report.

**Application Number:**

21/02307/MAO

**Type of Application/Proposal and Address:**

An outline planning application seeking approval of access only for a redevelopment comprising commercial and business units (use classes E, B2, and B8) at the Aire Valley Business Centre, Lawkholme Lane, Keighley.

**Applicant:**

Firloch Ltd

**Agent:**

Miss Sophie Williams (Savills)

**Site Description:**

The site comprises the Aire Valley Business Centre, which is accessed via both Lawkholme Lane and Alice Street, Keighley. The site extends to approximately 2.85 hectares and is bound by Alice Street to the south, Lawkholme Lane to the south east, the Airedale railway line to the east and to the north and west there are some commercial units (adjacent Alice Street) and a series of residential streets (accessed from Skipton Road) comprising high density terraced dwellings and low-level blocks of flats. A recent application granted prior approval for demolition of the majority of the existing buildings on site with the exception of Airedale Mill, which will be retained as part of the redevelopment.

**Relevant Site History:**

19/02553/PND - Part demolition of warehouse and office space - PAGR 13.08.2019

21/01145/SCR - Screening opinion request for proposed redevelopment – SCOISS 19.03.2021

**The National Planning Policy Framework (NPPF):**

The National Planning Policy Framework is a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with

- accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such, the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

### **Planning (Listed Buildings and Conservation Areas) Act 1990**

Sections 66(1) and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Any concern related to these provisions is addressed in detail later in this report.

### **Local Plan for Bradford:**

The Core Strategy Development Plan Document was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents.

The site is not allocated for any specific land-use purposes in the Replacement Unitary Development Plan, however, it is located within the Airedale Landscape Character Area and directly to the south of the site is the Keighley town centre conservation area. Accordingly, the following Replacement Unitary Development Plan and adopted Core Strategy policies are applicable to this proposal.

### **Replacement Unitary Development Plan Policies:**

NE3 Landscape Character Areas

### **Core Strategy Policies**

P1 Presumption in Favour of Sustainable Development

SC1 Overall Approach and Key Spatial Priorities

SC9 Making Great Places

AD1 Airedale

EC1 Creating a successful and competitive Bradford District economy within the Leeds City Region

EC2 Supporting Business and Job Creation

EC3 Employment Land Requirement

EC4 Sustainable Economic Growth

EC5 City, Town, District and Local Centres

DS1 Achieving Good Design

DS2 Working with the Landscape

DS3 Urban Character

DS4 Streets and Movement

DS5 Safe and Inclusive Places

EN2 Biodiversity and Geodiversity

EN3 Historic Environment

EN4 Landscape

EN5 Trees and Woodlands

EN7 Flood Risk

EN8 Environmental Protection

TR1 Travel Reduction and Modal Shift

TR2 Parking Policy  
TR3 Public Transport, Cycling and Walking

**Parish Council:**

*Keighley Parish Town Council* - No objection to the application and recommend approval.

**Publicity and Number of Representations:**

The application was publicised by press notice, site notice, and neighbour notification letters. The expiry date for the publicity exercise was 15<sup>th</sup> June 2021.

No representations have been received in response to the publicity process.

**Summary of Representations Received:**

N/A

**Consultations:**

*Biodiversity* - The Ecological Impact Assessment records the on-site habitat as low value, which is accepted. It outlines that the landscaping proposals recommended will result in a net gain in biodiversity. The bat report concludes no impact on protected species. No objection on biodiversity grounds.

*Conservation* - No objection to the application but the landscaping should be enhanced around the boundaries, especially those facing towards the conservation area.

*Drainage* - Further details needed regarding existing public sewers with stand-off distances to accord with Yorkshire Water requirements. Off-site discharge rate to be clarified. Suggested conditions for approval.

*Drainage (update)* - No objections to the proposed development in light of the updated flood risk assessment and SUDS strategy Recommended conditions for approval.

*Environmental Health Air Quality* - Medium development for purposes of air quality. Requires type 1 and type 2 mitigation i.e. electric vehicle charging points, adherence to IAQM guidance on control of dust and emissions from construction and demolition, and a travel plan.

*Environmental Health Land Contamination* - The submitted report concludes that the site poses a moderate risk from contaminated ground and recommends that an intrusive investigation is undertaken. An outline schedule of investigative works is presented in the report. Environmental Health agrees with the recommendations presented in the report and therefore recommends a series of conditions.

*Environmental Health Nuisance* - The noise report is technically sound and there are no issues in that regard. Conditions required to control noise and dust during construction and to limit construction hours.

*Highways* - The transport statement is accepted in terms of the development's traffic generation and impact. Swept paths should be updated to take account of on-street parking on Alice Street and should be complete paths to and from the highway in both directions.

Any amendments to on-street parking to accommodate turning manoeuvres should be marked on plan.

*Highways (update)* - Updated swept paths are ok. The widening of the Alice Street access will need to be carried out through a S278 agreement.

