

Report of the Strategic Director of Regeneration and Culture to the meeting of the Area Planning Panel (KEIGHLEY) to be held on 22 February 2012



Summary Statement - Part One

Applications recommended for Approval or Refusal

The sites concerned are:

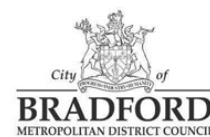
<u>Item No.</u>	<u>Site</u>	<u>Ward</u>
1.	165 Wheathead Lane Keighley BD22 6NB-11/05622/HOU [Approve] (page 1)	Keighley West
2.	Fieldhead House Highfield Close East Morton Keighley BD20 5SG - 11/00648/FUL [Approve] (page 5)	Keighley East
3.	Land South Of Lees Mill Shuttle Fold Haworth Keighley - 11/05736/FUL [Approve] (page 22)	Worth Valley
4.	37 High Spring Road Thwaites Brow Keighley BD21 4TF - 11/05735/HOU [Refuse] (page 44)	Keighley East
5.	82 Banks Lane Riddlesden Keighley BD20 5PJ - 11/04899/FUL [Refuse] (page 49)	Keighley East

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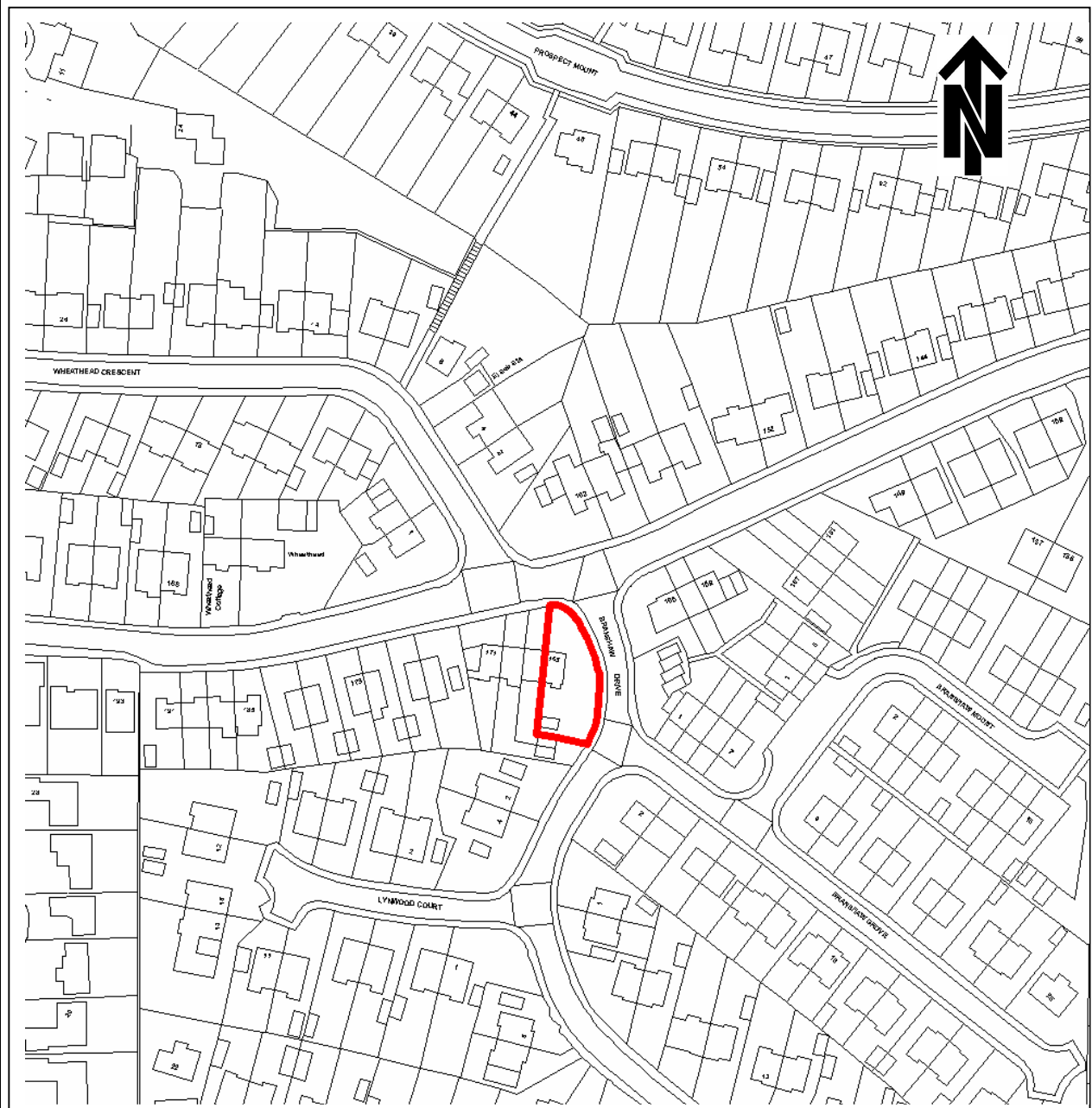
Portfolio:
Change Programme, Housing and Planning
Improvement Committee Area:
Regeneration and Economy



