

Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 4th August 2016



Subject: Construction of 44 retirement living apartments, 56 assisted living units, 77 bedroom care home, 2896 m2 office building, two extensions to Spooner Industries Ltd totalling 1520 m2 and children's nursery 376m2 together with associated parking and landscaping works at Land At Mayfield Road and Railway Road, Ilkley – planning application 15/07583/MAF

Summary statement:

The development of this unallocated, vacant Brownfield site with a mixed use development of residential and commercial uses in the manner proposed is considered a welcome and appropriate development of the site that gives the opportunity to provide a sustainable pattern of development within the urban fabric of Ilkley, an identified principal Town in the publication draft of the Core Strategy. It is considered that the development is well conceived and ensures the site and its qualities and the character of the surrounding areas are maintained. The effect of the proposal on the biodiversity of the site itself, the nearby moorland habitats, the surrounding locality and the adjacent neighbouring residential and commercial properties has been assessed and is considered acceptable. The provision of vehicular accesses to Mayfield Road in the manner and locations proposed is appropriate. As such the proposals will not compromise highway and pedestrian safety and will sustainably link the development into the existing community.

It is considered that the provision of a residential scheme which provides a suitable mix of housing, care facility, and mixed commercial uses along with an extension to an existing employment use which currently abuts the application site together with the proposed vehicular and pedestrian accesses takes into account the constraints of the site and builds upon the opportunities of the site. As such, it is considered development in the manner proposed is in conformity with the core principles of the National Planning Policy Framework (paragraphs 17, 19, 22, 32, 36, 47, 49, 50, 56, 57, 58, 61, 69, 109, 111, 118, 173, 204) and development principles outlined within the Replacement Unitary Development Plan under policies UDP1, UDP3, UDP4, UDP7, UR3, UR6, H7, H8, H9, TM1, TM2, TM11, TM12, TM19A, D1, D2, D4, D5, D6, OS5, NE4, NE5, NE10, NE11 and NR16.

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Portfolio:
Regeneration, Planning and Transport

Overview & Scrutiny Area:
Regeneration and Economy

1. SUMMARY

The proposal relates to a full application for the construction of 44 retirement living apartments, 56 assisted living units, 77 bedroom care home, 2896 m2 office building, two extensions to Spooner Industries Ltd totalling 1520 m2 and children's nursery 376m2 together with associated parking and landscaping works on Land at Mayfield Road, Ilkley. Planning permission is recommended to be granted subject to restrictive conditions and a S106 legal agreement to deliver the following:

- Payment of £281,050.37 for the purpose of providing affordable housing in the ward of Ilkley. Any unspent sum after three years can then be spent in the Parliamentary Constituency of Keighley.
- Payment of £7,201.63 to be used towards the provision of off-site recreational facilities. The money would be used towards the provision and or enhancement of existing recreational facilities and infrastructure work including but not exclusive to drainage works, footpath works and fencing at East Holmes Fields or Riverside Gardens.
- Payment of £28,000 for the purpose of upgrading the existing parks - Riverside Gardens, West View Park and two areas on Ilkley Moor – the boating lake and Ilkley Tarn and their environs. It proposed that mitigation monies in all these sites be used to improve signage, walking routes and other amenities in order to provide pleasant alternatives to the wider moor itself.
- Payment of £10,000 for the purpose of providing a bus shelter at stop no: 14149.

Overall, it is considered that the provision of a mixed use residential and commercial scheme on the site with the proposed vehicular access appropriately takes into account the constraints of the site.

2. BACKGROUND

- Planning permission 09/00857/FUL granted on appeal (2nd September 2010) for the construction of replacement Tesco Class A1 food store with car parking, landscaping and associated works. This permission has now lapsed as it has never been implemented.
- Planning permission 13/02722/MAF granted for the renewal of planning permission 09/00857/FUL for the construction of a replacement Tesco Class A1 food store. This decision was made on the 21st November 2013 following the completion of a S106 legal agreement is still within its 3 year timeframe for implementation.

The technical report attached as appendix 1 explains the current situation with regard to housing proposals in the District.

3. OTHER CONSIDERATIONS

None

4. OPTIONS

Members can decide to:

- Approve this application subject to conditions and a S106 legal agreement; or
- Approve the application with different conditions and or different heads of terms for the suggested legal agreement; or
- Refuse the application giving reasons as to why it is unacceptable; or
- Defer the application for further consideration

5. FINANCIAL & RESOURCE APPRAISAL

There are no financial implications for the Council arising from matters associated with the report.

6. RISK MANAGEMENT & GOVERNANCE ISSUES

No implications

7. LEGAL APPRAISAL

The determination of the application is within the Council's powers as the Local Planning Authority

8. OTHER IMPLICATIONS

8.1 EQUALITY & DIVERSITY

Section 149 of the Equality Act 2010 states that the Council must, in the exercise of its functions "have due regard to the need to eliminate conduct that this prohibit by the Act, advancing equality of opportunity between people who share a protected characteristics and people who do not share it, and fostering good relations between people who share a protected characteristic and people who do not share it. For this purpose section 149 defines "relevant protected characteristics" as including a range of characteristics including disability, race and religion. In this particular case due regard has been paid to the section 149 duty but it is not considered there are any issues in this regard relevant to this application.

8.2 SUSTAINABILITY IMPLICATIONS

It is considered that the proposed development meets the sustainability criteria outlined in established national and local policy. Good design ensures attractive usable, durable and adaptable places and is also key element in achieving sustainable development. The mixed use scheme is considered well designed and provides a bespoke solution for the site to enable all the opportunities for the site to be harnessed. Sustainable methods of drainage from the site are also to be fully explored as part of the proposal. A travel plan promoting sustainable modes of travel is also provided.

8.3 GREENHOUSE GAS EMISSIONS IMPACTS

No issues raised other than those identified in the appended technical report. EV charging points are to be provided at several of the different uses hereby proposed (planning condition). The proposals also make a contribution (via the suggested heads of terms of the S106 legal agreement) toward a new bus shelter. This will clearly help facilitate more sustainable means of travel. A travel plan document also references the use and promotion of low emission vehicles at the site and a condition to monitor the travel plan elements is suggested to be attached as a planning condition.

8.4 COMMUNITY SAFETY IMPLICATIONS

The proposal is considered to take account of secure by design initiatives and is in accord with policy D4 of the Replacement Unitary Development Plan.

8.5 HUMAN RIGHTS ACT

Articles 6 and 8 and Article 1 of the first protocol all apply (European Convention on Human Rights). Article 6 – the right to a fair and public hearing. The Council must ensure that it has taken its account the views of all those who have an interest in, or whom may be affected by the proposal.

8.6 TRADE UNION

No implications

8.7 WARD IMPLICATIONS

The scheme provides housing and commercial development on unallocated Brownfield land within the urban area of Ilkley.

9. NOT FOR PUBLICATION DOCUMENTS

None.

10. RECOMMENDATIONS

That planning permission is granted subject to the conditions and section 106 legal agreements set out in the report attached as appendix 1.

11. APPENDICES

Appendix 1 – Report of the Assistant Director (Planning, Transportation and Highways).

12. BACKGROUND DOCUMENTS

National Planning Policy Framework

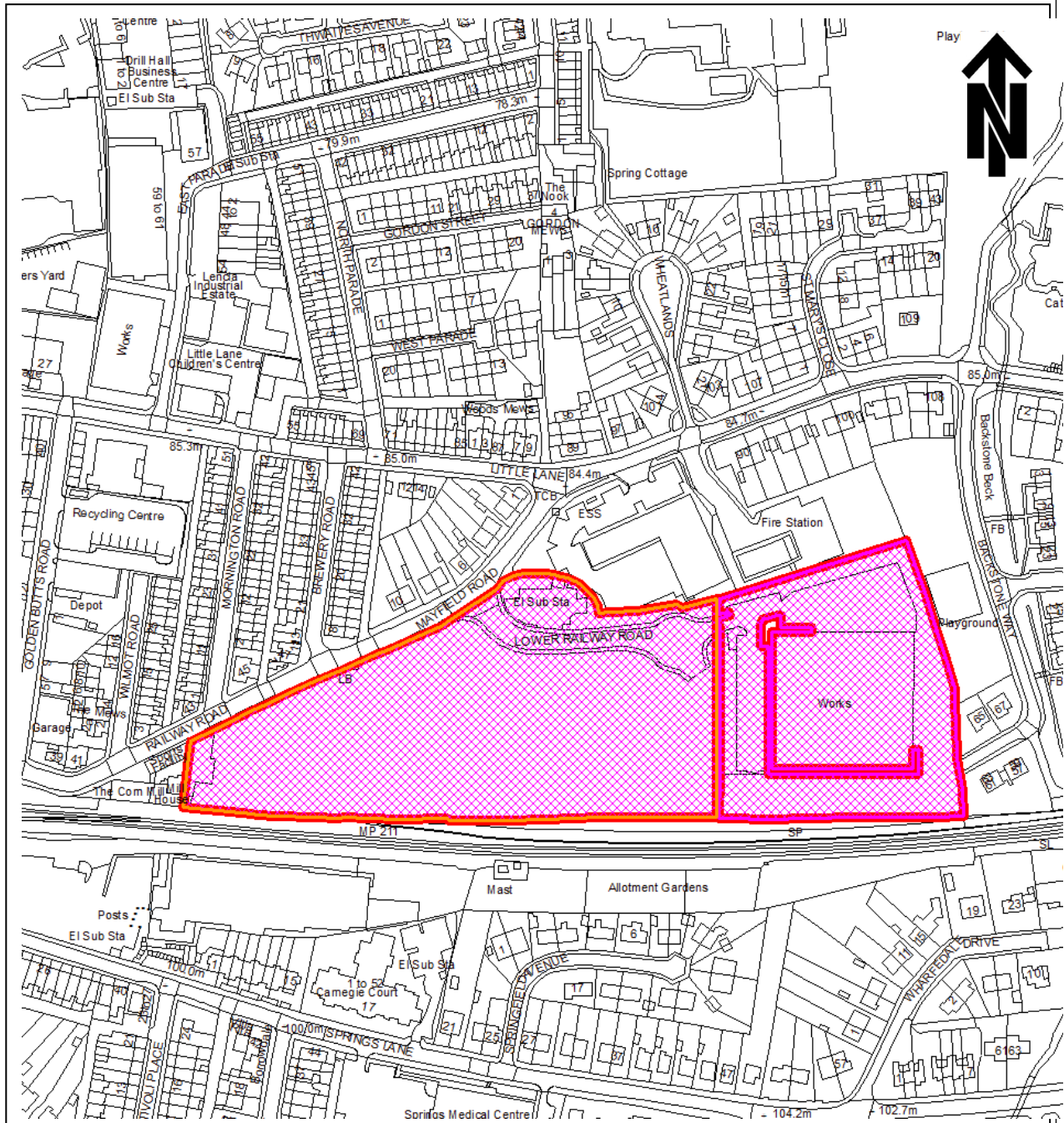
The Replacement Unitary Development Plan

Publication Draft Core Strategy (draft subject to an examination in public in March 2015) and subject to modification which was examined by the Inspector in May 2016

Regulatory & Appeals Committee

15/07583/MAF

4 August 2016



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**LOCATION:
Land At Mayfield Road And Railway Road
Ilkley
LS29 8JB**

Appendix 1

4th August 2016

Ward: Ilkley

Recommendation:

To grant planning permission subject to conditions and a S106 legal agreement.

Application Number:

15/07583/MAF

Type of Application/Proposal and Address:

A full planning application for the construction of 44 retirement living apartments, 56 assisted living units, 77 bedroom care home, 2896 m² office building, two extensions to Spooner Industries Ltd totalling 1520 m² and children's nursery 376m² together with associated parking and landscaping works at Land At Mayfield Road and Railway Road, Ilkley

Applicant:

McCarthy & Stone Retirement Lifestyles Ltd and Tesco Plc

Agent:

Hazel Fox, the Planning Bureau Ltd.

Site Description:

This wedge shaped application site covers an area of 2.23 hectares and is unallocated within the Replacement Unitary Development Plan. The site is now cleared of buildings but formally contained a number of vacant industrial buildings following the relocation of the former employment use (Spooners Industries Limited) onto an adjoining employment site to the east (identified as K/E1.10 on the Proposals map of the Replacement Unitary Development Plan). The site also contained a number of vacant residential properties which have now been demolished. There are three groups of preserved trees (TPOS) on the site.

The site slopes from the south to the north ranging by up to 5m in height difference from the edge of the site adjacent to the railway down to Mayfield Road. Ilkley Town Centre and its central shopping area lies approximately 180 metres to the east.

The site is bounded by the railway line along its southern boundary, by Mayfield Road to the north and by an existing employment use to the west. Several residential properties front onto Mayfield Road. Beyond Mayfield Road, there are several residential streets. Access to the site is currently via Mayfield Road along a road which leads to the relocated Spooners Factory.