*Trees* - No objections although the layout and landscaping could be improved with respect to retained trees and tree planting as part of wider landscaping. Suitable tree protection conditions should be considered with future applications.

*West Yorkshire Combined Authority* - Bus availability for the site is considered acceptable and the size of the development is unlikely to change the bus route or frequency. The closest bus stop would benefit from the installation of a real time information display at a cost of £10,000.

*West Yorkshire Police* - A number of security and crime prevention measures are suggested such as boundary treatments, access controls, lighting and cctv, and security of individual units.

### **Summary of Main Issues:**

1. Principle of development
2. Highway safety
3. Local environment
4. Heritage implications
5. Biodiversity
6. Residential amenity
7. Drainage
8. Air quality
9. Land quality
10. Nuisance
11. Community safety
12. Other planning matters

### **Appraisal:**

#### **1. Principle of development**

The application seeks outline planning permission for the redevelopment of the Aire Valley Business Centre for a commercial and business development comprising Use Classes E, B2, and B8. The application is for outline consent with details of access submitted for approval and all other matters reserved for future consideration. Nevertheless, the application includes plans providing an illustrative example of how the site could be developed.

The site encompasses the Aire Valley Business Centre, with a site area of 2.85 hectares, which is currently undergoing site clearance and demolition of the majority of buildings on site, with the exception of the four storey Airedale Mills building, in accordance with a prior notification application for demolition (ref: 19/02553/PND).

The application sets out that the site had previously been developed in a piecemeal manner where the buildings were aged and did not meet market expectations. Prior to demolition works commencing, the site was almost entirely covered by buildings or hardstandings, with the total floor space totalling approximately 31,500 sqm.

The site is located within a heavily urbanised part of Keighley town centre, with the site abutting Alice Street to the south, Lawkholme Lane to the south east, the Airedale railway line to the east. To the north and west there are some commercial units (nearest Alice Street) and a series of residential streets (off Skipton Road) comprising high density terraced dwellings and blocks of flats.

The indicative plans and accompanying planning statement identify that the redevelopment of the site could deliver 34 units ranging in size from 130sqm to 836sqm floorspace, bringing a total floorspace of 11,232 sqm from 7432 sqm new floorspace and the existing 3800 sqm of Airedale Mill. The units will be aimed at small and medium sized businesses.

The site is in a densely built urban area close to Keighley town centre and is within the boundary of the Keighley Business Improvement District. The main site access is currently via Lawkholme Lane, along the south-eastern boundary, and there is a secondary access to the southern boundary on Alice Street. The Keighley conservation area boundary runs along the southern side of Alice Street and the Airedale Landscape Character Area also washes over this area.

The National Planning Policy Framework (2021) states that the planning system should support sustainable economic growth, with Paragraph 81 stating that significant weight should be placed on the need to support economic growth and productivity, and create the conditions in which businesses can invest, expand and adapt.

Core Strategy Policy AD1 sets out the overarching strategic vision for this area, expecting Keighley to see comprehensive regeneration, including starter units for small and medium sized businesses, and business park premises for larger digital, design and knowledge and service sectors.

Policies EC1, EC2, EC3, EC4, and EC5 of the Core Strategy DPD all generally seek to support business, economic growth, and job creation, particularly in main centres such as Keighley.

The supporting planning statement suggests that based on average employment density for B1, B2, and B8 uses, the proposed development has the potential to generate approximately 250 jobs. The development would also support both existing and new business operations, expansion opportunities, and the resulting employment and investment opportunities, which would contribute towards the Council's target of supporting economic growth and job creation.

It is worth noting that changes to the use classes order have introduced a new 'Class E', which encompasses commercial, business, and service uses that would previously have fallen into use classes A and B1 and some D1 and D2 uses. In order to prevent potentially undesirable uses occurring within the development as a result of changes to the use classes order and permitted development rights, it would be reasonable to restrict the uses permitted within Class E to avoid harm to the vitality and viability of Keighley town centre, harm to

residential amenity from noise and other disturbances/pollution, and adverse impacts on highway safety that could result from alternative uses.

Subject to a suitably worded condition to secure the aforementioned restrictions to permitted uses, the principle of the development is supported and considered acceptable in principle and when measured against the overarching aims of the RUDP, Core Strategy DPD, and NPPF.

## **2. Highway safety**

Paragraph 110 of the NPPF requires that in assessing planning applications it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 111 of the NPPF makes clear that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraphs 110 and 112 of the NPPF confirm that development should be designed to minimise traffic and highway safety implications.

Core Strategy Policy TR1 requires that developments should aim to reduce the demand for travel, encourage and facilitate the use of sustainable travel modes, limit traffic growth, reduce congestion and improve journey time reliability. Policy TR2 seeks to manage car parking to help manage travel demand, support the use of sustainable travel modes, and meet the needs of disabled and other groups whilst improving quality of place. Appendix 4 provides indicative parking standards for new developments and Policy DS4 sets out design criteria for streets and car parking, indicating that developments should support the overall character of the place and take a design led approach to car parking.