Area Planning Panel (Keighley)

11/05622/HOU

22 February 2012



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ITEM NO. : 1

LOCATION:

**165 Wheathead Lane
Keighley**

22 February 2012

Item Number: 1
Ward: KEIGHLEY WEST
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
11/05622/HOU

Type of Application/Proposal and Address:

Full householder planning application for construction of single storey extension to side of property to form annexe for elderly person. Alterations to rear elevation, removal of chimney stack and formation of dwarf boundary wall at 165 Wheathead Lane, Keighley.

Applicant:
Mrs N Mitchell

Agent:
SKP Architectural Design Services

Site Description:

The property is a modern end terraced dwelling on a corner plot. The house faces Wheathead Lane and the extension would occupy a side garden elevated slightly above the street. The street - Branshaw Drive - to the side of the house is a reasonably wide estate road.

Relevant Site History:
No previous history.

Replacement Unitary Development Plan (RUDP):
Allocation
Unallocated.

Proposals and Policies

D1 General Design Considerations
UR3 The Local Impact of Development
HSEXTS House Extensions Policy

The Draft National Planning Policy Framework (DNPPF):

The Draft 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 Draft Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Parish Council:

Keighley Town Council- Objects to the proposal and requests that it is determined by the area planning panel if approval is recommended.

Publicity and Number of Representations:

The proposal was publicised with neighbour notification letters. No objections have been received from neighbours.

A letter of support has been received from the applicants GP.

Summary of Representations Received:

Town Council:

The extension will over dominate the street scene.

Letter of Support:

The extension will allow the applicant to go on living in her own home.

Consultations:

None.

Summary of Main Issues:

Impact on the local environment.

Impact on neighbouring occupants.

Impact on highway safety.

Appraisal:

The proposal is for the construction of a single storey extension to an end terraced house on a corner plot. The house faces Wheathead Lane and the extension would occupy a side garden elevated slightly above the street. The street - Branshaw Drive - to the side of the house is a reasonably wide estate road.

Keighley Town Council have commented that it will over dominate the street scene; however this is a modern property and is not in a planned uniform layout. The row of 4 houses are at an angle to the road with number 165 being the furthest away. There is screening to the side of the property from existing planting. The extension will retain a gap to the side boundary and is set back from the front wall of the house and Wheathead Lane with a large gap between it and the adjacent property across Branshaw Drive. It does not appear cramped or overdevelopment of the site which has a relatively large garden. It is felt that it relates appropriately to the dwelling and the street scene and will not be over dominant.

The extension is considered to be subordinate to the main house being single storey and it is not considered that it will detract from the building or the surrounding environment.

Other alterations are proposed such as the construction of a dwarf wall and removal of a chimney stack which do not require planning permission.

Note is made of the support given to this proposal by the applicant's GP. This gives additional weight to the case for approval although it should be stressed that the extension is considered acceptable in terms of the planning policy considerations.

Impact on Neighbouring Occupants:

The extension projects slightly at the rear but will not overshadow neighbours. The proposal will not cause overlooking of adjacent occupants

Impact on Highway Safety:

There will be no impact on highway safety as the parking arrangements for the house will remain as existing.

Other issues:

None.

Community Safety Implications:

There are no apparent community safety implications.

Reason for Granting Planning Permission:

The proposed extension is considered to relate satisfactorily to the character of the existing dwelling and adjacent properties. The impact of the extension upon the occupants of neighbouring properties has been assessed and it is considered that it will not have a significant adverse effect upon their residential amenity. As such this proposal is considered to be in accordance with Policy UR3 and D1 of the Replacement Unitary Development Plan and the Revised House Extensions Policy.

Conditions of Approval:

1. The development hereby approved shall only be carried out in accordance with the approved plan(s) listed below:

Drawing number 11/1061-03 and 11/1061-04 Proposed plans dated December 2011 and received by the Council on 14 December 2011

Reason: For the avoidance of doubt as to the terms under which this planning permission has been granted.