Relevant Site History:

a) Planning permission 13/02722/MAF granted for the renewal of planning permission 09/00857/FUL for the construction of a replacement Tesco Class A1 food store. This decision was made on the 21st November 2013 following the completion of a S106 legal agreement is still within its 3 year timeframe for implementation.

b) Planning permission 09/00857/FUL for the Construction of replacement Tesco Class A1 food store with car parking, landscaping and associated works was granted on appeal in September 2010 subject to conditions and a S106 legal agreement.

c) Planning application 07/10224/FUL for the construction of a retail store with associated car parking was withdrawn from determination.

d) Relevant history for the adjoining site:

Planning permission 05/08447/FUL was granted for the construction of one industrial building with associated car parking on land to the east of the current application site. This building has now been constructed and the former occupants of the application site have relocated to the newly constructed unit.

Replacement Unitary Development Plan (RUDP):

Allocation

The site is unallocated within the Replacement Unitary Development Plan.

The following policies are relevant:-

Proposals and Policies

UDP1 – Promoting sustainable patterns of development

UDP2 – Restraining development

UDP3 – Quality of built and natural environment

UDP7 – Reducing the need to travel

UR2 – Promoting sustainable development

UR3 – The local impact of development

UR6 - Planning Obligations and conditions

E3 – Protecting existing employment land and buildings in urban areas

E3A – Office development

H7 – Housing Density – Expectation

H8 – Housing Density – Efficient Use of Land

H9 – Affordable Housing

TM1 - Transport Assessment

TM2 – Impact of traffic and its mitigation

TM11 – Parking standards for non-residential development

TM12 – Parking standards for residential developments

TM19A – Traffic management and road safety

D1 – General design considerations

D2 – Energy Efficiency and Sustainable Design

D4 – Community safety

D5 - Landscaping

D6 - Meeting the needs of pedestrians

OS5 – Provision of recreation open space and playing fields in new development

NE3 – Landscape Character Areas

NE3A – Landscape Character Areas

NE4- Trees and Woodlands

NE5 - Retention of Trees on Development Sites

NE6 - Protection of Trees during development

NE10 - Protection of Natural features and Species

NE11 - Ecological Appraisals

NR16 - Surface Water Run Off and sustainable Drainage Systems

BMDC – Supplementary Planning Guidance

Landscape character

Planning Obligations

Planning for Crime Prevention

The Examination Draft of the Core Strategy (Independent hearing of the Core strategy closed on 19th March 2015)

The Local Plan Core Strategy seeks to ensure that sustainable economic growth takes place throughout the District. Whilst the core strategy is not yet adopted, modifications have been consulted upon (due for further examination in May 2016) and it is appropriate to add some limited weight to various policies of the Plan. To this end with regard to this application the Core Strategy identifies Ilkley as a Principal Town in Wharfedale where housing and employment uses will be located.

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Parish Council:

Original comments: Objection recommend refusal on the following grounds:

1. The design is out of keeping and goes against the design principles set out in Policy D9. The design does not conserve the character of the townscape of Ilkley.
2. The proposal is economically incoherent and does not take in to account the strategic requirements of the town. Ilkley's needs are affordable housing and increased car parking capacity. This prime town centre site should not be used for a development which is principally made up of retirement accommodation.
3. Provision for retirement accommodation in Ilkley has already been met. The town currently has 411 care home beds and 385 assisted living apartments. The demographics of the town show that the population of Ilkley should require approximately 280 care home beds. This need has been more than sufficiently met already. District nurses have confirmed that there is currently spare capacity in existing care homes. In addition, the CCGs across Bradford, Wharfedale and Airedale have developed initiatives such as the Integrated Community Teams, aimed at keeping people in their own homes rather than needing to move into long term care homes thus further reducing the requirements. The provision of further retirement accommodation and less affordable housing is creating an ageing population which ultimately will have a social and economic impact on the town.
4. Affordable housing is in exceptionally short supply in this area of the District. The younger population who have grown up and been educated in the town are now not able to continue living here because they cannot afford any property. This site could

provide a considerable number of the affordable housing which required under the District's Local Plan. The use of a brownfield site for these homes would also ensure that greenbelt land is protected. This proposal is therefore contrary to Policy H2 and H9 of the RUDP which states BMDC must negotiate for a proportion of affordable housing for all substantial developments.

5. A substantial number of commuters travel to Ilkley each day to park and use the train service. Network Rail statistics show that, after Leeds, Ilkley is the second highest London commute town in West Yorkshire. Network Rail has also confirmed that they plan to increase the current frequency of trains which will add to the number of rail users. The town does not have the parking capacity to cope with this and desperately needs additional facilities. This site should include a significant number of parking spaces for commuter parking. As the plans currently stand, this development would add to the parking problems in the town as the provision of parking spaces is not adequate.

The Committee also notes the large number of objections to this application along with very limited comments of support.

Additional comments:

Original comments above still stand.

Publicity and Number of Representations:

Site notices were displayed at the site, advertisements were placed in the local paper and individual neighbourhood notifications were also carried out with the statutory period of expiry date for comments on the amended scheme details being 24th June 2016. 38 letters of representation have been made: 32 objections, 4 letters of support and 2 letters of comment.

All comments summarised below are written in no particular order of importance. Any additional representations which may be received after the publication of this report will be reported orally at the committee.

Summary of Representations Received:

- There are major changes to the proposal and no suggestion of the number of units proposed on the layout plans relative to the original Dec application.
- This is a serious matter of deliberate confusion or to get the authority out of a problem of not determining the application in time or not having the request to extend the period sooner.
- The mass on the elevations is overpowering to the opposite properties of 19C terrace houses and semi detached homes.
- This is not acceptable in a conservation area even though a change from industrial land to commercial care homes when the town needs of parking and Starter homes for Ilkley's younger generation.
- Request that the original application is determined as out of time and that officers request a new application and then if officers recommend approval then request the application goes to the planning committee and as a major development in our town to the major committee
- The developer states in their Benefits of this proposal. Much needed retirement accommodation. There is no mention of any need for another nursery.
- Ilkley has an over-supply of nurseries and playgroups. There are over 12, many with vacancies and most struggling to cover costs with one nursery recently

closing due to lack of demand. Retirement homes do not create any demand for more.

- Ilkley Civic Society do not object in principle to developing this site, which is the largest development site in Ilkley for some time. It represents a big opportunity for Ilkley. We anticipate that it will make a significant contribution towards the very high housing targets currently being proposed by Bradford Council. Need residential accommodation to be built and/or to provide employment land on this site in order to avoid squandering the West Yorkshire green belt by which Ilkley is surrounded and is key to its attractive nature and setting.
- A key issue in the complex decision as to whether this high density development can be supported. If it reduces pressure on the green belt it might be acceptable. Not opposed to mixed use development and subject to a number of points, Ilkley Civic Society support Spooners, childcare provision and appropriate sized office accommodation as they will contribute more jobs to the local economy.
- Support the additional land allocated for Spooners expansion. However, in assessing this we find that the numbers employed now and in the proposed expansion are far from clear and this has significant bearing on the adequacy or otherwise of the parking spaces allocated to that firm.
- This application will have a very significant impact on residents in nearby streets. The lead seems to have been taken from the previously approved supermarket application with regard to height and massing. The impact of building to the height indicated, 4 storeys, needs to be very carefully considered. It would be acceptable if an interesting building design had been submitted, but the buildings do not show designs of an imaginative approach specific to the site and its important location within the town.
- It would make much more sense, and be safer, to place all the non-office/industrial units as near to the town as possible and off the same access road with pedestrian routes as short as possible in order to encourage residents in these units to walk rather than drive into town.
- The nursery should be sited away from the main traffic flow.
- The variety of walling materials chosen leads to a lack of cohesiveness in the residential areas, we would prefer a smaller palette. Great care needs to be taken in approving roofing materials.
- Accept this proposal is not within the Conservation Area, it is on a route leading into and close to the Conservation Area. It is on a site where Heritage Assets have already been lost to the town, (original brewery complex) and adjacent some of the few industrial buildings remaining and 19th century housing that could well be included in the CA. We do not seek a pastiche of these building types but a 21st century design that respects the area in which it sits.
- Whatever is built on this site, it is going to be highly visible from the surrounding hillsides and many residential properties and the issue of roof materials referred to above needs careful consideration.
- The site not only has an impact on the Railway Rd/Mayfield Rd/ Little Lane corridor but also is highly visible from the railway line and Springs Lane/Springfield Ave, issues not considered sufficiently in the application.
- The Design and Access statement however is very light on details for waste disposal. It has been noted however that whilst areas are allocated near most buildings for bin storage. The external areas do not appear to be well sited in all cases for collection by refuse/ recycling vehicle
- The information on traffic and transport assessment is incorrect.
- Beyond the Mayfield Road/Lower Railway Road and Little Lane/Mayfield Road

junctions, the generated traffic will disperse on the highway network, some travelling along Railway Road to the south-west and the remainder travelling along Little Lane/Valley Drive to the north. Hence the impact of generated traffic will reduce at more distant junctions- this assertion is irrelevant as traffic intensity has intensified in the 10 years since that work was commenced.

- Travel Plan parking standards are not met - the provision of only 62 parking spaces is still totally unrealistic of the offices.
- Retirement Living - 44 apartments - since the developers anticipate the occupants of this block will mainly come from the Ilkley area, there is a serious underestimation of parking provision needed on site. Experience with Audley, Carnegie Court and Emmandjay shows that the parking on those sites is insufficient and very congested. Occupants are likely to be of above average in terms of financial resources and used to independent car travel.
- Assisted Living Housing - 56 apartment- the parking provision is considered to be sufficient to accommodate all anticipated car borne visitors to the proposed Assisted Living development.
- Care Home - 77 bedrooms with 24 spaces proposed. Again local experience suggests that most if not all personal visitors will arrive by car. There is no clear indication of the number of staff attending at any one time. In practice there will be significant overlap at shift change/handover times. It is most unlikely that one in two staff members will arrive other than by car.
- Children Nursery. There are two issues. The submission does not make clear how many children places and therefore how many staff will be required, hence to judge the adequacy of parking provision. Equally important where is the safe short term parking for the delivery and collection of the children which will come about in am & pm peaks
- It is important that a scheme is adopted to protect local residents ability to park within proximity of their property as they can at present.
- Can be demonstrated that the onsite provision for parking totally underestimates the assessed need in the application. There is already congestion on Railway Road from commuter parking by train users.
- Consider that Traffic Regulation Orders will be required on access routes and at bus stops. We note that BMDC Highways is requesting these, which should be funded by the developer.
- The Inspector of the previous retail scheme accepted that a part-time 20 mph scheme be introduced along Valley Drive to coincide with school arrival and departure times including provision of a Puffin crossing. These provisions should be made for this application by means of S106 or CIL.
- Concerned that the current application (as with the previous Tesco application) has failed to show a solution to the current poor condition/ unknowns with the private culvert leading to the River Wharfe near Ilkley Sewage works that takes 83% of the site drainage (Tesco report). This not only puts owners of property (and the culvert) along the route at further risk of flooding but also risks damaging the considerable investment made by Ilkley Civic Society in the new Memorial Avenue in Ilkley Cemetery.
- A lack of justification of claims of sustainability. In addition we find the following lacking in this proposal: no solar tiles (not panels as these would not look good); no water recycling mentioned; the proposal encourages use of car as it is not central/close to shops; no use of car club / car sharing noted only electric car charging points (which is good); office building aiming for Breaam very good (this is a national standard for measuring green credentials of buildings).

- Other buildings seem very light on green credentials
- Trees/TPOs/landscaping planting - suggest that a detailed Landscape Planting Proposal and Management Plan as well as a Condition similar to that placed on the original Tesco approval
- Education - note the comments from officers in Education, but think that this issue should be reconsidered. McCarthy and Stone indicate that the majority of people moving into their Ilkley establishment will come from within five miles of Ilkley thus freeing up family homes within the Ilkley School catchment areas.
- This will impact school numbers and should be taken into account.
- The application has too many areas of ambiguity and contradictions between Consultancy Documents and Reports, Application Form and Plans e.g. employee numbers and different layouts for Spooners extension (noted in BMDC highways comments).
- The Ilkley Civic Society supports the principle of appropriate development on this site in particular the expansion of Spooner Industries site to help maintain/create local employment and suggests the Council should reinforce the acceptability of this element even if the whole proposal is refused. Also support a residential element on the site and would reinforce the Ilkley Parish Council comments questioning the need for the amount of over 55 accommodation. ICS would much prefer to see a variety of accommodation and an element of starter homes included.
- There are unsatisfactory design elements which particularly do not take account of views of the site from outside and especially from the high ground surrounding the town.
- If this application is approved, we should like to see Section 106 or CIL utilised to achieve a better ramped access to the railway station from Railway Road; a ticket machine near Railway Road access point; Improved access including wheelchair access from the development to the Riverside Gardens for residents, improving the narrow pavements and the unmade road surface of Castle Road
- Also wish to see: appropriate traffic calming on Valley Drive/Railway Road to accommodate the increased traffic; Pedestrian crossings at intervals along this route; All pavements wide enough for two wheelchairs to pass; Conditions on working hours to minimize the disruption for people who live locally
- The experience at Warbeck is that as the residents' age increases there will be increased vehicular traffic in the form of careers' vehicles visiting the site and deliveries by Tesco, Sainsbury etc.
- Share the view that the proposed Spooner development is beneficial but am concerned that there is no provision for first time buyers housing or commuter long term parking
- Effect on the character of the local community and the town in general. There are a number of assisted living apartments and older persons blocks of flats within a few hundred yards of this project.
- These premises are situated on Springs Lane and Valley Drive. There is potential for 300 elderly people to live in this new complex. A proposed nursery seems to be a nod towards 'community' inclusivity, but it seems a token gesture.
- As a near-by resident I am greatly concerned at the inadequate parking provision. Every street near the site is already clogged with parked cars on both sides, often too close to junctions to allow safe egress. All these extra units will in my opinion considerably exacerbate the problem.
- Am a trustee for the Trust that owns the Fitness Centre on Railway Road adjacent to the proposed development and marked as Sports Facility.