A Transport Statement (TS) supports the application, which is accepted by the Council's Highways Engineer in terms of the development's traffic generation and impact.

The main site access will continue to be taken from Lawkholme Lane, which appears to be of a good standard to serve the development. An existing substandard access from Alice Street will be widened to serve the southern part of the development. All other existing accesses would be closed.

The TS included swept paths of service vehicles, but the Highways Engineer requested that these be updated to take account of on-street parking on Alice Street and that they should be complete paths to and from the highway in both directions. Upon receipt of revised swept

path drawings, Highways confirm that these are acceptable, but that the widening of the Alice Street access will need to be carried out through a S278 agreement.

The internal layout is a reserved matter, but Highways advise that it will need to follow guidance in Leeds Street Design Guide (LSDG). All units should be provided with servicing forecourts at an appropriate depth according to the size of the units and the turning facility serving a groups of units needs to be kept clear at all times and not used for direct servicing of any unit.

The proposed site accesses are appropriate and the development shown on the indicative plans is generally acceptable subject to submission and approval of appropriate detailing at reserved matters stage.

### **3. Local environment**

Core Strategy Policy SC9 directs that development proposals should take opportunities to improve areas, create a strong sense of place, and provide a well-connected network of attractive routes and spaces.

Policies DS1, DS2, DS3, and DS4 of the Core Strategy DPD set out a number of criteria against which the LPA will assess development proposals. The criteria include that, among others, proposals should take a holistic, collaborative approach to design, to create a strong sense of place and be appropriate to their context in terms of layout, scale, density, details, materials, and landscaping.

The site lies within the Airedale Landscape Character Area and therefore Policy EN4 is relevant. This requires that development proposals should make a positive contribution towards the conservation, management and enhancement of the diversity of landscapes within the District.

Policy EN5 of the Core Strategy states that the Council will seek to preserve and enhance the contribution that trees and areas of woodland cover make to the character of the district.

The NPPF confirms that good design is a key aspect of sustainable development and planning decisions should ensure that developments meet several criteria, as set out in paragraph 127 of the NPPF

With all relevant design related matters being reserved for later approval, the submitted plans are merely indicative of how the site could be developed. Nevertheless, it is clear that some effort has gone into the designs, with supporting information clearly based on the indicative layout, and there is therefore an assumption that subsequent reserved matters applications are likely to follow a similar approach.

The indicative plans demonstrate that the site can clearly accommodate a commercial development similar to that shown without adversely affecting the local environment. The plans indicate a series of typical industrial units well-spaced across the site and intervening spaces would include areas of planting to soften the otherwise expansive areas of hard surfacing. The site would be much less developed than the previous collection of buildings and landscaping and boundary treatments could also help significantly improve the appearance and setting of the site within the wider area.

The redevelopment presents an opportunity to improve the overall appearance of the site, with the development of a cohesive scheme to replace the rather fragmented approach to previous expansion(s) across the site. The retention of the original mill (Airedale Mill) is welcome and would help retain a strong frontage along Lawkholme Lane.

The landscaping plan and accompanying Landscape and Visual Impact Assessment make clear that significant improvements can arise from the redevelopment in terms of areas of planting, species rich grasslands, and trees will create a more visually interesting setting, which will also improve wildlife connections to the wider wildlife network, and will generally improve the overall design and appearance of the site.

The overall impact of the development on the local environment is therefore acceptable and it is considered that any future reserved matters application(s) would be capable of including an appropriate scheme that will improve the local environment, in compliance with the requirements of the aforementioned Core Strategy policies and NPPF.

#### **4. Heritage implications**

Core Strategy Policy EN3 relates to developments affecting the historic environment. This policy requires that developments, among other things, preserve, protect, and enhance the character, appearance, and historic value and significance of heritage assets; this would include any conservation areas, listed buildings, and the setting of nearby listed buildings.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Paragraph 199 of the National Planning Policy Framework advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

The site is located to the north of Keighley town centre conservation area, the boundary of which runs along the southern side of Alice Street. Devonshire Park and Cliffe Castle conservation area is located to the west of the site and is approximately 95m away at its nearest point. Slightly further to the south is the grade II listed 'Drill Hall' located at the junction of Drill Street and Lawkholme Lane (circa 42m to the south). There is also a row of grade II listed buildings on Cavendish Street (circa 100m to the south) and to the west is the grade II listed St Anne's Catholic Church (approximately 120m to the west).

Due to the distances and intervening built form between the development site and the listed buildings and Devonshire Park and Cliffe Castle conservation area, the proposed development is not considered to cause harm to the setting of those designated heritage

assets. In terms of the Keighley town centre conservation area, the redevelopment of the site need not cause harm to the setting of the conservation area subject to appropriate and sympathetic design solutions, which will be considered fully at reserved matters stage.

The Council's Conservation Officer raises no objections to the proposed outline consent (approving access only) and the proposal does not present any adverse heritage implications and is therefore acceptable when considered against the requirements of the abovementioned policies and legislation.

