

Application No: 16/06606/MAF

GRMAFZ

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

**KMRE Group Ltd & John Peel & Sons (Holdings) Ltd
C/O Mr Roger Lee
Roger Lee Planning Ltd
18 Leeds Road
Methley
Leeds
LS26 9EQ**

GRANT OF PLANNING PERMISSION

Proposal: Conversion and alterations, including partial demolition, of existing buildings and the replacement of a garage block with a new building, to form 42 residential units

Location: Baildon Mills Northgate Baildon West Yorkshire

Applicant: KMRE Group Ltd & John Peel & Sons (Holdings) Ltd

Date Application Received: 4 August 2016

Date Application Valid: 5 August 2016

City of Bradford Metropolitan District Council hereby gives notice of its decision to **GRANT** 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:

Plan Type	Plan Reference	Version	Date Received
Location Plan	2810-0-000		4th Aug 2016
Site Plan	2810-1-002	-C	23rd May 2017
Elevations	2810-1-006	-B	19th Jun 2017
Floor Plans	2810-1-007	-A	19th Jun 2017
Elevations	2810-1-010	-B	19th Jun 2017
Floor Plans	2810-1-011	-A	19th Jun 2017
Elevations	2810-1-014	-B	19th Jun 2017
Floor Plans	2810-1-015	-A	19th Jun 2017
Elevations	2810-1-018	-B	19th Jun 2017
Floor Plans	2810-1-019		19th Jun 2017

CONDITIONS AND ASSOCIATED REASONS:

1. The development to which this notice relates must be begun not later than the expiration of three years beginning with the date of this notice.



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Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. No 'built development works' shall be begun until a Phasing Plan, which includes details of the phasing of the development in relation to the commencement and completion of the mill conversion, new-build and associated infrastructure works has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in strict accordance with the approved phasing provisions.

Reason: To ensure that the phasing of the construction of the development minimises disruption to the local community and provides for the completion of the works to the listed building and provision of required associated infrastructure at an appropriate phase of development, in the interests of amenity, in accordance with saved policy UR3 of the replacement Unitary Development Plan.

3. No 'built development works' shall be begun until full details of all facing materials, including samples of facing walling stones and roof tiles and details of the cladding, pointing, eaves and windows and doors including reveals have been submitted to and approved in writing by the Local Planning Authority. Details shall also be provided of proposals for alterations to the windows to the mill elevation facing Providence Row to minimise the potential for overlooking. Thereafter the development shall be constructed and maintained in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development is sympathetic to the built and natural environment in the locality, in accordance with saved policies D1, BH7 and NE3 of the replacement Unitary Development Plan.

4. No 'built development works' shall be begun until a written scheme of investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority. The WSI shall include:

- i. A statement of significance and research objectives, and
- ii. A programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- iii. A programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material.

Thereafter no demolition or development works shall be undertaken other than in accordance with the agreed WSI.

Reason: To ensure that the heritage significance of the site is recorded prior to demolition and renovation works commencing, to accord with saved policy BH3 of the replacement Unitary Development Plan.



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5. No 'built development works' shall be begun until a report setting out the findings of the written scheme of investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a record of the heritage significance of the site is retained, to accord with saved policy BH3 of the replacement Unitary Development Plan.

6. The development shall be carried out in accordance with the submitted Flooding and Drainage Assessment (FRA) dated July 2016 by Coda Structures and the following mitigation measures detailed within the FRA.

i. A survey and report to establish the condition and operation of the inlet and outlets to the existing mill pond with any recommendations of the report to be carried out prior to occupation.

Reasons: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. In accordance with saved policy NR15B of the replacement Unitary Development Plan.

7. No 'built development works' shall be begun until full details of the foul and surface water drainage system to be provided within the development, including any balancing and off site works and sustainable drainage features, have been submitted to and approved in writing by the Local Planning Authority.

The approved drainage works shall thereafter be implemented in full in accordance with the approved details either prior to any of the residential dwellings, hereby approved, being brought into occupation or in accordance with an alternative timetable set out in a Phasing Plan which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the site is appropriately drained, in the interests of the protection of the environment and the reduction of flood risks, in accordance with saved policy NR16 of the replacement Unitary Development Plan.

8. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its outfall and to accord with policies NR16 and UR3 of the Replacement Unitary Development Plan.

