

Application No: 17/02809/MAO

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

**Mr Stuart Brook  
C/O Mr William Cartwright  
Heritage Planning Design  
82 Park Road  
Bingley  
BD16 4EJ**

**GRANT OF OUTLINE PLANNING PERMISSION SUBJECT TO A S106 AGREEMENT**

**Proposal:** Outline planning application for up to 45 dwellings and associated works with all matters reserved (except for access to the site)

**Location:** Land At Redwood Close Long Lee Keighley West Yorkshire

**Applicant:** Mr Stuart Brook

**Date Application Received:** 2 May 2017

**Date Application Valid:** 2 May 2017

City of Bradford Metropolitan District Council hereby gives notice of its decision to **GRANT** outline planning permission for the development described above, in accordance with the plans, drawings and documents which form part of the application as listed below, and subject to the following schedule of conditions:

<b>Plan Type</b>	<b>Plan Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	002		

**CONDITIONS AND ASSOCIATED REASONS:**

1. 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. 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.



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

3. Before any development is begun plans showing the:

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

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. Any application for the reserved matter of siting shall include plans showing the following:

- i) adequate cross sections of the site,
- ii) details of the existing and proposed ground levels,
- iii) proposed finished floor levels of buildings,
- iv) levels of any paths, drives, garages and parking areas,
- v) height of any retaining walls,

and the development shall be carried out in accordance with the details so approved.

Reason: To ensure that works are carried out at suitable levels in relation to adjoining properties and highways and in the interests of visual amenity and to accord with Policy SC9 of the Core Strategy.

5. Prior to development commencing, 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 offsite receptors and to comply with policy SC9 of the Core Strategy.

6. Prior to development commencing 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.



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Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy SC9 of the Core Strategy.

7. Unless otherwise agreed in writing with the Local Planning Authority, prior to development commencing a detailed remediation strategy, which 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 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 SC9 of the Core Strategy.

8. Unless otherwise agreed in writing with the Local Planning Authority, 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 SC9 of the Core Strategy.

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 SC9 of the Core Strategy.

10. 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 SC9 of the Core Strategy.



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11. The site shall be developed with separate systems of drainage for foul and surface water on and off-site.

Reason: In the interest of satisfactory and sustainable drainage.

12. No development shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority. The rate of discharge of surface water to the surface water sewer shall not exceed 5 (five) litres per second, the point of connection to be agreed by the statutory sewerage undertaker . Furthermore, unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal.

13. From the date of first occupation of every property on the site, with dedicated dedicated parking, shall be provided with access to a fully operational EV charging point (on a dedicated circuit) which as a minimum shall be capable of providing an overnight 'trickle' charge to an electric vehicle. Every other property (with no dedicated parking) shall be provided with access to a communal EV charging point at a rate of 1 per 10 properties. Charging points should be provided via outdoor, weatherproof sockets within easy access of the parking areas and /or within garage parking spaces. All EV charging points shall be clearly marked with their purpose and drawn to the attention of new residents in their new home welcome pack / travel planning advice.

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 and the National Planning Policy Framework (NPPF)

**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 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.



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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 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



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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: The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

**Positive & Proactive Statement in accordance with Article 35(2) of the Town and Country (Development Management Procedure) (England) Order 2015**

In dealing with this planning application the Local Planning Authority adopted a positive and proactive manner. The Council offers a pre-application service for minor and major applications and applicants are encouraged to undertake this. Proposals are assessed against the National Planning Policy Framework, Local Plan for Bradford policies and Supplementary Planning Documents, which have been subject to proactive publicity and consultation prior to their adoption and are referred to in the reason for approval or reason(s) for refusal. The Local Planning Authority has sought solutions to problems arising by liaising with consultees, considering other representations received and liaising with the applicant/agent as necessary. Where appropriate, changes to the proposal were sought when the statutory determination timescale allowed.

The applicant should have regard to:

- YALPAG (formerly YAHPAC) 'Technical Guidance for Developers, Landowners and Consultants. Development on Land Affected by Contamination'
- YALPAG 'Verification Requirements for Cover Systems' if remediation or quality control of imported soil materials is required, and
- YALPAG (2016) guidance on 'Verification Requirements for Gas Protection Systems' if gas protection is necessary.

Current editions of these documents are available on the Bradford MDC website <https://www.bradford.gov.uk/planning-and-building-control/planning-applications/planning-permission/>

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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.