## **5. Biodiversity**

Core Strategy Policy EN2 states that proposals should contribute positively towards the overall enhancement of the District's biodiversity resource. They should seek to protect and enhance species of local, national, and international importance and to reverse the decline in these species. The Council will seek to promote the creation, expansion, and improved management of important habitats within the district and more ecologically connected patchworks of grasslands, woodlands, and wetlands.

Core Strategy policy EN5 confirms that, in making decisions on planning applications, trees and areas of woodland that contribute towards the character of a settlement or its setting or the amenity of the built-up area, valued landscapes or wildlife habitats will be protected.

Opportunities for specific habitat creation within development proposals will be sought, including provision for future management. Development that would cause serious fragmentation of habitats, wildlife corridors or have a significantly adverse impact on biodiversity networks or connectivity will be resisted. Paragraph 174 of the NPPF confirms that one of the government's objectives for the planning system is to minimise impacts on biodiversity and provide net gains in biodiversity.

This outline application includes the submission of an Ecological Impact Assessment (EclA) and a Bat Activity Report. The EclA records the existing on-site habitat as low value, which is accepted by the Council's Biodiversity Officer. The report outlines that the landscaping proposals recommended will result in a net gain in biodiversity, which is welcomed. The bat report concludes that there will be no impact on protected species. On that basis, the Biodiversity Officer has no objection to the application on biodiversity grounds.

The illustrative site plan indicates some areas of soft landscaping around the northern and eastern parts of the site, which could be improved upon with greater tree retention and planting as part of any wider landscaping. The proposal is considered acceptable in terms of the implications for biodiversity and suitable measures can be appropriately controlled through future reserved matters submissions. As such, the proposed development poses no concerns when measured against the aforementioned policies, subject to submission of the necessary landscaping and biodiversity measures, which can be controlled at reserved matters stage and by condition on approval.

## **6. Residential amenity**

Policy DS5 of the Core Strategy DPD and the NPPF require that development proposals make a positive contribution to quality of life through high quality design and that developments should not harm the amenity of existing or prospective users and residents.

Paragraph 185 of the NPPF requires that new development is appropriate for its location taking account of likely effects of pollution on health, living conditions and the natural environment, including adverse noise and light pollution.

The application reserves matters of appearance, layout, landscaping, and scale for subsequent approval through a reserved matters application and therefore the information submitted in support of this outline application is purely indicative. Nevertheless, the impact of the proposal on residential amenity needs due consideration and the submitted plans and supporting information will aid this assessment.

As discussed above, to the north and west of the site is an area of high density residential terraced properties, which would be most at risk from the scale of development and any on-site noise, light, or air pollution, for example.

A Noise Impact Assessment accompanies the application and sets out proposed noise level limits for the future development in order to protect the nearest noise sensitive receptors i.e. the nearest residential properties.

Environmental Health advise that the noise report is technically sound and they do not contest its findings. The site has supported various commercial operations over an extended period and the Environmental Health department has received few complaints about noise from the operation of existing units. Any complaints would need to be investigated under the Environmental Protection Act 1990, but it is good practice to ensure new developments are designed to minimise potential noise disturbances.

To achieve the recommended noise level limits, the noise report sets out a series of noise mitigation measures, consisting of measures such as an acoustic barrier along the western boundary, internal acoustic insulation, limiting night time operations to internal areas with doors closed, positioning of external mechanical plant and flues, noise emissions from delivery/service vehicles, etc. Subject to compliance with the suggested measures and introduction of an appropriate site-wide noise management plan, significant adverse impacts would be avoided and adverse impacts would be minimised without placing unreasonable burden on the development.

In terms of the proposed 3-metre high acoustic barrier, care would need to be taken to avoid causing harm to neighbouring residential properties through visual intrusion and overbearing whilst trying to mitigate against noise pollution. It should therefore be carefully considered at reserved matters stage whether a 3m acoustic barrier would cause impacts or whether a lower barrier would be sufficient or an alternative such as a landscaping buffer would be appropriate. Landscaping and boundary treatment details can adequately control this.

The indicative plans appear to demonstrate a reasonable relationship between the proposed developments and adjacent buildings, including existing dwellings. Whilst some separation distances appear small, the layout and scale is not yet fixed and levels across the site vary, which will offset the impact of development to a degree.

It is considered that the site can be developed without adversely affecting the amenity of nearby residential occupants and conditions will be included to require appropriate details and noise mitigation measures.

Therefore, the approval of the access detail only will not have a detrimental impact on residential amenity and the development would accord with the aforementioned requirements.

## **7. Drainage**

Paragraph 166 of the NPPF requires that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood risk assessment. Development should only be allowed in areas at risk of flooding where it meets the five criteria set out within paragraph 166.

Paragraph 168 of the NPPF sets out the importance of the use of sustainable drainage systems for major developments and requires that the systems used should take account of advice from the lead local flood authority; have appropriate proposed minimum operational standards; have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and where possible, provide multifunctional benefits.