- The center is a major local asset and has for several years relied on parking on Railway Road. The entrance to the development takes a significant amount of this space.
- In addition 70 car parking spaces for 100 assisted and retirement living units will put huge additional pressure on this parking space.
- Already a heavy demand on local NHS resources from the large number of older people in the town.
- The NPPF encourages change of use from brownfield to residential use.
- As there is already an enormous amount of provision for old people in the town, perhaps this land could be used to provide for the needs of the younger generation.
- Since this development was changed from commercial use to supermarket and now commercial care homes and offices the whole of these proposals lose the strategic requirement of the Town.
- Need affordable housing and central car parking provision not offices, care homes and elderly residential homes
- All support Spooners extension space as this is required for local jobs and is a commercial Manufacturing base doing export trade.
- Have office blocks or venues in town that are empty so why a new office block Is it because it makes the scheme viable but does not strategically meet the needs of the Town [property on Leeds road is rarely occupied.
- Major issues on drainage from the site.
- Design of the elevations are anywhere UK and are not suitable for this prominent site in Ilkley's center and need enhancing significantly.
- It is important that the needs of the potential beneficiaries of these homes are met nationally and regionally (and indeed locally). However, it is clear that Ilkley already has a disproportionately elderly population.
- Dismay at the content of this development proposal with a total focus on retirees. I can only assume that this creates the most profit for the developer and achieves ticks in boxes for the planning authority by way of its projected population density. This is a rare opportunity to use a large piece of land in the center of Ilkley to the benefit of the town by providing affordable family housing or a new primary school or some rail commuter parking. Would be disappointed if our local elected council representatives let this unimaginative plan come to fruition and object to it outright.
- The 4 story building is going to dwarf the surrounding area, the mix of materials used is not in keeping with the surrounding buildings. Passing this development will be as bad as when the council passed all the tower block buildings in the 60's in Ilkley which look awful.
- Supportive of retirement housing close to the Centre of town in the basis that will help support the freeing up of family homes across Ilkley which don't need to be in the town Centre. Affordable housing in the town Centre would add more traffic than retirement and care homes proposed. It is important that the aging population of Ilkley have access to quality downsizing options close to local amenities to free up homes in the residential outskirts.
There clear is a need to consider parking and additional parking close to the station and town center for general use would greatly aid the town. Parking provision does appear to be insufficient for the site and should be increased plus additional public parking for the station added.

Consultations

Highways Development Control Section – Original comments:

The parking requirements set out in Appendix C of the UDP is maximum standards and a reduction in these can be considered in town and city centres and other sustainable locations where the likely traffic impact is not detrimental to highway safety.

However given that there are significant traffic & parking issues in the vicinity of the development site then the maximum parking standards are appropriate especially as the proposed development exceeds the threshold levels above which these apply.

Retirement Apartments

It should also be noted that despite the sustainable location of the site this will not necessarily stop future residents from owning cars even though they may choose to use alternative modes of travel some of the time. Future occupants are likely to be fairly affluent people who are downsizing and have money to spend. One may start to use a car less frequently but that doesn't mean they will give it up all together.

The average age of entry into the retirement apartments is 60 years and most, if not all residents, will still be working at that age and possibly into their 70's.

However notwithstanding the above I would be willing to reduce the parking requirement for the retirement apartments to a minimum of 1 space per unit (where previously 1.5 space were requested) as the applicant has agreed to fund the provision of additional traffic regulation orders to protect sight lines at the site entrances by removing the opportunity for any long term parking and also manage on-street parking.

Assisted Living Apartments - Accept the case put forward by the applicant for the level of parking being proposed and have no further concerns to raise regarding this.

Care Home - Further information provided states that there is likely to be a maximum of 25 staff during peak weekday periods. Of this I would agree that some would live locally and arrive by walking, bus or train. Therefore the number of spaces being offered is acceptable.

Office - Given the sustainable location of the site and the fact that the applicant has confirmed that they will fund the provision of additional traffic regulation orders to manage any on-street parking then I am now comfortable with the number of spaces being offered and would raise no further concerns regarding this

Nursery - The applicant concedes to the fact that there will be some short term parking on and around the existing site entrance due to the fact that no off-street drop-off and pick-up facility is being provided for the nursery (the proposed car park will be occupied by teachers & staff). The proposed nursery should either be omitted from this scheme or moved to another location within the site where it does not raise the above concerns. Therefore I am still unable to fully support this application due to the proposed location of the nursery, which is likely to result in conditions prejudicial to pedestrian & highway safety, and the lack of sufficient parking for the retirement apartments.

Revised comments: Given that all other highway issues have been resolved, and the fact that the promotion of a new TRO on Mayfield Road will be funded by the applicant, the outstanding highway concern regarding on-street parking resulting from the proposed nursery in my view would not be significant enough reason on its own to warrant refusal on highway safety grounds. Therefore highway are now be minded to support this application.

Regarding the access to the retirement element, this needs to be progressed under a Section 278 Agreement.

West Yorkshire Combined Authority – There is a regular bus service running next to the development serving Leeds, Otley, Bramhope, Skipton etc. There are also more services nearby.

Metro advise that bus stop number 14149 should have a shelter installed at a cost to the developer of around £10,000; this payment also includes maintenance of each shelter. A new shelter would benefit the residents of the new development.

Lead Local Flood Authority – have assessed the documentation relating to the surface water disposal on the proposed development, against the requirements of the National Planning Policy Framework and Planning Practice Guidance. An assessment of the submitted Drainage documentation including the Drainage Layout Proposals drawing, reference NE-2102-03-DE-002 and the Flood Risk Assessment and Outline Drainage Strategy reference FRA 151092 Dated December 2015, have been carried out and if the following details are implemented and secured by way of a planning conditions on any planning permission the Lead Local Flood Authority have no objection to the proposed development. Note: these suggested planning conditions have been attached to the rear of this agenda and relate to each of the proposed uses at the site

Drainage Section – The Lead Local Flood Authority is a statutory consultee on matters relating to surface water management on all major developments. The Drainage Department will therefore cease from providing comments on the surface water drainage proposals on major planning applications. Insofar if the following details are implemented and secured by way of a planning condition on any planning permission the Drainage Department have no objection to the proposed development. Note: this suggested planning condition on foul water details has been attached to the rear of this agenda and relate to each of the proposed uses at the site

Yorkshire Water – No objections subject to conditions being attached to any permission granted.

Urban Design – This is an important site close to the centre of Ilkley and the current development interest is welcomed. There are a number of positive aspects to the scheme – it comprises a mix of uses, and includes space for Spooner Industries to expand enabling them to remain in the area. The scheme also includes new homes for the elderly, a care home, a nursery and new office accommodation.

Some positive improvements have been made to the scheme following that initially presented at pre-application stage. The land uses relate better to each other and it is less dominated by car parking – the parking areas are now served off streets which also helps to open up views of the moors.

The comments below suggest ways in which the scheme could be improved to create a more memorable, pedestrian friendly place which integrates well with its surroundings and is more specific to Ilkley.

Analysis & Local Character - The Design & Access Statement (DAS) identifies some characteristics of the site and its immediate context. This is mainly limited to the

attractive backdrop of Ilkley Moor and the materials of the surrounding buildings. It could pick up on more than this.

The DAS refers to Ilkley Conservation Area Assessment and correctly notes that the site is not within the conservation area. However the plan on page 14 shows that a very large part of the settlement is within the conservation area illustrating that this is a town with a special character.

Given that this is likely the largest development opportunity within Ilkley for some years it would seem reasonable that the applicant not only analyses the immediate surroundings of the site (important though this is) but also looks wider in terms of drawing out some of the key aspects of local character in the town – the patterns of development which make Ilkley special – and to consider how these can inform the design, not necessarily in terms of encouraging a historical pastiche but rather in looking at how the design can respond to them in a contemporary way.

The patterns could include the form, layout, scale and roofscape of development, and the details, features, materials, colours and boundary treatments. The Ilkley Conservation Area Assessment and Appraisal and the Ilkley Village Design Statement could help in providing an understanding the local character. See also comments below regarding Scale and Appearance.

Creating a place - One of the design challenges of the scheme is to bring all the different uses together to create a place. The current proposal has improved in this respect but it's not clear that it quite gets it right – it still tends to read more like a collection of different elements separated by access roads, car parks and boundaries.

There could be value in exploring whether there are different layout options which could create a more distinctive place and pedestrian orientated environment. This could include consideration of creating a focal point, possibly a public space with the buildings facing onto it to help integrate the different uses and give the development a sense of identity.

One option could be to move the care home up to the western edge of its plot and relocate its parking to the eastern side. This could help create a strong built frontage along with the nursery and the assisted living block at the junction of Lower Railway Road and the access road serving the office block. This combined with careful treatment of the highway design, surface materials and boundary features in this area could help to create a focal point and positive gateway to the site.

Car Parking and Outdoor Space - Providing enough car parking to serve this quantum of development appears to be a particular challenge and there are concerns that it dominates the site. The site is in a very sustainable location close to the town centre and railway station and the aim should be to encourage people to walk and catch public transport. The vehicle orientated layout with lots of surface level parking doesn't really encourage this.

There could be potential to explore innovative approaches such as locating some of the parking underground to enable a more pleasant outdoor environment. This could provide the opportunity to create amenity space between the retirement and assisted living blocks and along the Railway Road frontage instead of these areas being given over to parking. It is noted that there are examples of other retirement/assisted living

complexes elsewhere in the country with underground parking, including by McCarthy & Stone.

Similarly the parking for the office block encroaches onto the care home area and reduces the amount of garden space available for residents. The potential for alternative parking solutions for the office block could be explored (e.g. undercroft or to the rear of the building) in order to release more land for the care home garden benefitting the future occupants.

Where surface level car parks are proposed they could be treated as an integral part of the landscape design, possibly with tree planting within them, so that they feel more like attractive spaces which accommodate parking.

Scale (Height and Massing) - The proposed residential buildings are generally 4 stories in height. It is acknowledged this is similar to the approved Tesco scheme and the existing Spooner's unit. Also it is noted that there are elements of the former corn mill buildings to the west of the site which are around 4 storeys high.

However, whilst 4 storeys may generally be an appropriate height, it is queried whether the bulky uniform mass and roofline of the approved Tesco supermarket is an appropriate reference for new residential buildings. Instead there could be benefit in looking at a finer grained approach with more variation in the massing of the buildings and incident in the roof scape to better integrate the scheme into its surroundings on Railway Road.

To this end there could be scope to take reference from the existing residential properties on Railway Road and the former corn mill buildings to the west of the site. Also looking into the history of the site could reveal patterns of development (e.g. the former brewery buildings) which could provide ideas to influence the design. This could provide a more interesting, human scaled form which relates well to its context.

Consideration could also be given to how other recent apartment block schemes in the town have created an attractive residential scale through variation in their mass and roof scape.

Appearance - The typical features of each building are listed in the Design & Access Statement. These are exclusively concerned with the materials and there is more scope to consider how the form and details of the buildings could contribute to making this a development which feels more specific to Ilkley. Some key issues are set out below for the different buildings:

A1/A2 – Retirement/Assisted Living blocks - There are some positive aspects to the appearance of these buildings. For instance the central sections of the elevations facing Railway Road create visual interest with large windows providing a strong vertical emphasis along with balconies and timber cladding panels all framed by Ashlar stone.

Whilst no objection is raised to the use of white render, its application on large parts of the building often combined with a lack of interest in terms of the fenestration and roofline make these sections of the elevations less successful.