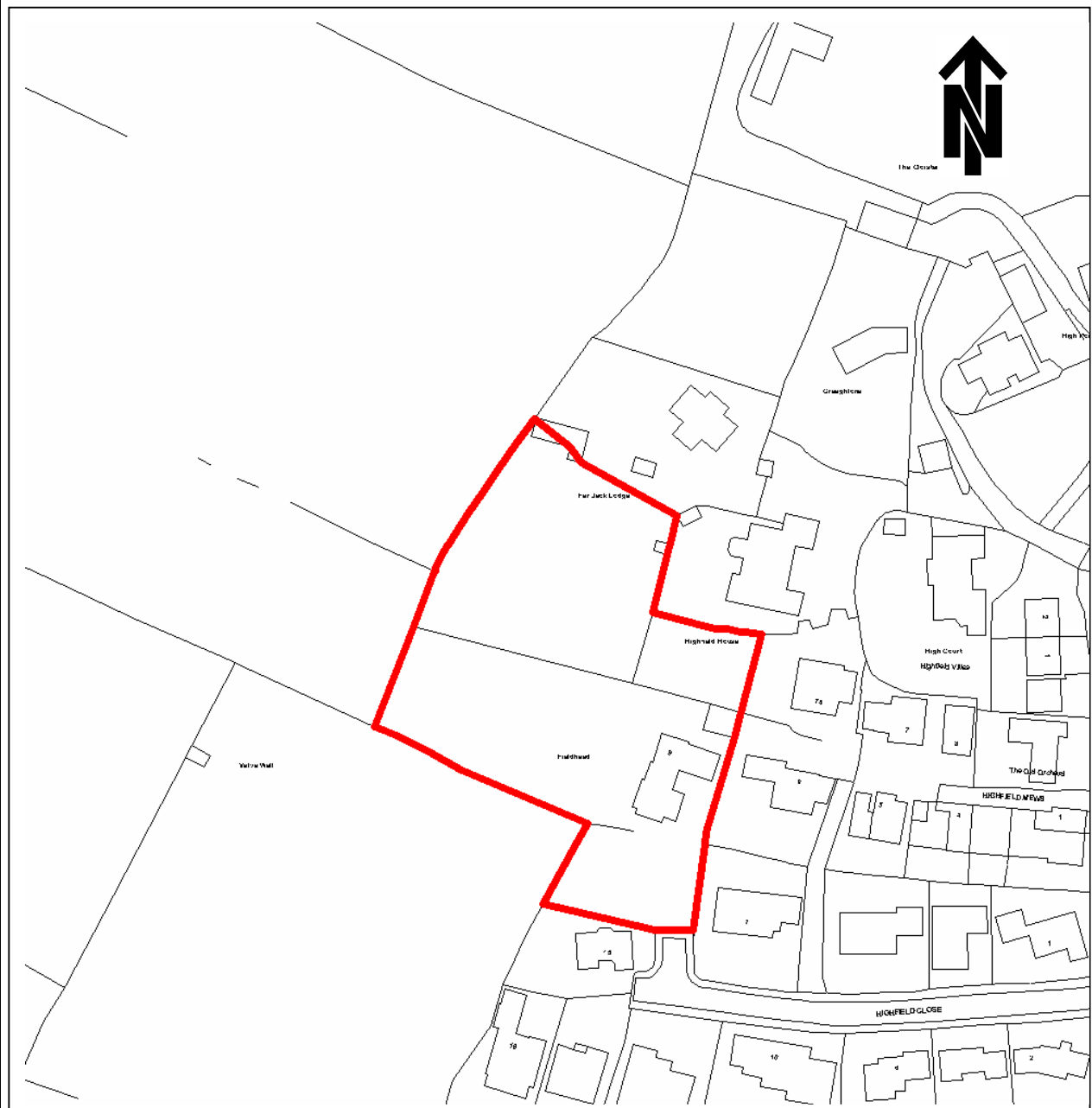
2. The development hereby permitted shall be constructed of facing and roofing materials to match the existing building as specified on the submitted application.

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.

Area Planning Panel (Keighley)

11/00648/FUL

22 February 2012



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ITEM NO. : 2	LOCATION: Fieldhead House Highfield Close East Morton, Keighley
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22 February 2012

Item Number: 2
Ward: KEIGHLEY EAST
Recommendation:
TO GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS
AND COMPLETION OF A S106 AGREEMENT

Application Number:
11/00648/FUL

Type of Application/Proposal and Address:
Full application for the construction of twelve houses, access and parking areas and revisions to the design of one house approved by 09/01914/FUL at Fieldhead House, Highfield Close, East Morton, Keighley, BD20 5SG.

Applicant:
Mr Paul Duxbury

Agent:
Mr J O Steel

BACKGROUND

Planning application 11/00648/FUL was considered by the Keighley Area Planning Panel on 23 June 2011. Representations on behalf of both the applicant and local objectors were heard. The Panel resolved that the application be approved for the reasons and subject to the conditions set out in the report from the Strategic Director for Regeneration and Culture, and subject to a S.106 Agreement in respect of financial provision towards recreation and education infrastructure in Keighley East ward and adjoining wards. Following completion of the S.106 Agreement, planning permission was issued dated 26 August 2011.