At the local level, the objectives of the NPPF are reflected in Policy EN7 of the Core Strategy DPD, which states that the Council will manage flood risk pro-actively. In assessing development proposals this will require that all sources of flooding are addressed, that proposals will only be acceptable where they do not increase flood risk elsewhere, and that any need for improvements in drainage infrastructure is taken into account.

Policy EN8 further states that proposals for development will only be acceptable provided there is no adverse impact on water bodies and groundwater resources, in terms of their quantity, quality and the important ecological features they support.

The Council's Drainage Engineer initially objected to the development on the basis that further information was required with regards to the layout of existing public sewers and how these will be diverted to be clear of any proposed buildings and the off-site discharge rate. The layout will be considered at reserved matters stage and therefore the Drainage Engineer recommended a series of conditions.

Following review of the Drainage Engineer's comments, the developer submitted a revised Flood Risk Assessment and SUDS strategy, to which the Drainage Engineer confirms there are no objections subject to the suggested conditions.

As such, the decision notice will include appropriately worded conditions to ensure the development is acceptable in terms of drainage and flood risk, in accordance with the above policies.

## 8. Air quality

Development proposals that have the potential to affect air quality will be required to incorporate measures to mitigate or offset their emissions and impacts in accordance with Policy EN8 of the Core Strategy and the Low Emission Strategy for Bradford.

Paragraph 186 of the NPPF requires that decisions should identify opportunities to improve air quality or mitigate impacts and contribute towards compliance with relevant limit values or national objectives for pollutants, and consider the cumulative impacts from individual sites in local areas, ensuring that any development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

An air quality impact assessment accompanies the application. The AADT traffic flows and percentage HGV changes provided in the document indicate that it is a medium development for the purposes of assessment against the Bradford and West Yorkshire Low Emission Strategy planning guidance.

The air quality assessment indicates that there will be no exceedances of current air quality objectives as a direct result of this proposal and changes in pollutant concentrations within the surrounding area will be negligible. The Council's Environmental Health team accept in full the findings of the air quality impact assessment.

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.

### *EV Charging*

With regard to these mitigation measures, the application form states that there will be 285 parking spaces on site. In line with the requirements of the Bradford and WY LES, 10% of these spaces are required to be EV ready at the opening date of the development (5% active at point of opening, 5% passive enabling only).

A condition shall be appended to the decision notice to require installation of EV charging points in line with the requirements, but in essence, the minimum requirement will be purpose built units capable of providing a continuous supply of at least 16A (7.5kW) via a mode 3 type 2 connection, which would be suitable for use by staff vehicles where dwell time on the site is likely to be more than 4 hours. To allow the use of EV charging infrastructure by staff, customers, or contracted transport providers with shorter dwelling

times (less than 4 hours), Fast (32A, 7-23kW) or Rapid (43kW+) charging points may be more appropriate. If Fast or Rapid charging points are proposed (together with restrictions on the time a vehicle is able to occupy an EV charging bay) a lower number of charging points on the overall development may be acceptable. Nevertheless, such details will be for approval via an appropriately worded condition.

A Clean Air Zone (CAZ) is due to come into force in some parts of the district from 2022 and is likely to increase the uptake of electric vehicles (particularly vans) in the district and may directly influence the types of vehicles used at this site in the future. As such, the developer will be encouraged to discuss the EV charging requirements with the Council's Environmental Health team to ensure the site is developed appropriately.

### *Construction emissions control*

The air quality impact assessment accompanying the application includes a construction dust risk assessment prepared in accordance with the IAQM best practice guidance on the control of dust and emissions from construction and demolition. This includes a list of recommended construction emission mitigation measures and if the works are undertaken in accordance with the recommended mitigation the impact of construction emission is considered to be 'not significant'. Environmental Health recommend a condition for a construction dust management plan to protect amenity and health of surrounding residents.

### *Low emission travel plan*

The application includes a travel plan, but this does not detail the measures to be taken to promote the use of low emission vehicles on the site. Environmental Health recommend that a further statement be submitted regarding measures to be taken on site to support the uptake of low emission vehicles by staff and customers. This should include planned EV charging provision and arrangements for monitoring the uptake and use of low emission vehicles on site.

It is noted that West Yorkshire Combined Authority has requested a contribution of £10,000.00 to provide a Real Time Information display at the closest bus stop to the development (bus stop reference 23134). As part of the Council's air quality requirements and policies contained within the Core Strategy, the development will be required to provide EV charging points and it is therefore proposed to provide EV charging points in lieu of a contribution towards a RTI display. EV charging points will be a permanent feature of the development and enable greater use of electric vehicles in line with the Clean Air Zone due to be introduced within the district.

Therefore, subject to the imposition of appropriate conditions referred to above, it is not considered that the proposal will significantly affect air quality and therefore satisfies the requirements of Policy EN8 of the Core Strategy and the NPPF.