Care Home - The DAS states that the design intention for this element of the scheme is for a building which feels intimate and residential in nature, emulating a tall terraced block. This approach is supported but it is felt that further design work is needed to realise it. The gable features add some variety and help to break up the mass of the building to some degree but overall there is a lack of interest and detail on the elevations. Also the shape and arrangement of the windows adds to the horizontal emphasis and bulk of the building which is not particularly characteristic of the town. Again, looking at how other examples of apartment blocks in the town break up the mass of the building and add depth and richness to the elevations could help to achieve the intimate, residential feel which the applicant is seeking.

B2 – Office - There is concern that this building with its lack of incident at roof level and flat elevations clad in metal sheeting will contribute little to the quality of the place. The horizontal emphasis of the windows also adds to the lack of visual interest.

The intention is that the building will achieve the BREEAM 'Very Good' rating for energy efficiency and that photovoltaic panels could be accommodated on the roof. These sustainability objectives are supported and it is suggested that they could help inform the design concept for the building in terms of the materials, roofscape, glazing and features e.g. solar shading. Other factors which could be considered are incorporating the fire escapes as part of the overall design of the building and creating a more positive entrance area to serve both halves of the building rather than two separate low key entrances.

Revised urban design comments - In response to the original design comments the applicant has proposed some changes to improve the appearance of the buildings and provide some additional landscaping to the car park areas. These changes are welcome though it would have been preferable for the design to have gone further in terms of the form, layout and parking arrangements. It is acknowledged that the applicant has provided a written statement which addresses the issues raised and explains why they did not consider further changes to be possible or appropriate

Policy Architectural Liaison Officer – No objections in principle subject to certain recommendations being applied to the scheme including access control, mail delivery, CCTV and external lighting, physical security of the building.

Landscaping - The large vehicle parking area between the assisted living block and the retirement living block dilutes the visual and physical relationship between those buildings, and it very much feels like each block has its own associated allocation of outdoor space. If the two main building blocks had been separated by a landscaped garden area, there would have been a strong connection between those buildings, and the benefits of shared garden space. In a central position, a garden would be a real focal point of the development, with the buildings providing shelter, security and overlooking. As it stands, the car park is the focal point of the development, with garden spaces providing secondary points of interest. It is positive that the garden spaces are south facing, and will provide quiet, secure space for residents to enjoy.

Footpaths are disconnected by the vehicular parking area in the centre so that there is no complete walkway loop around the retirement living/assisted living section of the site. It is not clear why the gardens are split in such a segregated way.

Modifications to the layout of the care home have marginally improved its relationship with the proposed office block. However, in my opinion the development would have been better, and

would have had a more cohesive character, if it had been designed with stronger linkage between all three buildings associated with providing living accommodation.

The landscape proposal drawings produced by Smeeden Foreman look entirely appropriate, and these will require developing into full planting plans, which will need to be submitted.

Trees Section – The remaining protected group of trees to the west of the new Spooners factory is proposed to be removed. This will have a negative impact on amenity but could be mitigated by new planting. Suggest a condition regarding tree protective fencing if planning permission is granted.

Natural England - the application site is within or in close proximity to a European designated site (also referred to as Natura 2000 sites) and therefore has the potential to affect its interest features. The Authority should consider that Habitats Regulations. The site is in close proximity to the South Pennine Moors Special Protection Area (SPA) and Special Area of Conservation (SAC). The sites are also noted at a National level as South Pennine Moors Site of Special Scientific Interest (SSSI).

A Habitat Regulation Assessment has been produced by the applicants and advice is provided on the assumption that your authority intends to adopt this HRA to fulfil the duty as competent authority.

This assessment concludes that the proposal can be screened out from further stages of assessment because significant effects are unlikely to occur, either alone or in combination. This conclusion has been drawn having regard for the measures built into the proposal that seek to avoid all potential impacts. On this basis of information provided, natural England concurs with this view.

Biodiversity/Countryside – Comments given in the form of providing advice of where mitigation measures can be spent to ensure that impacts on the Natura 2000 site is minimised.

Environmental Health (Air Quality) – Have reviewed the content of this application and concluded that it constitutes a medium application for the purpose of Appendix 2 (Land use planning and road transport emission guidance) of the Bradford Low Emission Strategy (adopted November 2013), addendum to the Bradford Air Quality Action Plan (March 2013).

Under the provisions of the Bradford LES planning guidance all medium developments are required to provide Type 1 and 2 emission mitigation as follows:

- Provision of electric vehicles charging facilities (at a rate of 10% of total parking spaces, with an option to provide 5% upfront and enabling cabling for 5% more).
- Adhere to the London Best Practice Guidance on the Control of Dust and Emissions from Construction and Demolition
- Provide a travel plan (which includes measures to discourage the use of high emission vehicles and encourage the use of low emission vehicles)

- Undertake an emission damage cost calculation and demonstrate that the emission mitigation provided for the site is proportionate to the damage costs arising
- Provide an exposure assessment which considers the likelihood of sensitive receptors being exposed to poor air quality as the result of the proposed development

Exposure assessment: - As the proposed development is located away from major roads it is expected that traffic related pollution at the site will be much lower than those measured near the main road. The majority of the nearby railway line is electrified and there are no significant emission sources to air from activities at the Spooner Industrial site. As such it is concluded that this site is suitable for development and no further exposure assessment is required.

Additional information has been submitted which meets the requirements of environmental health and as such conditions are recommended regarding electrical vehicle charging points, submission of a construction environmental management plan and a low emission travel plan.

Environmental Health (Contamination) – considered the application and the supplied Phase 1 and 2 reports along with an addendum ground gas risk assessment. The applicant has submitted documentation to identify and quantify contamination on the site and proposals to remove unacceptable risk from the site.

Environmental Health, therefore, recommends the following conditions on any permission granted – remediation strategy and verification, unexpected contamination and materials importation.

Enabling Housing (affordable housing section) – The affordable housing requirement is up to 30% of the number of units on the site or an off-site contribution subject to viability

Education/Children's service – As this is for retired, assisted and sheltered housing it is unlikely to have any impact on school places.

Recreation/leisure services - Parks and Green spaces Service require a recreation contribution of £7201.63 for 44 houses/units only associated with the attached planning application for the provision or enhancement of Recreation Open Space and Playing Fields due to the extra demands placed on the locality by this development. This is in compliance with policy OS5 of the RUDP.

The money would be used towards the provision and or enhancement of existing recreational facilities and infrastructure work including but not exclusive to drainage works, footpath works and fencing at East Holmes Fields or Riverside Gardens. If the developer is looking to the Council to maintain any areas of public open space on the development a commuted sum will be required to maintain the areas for the next 25 years.

Summary of Main Issues:

Principle of development
Sustainability
Design/landscaping
Highway Safety

Flooding/drainage matters

Impacts on the amenities of the nearby properties

Other impacts: - biodiversity/HRA, contamination, air quality

Use of planning conditions/S106 legal agreements/viability

Comments on representations made

Community Safety

Appraisal:

1. Full permission is sought for the construction of a mix of development zones to create a mixed use development comprising:

(i) 44 retirement living apartments (use class C3 residential) – for the over 60s. The development includes a shared resident lounge and roof terrace, guest suite, mobility scooter store and refuse store together with a house manager who will manage the day to day running of the development in office hours. Materials are of ashlar stone, white through render, reconstituted stone, dark grey concrete tiles to roofs. Reconstituted stone and metal railings are proposed as boundary treatments. The 'L' shaped block is 4 stories high and located fronting Railway Road. 30 car parking spaces are proposed.

(ii) 56 assisted living units (use class C2) – 32 one bedroom units and 24 two bedroom units – for the over 70s together with tailored care and support. Materials match those on the retirement living apartments. The 'L' shaped block is located adjacent to the retirement living units fronting Railway Road with the 3/4 storey building set back from the road. 40 car parking spaces are proposed which are accessed via a new vehicular and pedestrian access from Railway Road.

(iii) 77 bed care home with shared day space, kitchenettes and sitting rooms on each floor together with a care home manager and on-site team who will manage the day to day running of the development 24 hours a day. Materials for this 4 storey building are of ashlar stone, reconstituted stone, and buff brick with dark concrete tiles to roofs. 24 car parking spaces are proposed.

(v) Office building of 2,896 sqm gross internal floor space to comprise office space for 2-6 end users. The 3 storey building is located adjacent to the railway line to the south of the site and includes 62 car parking spaces. Materials are of stone and steel sheeting to elevations and steel sheeting to the roof with power coated aluminium windows and doors.

(vi) Extensions to Spooners Industries – comprising 1,520sqm gross internal floor space in 2 extensions around the building. One extension is to be 2 and a half storey whilst the extension to the north east corner will be arranged over one storey. The extensions are to be used for research and development and product testing. 76 car parking spaces are to be provided (excluding 5,152 sqm existing gross internal and the 66 existing car parking spaces). Materials are of metal cladding systems to match the existing elevations along with a metal cladding system for the roofs. Paladin fencing is to be provided along the boundaries.

(vii) A nursery (use class D1) of 376 sqm gross internal floor space is proposed adjoining Mayfield Road at the entrance to the site. 15 car parking spaces are to be provided. Materials are of white through render, stone and dark grey concrete tiles.

2. Highway details of the application include:-

- There are 2 x accesses to the site – the existing access to Spooners will also provide access to the nursery building, the office complex and the care home facility.
- The retirement living and assisted living apartments are to be accessed of a new access from Railway Road.
- A contribution amount of £10,000 for the provision of 1 x bus shelter (at bus stop 14149).
- A Traffic Regulation Order to prohibit parking along the south side of Railway Road and Mayfield Road in proximity to the application site.

Principle

4. This is a well located, Brownfield site which is unallocated within the Replacement Unitary Development Plan (RUDP). The proposed use of the site for a mixture of residential and business uses is welcome and considered acceptable. The justification for this statement is outlined below. In particular, the provision of employment uses on the site – i.e. the two extensions to the existing Spooners Factory and the provision of a care facility and nursery are all considered appropriate on this former employment site. In terms of the provision of housing on the site – retirement living and assisted living, the Council does not have a 5 year housing land supply and there is significant pressure for new housing across the District. In respect of the District's future housing requirement, emerging policy in the Publication Draft of the Local Plan Core Strategy, HO3, sets a future housing figure for Ilkley, a Principal Town, of 800 new units (which has been uplifted to 1000 units in the proposed modifications to the Publication Draft of the Core Strategy). There is also policy to prioritise, wherever possible, the use of previously developed land.

5. The NPPF promotes sustainable development which delivers homes as well as new business and, with the consideration that the plan may be out of date due to the absence of a 5 year land supply, the protection of the site for employment purposes through RUDP policy E3 will carry less weight. The NPPF also states that local authorities should avoid the long term protection of sites (paragraph 22) allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Applications for alternative uses to employment have to be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

6. The application site lies within the urban area of Ilkley which is identified as a Principal Town in both the existing RUDP and in the draft Core Strategy and the main local focus for housing and employment with its role being “as accessible and vibrant places to live, work and invest” which should be enhanced. As already stated above, Bradford Council does not have a 5 year supply of deliverable land for housing and the Plan is considered out of date under Paragraph 49 of the NPPF. Consequently the authority should consider favourably, planning applications for housing unless any adverse impacts outweigh the benefits, or other policies indicate otherwise.

7. From a general policy point of view, an application for a mix of uses which includes housing satisfactorily addresses the government's review of national planning policy and the changing market signals relating to Bradford's future growth and development. Currently there is an acute demand for housing land as confirmed by the absence of a 5 year supply. Indeed, the emerging Core Strategy estimates future need at over 42,000 units over the plan period, 2013 until 2030.

8. The National Planning Policy Framework (NPPF) underlines and increases the importance of delivering housing development in support of the district's growing population. A core planning principle in the NPPF states that planning should proactively drive and support sustainable economic development to the deliver homes, business and industrial units, infrastructure and thriving local places that the country needs (page 5, paragraph 17). The NPPF states that every effort should be made objectively to identify and meet the housing needs of an area and respond positively to wider opportunities for growth.

9. Local Planning Authorities (LPAs) are now responsible for setting their own housing requirement. However, this must be based on robust evidence including household and population projections, which take into account migration and demographic change. In assessing the housing needs in their area over the plan period, the NPPF states LPAs should identify the scale and mix of housing that meets household and population projections, taking account of migration and demographic change (pages 12-13, section 6).

10. In terms of delivering a wide choice of high quality homes the NPPF states at page 12, paragraph 47 that LPAs should boost significantly the supply of new housing. In order to achieve this goal the NPPF requires LPAs to identify a 5 year supply of deliverable housing sites judged against their housing requirement. Moreover the NPPF goes on to state that where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer i.e. over and above the basic 5 year requirement by 20% to provide a realistic prospect of achieving the planned housing supply. It is clear that Bradford has experienced just such a sizeable and persistent under delivery of housing in recent years. Bradford will therefore be required to identify the additional 20% of deliverable land in order to meet the requirements of NPPF paragraph 47. There could be an argument that unless sites such as this one are successfully granted planning permission, implemented and brought to the market this under supply will not only remain unmet but will also grow significantly worse. This in turn will have severe impacts on the prospects for regeneration in the district and will exacerbate existing and growing problems of overcrowding and long waiting lists for social housing which already exist in parts of the district.