Subsequently, a local resident applied for judicial review of the Council's decision to grant planning permission on the grounds that:-

1. An Environmental Impact Assessment Screening Opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations was not carried out.
2. No reason for granting the planning permission was given, and
3. That the Panel report did not deal adequately with conditions suggested in the highway Officer consultation.

The Council submitted the case to judgement on Grounds 1 and 2 (but not on Ground 3) and the Court has now made an order quashing the decision. The effect of this is that there is currently no planning decision and so the planning application is presented for re-consideration by the Area Planning Panel.

The previous Officer report is appended to this introductory report. There were 11 representations against the planning application. Previous contributors have been notified that the application is to be reconsidered by Area Planning Panel. Any new representations received in response to that notification will be reported to Panel verbally.

The Officer appraisal remains the same as in June 2011 which is appended to this report. The recommendation remains one for approval of the application. Material planning considerations remain as set out in that report, apart from the following changes which address the issues material to the submission of the decision to judgement.

The planning application has now been screened to ascertain whether Environmental Impact Assessment is required. The screening opinion dated 27 January 2012 is that Environmental Impact Assessment is not required. The Council has therefore fulfilled the requirement set by the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, these being the Regulations currently in force. The reasons that an Environmental Impact Assessment is not required is that:-

- (i) The development does not fall within Schedule 1 of the Regulations, and
- (ii) The development does fall within Schedule 2 of the Regulations but in the opinion of the Local Planning Authority is not likely to give rise to significant environmental effects taking into account the characteristics of the development, the location of the development and the characteristics of the potential impact of the development. This opinion having been guided by reference to Circular 02/99.

The following Reason for Granting is now proposed as an addendum to the Officer report:

Reason for Granting:

The proposed development on this unallocated site is considered acceptable in principle. Constructing 12 additional dwellings on the site would make more efficient use of the land for housing, whilst the relatively low density appropriately reflects the character of the area. The design of the dwellings is of a quality which reflects surrounding development and will provide a suitably rural character to this edge of green belt location. The proposed layout secures satisfactory design arrangements for access, parking and servicing whilst making use of the site for housing. The means of access to the site is considered satisfactory and the additional traffic generated by the new dwellings is considered capable of being accommodated within the capacity of the local highway network. The development, including the amendments to the previously approved dwelling, would not result in any significant detrimental impact on local amenity, the living conditions of occupiers of adjoining properties or highway safety and is considered to comply with saved Policies UR3, D1, TM2, NE3, NE3a, NE5, NE6, TM12 and TM19A of the Replacement Unitary Development Plan for the Bradford District, the revised national planning guidance contained within PPS3 "Housing" and is compatible with the Draft National Planning Framework.

The Claimant raised a further point in respect of the planning conditions that had been advised in the Council's Highway Officer's consultation response. The Council did not accept the validity of what had been claimed on these grounds. However, the points made by the claimant regarding highway conditions have been carefully considered as set out below.

The Highway Officer recommended 8 planning conditions relating to highway matters. Of these, Conditions 1, 2 and 3 requiring provision of the access, domestic car parking facilities and vehicle turning head are dealt with, in modified form, by conditions 6 and 7 recommended in the appended Officer report. The Claimant seemed to accept this point.

It is not accepted that the 5 remaining conditions would need to be imposed on the grant of permission for the following reasons.

Condition 4 suggested by the Council's Highway Officer required sight lines as shown on the layout plan to be provided before the development is occupied or brought into use. However, no sight lines are shown on that drawing and the site access leads off the end of Highfield Close with no formal junction that would require retention and protection of sight lines as such. It is considered that Condition 1 suggested in the report, which requires adherence to the layout shown would be sufficient to secure an adequate standard of residential access road to serve the proposed development. With reference to the tests for conditions set out in Circular 11/95, this suggested condition is considered neither precise nor necessary.

Condition 5 suggested by the Highway Officer would require the developer to prevent any mud, dirt or debris being carried onto the adjoining highway as a result of construction work. However, any mud, dirt or debris that was transferred to public highways such as Highfield Close would be more appropriately and more effectively and speedily dealt with using powers available to the Council under the Highways Act. With reference to the tests for conditions set out in Circular 11/95, this suggested condition is therefore not considered necessary or relevant to planning.

Condition 6 requires prior approval of details of down lighting units for buildings and car parks areas to be submitted to the local Planning Authority for approval. This standard condition is more usually used in respect of large commercial developments where large scale floodlights to warehouse buildings and large car parks or lorry parks might cause glare to motorists on adjoining roads. It is unlikely that the lighting fixtures that might be installed in the domestic environment of a Mews Court residential layout - such as security lights etc. would cause such safety problems for motorists. With reference to the tests for conditions set out in Circular 11/95, this suggested condition is not considered necessary to the development under consideration, nor reasonable given the scale and character of the development under consideration.

