

Derry Hill update

Last week on 24th October 2013, full planning permission for Derry Hill was issued.

The Regulatory & Appeals Committee voted on 4th April 2013 to re-approve full planning permission for Derry Hill and outline planning permission for Bingley Road, despite our legal representations. Now, more than 6 months later, that planning permission has been issued.

The R&A Committee meeting referred to above showed a complete disregard for due process by not giving the panel members the evidence submitted by our flooding and drainage team, which had been supplied to Bradford Council's solicitor well in advance of the meeting.

In the middle of the proceeding, some members of the committee asked to see our evidence but Bradford Council's solicitor then advised the committee that he had not read it in "any great detail", that the evidence was "very technical" and that they "would not have the ability to go through that technical information"! Furthermore, during the site visit to Menston later that day, to view the drainage issues, the committee members did not get off their bus, *later citing Health & Safety reasons!*

The R&A committee at the end of the day **voted on party political allegiance** (4 Labour to 3 Conservative). **This was a repeat of the planning panel voting pattern on 28th February 2012.**

Note Planning Condition 15 on Derry Hill:

*15. Development shall not begin until a surface water drainage scheme for **water passing through the site**, based on sustainable drainage principles has been submitted to and approved in writing by the local planning authority. This must include details of how the surface water run off rate of 8.2 litres/second/ha will be maintained for up to and including the 1 in 100 year(plus climate change) rainfall event.*

Reason: To prevent flooding by ensuring the satisfactory storage/disposal of surface water from the site.

The relevance of this may become an issue in due course. The developers may attempt to alter this condition, as has happened for Bingley Road.

Bingley Road update

Following the very same meeting on 4th April 2013, Bradford Council issued the outline planning permission for Bingley Road in an unprecedented timescale of just **2 working days!** We believe they did this to avoid the scrutiny of the impending Planning Inspector's enquiry for Bingley Road which had been scheduled for 9th April, so resulting in a last minute cancellation of the enquiry and denying us the opportunity to present our evidence in public to an independent planning inspector, and also denying us the right to cross-examine the evidence supplied by the developer.

Soon after, Taylor Wimpey submitted an application to amend the drainage condition 10 for Bingley Road. **On 10th October 2013, Bradford Council's Regulatory & Appeals Committee voted to amend the condition, against all our representations and evidence.** In doing so, the Council have increased the risk of flooding to parts of Menston. Of particular concern is that the new drainage condition no longer includes reference to "water passing through the site".

The wording of the new drainage condition was only made public at 8.55am on the morning of the Committee meeting, which meant there was no prior public consultation about the new wording:

"Development shall not commence until a detailed scheme for the disposal of surface water run-off and land drainage has been submitted to and approved by the LPA. The scheme shall include:-

- 1. Details of the means through which surface water run-off from the development site shall not increase flood risk downstream of the point of discharge into the public sewer. The rate of discharge of surface water directly into the public sewerage system shall be submitted to and agreed with the Local Planning Authority following confirmation of existing rates of direct discharge to public sewers, but in any event restricted to a maximum of 15 litres per second. Any discharge to sewer via watercourse shall be restricted to the existing green field run-off rate of 8.2 l/s/ha to be agreed in writing with the Local Planning Authority.*
- 2. Details of how existing land drainage flows from the wider catchment for up to the 1 in 100 year plus climate change event will be conveyed across the site.*
- 3. A time table and programme of implementation for the scheme.*

The development shall thereafter be carried out in accordance with the approved scheme, including the timetable and programme of works."

In a repetition of previous Council planning committee meetings on 4th April 2013 and 28th February 2012, the **votes on 10th October yet again exactly matched political party allegiance** (4 Labour to 3 Conservative).

Available options

We believe that Menston residents are being treated unfairly and that Bradford Council is breaching its own regulations with a blatant disregard for our evidence to be examined by an independent inspector. Letters of complaint from our Parish Council and Ward Councillors have been sent. The Local Government Ombudsman will be involved.

We will continue our efforts until our evidence has been heard!