

SOUTH AND WEST PLANS PANEL

THURSDAY, 23RD JUNE, 2016

PRESENT: Councillor C Gruen in the Chair

Councillors J Akhtar, J Bentley,
D Congreve, R Finnigan, P Gruen,
S Hamilton, C Towler and R Wood

A Members site visit was held in the morning in connection with the proposals (planning application 16/01105/FU) at Gallagher Leisure Park, Dick Lane and this was attended by Councillors C Gruen, Congreve, Towler, Bentley, Wood, Flynn and Hamilton.

1 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

2 Exempt Information - Possible Exclusion of the Press and Public

The agenda contained no exempt information.

3 Late Items

There were no late items of business.

4 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

5 Apologies for Absence

Apologies for absence were received from Councillors B Anderson, Coulson, Nash and Smart.

Councillors Flynn, Hamilton and P Gruen attended the meeting as substitutes.

6 Minutes - 17 May 2016

RESOLVED – That the minutes of the meeting held 17th May 2016 be agreed as a correct record.

7 Application 15/05904/FU - Former White Bear, Dewsbury Road, Tingley, WF3 1JX

It was reported that the application had been withdrawn in its entirety by the applicant and therefore was no longer before the Council for determination.

The Panel noted the planning history of the application and the comments made in respect of the status of public health matters in the consideration of planning applications. Additionally, it was reported that a White Paper seeking support for the establishment of a related Fast Food and Planning Policy was proposed to be considered by full Council on Wednesday 29th June 2016.

In response, officers reiterated the approach taken through the adoption of the Core Strategy, in that other policies could be utilised to control the proliferation of hot food take-aways, the creation of specific policy would require evidence to be collected and tested to show a causal link between such outlets and public health.

Finally, the Panel recognised the role of local residents throughout the planning process in respect of this application.

8 Application 16/01105/FU - Gallagher Leisure Park, Dick Lane, BD3 7AT

The report of the Chief Planning Officer presented an application seeking permission for two detached drive-through food/beverage outlets (KFC/Costa coffee) to be located on an area of car-parking serving Gallagher Leisure Park, Dick Lane BD3 7AT. The application also contained proposals for servicing arrangements, parking, access and landscaping.

Members attended a site visit prior to the meeting and site plans, photographs and plans showing proposed elevations of the buildings were displayed and referred to throughout the discussions on the application.

Further issues highlighted in relation to the application included:

- Receipt of one further letter of objection was noted which raised no new issues
- Bin storage arrangements had been amended to provide a brick built structure with roof and secure gates further to the east of the site – a revised plan was included within the presentation. An additional condition was suggested to ensure details of the bin storage
- Confirmation of the proposed opening hours had been received
- Details of landscaping to the access route had been provided which showed the removal of existing trees. An additional condition to secure a landscaping plan was suggested.

Officers addressed the comments made in representations received from the public in relation to:

- Car park arrangements – currently, 30% usage of this specific car park area had been recorded
- Noise – the units were 420m away from residential properties within the Leeds boundary and approximately 500m from properties within the Bradford boundary
- Odour – to be controlled through environmental health regulations however a condition was suggested to cover the timing and regularity of waste collections
- Noise and disturbance – the retail park currently attracted low level anti-social behaviour however it was anticipated that increased usage would reduce such incidents as these types of drive-through food/beverage outlets monitored their sites very well. Additionally, delivery hours had been confirmed as 09:00 to 18:00 hours

In conclusion, officers reported that the proposals were in general compliance with current policies and the two units would complement the leisure and retail offer on site.

A local resident and the agent for the applicant addressed the Panel. Issues raised included the following matters:

- The stance of Bradford planning authority in objection to the proposals
- The perceived proliferation of take-away food units in the area
- Existing congestion on the road system in the locality and the projected additional car movements and concern over the timing and noise attributed to deliveries/servicing
- The impact on health, particularly on children, due to the proximity of the site to local primary schools
- The perceived lack of investment in the remainder of the retail park
- The additional employment to be created
- The owners' intention for these proposals to form the first phase for regeneration of the whole retail park
- An offer to accept conditions to restrict the number and timings of the delivery and waste collection movements for both premises
- Further details of the bin storage along with information on customer bins and litter picking undertaken by staff

In response to Members' comments the following was discussed:

- Confirmation of the style of bin storage needed to screen the view of the bins from residential properties; prevent odour escaping and access by rodents; waste retrieval and location of the bin storage close to the restaurant. Additional landscaping to further screen the view of the bin storage was suggested
- The investment required for the wider retail park, with these two units being seen as complementary to that investment
- Impact on the wider highway network
- The number and nature of jobs to be created

Further discussions by Members included the following:

- The likely number of additional vehicle trips generated by the two drive-through food/beverage outlets noting the transport assessment had concluded that approximately 20% of the total trips to the retail park would be specifically to these units. Comments regarding the difficulty currently experienced by residents exiting Grange Avenue were noted.
- The existing policies within the Core Strategy, Site Allocations Plan and Unitary Development Plan which could be used to address public health considerations and proliferation of this type of planning use in an area.
- Whether the Inspectors' decision in respect of the proposed fast food restaurant at the former White Bear site, Tingley, had any bearing on consideration of this application. In response, officers clarified that the proposals for this drive-through restaurant were different to those proposed at the White Bear site and also confirmed that the Planning Inspector had given weight to highways

concerns and related noise, access and parking impact on residential amenity rather than specific health issues.

- Concern over the loss of trees from the site and whether the landscaping scheme would include replacement trees. It was noted that additional tree planting could be secured through the landscaping condition

RESOLVED – That the application be granted, subject to the specified conditions contained within the report plus the additional following conditions to cover:

- Design of the bin storage enclosure
- Landscaping scheme, to include replacement trees on site
- Delivery and waste collection hours and regularity

9 Date and Time of Next Meeting

RESOLVED – To note the date and time of the next meeting as Thursday 21st July 2016 at 1.30pm