Condition 7 is suggested to prevent the conversion of domestic garages within the development to storage or habitable accommodation through removal of permitted development rights. Circular 11/95 on The Use of Conditions in Planning permissions states that that conditions which restrict permitted development rights should not be imposed save in exceptional cases as permitted development rights conveying freedom from detailed control will be acceptable in the great majority of cases. Having regard to the availability of car parking across the proposed development and local highway conditions, it is not considered that this suggested condition is necessary with reference to the tests for conditions set out in Circular 11/95.

Condition 8 requires submission for the approval of the Local Planning Authority of a site management plan giving details of arrangements for hours of construction, hours of delivery, location of site cabins, location of storage compounds and other matters relating to control over construction site management. Again, it is usually only appropriate to impose this condition on grounds of road safety in respect of large scale development projects or in situations where specific site constraints are such that overspill of site storage facilities etc is likely and would cause particular problems on adjoining highways. The application site is a relatively sizeable, self-contained plot and the nature and scale of the development and its separation from the nearest adopted highway at Highfield Close is such that it is unlikely that site construction facilities would be significant, or likely to encroach outside the site, or to impact significantly on local road safety. Detailed control over construction site management arrangements by the Local Planning Authority is therefore considered unnecessary in this instance.

The Draft National Planning Policy Framework (DNPPF):

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- 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 Draft Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

**APPENDIX 1: PLANNING OFFICER REPORT
TO 23 JUNE 2011 PANEL**

23 June 2011

Item Number: 3
Ward: KEIGHLEY EAST
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
11/00648/FUL

Type of Application/Proposal and Address:

Full application for the construction of twelve houses, access and parking areas and revisions to the design of one house approved by 09/01914/FUL at Fieldhead House, Highfield Close, East Morton, Keighley, BD20 5SG.

Applicant:

Mr Paul Duxbury

Agent:

Mr J O Steel

Site Description:

The site is positioned on the western margin of the settlement of East Morton, to the north of the centre of the village close to the far end of Highfield Close, a short residential cul-de-sac of 12 houses which is accessed from Street Lane. The land to the west of the development site is designated as Green Belt. The site has been assembled from land which currently comprises residential curtilage to three properties, Highfield House, Fieldhead House and 7a Highfield Close which are all in the ownership of the applicant. Mainly given over to

manicured lawns, the site benefits from several mature trees, some of which are protected by TPO's and some of which are large conifers not suited to the edge of countryside location. Running through the middle of the site is a mature beech hedge. Drystone walling defines the boundary between the site and the agricultural land to the west and south west whilst to the east are a number of large detached properties, in a variety of styles and designs on a scattered building pattern which lacks a coherent character. The properties on Highfield Close are modern detached suburban style dwellings on a conventional estate style layout.

Relevant Site History:

91/04688/OUT Construction of detached house as amended plans dated September 1991 Highfield Close East Morton Keighley GRANT 15.04.1992

92/02848/FUL Construction of detached house Off Highfield Close East Morton Keighley GRANT 27.08.1992

93/01666/FUL Amendments to siting design and external appearance of previously approved application Highfield Close East Morton Keighley GRANT 03.08.1993

01/02981/FUL Construction of a new bungalow and garage GRANT 12.11.2001

03/00361/FUL Amended scheme for residential development of 19 units and garages with access road and off site highway works REFUSE 04.02.2005

06/02401/FUL Amended design for bungalow GRANT 21.06.2006

06/03046/FUL Divide existing detached house into two separate dwelling houses GRANT 27.06.2006

06/05761/FUL Four detached houses and new access road REFUSE 05.03.2007

09/01914/FUL Construction of detached bungalow and garage GRANT 19.06.2009

Replacement Unitary Development Plan (RUDP):

Allocation

Unallocated.

Proposals and Policies

UR3 The Local Impact of Development
UR2 Promoting Sustainable Development
UR6 Planning Obligations and Conditions
H7 Housing Density Expectation
H8 Housing Density Efficient Use of Land
TM2 Impact of Traffic and its Mitigation
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
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

National Planning Guidance:

PPS3 Planning Policy Statement 3 "Housing"

Parish Council:

Recommend refusal. The proposal has a very bad access with a single width road. We would like TPO's on all the trees. If officer recommendation is for approval the application should be referred to the planning panel for a decision.

Publicity and Number of Representations:

Neighbour notification letters were sent out on the 09.03.2011 and following suggestions that some of these had not been received they were re issued on the 04.04.2011. A site notice was also posted and an advert placed in the Keighley News. The overall expiry date for representations was 25.04.11. 11 letters of representation have been received.