11. The most up to date situation with regard to housing supply is that the LPA gave evidence at the recent Bradford Local Plan core Strategy Examination in Public (CS EIP) held between 4th and 20th March 2015. Whilst the Inspectors report into the soundness of the Submission Draft Core Strategy is still awaited, the most up to date housing land supply assessment produced by the LPA is that the District has a 2.05 years supply of deliverable housing sites. This represents a considerable under-supply and is only 41% of the total required. The strategic case for permitting housing development at this site therefore has been strengthened as a result of the application of the policies of the NPPF.

12. The appropriateness of this Brownfield site in Ilkley as a location for further housing development is reinforced by the emerging Core Strategy where it is intended to be a local focus for housing and other development. As such, it is considered that the location and scale of the housing proposed on this site could be consistent with policies promoting a sustainable pattern of development in the Bradford District. Furthermore, the proposed application site is well-located in relation to the built-up areas and their form in the locality and is in close proximity to Ilkley Town Centre; as such, it can be

concluded that a housing proposal (in this location) represents a sustainable form of development and that it could thereby comply with policy UDP1 of the RUDP

13. Further the Framework advises that relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites. Paragraph 14 indicates that were policies are out of date the proposal must be considered in the context of the presumption in favour of sustainable development and permission granted unless tests derived from specific policies in the Framework (or material considerations) indicate otherwise or any adverse impact of granted in permission would significantly and demonstrably outweigh the benefits of the scheme when assessed against the Framework taken as a whole.

14. Overall, the proposed mix of residential and business uses on the site is acceptable in principle. The Ministerial statement *Planning for Growth* makes it clear that the economic benefits of proposals should be taken into account, and encourages support for sustainable forms of development, including housing as well as business. The importance of sustainable economic growth is reiterated in the Framework: one of the core principles of the Framework is that planning should proactively drive and support economic development to deliver, amongst other results, the homes which the country needs. The proposed housing in the form of retirement living units and assisted living units at this site would represent a sustainable form of development. The extension of the existing Spooner Factory, the provision of an office building, a care home and nursery are all considered sustainable proposals. The economic benefits of this package of uses, including job creation, the new homes bonus, and expenditure in the local economy, carry significant weight in any decision making process.

Sustainability

15. The National Planning Policy Framework advises that the purpose of the planning system is to contribute to sustainable development. For the planning system delivering sustainable development means:

- Planning for prosperity (an economic role) – by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- Planning for places (an environmental role) – by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

16. The approach to planning for sustainable development is set out the National Planning Policy Framework. The key principles of this document are that are that good quality, carefully sited accessible development within existing towns and villages should be allowed where it benefits the local economy and/or community; maintains or enhances the local environment; and does not conflict with other planning policies. Accessibility should be a key consideration in all development decisions. Most developments that are likely to generate large numbers of trips should be located in or next to towns or other service centres that are accessible by public transport, walking or cycling. New building development in the open countryside away from existing settlements, or outside areas allocated for development in development plans, should

be strictly controlled; the overall aim is to protect the countryside for the sake of its character and beauty and the diversity of its landscapes.

17. It is considered that the proposed development meets the sustainability criteria outlined in established national and local policy. Indeed, it is considered that the site is very well located in relation to the built-up area, including all Town Centre facilities. There is also a reasonable level of accessibility by non-car modes of transport (especially as this site is very close to the Railway Station; and, that the proposal represents a sustainable form of development which would comply with Policy UDP1 of the RUDP and the key principles of the National Planning policy Framework.

18. The site is also located relatively close proximity to major distributor roads within the District (the A65). Bus routes which run along Mayfield/Railway Road will be upgraded as part of the scheme to provide a bus shelter.

19. Good design ensures attractive usable, durable and adaptable places and is a key element in achieving sustainable development. The appearance, layout and scale of the proposals are considered to be an appropriate design for the site. Indeed, the Planning Authority consider that the proposals are provide a comprehensive use of the site with a mixture of uses to ensure delivery of a well-designed scheme which respects the location of this site as a prominent gateway into Ilkley. It is well-connected into the surrounding community. In addition, the establishment of a landscaping management strategy can mitigate the impact of the development and provide increased biodiversity over time.

Density/Efficient use of land for housing/affordable housing

20. Policies H7 and H8 of the RUDP seek to ensure that the best and most efficient use is made of any development site. As such there is a requirement to achieve a minimum density of 50 dwelling per hectare on sites in highly sustainable locations. The National Planning Policy Framework also advises that Local Planning Authorities shall have regard to:

- Achieving high quality housing
- Ensuing development achieve a good mix of housing

21. The total site area for residential uses is 1.06 hectares. The provision of 99 dwellings on the site would create a density of 100 dwellings per hectare which is considered a most and beneficial use of this sustainable Brownfield site

22. The proposed retirement living residential units on the site fall within the Councils requirement to provide some affordable housing. It is however, recognised and supported the arguments of the applicant that in the first instance any requirement should be for a contribution of monies to provide for off-site accommodation - still within the Ilkley Ward and that this element of the scheme can be subject to viability testing (see report below on S106 Heads of Terms).

Design principles/landscape impacts

23. The National Planning Policy Framework sets out the national policy objectives for housing. A key objective is *'to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities'*. In order to facilitate this, local authorities should draw on relevant guidance and standards. At the local level there are design policies in the Replacement Unitary Development Plan (RUDP). Of particular relevance are:-

- Policy D1 which states that new development should relate to the existing character of the locality,
- Policy D5 which states that existing landscape features should be incorporated as an integral part of the proposal.

24. Paragraph 60 of the National Planning Policy framework also advises that “planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiatives through unsubstantiated requirement to conform to certain development forms or styles. It is however, proper to seek to promote or reinforce local distinctiveness”.

25. This is an important site close to the centre of Ilkley and the current development interest is welcomed. There are a number of positive aspects to the scheme – it comprises a mix of uses, and includes space for Spooner Industries to expand enabling them to remain in the area. The scheme also includes new homes for the elderly, a care home, a nursery and new office accommodation.

26. From the street frontage perspective it is considered that the site has been suitably master planned into the landscape by a comprehensive soft and hard landscaping scheme to Mayfield Road / Railway Road into the Nursery and around into access road leading to the office and in the Spooner’s site. The intent is to soften the buildings and tie the discreet buildings together with a coherent planting strategy. Moving the Care Home towards the Spooner boundary is also considered to open up the central portion of the master plan allowing views to the distance and also aids way finding to Office and Care Home entrances. Both entrances are visually prominent in this position.

Highway matters

27. The consultation comments from the highways section have been fully enclosed earlier within this consultation section of this report. Essentially, there is no highway objection in principle to this proposed development as the highway issues which were originally identified have now been resolved. Indeed, the promotion of a new TRO on Mayfield Road which will be funded by the applicants to manage any on-street parking means that an outstanding concern to retain on-street parking resulting from the proposed nursery would not be significant enough reasons to warrant refusal on highway safety grounds.

28. A Transport Assessment (TA) and Travel Plan have been submitted as part of the application. Highway engineers now agree with the conclusion that the proposed mixed use development can be satisfactorily accommodated on the surrounding highway network without raising any undue highway safety concerns. It is also considered that sufficient car parking provision is made (following robust justification and provision of evidence from the applicants) for each of the proposed different uses. Certain highway restrictions are also required to be carried out prior to any development being carried out on the site to ensure that the development is satisfactory. These include the attachment of conditions to any permission granted for the provision of accesses, on-site parking, control of lighting, control of construction management during the construction phases and the funding of a Traffic Regulation order.

29. Overall, it is considered that the provision of highway access in the manner proposed is satisfactory and will not comprise highway safety but will accord with established highway standards and policies TM2 and TM19A of the RUDP.

30. The Travel Plan promotes the integration of travel modes to improve the accessibility of the site by means other than the single person occupied car, to ensure that the travel plan framework meets the needs of the residents and employees, to make people aware of the benefits to be derived from the travel plan, to minimise the level of vehicular traffic generated by the development and to enable the development to protect and enhance the environment as far as practically possible. The Travel Plan has subsequently been amended to provide a focus on low emission vehicles. It is considered that the provision of this travel plan will ensure that the development of this site in the manner proposed encourages, as far as practically possible, sustainable practices in this location in accordance with the National Planning Policy Framework. A condition regarding the implementation of a travel plan for this development which incorporates matters raised by the Councils Air Quality section is suggested on any permission granted.

Flooding/drainage

31. Yorkshire Water, the Lead Local Flood Authority (BMDC), and the Councils drainage specialists have all made consultation comments on the application scheme. In a nutshell each of the above advice that planning permission can be granted for the scheme subject to conditions being attached to any permission granted. These conditions are set out at the end of this report under the conditions sections for each of the different uses proposed.

Effects on the surrounding locality

32. The development is proposed at a very sustainable location within Ilkley Town nearby the Railway Station. It is considered there is no undue adverse impact which would arise out of the grant of a planning permission on this site for development in the manner proposed. The impacts of the proposal have been appropriately considered in the specific design of the buildings individually and as a whole, by the use of the suggested building materials and landscape treatments.

33. As such, it is considered that the design has been fully justified in terms of appearance, layout and scale of the proposed various elements of the development and that the proposal, complies with policies UR3, D1 and D5 of the Replacement Unitary Development Plan and paragraphs 56, 59, 60 and 61 of the national Planning Policy Framework.

Effects on the adjoining residential/commercial properties

34. There are residential properties which immediately abut the site and many properties (semi-detached houses and terraces) lie along the northern side of Mayfield Road. Various businesses also exist in close proximity to the site and Ilkley Firs and rescue lies along with northern boundary abutting the existing Spooners Factory. It is considered that no undue loss of amenities would be created on any of the surrounding residential or commercial properties. Amended plans and details have now been provided which show additional planting and appearance changes and overall illustrate how the scheme has been master planned as a cohesive project designed not to create overlooking or loss of privacy. As such, it is considered the proposal complies with policy UR3 of the Replacement Unitary Development Plan.

Other Impacts - Biodiversity

35. Whilst Policy NE10 of the RUDP states that wildlife habitats accommodating protected species will be protected by the use of Planning conditions/obligations it is clear from the supporting text and Policy NE11 that an ecological appraisal should be submitted with a planning application so that the Local Planning Authority can 'assess the potential impact of the proposed development prior to the consideration of granting planning permission.' It is considered that sufficient information has been provided and assessed in the suite of documents submitted as part of this planning application.

36. Habitat Regulations Assessment (HRA) - The site is located within 1km from the nearest part of the South Pennines SPA/SAC and lies within the 2.5km zone of influence identified in the Habitat Regulations Assessment of the emerging Core Strategy for the Bradford District. Article 6(3) and (4) of the habitats and Birds Directives require that plans and projects are subject to appropriate assessment, alone or in combination where there is a potential to have an impact on a European Site.

37. HRA information eliminates the issue regarding loss of functionally linked supporting habitat, as no SPA birds are likely to use this Brownfield site. However, there is still likely to be an in-combination effect from all the housing allocations in Airedale and Wharfedale of increased recreational pressure leading to erosion, trampling, disturbance to nesting birds through dog walking and other informal recreational activities. As there is no opportunity to provide suitable alternative green space within the development site, it is suggested that developer contributions towards mitigation for the above likely impacts are sought through a S106 Agreement. Mitigation would consist of upgrading the existing parks - Riverside Gardens, West View Park and two areas on Ilkley Moor – the boating lake and Ilkley Tarn and their environs. It is also proposed that mitigation monies in all these sites be used to improve signage, walking routes and other amenities in order to provide pleasant alternatives to the wider moor itself. An appropriate level of contribution has been agreed as part of the proposed S106 legal agreement.

38. Natural England have raised no objections to this scheme subject to appropriate mitigation measures for sensitive habitats.

Other Impacts - Contamination Issues

39. Sufficient information has been submitted within the application to identify and quantify contamination on the site and proposals to remove unacceptable risk from the site. As such, only conditions regarding remediation strategy and verification, unexpected contamination and materials importation need to be attached to any permission granted.

Other Impacts – Air Quality

40. The proposed development constitutes a medium development for the purpose of Appendix 2 (Land use planning and road transport emission guidance) of the Bradford Low Emission Strategy (adopted November 2013), addendum to the Bradford Air Quality Action Plan (March 2013).

Under the provisions of the Bradford LES planning guidance all medium developments are required to provide Type 1 and 2 emission mitigation as follows:

- Provision of electric vehicles charging facilities (at a rate of 10% of total parking spaces, with an option to provide 5% upfront and enabling cabling for 5% more).