## **9. Land quality**

Paragraph 183 of the NPPF states that planning decisions should ensure that the site is suitable for its proposed use taking account of ground conditions, land stability, and contamination, including risks arising from natural hazards, former activities such as mining, or pollution from previous uses. The NPPF also advises that in cases where land

contamination is suspected, applicants must submit adequate site investigation information, prepared by a competent person.

Policy EN8 of the Core Strategy requires that where land may be contaminated or unstable appropriate investigation and remediation is undertaken in order that the development will not pose a risk to human health, public safety and the environment.

The Council's Environmental Health Officer (EHO) has reviewed the information submitted with the application, including the Phase 1 desk study/Preliminary Risk Assessment Report by Jomas Associates Ltd, which identifies the potential for on-site contaminated ground associated with historical land use, including the former mill - engineering and machine tools works, railway land, fuel tanks, scrap metal yard, and electrical substation.

The report concludes that the site poses a 'moderate risk' and recommends that an intrusive investigation is undertaken to clarify potential risks to the identified receptors and assess the extent of made ground soils present at the site. An outline schedule of investigative works is presented in the report.

Environmental Health agrees with the recommendations presented in the Desk Study/Preliminary Risk Assessment Report by Jomas Associates Ltd and recommends that a number of conditions are included on the decision notice.

Therefore, subject to appropriately worded conditions, it is considered that the proposed development would not pose any undue land contamination issues and the proposal is considered to accord with policy EN8 of the Core Strategy and the NPPF.

## **10. Nuisance**

Core Strategy Policy EN8 requires that development proposals that are likely to cause pollution or result in exposure to sources of pollution (including noise, odour, and light pollution) or risks to safety, will only be permitted if measures can be implemented to minimise pollution and risk to a level that provides a high standard of protection for health, environmental quality and amenity.

Paragraph 185 of the NPPF requires that new development is appropriate for its location taking account of likely effects of pollution on health, living conditions and the natural environment, including adverse noise and light pollution.

Environmental Health advise that the noise report by Acoustic and Engineering Consultants is technically sound and they do not contest the findings of the report.

Nevertheless, there are concerns about noise and dust, which will be generated during the construction phase. Conditions are suggested to minimise the impact the development will have on local residents.

Although the proposal seeks permission for the units to operate 24 hours a day, Environmental Health confirm that historically there have been few complaints about noise from the operation of units within the existing Aire Valley Business Centre. As such, it is considered that once occupied, any new units would generate few, if any, complaints about noise

The submission includes proposals for noise mitigation and it is considered that through appropriate design, boundary treatments, and lighting, the development need not cause nuisance. As such, the proposal would be compliant with the requirements of the aforementioned policies.

## **11. Community safety**

Core Strategy Policy DS5 requires that developments should make a positive contribution to people's lives through high quality, inclusive design, which should be designed to ensure a safe and secure environment and reduce the opportunities for crime.

Paragraph 91 of the NPPF states that decisions should promote a 'safe and accessible environment where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion'.

West Yorkshire Police have advised regarding a number of measures to improve the general security of the development and to minimise opportunities for crime and antisocial behaviour.

Suggested measures include secure boundary treatments and gated access around the sides and rear of units; closure of pedestrian access points, particularly where they would run down the side or rear of units; collision measures and surveillance of parking; external lighting and CCTV; management of green spaces; and individual unit security (windows, doors, alarms).

As the scheme seeks approval of access only, it is considered that the matters above can be satisfactorily resolved upon submission of any reserved matters application(s). Overall, it is considered that the development would be capable of being designed to accord with the requirements of policy DS5 of the Core Strategy and the NPPF.

## **12. Other planning matters**

The proposal raises no other planning related matters that have not been addressed within the report or through appropriately worded conditions, as listed below.

### **Reason for Recommendation**

The proposed development of this site is considered acceptable for the reasons detailed above and subject to the conditions listed below. Subject to compliance with the listed conditions, the proposal is not considered harmful to the planning matters discussed above and would comply with the requirements of the Replacement Unitary Development Plan, Core Strategy Development Plan Document, and the National Planning Policy Framework.

### **Conditions of Approval:**

#### *1. Time limit*

Application for approval of the matters reserved by this permission for subsequent approval by the Local Planning Authority shall be made not later than the expiration of three years beginning with the date of this notice.

Reason: To accord with the requirements of Section 92 of the Town and Country Planning Act, 1990 (as amended).

*2. Time scale*

The development to which this notice relates must be begun not later than the expiration of two years from the date of the approval of the matters reserved by this permission for subsequent approval by the Local Planning Authority, or in the case of approval of such matters on different dates, the date of the final approval of the last of such matters to be approved.

Reason: To accord with the requirements of Section 92 of the Town and Country Planning Act, 1990 (as amended).

*3. Reserved matters*

Before any development is begun plans showing the:

- i) appearance
- ii) landscaping
- iii) layout
- iv) and scale

of the development must be submitted to and approved in writing by the Local Planning Authority.