Summary of Representations Received:

- This is one of the worst examples of “garden grabbing”.
- Were Fieldhead house and Highfield House in the ownership of a third party, there would be an outcry about the effect of the development on these properties
- Where will the potential 29 children play?
- The extra traffic will generate noise pollution.
- The inspector concluded that previous proposals did not comply with policy UR4 of the rUDP as local need had not been demonstrated.
- Previous applications for fewer houses have been turned down. How could this be viewed more favourably?
- The site has previously been deemed “unsustainable” due to the limited provision of public transport, shops and services. Since then the situation has got worse as the post office/convenience store has closed.
- The development of this site for housing in advance of more suitable sites would lead to a high reliance on the private motor car.
- We are concerned that the local sewer system is inadequate to cope with the extra demands the development would create.
- The response from highway officers is that the development “does not meet minimum standards”. The access is inadequate as is the internal road layout.
- All the refuse bins would have to be left on Highfield Close for collection.
- The extra vehicles will create serious dangers on Highfield Close, which is a modest cul-de-sac.
- The junction with Street Lane, which is blind on the approach side, will be a danger for the extra traffic, increasing the likelihood of accidents.
- If you exclude the land occupied by the current dwelling the proposed density is 28DPH, this in comparison with 10 on Highfield Close.
- The planning authority has previously indicated that it would accept a development of 4 houses. The applicant should accept this as drainage, highway and neighbour concerns could then be more easily overcome.
- We strongly object to any more trees or bushes being chopped down and burned.
- The development is totally out of character with its surroundings.
- East Morton Primary School is already full to capacity.
- Further buildings will further urbanise the area with stresses on the environment including wildlife habitat.

**Consultations:
LDF Policy Team**

At 20DPH the density is considerably lower than that required under policy H7 of the rUDP. However, considering the sites proximity to green belt, the character of the area and the protected trees, the density in this specific development is considered acceptable.

Highways Development Control

The application as submitted in its current form does not meet minimum highway safety requirements. Therefore I would not be able to support the proposal unless the following issues are addressed:

Access

The current access arrangement shown on plan is sub-standard in terms of layout. The proposed access road is off a cul-de-sac that currently forms a turning head to Highfield Drive. The layout fails to show the existing footways around the turning head and how these tie into the proposed. The access arrangement does not also conform to recognised standards; it is unclear whether it is a shared surface road or a traditional estates road. Current guidance recommends that the road should be designed as a shared surface road, 5.5m wide with a ramp at the site entrance. Past the ramp, the footways from Highfield Drive should merge into 0.6m wide service margins around the perimeter of the road. Past the turning head to Yard One, the proposed access road appears to be designed as a private drive serving the remainder of the development. Current standards recommend that private drives should serve not more than 5 dwellings. The bends in the initial stretch of the road do not afford for good forward visibility. Sightlines should be shown and protected, bends widened and passing places provided.

Turning Facility/Servicing/Waste Disposal

If the court yard arrangements are to be retained full turning heads should be provided. In any revised submissions, vehicle swept paths should be used to demonstrate how a refuse vehicle is able to enter and exit the site in a forward gear. Manual for Streets recommends that an 11.6m long refuse vehicle should be catered for.

Parking (Drive & Garage Dimensions)

Although parking is provided at 200% for many of the units, the sizes of the spaces and garages are substandard. Current standards recommend that driveways are at least 3m wide or 3.3m where the drive provides the main pedestrian access into the dwelling. Driveways and forecourts to garages should be at least 5.6m long. Where tandem parking is proposed they should be 11m long. Intermediate lengths would encourage parking 2 cars on short drives thereby leading to vehicles overhanging the footways or service margins. This should be avoided. For the garage sizes, current standards recommend that garages have at least 3m x 6m internal dimensions with at least 5.6m long drives or forecourts. Thus the general layout arrangement should be revised to show these standards and recommendations.

Visitor Parking

The 3 spaces provided for visitors are concentrated at the entrance adjacent to plots 1-3. Good practice advises that these should be evenly distributed across the site to allow room for visitors to other sections of the site. Visitor parking should be made in the form of lay-bys parallel to the access road to ensure that they form part of the adoptable highway. Lay-bys should be in multiples of 6m (i.e two 6m long lay-bys OR 12m long lay-by). Longitudinal and Sections Long and cross section through the centreline of the proposed road should be submitted showing the existing and proposed roads (and ground levels).

Amended plans were received, and the highway officer was of the opinion that the only outstanding matter was the bin collecting area for plots 4-7 and 10 to 12 which was located on the proposed private drive and about 50m from the adoptable shared surface road. This matter too has now been resolved.