9. No 'built development works' shall be begun until a Surface Water Drainage Maintenance and Management document has been submitted to and approved in writing



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by the Local Planning Authority. The surface water drainage infrastructure serving the development shall be managed over the lifetime of the development in strict accordance with the terms and agreements set out in the approved Surface Water Drainage Maintenance and Management document.

Reason: To ensure that the submitted drainage proposals will function adequately to mitigate flood risks, to accord with policies NR16 and UR3 of the Replacement Unitary Development Plan.

10. None of the residential dwellings, hereby approved, shall be brought into occupation until full details of boundary treatments, including plot division fences and gates, have been submitted to and approved in writing by the Local Planning Authority. The submitted boundary treatment provision shall be informed by the principles of Secure by Design considerations. Thereafter the approved boundary treatment provisions shall be fully implemented either prior to any of the residential dwellings, hereby approved, being brought into occupation or in accordance with an alternative timetable set out in a Phasing Plan which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of amenity, design and planning for crime prevention, in accordance with policies D1, D4 and D5 of the replacement Unitary Development Plan.

11. None of the residential dwellings, hereby approved, shall be brought into occupation until full details of hard and soft landscaping works, have been submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- i) Details of paths and other surfaces;
- ii) Proposed topsoil depths;
- iii) Details of any benches, bins or other hard landscaping features;
- iv) Details of any lighting to be provided;
- v) Details of any areas to be seeded, flower beds, shrubs or hedges;
- vi) Details of tree planting;
- vii) Ecological enhancement proposals;
- viii) Provision of CCTV and/ or other crime prevention measures;
- ix) Bin storage provisions;
- x) Proposals for the demarcation of parking spaces;
- xi) Details of the cycle racks/ cycle storage facilities to be provided;
- xii) Details of the works to be undertaken to the area around the retained mill pond to provide for a safe and attractive space;

The approved hard and soft landscaping details shall thereafter be implemented in full in accordance with the approved details either prior to any of the residential dwellings, hereby approved, being brought into occupation or in accordance with an alternative timetable set out in a Phasing Plan which has been submitted to and approved in writing by the Local Planning Authority.



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Reason: In the interests of visual amenity, ecology and inclusive design, and to accord with Policies D1, D4, D5 and NE10 of the replacement Unitary Development Plan.

12. None of the residential dwellings, hereby approved, shall be brought into occupation until full details a landscape management plan, including long term design objectives, management responsibilities, replacement planting for failing trees and maintenance schedules for all landscape areas outside of private gardens, has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be implemented in full in accordance with the approved details.

Reason: To ensure proper management and maintenance of the landscaped areas in the interests of amenity and to accord with Policies D1, D5, and NE10 of the replacement Unitary Development Plan.

13. No development works whatsoever shall be begun, no materials or machinery shall be brought on to the site and no tree works shall be undertaken until Temporary Tree Protective Fencing is erected in accordance with the details submitted on a tree protection plan to BS 5837 (2005), which shall first have been submitted to and approved in writing by the Local Planning Authority. The Temporary Tree Protective Fencing shall be erected in accordance with the approved plan and be retained for the duration of the development. No excavations, engineering works, service runs and installations shall take place between the Temporary Tree Protective Fencing and the protected trees for the duration of the development without written consent by the Local Planning Authority.

Reason: To ensure trees are protected during the construction period and in the interests of visual amenity and the maintenance of the character of the Conservation Area. To safeguard the visual amenity provided by the trees on the site and to accord with Policies BH7, NE4, NE5 and NE6 of the Replacement Unitary Development Plan.

14. None of the residential dwellings, hereby approved, shall be brought into occupation until a Biodiversity Enhancement and Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Biodiversity Enhancement and Management Plan shall thereafter be implemented in full in accordance with the approved details.

Reason: In the interests of ecological protection and biodiversity, in accordance with saved policy NE10 of the replacement Unitary Development Plan.

15. None of the residential dwellings, hereby approved, shall be brought into occupation until the proposed means of vehicular and pedestrian access to that residential dwelling, as shown on drawing 2810-1-002 Rev. C, has been laid out, hard surfaced, sealed and drained within the site in accordance with the approved plans and completed to a constructional specification approved in writing by the Local Planning Authority.



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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 Policy TM19A of the Replacement Unitary Development Plan.

