

Application No: 18/01755/MAR

SEMARZ

**TOWN AND COUNTRY PLANNING ACT, 1990 (AS AMENDED)  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(ENGLAND) ORDER 2015**

**Mr Will Kemp  
The Trustees of the Chatsworth Settlement  
C/O Mr Jo Steel  
J O Steel Consulting  
41 Tulyar Court  
Bingley  
BD16 3ND**

**APPROVAL OF RESERVED MATTERS SUBJECT TO A S106 AGREEMENT**

**Proposal:** Reserved matters application for 128 dwellings approved by outline permission 12/04674/MAO requesting consideration of access (other than at Broadway and Shann Lane), appearance, landscaping, layout, and scale

The outline planning application was not an environment impact assessment application.

**Location:** Land At Shann Lane Keighley West Yorkshire

**Applicant:** Mr Will Kemp

**Date Application Received:** 30 April 2018

**Date Application Valid:** 30 April 2018

City of Bradford Metropolitan District Council hereby **APPROVE** the reserved matters for the development described above in accordance with the plans, drawings and documents which form part of the application and subject to the following schedule of conditions:

**CONDITIONS AND ASSOCIATED REASONS:**

1. The Development to which this notice relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

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

2. The development hereby approved shall only be carried out in accordance with:

- i) 7280 \_08\_30\_00 Rev B- Proposed Unit 1 Plans and Elevations
- ii) 7280 \_08\_30\_01 Rev B- Proposed Unit 2 Plans and Elevations
- iii) 7280 \_08\_30\_02 Rev B- Proposed Unit 3 Plans and Elevations
- iv) 7280 \_08\_30\_03 Rev B- Proposed Unit 4 Plans and Elevations
- v) 7280 \_08\_30\_04 Rev B- Proposed Unit 5 Plans and Elevations
- vi) 7280 \_08\_30\_05 Rev B- Proposed Unit 6 Plans and Elevations
- vii) 7280 \_08\_30\_06 Rev B- Proposed Unit 7 Plans and Elevations



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viii) 7280\_08\_30\_07 Rev B- Proposed Unit 8 Plans and Elevations

ix) 7280\_08\_10\_01 REV I- Proposed Site Masterplan

x) 7280\_08\_10\_02 REV E- Proposed Parking and Waste Management Plan

xi) 7280\_08\_10\_03 REV D- Proposed Landscape Plan

xii) 7280\_08\_10\_04 REV E- Proposed Material Distribution Plan

xiii) 7280\_08\_10\_05 REV C- Proposed Roof Plan

xiv) 7280\_08\_10\_06 REV E- Electric Vehicle Charging Points

xv) 7280\_08\_20\_02 REV A- Proposed Section 1

xvi) 7280\_08\_20\_03 REV B- Proposed Section 2

xvii) 7280\_08\_20\_04 REV B- Proposed Elevations 1

xviii) 7280\_08\_20\_05 REV C- Proposed Elevations 2

xix) 7280\_08\_20\_06 REV A- Proposed Elevations 3

xx) 7280\_08\_20\_07 REV C- Proposed Section 3

xxi) HSN-ARP-XX-XX-DR-CH-00001 REV P01- Proposed Layout Highway Cross Sections

xxii) HSN-ARP-XX-XX-DR-CH-00001 REV P01- Visibility Splays

xxiii) HSN-ARP-XX-XX-DR-CH-00002 REV P01- Vehicle Swept Path Analysis

xxiv) HSN-ARP-XX-XX-DR-CH-00005 REV P01- Speed Reduction Measures

xxv) CH120 Rev P01- Highway Long Sections

xxvi) CH-119 REV P02- Proposed Layout Horizontal Alignment

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

3. 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.

4. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no development falling within Classes A to E of Part 1 of Schedule 2 of the said Order shall subsequently be carried out to the development hereby approved without the prior express written permission of the Local Planning Authority.