Design Enabler

This is in general an excellent set of proposals. The roof to plot 7 should be amended. The stone work should be in continuous regular courses (such as 100/125/150mm) with no jumpers and no random rubble walling. The quoins should be of the same material and should not have a sawn face. They should “jump” two courses and be random lengths with a 100mm return (if that’s the width of the outer leaf) Pointing should be more or less flush. Cills and heads should be sawn. Finally; the hard paving should be simplified and informalised.

Landscape Design Unit

There is a very large amount of hard surfacing within the scheme. There are obviously important highways and maintenance issues to consider but ideally this would be softened. The developer may wish to consider the use of reinforced grass or gravel with sett detailing, or a combination.

The size of the gardens space in relation to the size of the buildings and in particular the garden to Fieldhead House itself, seem very small.

Metro

Metro support the provision of MetroCards at this development. The new scheme requires these to be provided to 60% of the total number of units over a 3 year period on a first come first served basis. If the council considers MetroCards are appropriate this should be secured via a s106 agreement.

Conservation and Design

The application does not affect any heritage assets.

The design is well thought out and makes good use of the site, given the constraints of the trees and the topography. The proposed courtyard layout is designed to be a modern interpretation of an agricultural holding and provides a well defined edge to the built up area. The layout provides good permeability and allows views and vistas through the development.

The types and finishes of the areas of hardstanding should be given careful consideration and the use of several different finishes could give an untidy appearance that would undermine the overall uniformity of the style and detailing.

The scale form and mass of the buildings appear appropriate to the style of the development. They are well detailed and avoid “tacked on” architectural features that could result in a pastiche appearance. The use of natural materials is appropriate in this location.

Details regarding the finish of the timber windows, the choice of materials etc should be secured by condition.

Drainage

The closest public sewer is located in Street Lane; connecting to this will require an off site sewer. If it is proposed to discharge flows to an outlet other than the public sewer system than that outlet must be proved both hydraulically and structurally adequate.

The site must be investigated for its potential for the use of sustainable drainage systems for the disposal of surface water. Only in the event of such techniques proving impractical should other methods be considered.

No development should take place until all drainage details have been submitted and approved.

Trees

Whilst the body of the survey itself to the relevant British Standard (BS5837) the original site layout plan showing the RPA's of the trees did not tally up with the survey. Subsequently the arboricultural information submitted was not strictly to the BS. The Trees Team cannot support the application until the development is shown to comply with tree protection minimum distances. Notwithstanding this, at least plot 6 and proposed hardstanding would appear to be within the RPA of T12 which would be unacceptable. There may be other issues which cannot be ascertained at present due to the lack of meaningful arboricultural information.

There has been a large spoil heap/hardstanding piled under the trees to the rear of the site which is affecting roots of protected trees.

Following amendment to the plans the RPA is still shown as offset to show the house in a more tree friendly position. There is no provision to offset the RPA as per BS5837 because the tree cannot be defined as being open grown.

If this development is approved there are likely to be issues with tree roots within the existing bund/spoil heap which is being flattened. This has existed for a number of years albeit has grown over the years. It is likely that there will be roots within the bund as the tree has tried to compensate for changes in grade. Therefore if the bund is dug by hand (via method statement) and structural roots found it would be impossible to reduce the bund further without significantly damaging the tree. Therefore can a condition be imposed that the bund between house 6 and car parking spaces should only be removed completely with approval in order to safeguard roots if they are found?

If approving please also condition tree protection, tree planting and method statement to be approved.

Department of Children's Services

The nearest primary schools are Crossflatts and East Morton CE which are both full. The closest secondary school is Bingley Grammar and this too is full. Therefore the following contributions are sought from the developer:

Primary = £19,569
Secondary =£18,271
Total = £37,840

Recreation

A contribution in lieu of on-site recreational provision is requested, totalling £13,186.

Summary of Main Issues:

- Principle of the proposal.
- Local and residential amenity.
- Highway Safety.
- Trees.
- Drainage.
- Social Contributions.

Appraisal:

Introduction

The scheme proposes a development of 12 houses on land to the east of Fieldhead House and amendments to a previously approved application for a detached bungalow on land to the south of the parent dwelling, adjacent to 15 Highfield Close. The proposed layout is configured around three yards creating a farmstead style layout to reflect the rural character of the surroundings. The initial portion of the access road from Highfield Close, up to and including the turning head, will be constructed to adoptable standards whilst the remainder becomes a private shared surface with a further turning facility in yard 3. The existing mature trees are to be retained as is a portion of the beech hedge, which will be incorporated into the new layout.