16. None of the residential dwellings hereby approved, shall be brought into occupation until the off street car parking facility associated with that residential dwelling has been laid out, hard surfaced, sealed and drained within the curtilage of the site in accordance with details which shall have first been submitted to and approved by the Local Planning Authority. The gradient shall be no steeper than 1 in 15 except where otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to accord with Policy TM12 of the Replacement Unitary Development Plan.

17. Notwithstanding the provision of Class A, Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, or any subsequent legislation, no development works whatsoever shall be begun until a plan specifying arrangements for the management of the construction site has been submitted to and approved in writing by the Local Planning Authority. The construction plan shall include the following details:

- i) full details of the contractor's means of access to the site including measures to deal with surface water drainage;
- ii) hours of construction work, including any works of demolition;
- iii) hours of delivery of materials;
- iv) location of site management offices and/or sales office;
- v) location of materials storage compounds, loading/unloading areas and areas for construction vehicles to turn within the site;
- vi) car parking areas for construction workers, sales staff and customers;
- vii) a wheel cleaning facility or other comparable measures to prevent site vehicles bringing mud, debris or dirt onto a highway adjoining the development site;
- viii) 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;
- ix) temporary warning and direction signing on the approaches to the site;

The construction plan details as approved shall be implemented before the development hereby permitted is begun and shall be kept in place, operated and adhered to at all times until the development is completed. In addition, no vehicles involved in the construction of the development shall enter or leave the site of the development except via the temporary road access comprised within the approved construction plan.

Reason: To ensure the provision of proper site construction facilities on the interests of highway safety and amenity of the surrounding environment and its occupants and to accord with Policies TM2 and TM19A of the Replacement Unitary Development Plan.



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18. No development works whatsoever shall be begun until a Construction Emission Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation, construction and demolition phases of the development shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must be prepared with due regard to the guidance set out in the London Best Practice Guidance on the Control of Dust and Emissions from Construction and Demolition. All works on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect amenity and the health of surrounding residents in line with the council's Low Emission Strategy and National Planning Policy Framework (NPPF).

19. From the date of first occupation every property on the site with dedicated parking shall be provided with access to a fully operation 3 pin socket on a dedicated circuit, capable of providing a 'trickle' charge to an electric vehicle. Every other property (with none 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. 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 ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the District, and takes into consideration paragraph 35 of the National Planning Policy Framework and polices UDP3 and UR2 of the Replacement Unitary Development Plan.

20. 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 UR3 of the Replacement Unitary Development Plan.

21. 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.

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy UR3 of the Replacement Unitary Development Plan.



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22. 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 UR3 of the Replacement Unitary Development Plan.

23. 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 UR3 of the Replacement Unitary Development Plan.

24. 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 UR3 of the Replacement Unitary Development Plan.

25. 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 UR3 of the Replacement Unitary Development Plan.

26. None of the residential dwellings hereby approved, shall be brought into occupation until details of the provisions which will be put in place to secure the proposed parking areas, including lighting and CCTV arrangements, have been submitted to and approved in writing by the Local Planning Authority. Thereafter none of the residential dwellings hereby



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approved, shall be brought into occupation until the approved security measures have been implemented in full in accordance with the approved details.

Reason: In the interests of crime prevention and to accord with Policy D4 of the Replacement Unitary Development Plan.

FOOTNOTES:

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 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

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

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



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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 for further advice.

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

Footnote: For the purposes of interpreting this Decision Notice the term 'built development' should be taken to mean any above ground construction works but specifically excluding site clearance and excavation, demolition, ground investigations, installation of foundations, or associated works.

Footnote: The Development Management Procedure Order 2015 requires that planning authorities provide written reasons in the decision notice for imposing planning conditions that require particular matters to be approved before development can start. Conditions numbered 2, 3, 4, 5, 7, 9, 13, 17, 18, 20, 21 and 22 of this permission require matters to be approved before development works begin; however, in this instance the conditions are justified because:

- i. In the interests of dealing with the planning application expeditious it was considered sensible to reserve the approval of a number of matters of detail relating to the site development scheme to a subsequent stage prior to the commencement of development;
- ii. The details required under condition numbers 2, 3, 4, 5, 7, 9, 13, 17, 18, 20, 21 and 22 are fundamental to the acceptability of the development.

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



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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.

Footnote: Plans associated with this application can be viewed at 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.

The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application for and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

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.

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.