Reason: To safeguard the amenities of occupiers of adjoining properties and to accord with Policies DS3 and DS5 of the Core Strategy Development Plan Document.



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5. No retaining walls shall be constructed on the site to which this decision notice relates, except where details have been submitted to and approved in writing by the Local Planning Authority of the precise location, height and face treatment of the retaining wall. All retaining walls shall only be constructed in accordance with the approved details.

Reason: To ensure that only appropriate retaining walls are constructed, to accord with Policy DS1, DS2, DS3, DS4 and DS5 of the Core Strategy.

6. In the first planting season following the completion of the development, or as may otherwise be agreed in writing by the Local Planning Authority, the landscaping proposals and new tree planting shall be implemented at the site in accordance with details shown on the approved Landscape Proposals drawing reference 7280\_08\_10\_\_03 REV D dated 4/12/18 and received by the Council on 7/12/18.

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. Notwithstanding the details provided on the submitted plans details of the design, height and materials of boundary treatments to the plot curtilages shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall then be provided in full prior to the first occupation of the development and shall thereafter be retained as long as the development subsists.

Reason: In the interests of amenity and privacy and to accord with Policies DS1 and DS5 of the Local Plan Core Strategy.

8. The electric vehicle charging points as illustrated on drawing reference 7280\_08\_10\_06 REV E dated 4.12.18 and received on 7/12/18 shall be installed prior to the first occupation of the residential units. The electrical circuits shall comply with the Electrical requirements of BS7671: 2008 as well as conforming to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF). All electric vehicle charging points shall be clearly marked as such and their purpose explained to new occupants within their new home welcome pack/travel planning advice.

Reason: To facilitate the uptake of low emission vehicles by staff and visitors 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).

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9. The surface water drainage infrastructure serving the development shall be managed in strict accordance to the terms and agreements, over the lifetime of the development, as set out in a Surface Water Drainage Maintenance and Management document to be submitted to the Lead Local Flood Authority for approval.

Reason: In the interest of satisfactory drainage and to accord with policy EN7 of the Core Strategy Development Plan Document.

10. Before any part of the development is brought into use details of the proposed garages shall be submitted to and approved in writing by the local planning authority.

Reason : To ensure appropriate design arrangements and to accord with Policies DS1 and DS5 of the Core Strategy.

11. Before works commence above DPC level on any of the units hereby approved a scheme shall be submitted to and approved in writing by the Local Planning Authority showing full details of the revised public right of way which is incorporated to run through the site (as shown on the approved plans). The approved scheme shall show full details of the width, gradient, surface treatment and boundary treatment (including any walls and fences) and shall include, where necessary any means of screening to prevent overlooking from raised areas of the footway into adjacent residential properties. The approved scheme shall also fully take into account the need to accommodate a public right of way that maintains satisfactory levels of public safety in relation to designing out crime objectives. The approved scheme shall also set out timeframe for the completion of all works set out in this planning condition. The approved scheme shall thereafter be fully implemented in accordance with the timeframe agreed in accordance with this condition and the details and measures incorporated shall thereafter be retained at all times unless written approval is given by the Local planning Authority to change or amend the details.

Reason: To ensure that a satisfactory safe pedestrian right of way is incorporated though the site that retains satisfactory residential amenity and to accord with policies DS1 and DS5 of the Core strategy and the provisions of the NPPF in relation to creating safe and inclusive places and maintaining residential amenity.

**FOOTNOTES:**

Footnote: The developer's attention is drawn to the obligation under Section 106 of the Town and Country Planning Act 1990 affecting this site. This permission must, therefore, be read in conjunction with that obligation.

Footnote: Please note that the development hereby approved may contain conditions that require details to be submitted to and approved in writing by the Council either prior to the commencement of the development or at another specified period. To comply with the requirements of these conditions the developer is required to submit an "application for the approval of details reserved by a condition". For more information about the application



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process and fee please go to [www.bradford.gov.uk/planning](http://www.bradford.gov.uk/planning) and click on "Apply for planning". Works must not commence until the necessary approval(s) have been obtained.