Reason: To accord with the requirements of Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

*4. Approved plans*

The development hereby approved shall only be carried out in accordance with the following documents:

Existing Site Plan – reference 2019-055/006 – received by the LPA on 29<sup>th</sup> April 2021

Reason: For the avoidance of doubt as to the terms under which this planning permission has been granted.

*5. Site investigation scheme*

Prior to construction of the development, a Phase 2 site investigation and risk assessment methodology to assess the nature and extent of any contamination on the site, whether or not it originates on the site, must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors and to comply with policy EN8 of the Core Strategy Development Plan Document.

*6. Site investigation implementation*

Prior to construction of the development the Phase 2 site investigation and risk assessment must be completed in accordance with the approved site investigation scheme. A written report, including a remedial options appraisal scheme, shall be submitted to and approved 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 Core Strategy Development Plan Document.

#### *7. Remediation strategy*

Prior to construction of the development, a detailed remediation strategy, which includes a ground gas risk assessment based on the completed ground gas monitoring results and removes unacceptable risks to all identified receptors from contamination, shall be submitted to and approved in writing by the Local Planning Authority. The remediation strategy must include proposals for verification of the execution of the remedial works. Where necessary, the strategy shall include proposals for phasing of works and verification. The remediation strategy shall be implemented in accordance with the approved details.

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy EN8 of the Core Strategy Development Plan Document.

#### *8. Remediation verification report*

A remediation verification report 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 in accordance with policy EN8 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

#### *9. Construction hours*

Construction work shall only be carried out between the hours of 0800 and 1800 on Monday to Friday, 0800 and 1300 on Saturday, and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the occupants of nearby dwellings and to accord with Policies DS5 and EN8 of the Core Strategy Development Plan Document.

#### *10. Materials importation*

A methodology for the 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 any materials being brought to site for those purposes. Thereafter the approved methodology shall be implemented. If required by the Local Planning Authority, a verification report prepared in accordance with the approved quality control methodology shall be submitted to, and approved in writing by the Local Planning Authority on completion of the development.

Reason: To ensure that the land is suitable for its proposed future use and to avoid the effects of contamination on health, the living conditions of future users of the site and the natural environment in accordance with Policies DS5 and EN8 of the Core Strategy Development Plan Document.

*11. Unexpected contamination*

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 land is suitable for its proposed future use and to avoid the effects of contamination on health, the living conditions of future users of the site and the natural environment in accordance with Policies DS5 and EN8 of the Core Strategy Development Plan Document.

*12. Infiltration drainage methods*

Development shall not commence until a feasibility study into the use of infiltration drainage methods has been submitted to, and approved by the council. The study shall contain the results of soakaway tests - carried out in accordance with BRE Digest 365 and an appraisal of various infiltration systems that could reasonably be employed on the site. The development shall be carried out in accordance with the details so approved and maintained as such thereafter.

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.

*13. Drainage details*

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 surface water drainage scheme shall be designed, generally in accordance with the principles outlined in the Flood Risk Assessment and SUDS Strategy - v3.0, Ref. P2168J2191, dated 14/05/21. The total, maximum, surface water discharge rate, off-site, shall not exceed 281 litres per second. The development shall be carried out in accordance with the approved details and maintained as such thereafter.

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.

*14. Drainage maintenance plan*

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.

### *15. Construction Environmental Management Plan*

Prior to commencement of the development a site-specific Construction Environmental 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 plan should include the mitigation measures included in the Air Quality Assessment by Tetra Tech (ref: 784-B028594 - table 7-1) dated 16th April 2021 and received by the Local Planning Authority on 29th April 2021. The management plan must be prepared with due regard to the guidance set out in the IAQM Guidance on the Control of Dust and Emissions from Construction and Demolition. All works on site shall be undertaken in accordance with the approved Management Plan.

Reason: To protect the amenity and health of surrounding residents in line with the Council's Low Emission Strategy, Policy EN8 of the Core Strategy Development Plan Document, and the National Planning Policy Framework.

### *16. Construction plan*

Notwithstanding the provision of Class A, Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, 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) location of site management offices and/or sales office;
- iii) location of materials storage compounds, loading/unloading areas and areas for construction vehicles to turn within the site;
- iv) car parking areas for construction workers, sales staff and customers;
- v) a wheel cleaning facility or other comparable measures to prevent site vehicles bringing mud, debris or dirt onto a highway adjoining the development site;
- 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 in the interests of highway safety and amenity of the surrounding environment and its occupants and to accord with Policies TR2, DS3, DS5 and EN8 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

### *17. Wheel cleaning*

Before any development commences on site, full details of arrangements for wheel cleaning of construction vehicles and equipment, including the location of such a facility in relation to the highway and arrangements for disposal of contaminated surface water shall be

submitted to and approved in writing by the Local Planning Authority. The details and measures so approved shall be installed, maintained in good operational condition and used for wheel cleaning whilst ever construction or delivery vehicles are leaving the site.