- Adhere to the London Best Practice Guidance on the Control of Dust and Emissions from Construction and Demolition
- Provide a travel plan (which includes measures to discourage the use of high emission vehicles and encourage the use of low emission vehicles)

Additional information has been submitted which meets the requirements of environmental health and as such conditions regarding electrical vehicle charging points, construction environmental management plan and travel plan are suggested to be attached to any permission granted.

Use of planning conditions/Legal Agreements/278 agreements/Contributions

41. Housing and commercial development of the scale proposed inevitably involves physical infrastructure works and social infrastructure works such as recreation provision, contributions affordable housing, and sustainable transport measures. In line with policy UR6 of the Replacement Unitary Development Plan it is usually appropriate that the developer should enter into a Section 106 to address the following issues – affordable housing, recreational provision, transport infrastructure and habitat mitigation measures.

42. It should be noted however that due to the abnormal costs in developing this Brownfield site a viability appraisal has been submitted and assessed by the Councils Economic Development Section. As such it is intended in the remainder of this section to review what the S106 contributions would be requested and then consider the financial viability matters which have been raised before concluding what the Heads of Terms could be.

43. Total build costs have been provided from the latest BCIS figures, adjusted to represent build costs in Bradford, they also incorporate external and abnormal costs. Of this figure 9% is for external works and abnormal costs associated with a brownfield site. These costs include site clearance, removal of foundations and underground tanks, methane protection and excavation to sound ground.

44. Although Policy H9 of the Replacement Unitary Development Plan has sought to achieve affordable housing provision within development sites in Wharfedale of 30% the evidence base of the Publication Draft of the Core Strategy basically argues that up to 30% affordable housing should be achieved in this locality. Whilst the Publication Draft of the Core Strategy is an emerging document, its policies have been examined by the Inspector although a report is still awaited. As such, the evidence base produced by Bradford Council to inform the Core Strategy is the most up to date information on affordable housing needs throughout the District (prepared October 2013 not over 10 years ago to inform at that time the RUDP) and as such under the NPPF it is the most up to date evidence which must be taken account of – hence the provision of up to 30% affordable housing now. There is a need for 2 and 3 bedroom properties in the area. As such, it is considered appropriate that affordable housing is provided either within the scheme or as part of an off-site contribution to accord with relevant planning policy and subject to financial viability considerations (see above paragraphs for details).

45. In this particular instance the applicant has presented the argument that the nature of their developments makes it difficult to provide registered provider accommodation on site. They are therefore offering the residual balance generated from the scheme, a sum of £316,252, as a s106 contribution to be used for contributions with a figure of

£281,252.37 for off-site affordable housing provision in the area. This is considered acceptable.

46. Policy OS5 of the RUDP requires that new residential development be required to make appropriate provision of or equivalent commuted payment for recreational open space. The Sport and Leisure Service require a contribution of £7,201.63 for the provision of recreation open space and playing fields due to the extra demands placed on the locality by this development. The money would be used towards the provision and or enhancement of existing recreational facilities and infrastructure work including but not exclusive to drainage works, footpath works and fencing at East Holmes Fields or Riverside Gardens.

47. In addition because of the habitat regulations a contribution towards mitigating the sensitive habitats on the nearby South Pennine Moors by bring forward the improvements on routes leading to and at the Moors is required to be provided. This will help mitigate the moorland routes upon which people are undertaking recreational pursuits by ensuring that the footpaths/green spaces away from the moorlands can be suitable upgrade which will help prevent the erosion of adjacent habitat caused by more persons visiting the moorlands. A contribution of £28,000 for the purpose of upgrading the existing parks - Riverside Gardens, West View Park and two areas on Ilkley Moor – the boating lake and Ilkley Tarn and their environs. It proposed that mitigation monies in all these sites be used to improve signage, walking routes and other amenities in order to provide pleasant alternatives to the wider moor itself

48. Further development contributions on this scheme also include a contribution of £10,000 for the provision of a bus shelter at the nearby bus stop.

It should be noted that a management plan agreement to ensure that all communal areas of the site are effectively managed is proposed as a condition(s) on each of the different uses for the site. Similarly the funding and pursuance of a traffic regulation order (TRO) for the development is attached at the end of the agenda as a condition of planning permission

49. Overall, above are the contributions amounts generally required under the Heads of Terms of a S106 legal agreement for a housing/mixed use scheme such as the one proposed in accordance with policies in the Replacement Unitary Development Plan and the Councils Supplementary Planning Guidance on Planning Obligations. As discussed above however the applicants have submitted a viability appraisal for the scheme which effectively argues that the above development contributions simply render this Brownfield scheme unviable. This viability appraisal has been assessed by a senior member of the Councils Economic Development Team who concurs with the financial case put forward by the applicants.

50. Essentially it is acknowledged that there are abnormal costs in terms of the site and these should be, and have been taken into account in considering a reduction in the S106 legal contribution. Overall, in terms of viability, as this is a part housing scheme of apartments which will be completed over a relatively short period of time, it is considered there would need to be a significant change of end values to adversely affect the figures – this is not anticipated.

51. The mixed use development will be on a significant and relatively prominent Brownfield site in a very sustainable location of Ilkley. Being Brownfield there are

increased development costs and whilst some of these can be negotiated during site purchase, the expectation from a seller is to receive market value. If a price is offered well below open market value the development will not go ahead. As such it is considered that the proposal for limiting S106 contributions as outlined below is acceptable.

Proposed Heads of Terms taking into account viability matters:-

- A contribution of **£7,201.63** to be used towards the provision of off-site recreational facilities. The money would be used towards the provision and or enhancement of existing recreational facilities and infrastructure work including but not exclusive to drainage works, footpath works and fencing at East Holmes Fields or Riverside Gardens.
- A contribution of **£28,000** for the purpose of upgrading the existing parks - Riverside Gardens, West View Park and two areas on Ilkley Moor – the boating lake and Ilkley Tarn and their environs. It proposed that mitigation monies in all these sites be used to improve signage, walking routes and other amenities in order to provide pleasant alternatives to the wider moor itself.
- The sum of **£281,050.37** to be paid for the purpose of providing Affordable Housing in the Ward of Ilkley. Any unspent sum after three years can then to be spent in the Parliamentary Constituency of Keighley.
- The sum of **£10,000** to be paid for the purpose of providing a bus shelter at stop no: 14149.

Comments on the letters of representation

52. There is opposition to this development from both the Parish Council and residents in the local community. The issues raised in the letters of representations have in the main been covered within the relevant sections of the above report .e.g. highway safety details, number of parking spaces, impacts. Several representations comments that they don't necessary object to the principle of development on the site but object to the site being used for retirement, assisted living accommodation rather than providing for starter homes for young people of Ilkley.

53. The Local Planning Authority cannot compel an owner/development of land to build starter homes. As discussed in the above report there is a need to provide for all types of housing accommodation within the District including accommodation for the needs of older persons. Evidence also shows that those older persons whom may move into the proposed accommodation will in some instances release under occupied family homes for sale and rent within close proximity to the development site.

It is not for this development site to remedy the deficiency in parking provision for Ilkley Railway station users.

Community Safety Implications:

54. The scheme is considered to take account of appropriate secure by design measures with regard to (i) defensible space and the clear definition, differentiation and robust separation of public, private and semi-private space including appropriate boundary treatments. The specific details of the lighting of the development is reserved by conditions attached to any permission granted. Overall, it is considered

that the proposal will accord with the spirit of policy D4 of the Replacement Unitary Development Plan.

Equality Act 2010, Section 149:

Section 149 of the Equality Act 2010 states that the Council must, in the exercise of its functions “have due regard to the need to eliminate conduct that this prohibit by the Act, advancing equality of opportunity between people who share a protected characteristics and people who do not share it, and fostering good relations between people who share a protected characteristic and people who do not share it. For this purpose section 149 defines “relevant protected characteristics” as including a range of characteristics including disability, race and religion. In this particular case it is considered that the above characteristics have been fully considered within the scheme.

Reason for Granting Planning Permission

In granting permission for this development the Council has taken into account all material planning considerations including those arising from the comments of many statutory and other consultees, public representations about the application and Government Guidance and policy as detailed in the National Planning Policy Framework, and the content and policies within the Supplementary Planning Guidance and The Development Plan consisting of the Replacement Unitary Development Plan for the Bradford District 2005.

The Council considers that the following matters justify the grant of planning permission:

The development of this unallocated, vacant Brownfield site with a mixed use development of residential and commercial uses in the manner proposed is considered a welcome and appropriate development of the site that gives the opportunity to provide a sustainable pattern of development within the urban fabric of Ilkley, an identified principal Town in the publication draft of the Core Strategy. It is considered that the development is well conceived and ensures the site and its qualities and the character of the surrounding areas are maintained. The effect of the proposal on the biodiversity of the site itself, the nearby moorland habitats, the surrounding locality and the adjacent neighbouring residential and commercial properties has been assessed and is considered acceptable. The provision of vehicular accesses to Mayfield Road in the manner and locations proposed is appropriate. As such the proposals will not compromise highway and pedestrian safety and will sustainably link the development into the existing community.

It is considered that the provision of a residential scheme which provides a suitable mix of housing, care facility, and mixed commercial uses along with an extension to an existing employment use which currently abuts the application site together with the proposed vehicular and pedestrian accesses takes into account the constraints of the site and builds upon the opportunities of the site. As such, it is considered development in the manner proposed is in conformity with the core principles of the National Planning Policy Framework (paragraphs 17, 19, 22, 32, 36, 47, 49, 50, 56, 57, 58, 61, 69, 109, 111, 118, 173, 204) and development principles outlined within the Replacement Unitary Development Plan under policies UDP1, UDP3, UPD4, UDP7, UR3, UR6, H7, H8, H9, TM1, TM2, TM11, TM12, TM19A, D1, D2, D4, D5, D6, OS5, NE4, NE5, NE10, NE11 and NR16.

Conditions of Approval

ENTIRE SITE CONDITIONS

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.

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

2. The development hereby approved shall only be carried out in accordance with the approved plans listed below:-

NE-2102-03-01-AC-001 – Site location
NE-2102-03-01-AC-003 – Site development plan
NE-2102-03-01-AC-004 – Proposed master plan
NE-2102-03-01-AC-005 – Proposed contextual elevations
NE-2102-03-01-AC-009 – Proposed site plan (RL&AL block)
NE-2102-03-01-AC-010 – Proposed contextual elevations (RL block)
NE-2102-03-01-AC-011 – Proposed building elevations
NE-2102-03-01-AC-012 – Proposed building section (RL block)
NE-2102-03-01-AC-013 – Proposed floor plans (RL block)
NE-2102-03-01-AC-014 – Proposed contextual elevations (AL block)
NE-2102-03-01-AC-015 – Proposed building elevations (AL block)
NE-2102-03-01-AC-016 – Proposed building sections (AL block)
NE-2102-03-01-AC-017 – Proposed floor plans (AL block)
NE-2102-03-01-AC-018 – Proposed site plan (care home and office)
NE-2102-03-01-AC-019A – Proposed care home elevations
NE-2102-03-01-AC-020A – Proposed care home sections
NE-2102-03-01-AC-021A – Proposed care home floor plans
NE-2102-03-01-AC-022A – Proposed office elevations
NE-2102-03-01-AC-023A – Proposed office sections
NE-2102-03-01-AC-024A – Proposed office floor plans
NE-2102-03-01-AC-026 – Proposed site plan (Spooners)
NE-2102-03-01-AC-028 – Proposed building elevations (Spooners)
NE-2102-03-01-AC-029 – Proposed building sections (Spooners)
NE-2102-03-01-AC-031 – Proposed floor plans (Spooners) 1 of 2
NE-2102-03-01-AC-032 – Proposed floor plans (Spooners) 2 of 2
NE-2102-03-01-AC-033 – Proposed site plan (nursery)
NE-2102-03-01-AC-034 – Proposed contextual elevations (nursery)
NE-2102-03-01-AC-035 – Proposed building elevations (nursery)
NE-2102-03-01-AC-036 – Proposed building sections (nursery)
NE-2102-03-01-AC-037 – Proposed floor plans (nursery)
NE-2102-03-01-AC-038 – Comparison to approved Tesco scheme
NE-2102-03-01-AC-039 – Comparison to approved Tesco scheme
NE-2102-03-01-AC-040 – Proposed boundary treatment
NE-2102-03-01-AC-041 – Proposed vehicle tracking plan
NE-2102-03-01-AC-042 – Indicative shadow studies
NE-2102-03-01-AC-043 – Construction management plan
NE-2102-03-01-LA-001A – Landscaping details
NE-2102-03-01-LA-002A – Landscaping details
NE-2102-03-01-AC-003A – Landscaping details
NE-2102-03-01-AC-004A – Landscaping details

NE-2102-03-01-AC-005A – Landscaping details
8851/01 – Tree constraints plan
8851/02 – Tree protection plan

Reason: For the avoidance of doubt.