Footnote: If any aspect of your proposed works affects existing public footways, public highway or public rights of way you must ensure that relevant Highway Legislation and Statutory Notices are complied with and that all relevant fees are paid prior to commencement of your works. Please contact the Network Resilience and Management Team on 01274 437420 or email [network.management@bradford.gov.uk](mailto:network.management@bradford.gov.uk)

Footnote: If your development involves the construction of a new road, a new footway to an existing road or a new industrial access, please contact the New Estate Roads Office on 01274 437423 before building commences. Please note that Section 38 agreements take 6 -12 weeks to process.

Footnote: If your development involves the construction of a new junction, or any alteration of an existing road or footway, please contact the Section 278 Coordination office on 01274 437308 before building commences. Please note that Section 278 agreements take 12-18 weeks to process.

Footnote: If your development affects any street lighting columns please contact the Street Lighting Section on 01274 434019 before building commences.

Footnote: Please note that this approval does not convey any form of approval under the Building Regulations. You are therefore advised to contact Building Control to find out whether your proposal requires building regulations approval before starting work. Contact Building Control on 01274 433807. Email - [buildingcontrol@bradford.gov.uk](mailto:buildingcontrol@bradford.gov.uk)

Footnote: For non-householder applications your attention is drawn to Section 76 of the Town and Country Planning Act 1990 which relates to the applicant's responsibilities under Section 4 and 7 of the Chronically Sick and Disabled Persons Act 1970 and the British Standards Institution Code of Practice BS5810 1979 concerning Access Requirements for Disabled People. Advice may be obtained from your local Planning Office.

Footnote: There are specific Regulations and adopted standards above and beyond Planning and Building Regulation requirements that apply to 'Houses in Multiple Occupation'. If your application relates to the construction, extension, conversion or alteration of a building containing flats or bedsits and/or the reconfiguration of an existing layout which creates new inner rooms then you are advised to consult the Housing Standards Team on 01274 434520 or email [CHESAdminSupport@bradford.gov.uk](mailto:CHESAdminSupport@bradford.gov.uk) for further advice.

Footnote: Records held by the Local Planning Authority indicate that the site which you intend to develop is located between 150 and 250 metres from one or more historic landfill

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sites. Although 150m from a historic landfill it would be prudent to raise this issue with your builder/ architect. You should ensure that you have a sufficient understanding of ground conditions beneath the site to select appropriate foundation options, deal appropriately with any excavation arisings from the development and understand whether it would be appropriate to install ground gas protection measures. For further information on the nature and proximity of the relevant Landfill Sites you may request a Landfill Search from the Local Planning Authority for a nominal fee, please contact [minerals.planning@bradford.gov.uk](mailto:minerals.planning@bradford.gov.uk) for further details.

Footnote: Plans associated with this application can be viewed at [www.bradford.gov.uk/planning](http://www.bradford.gov.uk/planning) and click on “view planning applications”.

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## YOUR RIGHTS IN CONNECTION WITH THIS NOTICE

### Appeals to the Secretary of State

#### APPLICATIONS FOR PLANNING PERMISSION

If you are aggrieved by the decision of the local planning authority to grant planning permission subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal your local planning authority's decision then you must do so within 6 months of the date of this notice\*.

However, if an Enforcement notice has been served for the same or very similar development, the time limit is:

- **28 days from the date of the Local Planning Authority's decision** if the Enforcement Notice was served before the decision was made, yet not longer than 2 years before the application was made, or
- **28 days from the date the Enforcement Notice** was served, if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

You must send a copy of your appeal to Department of Place, Development Services, Britannia House, Hall Ings, Bradford or [planning.appeals@bradford.gov.uk](mailto:planning.appeals@bradford.gov.uk)

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

\*Applicants are advised that it is the Council's understanding that the time period for lodging an appeal is reckoned from the date of issue of this notice.