Reason for condition: To prevent mud being taken onto the public highway, in the interests of highway safety and to accord with the National Planning Policy Framework.

#### *18. Sample materials*

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, DS3, and EN3 of the Core Strategy Development Plan Document.

#### *19. Electric vehicle charging points*

From the date of first occupation 5% of the total car parking spaces shall be equipped with fully operational purpose built workplace EV charging point(s) capable of providing a continuous supply of at least 16A (7.5kW) via a mode 3 type 2 connection. A further 5% of spaces shall be provided with enabling ducting to allow easy addition of additional charging points in the future. The EV charging point(s) shall be clearly marked with their purpose and information about how to use them. The location of the charging points shall be clearly signposted and their existence highlighted in staff induction packs and customer information. Details of the types of charging points to be provided and planned maintenance schedule shall be submitted to and approved by the Local Planning Authority prior to the opening date of the development.

Reason: To facilitate the uptake and use of low emission vehicles by future occupants and reduce the emission impact of traffic arising from the development in line with the Council's Low Emission Strategy, policy EN8 of the Core Strategy Development Plan Document and National Planning Policy Framework.

#### *20. Highways works*

Notwithstanding the outline approval of the means of access, any subsequent application for the approval of the reserved matters shall include full details of the proposed access point(s) including full details of the proposed width, kerb radii, visibility splays, gradient, and drainage of the means of access. The details so approved shall be implemented in accordance with the approved specifications and prior to any part of the development being brought into use.

Reason: In the interests of highway safety and to accord with policies DS4 and DS5 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

#### *21. Implement means of access*

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 numbered 2019-055/005 Revision G dated 20/04/21 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, DS5, and TR2 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

*22. Closure of existing access*

Concurrently with the construction of the new vehicular accesses and prior to the development being brought into use, the existing vehicular accesses to the site other than via Lawkholme Lane and Alice Street shall be permanently closed off in accordance with details that shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the site is connected to existing street and path networks, public transport and places and that a safe and suitable form of access is made available to serve the development in accordance with Policy DS4 of the Core Strategy Development Plan Document.

*23. Travel plan*

A Travel Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the hereby approved development. The Travel Plan shall promote sustainable travel options for future occupants/users 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: To facilitate the uptake and use of low emission vehicles by future occupants and reduce the emission impact of traffic arising from the development in line with the Council's Low Emission Strategy, policy TR1 and EN8 of the Council's Core Strategy Development Plan Document and the National Planning Policy Framework.

*24. 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 acoustic fencing. The measures shall take account of the measures suggested in the noise assessment report by Acoustic and Engineering Consultants Limited dated 31st March 2021 ref. P3885/R01/PJK and received by the Local Planning Authority on 29th April 2021. The approved details shall be implemented in full prior to the building being first occupied and shall be retained whilst ever the building is in use.

Reason: To protect the amenity of neighbouring occupants and to accord with policies DS5 and EN8 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

*25. Noise management (servicing areas)*

Prior to the occupation of any building hereby permitted, 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, DS5, and EN8 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

#### *26. Hours of use*

Before the occupation of each building details of the proposed hours of use of the building and servicing times should be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To protect the amenity of the occupants of nearby dwellings and to accord with policies SC9, DS5, and EN8 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

#### *27. Use class restriction*

The use of the development hereby permitted shall be for purposes falling within Classes E(c) and (g) (commercial, business and service), B2 (general industrial), and B8 (storage or distribution) as defined by the Town and Country Planning (Use Classes) Order 1987 (or any subsequent equivalent legislation), and for no other purpose whatsoever.

Reason: In order that the Local Planning Authority retains control over future changes of use with particular regard to the vitality and viability of Keighley town centre, residential amenity, and parking provision at the site, and to accord with Policies SC9, DS5, EN8, and TR2 of the Core Strategy Development Plan Document.

### **Informatives**

#### *Public sewer diversion*

The developer is advised that at the Reserved Matters stage, the proposed layout needs to show how the existing public sewers, which cross the site, will be diverted so as to be clear of any proposed building. Stand-off distances to be in accordance with Yorkshire Water's requirements.

#### *Highways works*

The proposed works to the existing access on Alice Street may require alterations to the existing on-street parking to accommodate turning manoeuvres. You should contact the Council's Highways Team regarding the requirement for any agreement or consent under relevant highway legislation for the necessary highways works.

#### *Electric vehicle charging*

- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity.
- The installation must comply with all applicable electrical requirements in force at the time of installation and any other Health and Safety considerations

## Report to the Regulatory & Appeals Committee

- Buildings and parking spaces that are to be provided with charging points shall not be brought into use until the charging points are installed and operational.
- Charging points shall be provided within 3m of parking spaces
- Charging points installed shall be retained thereafter.
- The presence of the charging points and how to use them shall be promoted on the site via workplace inductions and in customer / partner information sources.
- Provision of a 32A supply is likely to be more future proof