3. Prior to the commencement of development a phasing plan setting out the proposed phasing of the construction of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the phasing plan as approved unless otherwise agreed in writing by the Local Planning Authority or required by other conditions of this permission. For the purposes of this permission all references to a "phase" shall be interpreted as being a reference to a phase as defined on the phasing plan approved pursuant to this condition.

Reason: To ensure the satisfactory delivery of all elements of the proposed development.

4. Before any works towards construction of any phase of the development commences on site, the proposed means of vehicular and pedestrian access hereby approved for that phase shall be laid out, hard surfaced, sealed and drained in accordance with the approved plans numbered NE 2012 03 01 AC 004 Rev A and completed to a constructional specification approved in writing by the Local Planning Authority.

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 Replacement Unitary Development Plan

5. If unexpected contamination, not identified in the site investigation report, is encountered, operations on that part of the site shall cease immediately, and the local planning authority shall be informed within no more than five days. Prior to further works being carried out; further remediation works shall be carried out in accordance with a revised statement and programme to be submitted to and approved in writing by the local planning authority. The phase shall not be brought into use until all the verification reports have been 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.

6. Construction work shall only be carried out between the hours of 0730 and 1800 on Mondays to Fridays, 0730 and 1300 on Saturdays and at no time on Sundays, Bank or Public Holidays, unless specifically agreed otherwise in writing by the Local Planning Authority.

Reason: To protect the amenity of the occupants of nearby dwellings and premises and to accord with Policy UR3 of the Replacement Unitary Development Plan.

7. The developer shall implement measures to prevent any mud, dirt or debris being carried on to the adjoining highway as a result of the site construction works. Details of such preventive measures shall be submitted to and approved in writing by the Local Planning Authority before development commences.

Reason: In the interests of highway safety and to accord with Policy TM2 of the Unitary Development Plan.

8. All hard and soft landscape works for each phase of the development shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of the phase of the development to which the works relate or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason: To achieve a satisfactory standard of landscaping in the interests of amenity and to accord with Policies UR3, D1 and D5 of the Replacement Unitary Development Plan.

9. The development shall not be brought into use until all reasonable endeavours have been undertaken to promote a Traffic Regulation Order to restrict parking on Mayfield Road/Railway Road on the eastern side of the highway which forms the site boundary and beyond. Reasonable endeavours shall constitute instructing the Council to proceed with the required TRO and paying all reasonable costs incurred in processing the aforementioned Order.

Reason: In the interest of highway and pedestrian safety and to accord with policy TM19A of the Replacement Unitary Development Plan.

10. Before any occupation of each phase (as identified in condition 3) of the development those parts of the approved Travel Plan that are capable of being implemented shall be so. Those parts of the approved Travel Plan that are identified therein as only being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as the development is occupied.

Reason: To encourage alternative modes of sustainable transport and build upon existing modes of transport to provide a sustainable development in accordance with paragraphs 17, 29, 32 and 36 of the National Planning Policy Framework and policies UDP7 and UR3 of the Replacement Unitary Development Plan.

11. A methodology for quality control of any material brought onto the site for use in filling, level rising, landscaping and garden formation shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved methodology, and a verification report shall be submitted to and approved in writing by the local planning authority.

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 ensure that requirements of policy UR3 of the Replacement Unitary Development Plan have been accorded with.

RESIDENTIAL USES (DEFINED AS THE PROPOSED LIVING AND PROPOSED ASSISTED LIVING UNITS) - CONDITIONS RELATING TO

12. Prior to the commencement of the build development* of each phase of the residential development details of all external wall and roofing materials to be used in that phase shall be submitted to and approved in writing by the Local Planning

Authority. The residential development shall be 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 UR3 and D1 of the Replacement Unitary Development Plan.

13. 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.

14. The remediation verification report 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 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.

15. Notwithstanding the details shown on the application, the development shall not be occupied until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall show the following details:

- i) Trees to be retained, proposed trees and defined limits of shrubs and grass areas.
- ii) Numbers of trees and shrubs in each position with size of stock, species and variety.
- iii) Proposed topsoil depths for grass and shrub areas.

Reason: In the interests of visual amenity and to accord with Policies D1, UR3, UR5 of the Replacement Unitary Development Plan

16. A management plan/maintenance agreement for the long term management/maintenance of communal/public open space areas, including long term design objectives, management responsibilities and maintenance schedules for all landscape and open areas including the wildlife area adjoining the river, shall be submitted to, and approved by the Local Planning Authority prior to the first occupation of any unit. The management plan/maintenance agreement shall be carried out as approved.

Reason: To ensure proper management and maintenance of the landscaped communal areas in the interests of amenity and to accord with Policies UR3 and D5 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, the development of any phase shall not be begun until a Construction Environmental Management Plan specifying arrangements for the environmental management of the construction site for that phase has been submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include the following details:

- i) contractor's means of access to the site including measures to deal with surface water drainage;
- ii) location of site management offices and/or sales office;
- iii) location of materials storage compounds, loading/unloading areas and areas for construction vehicles to turn within the site;
- iv) car parking areas for construction workers, sales staff and customers;
- v) a wheel cleaning facility or other comparable measures to prevent site vehicles bringing mud, debris or dirt onto a highway adjoining the development site;
- vi) 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;
- vii) temporary warning and direction signing on the approaches to the site
- ix) site working hours
- x) the advisory routing of construction vehicles over 7.5 tonnes

The Construction Environmental Management Plan details for each phase as approved shall be implemented before the development of that phase is begun and shall be kept in place, operated and adhered to at all times until the development of that phase is completed unless otherwise agreed 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.

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

18. The development of a phase shall not be begun, nor shall any site preparation, ground works, materials or machinery be brought on to the site in relation to that phase until a temporary Tree Protective Fencing is erected in accordance with the details submitted on a tree protection plan to BS 5837 (2012) (or its successor) approved by the Local Planning Authority.

The Temporary Tree Protective Fencing shall be erected in accordance with the approved plan, or any variation subsequently approved, and remained in the location for the duration of the development. No excavations, engineering works, service runs and installations shall take place within 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. To safeguard the visual amenity provided by the trees on the site and to accord with Policies NE4, NE5 and NE6 of the Replacement Unitary Development Plan.

19. Before any part of the development is brought into use, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced, sealed and drained within the site to base course level in accordance with the approved plan numbered NE2102 03 01 AC 004 Rev A and completed to a constructional specification approved in writing by the Local Planning Authority.

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 Replacement Unitary Development Plan.

20. Before the occupation of each residential unit, the off street car parking facility shall be laid out, hard surfaced, sealed and drained within the curtilage of each dwelling in accordance with the approved drawings.

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

21. The development shall not commence until full details and calculations of the proposed means of disposal of surface water drainage, based on the submitted drainage plan NE-2103-03-DE-002, have been submitted to and approved by the local planning authority.

Reason: In the interests of surface water management and to accord with the National Planning Policy Framework.

22. 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. These documents must be submitted to and approved in writing by the Local Planning Authority prior to commencement of development on site and the approved scheme shall be implemented prior to occupation of any residential unit on the site.

Reason: In the interests of surface water management and to accord with the National Planning Policy Framework.

23. The maximum pass forward flow of surface water from the development shall be restricted to the existing 1:1 year greenfield runoff rate of 4.6 litres per second per hectare.

Reason: In the interests of surface water management and to accord with the National Planning Policy Framework.

24. No development shall take place until full details and calculations of the proposed means of disposal of foul water drainage have been submitted to and approved by the local planning authority.

Reason: In the interests of foul water management and to accord with the National Planning Policy Framework and policy UR3 of the Replacement Unitary Development Plan.

25. Prior to occupation of the development details of the type and position of all proposed external lighting fixtures to the buildings and external areas (including measures for ensuring that light does not shine directly on the highway or is visible to highway users) shall first be submitted to and approved shall be installed in accordance with the approved details and maintained therefore to prevent the light sources adversely affecting the safety of users of adjoin highways.

Reason: To avoid drivers being dazzled or distracted in the interests of highway safety and to accord with policy TM19A of the replacement Unitary Development Plan.

CARE HOME USE - CONDITIONS RELATING TO

26. Prior to the commencement of the build development* of each phase of the residential development details of all external wall and roofing materials to be used in that phase shall be submitted to and approved in writing by the Local Planning Authority. The residential development shall be 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 UR3 and D1 of the Replacement Unitary Development Plan.

27. 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.

28. The remediation verification report 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 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.

29. Notwithstanding the details shown on the application, the development shall not be occupied until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall show the following details:

- i) Trees to be retained, proposed trees and defined limits of shrubs and grass areas.
- ii) Numbers of trees and shrubs in each position with size of stock, species and variety.
- iii) Proposed topsoil depths for grass and shrub areas.

Reason: In the interests of visual amenity and to accord with Policies D1, UR3, UR5 of the Replacement Unitary Development Plan

30. A management plan/maintenance agreement for the long term management/maintenance of communal/public open space areas, including long term design objectives, management responsibilities and maintenance schedules for all landscape and open areas including the wildlife area adjoining the river, shall be submitted to, and approved by the Local Planning Authority prior to the first occupation of any unit. The management plan/maintenance agreement shall be carried out as approved.

Reason: To ensure proper management and maintenance of the landscaped communal areas in the interests of amenity and to accord with Policies UR3 and D5 of the Replacement Unitary Development Plan

31. 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, the development of any phase shall not be begun until a Construction Environmental Management Plan specifying arrangements for the environmental management of the construction site for that phase has been submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include the following details:

- i) contractor's means of access to the site including measures to deal with surface water drainage;
- ii) location of site management offices and/or sales office;
- iii) location of materials storage compounds, loading/unloading areas and areas for construction vehicles to turn within the site;
- iv) car parking areas for construction workers, sales staff and customers;
- v) a wheel cleaning facility or other comparable measures to prevent site vehicles bringing mud, debris or dirt onto a highway adjoining the development site;
- vi) 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;
- vii) temporary warning and direction signing on the approaches to the site
- ix) site working hours
- x) the advisory routing of construction vehicles over 7.5 tonnes

The Construction Environmental Management Plan details for each phase as approved shall be implemented before the development of that phase is begun and shall be kept in place, operated and adhered to at all times until the development of that phase is completed unless otherwise agreed 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.

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

32. The development of a phase shall not be begun, nor shall any site preparation, ground works, materials or machinery be brought on to the site in relation to that phase until a temporary Tree Protective Fencing is erected in accordance with the details submitted on a tree protection plan to BS 5837 (2012) (or its successor) approved by the Local Planning Authority.

The Temporary Tree Protective Fencing shall be erected in accordance with the approved plan, or any variation subsequently approved, and remained in the location for the duration of the development. No excavations, engineering works, service runs and installations shall take place within 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. To safeguard the visual amenity provided by the trees on the site and to accord with Policies NE4, NE5 and NE6 of the Replacement Unitary Development Plan.

33. Before any part of the development is brought into use, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced, sealed and drained within the site to base course level in accordance with the approved plan numbered NE2102 03 01 AC 004 Rev A and completed to a constructional specification approved in writing by the Local Planning Authority.

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 Replacement Unitary Development Plan.

34. Before the occupation of each residential unit, the off street car parking facility shall be laid out, hard surfaced, sealed and drained within the curtilage of each dwelling in accordance with the approved drawings.

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

35. The development shall not commence until full details and calculations of the proposed means of disposal of surface water drainage, based on the submitted drainage plan NE-2103-03-DE-002, have been submitted to and approved by the local planning authority.

Reason: In the interests of surface water management and to accord with the National Planning Policy Framework.

36. 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. These documents must be submitted to and approved in writing by the Local Planning Authority prior to commencement of development on site and the approved scheme shall be implemented prior to occupation of any residential unit on the site.

Reason: In the interests of surface water management and to accord with the National Planning Policy Framework.

37. The maximum pass forward flow of surface water from the development shall be restricted to the existing 1:1 year greenfield runoff rate of 4.6 litres per second per hectare.

Reason: In the interests of surface water management and to accord with the National Planning Policy Framework.

38. No development shall take place until full details and calculations of the proposed means of disposal of foul water drainage have been submitted to and approved by the local planning authority.

Reason: In the interests of foul water management and to accord with the National Planning Policy Framework and policy UR3 of the Replacement Unitary Development Plan.

OFFICE BUILDING - CONDITIONS RELATING TO

39. Prior to the commencement* of the build development of each phase of the residential development details of all external wall and roofing materials to be used in that phase shall be submitted to and approved in writing by the Local Planning Authority. The residential development shall be 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 UR3 and D1 of the Replacement Unitary Development Plan.

40. 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.

41. The remediation verification report 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 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.

42. Notwithstanding the details shown on the application, the development shall not be occupied until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall show the following details:

- i) Trees to be retained, proposed trees and defined limits of shrubs and grass areas.
- ii) Numbers of trees and shrubs in each position with size of stock, species and variety.
- iii) Proposed topsoil depths for grass and shrub areas.

Reason: In the interests of visual amenity and to accord with Policies D1, UR3, UR5 of the Replacement Unitary Development Plan

43. A management plan/maintenance agreement for the long term management/maintenance of communal/public open space areas, including long term design objectives, management responsibilities and maintenance schedules for all landscape and open areas including the wildlife area adjoining the river, shall be submitted to, and approved by the Local Planning Authority prior to the first occupation of the development. The management plan/maintenance agreement shall be carried out as approved.

Reason: To ensure proper management and maintenance of the landscaped communal areas in the interests of amenity and to accord with Policies UR3 and D5 of the Replacement Unitary Development Plan

44. 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, the development of any phase shall not be begun until a Construction Environmental Management Plan specifying arrangements for the environmental management of the construction site for that phase has been submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include the following details:

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

- ix) site working hours
- x) the advisory routing of construction vehicles over 7.5 tonnes

The Construction Environmental Management Plan details for each phase as approved shall be implemented before the development of that phase is begun and shall be kept in place, operated and adhered to at all times until the development of that phase is completed unless otherwise agreed 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.

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

45. The development of a phase shall not be begun, nor shall any site preparation, ground works, materials or machinery be brought on to the site in relation to that phase until a temporary Tree Protective Fencing is erected in accordance with the details submitted on a tree protection plan to BS 5837 (2012) (or its successor) approved by the Local Planning Authority.

The Temporary Tree Protective Fencing shall be erected in accordance with the approved plan, or any variation subsequently approved, and remained in the location for the duration of the development. No excavations, engineering works, service runs and installations shall take place within 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. To safeguard the visual amenity provided by the trees on the site and to accord with Policies NE4, NE5 and NE6 of the Replacement Unitary Development Plan.

46. Before any part of the development is brought into use, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced, sealed and drained within the site to base course level in accordance with the approved plan numbered NE2102 03 01 AC 004 Rev A and completed to a constructional specification approved in writing by the Local Planning Authority.

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 Replacement Unitary Development Plan.

47. Before the occupation of each residential unit, the off street car parking facility shall be laid out, hard surfaced, sealed and drained within the curtilage of each dwelling in accordance with the approved drawings.

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

48. The development shall not commence until full details and calculations of the proposed means of disposal of surface water drainage, based on the submitted drainage plan NE-2103-03-DE-002, have been submitted to and approved by the local planning authority.

Reason: In the interests of surface water management and to accord with the National Planning Policy Framework.

49. 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. These documents must be submitted to and approved in writing by the Local Planning Authority prior to commencement of development on site and the approved scheme shall be implemented prior to occupation of any residential unit on the site.

Reason: In the interests of surface water management and to accord with the National Planning Policy Framework.

50. The maximum pass forward flow of surface water from the development shall be restricted to the existing 1:1 year greenfield runoff rate of 4.6 litres per second per hectare.

Reason: In the interests of surface water management and to accord with the National Planning Policy Framework.

51. No development shall take place until full details and calculations of the proposed means of disposal of foul water drainage have been submitted to and approved by the local planning authority.

Reason: In the interests of foul water management and to accord with the National Planning Policy Framework and policy UR3 of the Replacement Unitary Development Plan.

CHILDRENS NURSERY – CONDITIONS RELATING TO

52. Prior to the commencement of the build development* of each phase of the residential development details of all external wall and roofing materials to be used in that phase shall be submitted to and approved in writing by the Local Planning Authority. The residential development shall be 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 UR3 and D1 of the Replacement Unitary Development Plan.

53. 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.

54. The remediation verification report 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 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.

55. Notwithstanding the details shown on the application, the development shall not be occupied until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall show the following details:

- i) Trees to be retained, proposed trees and defined limits of shrubs and grass areas.
- ii) Numbers of trees and shrubs in each position with size of stock, species and variety.
- iii) Proposed topsoil depths for grass and shrub areas.

Reason: In the interests of visual amenity and to accord with Policies D1, UR3, UR5 of the Replacement Unitary Development Plan

56. A management plan/maintenance agreement for the long term management/maintenance of communal/public open space areas, including long term design objectives, management responsibilities and maintenance schedules for all landscape and open areas including the wildlife area adjoining the river, shall be submitted to, and approved by the Local Planning Authority prior to the first occupation of any unit. The management plan/maintenance agreement shall be carried out as approved.

Reason: To ensure proper management and maintenance of the landscaped communal areas in the interests of amenity and to accord with Policies UR3 and D5 of the Replacement Unitary Development Plan

57. 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, the development of any phase shall not be begun until a Construction Environmental Management Plan specifying arrangements for the environmental management of the construction site for that phase has been submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include the following details:

- i) contractor's means of access to the site including measures to deal with surface water drainage;
- ii) location of site management offices and/or sales office;

- iii) location of materials storage compounds, loading/unloading areas and areas for construction vehicles to turn within the site;
- iv) car parking areas for construction workers, sales staff and customers;
- v) a wheel cleaning facility or other comparable measures to prevent site vehicles bringing mud, debris or dirt onto a highway adjoining the development site;
- vi) 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;
- vii) temporary warning and direction signing on the approaches to the site
- ix) site working hours
- x) the advisory routing of construction vehicles over 7.5 tonnes

The Construction Environmental Management Plan details for each phase as approved shall be implemented before the development of that phase is begun and shall be kept in place, operated and adhered to at all times until the development of that phase is completed unless otherwise agreed 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.

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

58. The development of a phase shall not be begun, nor shall any site preparation, ground works, materials or machinery be brought on to the site in relation to that phase until a temporary Tree Protective Fencing is erected in accordance with the details submitted on a tree protection plan to BS 5837 (2012) (or its successor) approved by the Local Planning Authority.

The Temporary Tree Protective Fencing shall be erected in accordance with the approved plan, or any variation subsequently approved, and remained in the location for the duration of the development. No excavations, engineering works, service runs and installations shall take place within 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. To safeguard the visual amenity provided by the trees on the site and to accord with Policies NE4, NE5 and NE6 of the Replacement Unitary Development Plan.

59. Before any part of the development is brought into use, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced, sealed and drained within the site to base course level in accordance with the approved plan numbered NE2102 03 01 AC 004 Rev A and completed to a constructional specification approved in writing by the Local Planning Authority.

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 Replacement Unitary Development Plan.

60. Before the occupation of the building, the off street car parking facility shall be laid out, hard surfaced, sealed and drained within the curtilage of each dwelling in accordance with the approved drawings.

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

61. The development shall not commence until full details and calculations of the proposed means of disposal of surface water drainage, based on the submitted drainage plan NE-2103-03-DE-002, have been submitted to and approved by the local planning authority.

Reason: In the interests of surface water management and to accord with the National Planning Policy Framework.

62. 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. These documents must be submitted to and approved in writing by the Local Planning Authority prior to commencement of development on site and the approved scheme shall be implemented prior to occupation of any residential unit on the site.

Reason: In the interests of surface water management and to accord with the National Planning Policy Framework.

63. The maximum pass forward flow of surface water from the development shall be restricted to the existing 1:1 year greenfield runoff rate of 4.6 litres per second per hectare.

Reason: In the interests of surface water management and to accord with the National Planning Policy Framework.

64. No development shall take place until full details and calculations of the proposed means of disposal of foul water drainage have been submitted to and approved by the local planning authority.

Reason: In the interests of foul water management and to accord with the National Planning Policy Framework and policy UR3 of the Replacement Unitary Development Plan.

65. Prior to occupation of the development details of the type and position of all proposed external lighting fixtures to the buildings and external areas (including measures for ensuring that light does not shine directly on the highway or is visible to highway users) shall first be submitted to and approved shall be installed in accordance with the approved details and maintained therefore to prevent the light sources adversely affecting the safety of users of adjoin highways.

Reason: To avoid drivers being dazzled or distracted in the interests of highway safety and to accord with policy TM19A of the replacement Unitary Development Plan.

SPOONERS EXTENSIONS - CONDITIONS RELATING TO

66. 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.

67. The remediation verification report 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 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.

68. Notwithstanding the details shown on the application, the development shall not be occupied until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall show the following details:

- i) Trees to be retained, proposed trees and defined limits of shrubs and grass areas.
- ii) Numbers of trees and shrubs in each position with size of stock, species and variety.
- iii) Proposed topsoil depths for grass and shrub areas.

Reason: In the interests of visual amenity and to accord with Policies D1, UR3, UR5 of the Replacement Unitary Development Plan

69. A management plan/maintenance agreement for the long term management/maintenance of communal/public open space areas, including long term design objectives, management responsibilities and maintenance schedules for all landscape and open areas including the wildlife area adjoining the river, shall be submitted to, and approved by the Local Planning Authority prior to the first occupation of any unit. The management plan/maintenance agreement shall be carried out as approved.

Reason: To ensure proper management and maintenance of the landscaped communal areas in the interests of amenity and to accord with Policies UR3 and D5 of the Replacement Unitary Development Plan

70. 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, the development of any phase shall not be begun until a Construction Environmental Management Plan specifying arrangements for the environmental management of the construction site for that phase has been submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include the following details:

- i) contractor's means of access to the site including measures to deal with surface water drainage;
- ii) location of site management offices and/or sales office;
- iii) location of materials storage compounds, loading/unloading areas and areas for construction vehicles to turn within the site;
- iv) car parking areas for construction workers, sales staff and customers;
- v) a wheel cleaning facility or other comparable measures to prevent site vehicles bringing mud, debris or dirt onto a highway adjoining the development site;
- vi) 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;
- vii) temporary warning and direction signing on the approaches to the site
- ix) site working hours
- x) the advisory routing of construction vehicles over 7.5 tonnes

The Construction Environmental Management Plan details for each phase as approved shall be implemented before the development of that phase is begun and shall be kept in place, operated and adhered to at all times until the development of that phase is completed unless otherwise agreed 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.

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

71. The development of a phase shall not be begun, nor shall any site preparation, ground works, materials or machinery be brought on to the site in relation to that phase until a temporary Tree Protective Fencing is erected in accordance with the details submitted on a tree protection plan to BS 5837 (2012) (or its successor) approved by the Local Planning Authority.

The Temporary Tree Protective Fencing shall be erected in accordance with the approved plan, or any variation subsequently approved, and remained in the location for the duration of the development. No excavations, engineering works, service runs and installations shall take place within 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. To safeguard the visual amenity provided by the trees on the site and to accord with Policies NE4, NE5 and NE6 of the Replacement Unitary Development Plan.

72. Before any part of the development is brought into use, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced, sealed and drained within the site to base course level in accordance with the approved plan numbered NE2102 03 01 AC 004 Rev A and completed to a constructional specification approved in writing by the Local Planning Authority.

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 Replacement Unitary Development Plan.

73. Before the occupation of each residential unit, the off street car parking facility shall be laid out, hard surfaced, sealed and drained within the curtilage of each dwelling in accordance with the approved drawings.

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

74. The development shall not commence until full details and calculations of the proposed means of disposal of surface water drainage, based on the submitted drainage plan NE-2103-03-DE-002, have been submitted to and approved by the local planning authority.

Reason: In the interests of surface water management and to accord with the National Planning Policy Framework.

75. 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. These documents must be submitted to and approved in writing by the Local Planning Authority prior to commencement of development on site and the approved scheme shall be implemented prior to occupation of any residential unit on the site.

Reason: In the interests of surface water management and to accord with the National Planning Policy Framework.

76. The maximum pass forward flow of surface water from the development shall be restricted to the existing 1:1 year greenfield runoff rate of 4.6 litres per second per hectare.

Reason: In the interests of surface water management and to accord with the National Planning Policy Framework.

77. No development shall take place until full details and calculations of the proposed means of disposal of foul water drainage have been submitted to and approved by the local planning authority.

Reason: In the interests of foul water management and to accord with the National Planning Policy Framework and policy UR3 of the Replacement Unitary Development Plan.

Heads of Terms of any Section 106 legal agreement

- A contribution of **£7,201.63** to be used towards the provision of off-site recreational facilities. The money would be used towards the provision and or enhancement of existing recreational facilities and infrastructure work including but not exclusive to drainage works, footpath works and fencing at East Holmes Fields or Riverside Gardens.
- A contribution of **£28,000** for the purpose of upgrading the existing parks - Riverside Gardens, West View Park and two areas on Ilkley Moor – the boating lake and Ilkley Tarn and their environs. It proposed that mitigation monies in all these sites be used to improve signage, walking routes and other amenities in order to provide pleasant alternatives to the wider moor itself.
- The sum of **£281,050.37** to be paid for the purpose of providing Affordable Housing in the Ward of Ilkley. Any unspent sum after three years can then to be spent in the Parliamentary Constituency of Keighley.
- The sum of **£10,000** to be paid for the purpose of providing a bus shelter at stop no: 14149.

***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.