Principle

The site forms a residential curtilage in a predominately residential area on the edge of the Green Belt. Under the terms of the most recent revisions to Planning Policy Statement 3 (PPS 3) in June 2010, garden sites are no longer classified as previously developed land. However, this revision to PPS 3 does not fundamentally alter the circumstances in which the site may or may not be considered acceptable for development and also makes no statement that the development of private gardens areas is unacceptable in principle and should not be permitted. Each application must be assessed on its merits in relation to its impact on local character.

The location of the site is considered to be moderately sustainable; it is located within 300 metres of a bus route which offers services to Crossflatts with further access to Bingley and the larger centres of Leeds and Bradford by a regular train service. It is therefore felt that, despite the topography of the area with steep access from Carr Lane/Street Lane, access to a wider range of services and facilities is obtainable for most users without reliance on the private car.

Objectors have cited policy UR4 (the sequential approach to accommodating development) in objection to the principle of development. This policy has been used as a previous reason for the refusal of planning consent for development at this site (e.g. 06/05761/FUL) and this was upheld by an Inspector at the subsequent appeal. However, at that time an adequate 5 year housing land supply could be demonstrated. This is no longer the case and in light of this all suitable sites should be carefully considered to assist in housing delivery.

Policy UR4 was not one of the policies that was “saved” by the Secretary of State in 2008 and is therefore no longer part of the development plan. Given the above, it is considered that the site is moderately sustainable and that in principle, the proposal is acceptable.

Density

The density of development (if one includes the existing dwelling) would equate to approximately 20 dwellings/ha, slightly more if the land on which Fieldhead House stands is excluded. As highlighted by the LDF team this is considered appropriate in this location given the character of the surrounding area and the site constraints in terms of trees, access and topography.

Residential amenity

The proposed layout of the scheme provides sufficient separation distances between existing properties and those proposed to prevent significant harm to amenity through overlooking or overbearing. Within the development, the separation distances between primary habitable room windows are also sufficient. No issues regarding overlooking or overshadowing are therefore foreseen.

The application proposes some amendments to the previously approved application (09/01914/FUL) for a construction of a detached dwelling on land to the south of Fieldhead House. These make the dwelling slightly longer but slightly narrower, move it a meter or so further from the adjacent dwelling at 15 Highfield Close, and proposes some very minor changes to the design. Overall they do not significantly alter the impact that this dwelling will have in terms of overlooking, overbearing or appearance and are considered acceptable.

Visual amenity/design

The design of the scheme differs significantly from the appearance of the immediate area, attempting to reflect the historic context of the village of East Morton rather than the very standard suburban developments which abound in the area. The site is not particularly prominent from public views, being located at the end of a small cul-de-sac on the edge of open countryside. Overall, the proposed scheme is considered to make a positive contribution to the area and to be a welcome contrast from the modern appearance of the surrounding developments. The design enabler, the conservation officer and the landscape design team have noted that proposal is of a high quality which reflects the vernacular architecture of the area without straying over into pastiche. The layout will create interesting and varied views and vistas as one walks through the development, and it is considered to be an appropriate style for the edge-of-green-belt location. The details of the proposed hardstanding areas have been amended to simplify the palette and a notation added to the drawing to clarify which areas are hard and which soft, which helps to allay concerns that there was an over predominance of hard surfacing. The design of the roof to the central three storey feature block has also been amended in light of the comments of the Design Enabler.

The one weakness of the scheme is the size of the remaining garden for the parent dwelling, Fieldhead House, which will be very small for what is a large family home. A scheme to divide this dwelling into two was approved in 2006 under application 06/03046/FUL. This has lapsed but the applicant has indicated that this would be the intended future for the dwelling. However, be it one large family home or two smaller ones, the fact remains that they will retain very little outdoor amenity space.

Trees

The site benefits from a number of mature trees, particularly to the site boundaries and with thin cover within the main part of the site. There is a tree preservation order which covers a number of individual trees, such as those labelled T8 (oak) and T12 (sycamore) on the submitted site plan, along with small group to the north-western boundary of the site. T8 is located in the centre of the site within a mature beech hedge running from east to west. It will be protected and retained to form a pleasing landscaped focus in the middle of the development. Two groups of Lawson Cypress along the southern boundary will be removed to be replaced with more suitable native species, details of which must be secured by condition.

The tree officer raised some concerns about the information submitted and the proposal, which showed plot 6 and proposed hardstanding within the RPA of T12, as well as the removal a spoil heap which has been located at the base of this tree for a number of years. There are concerns that there may now be structural roots growing within this bund. Plot 6 had been moved slightly to better accommodate the RPA of T12 and the tree officer is content that details of the bund removal method and hardstanding construction can be left to condition.

Highway safety/Parking

Fieldhead House is accessed via a short 15m driveway from the turning head at the end of Highfield Close, which links to the local highway network via Street Lane, approximately 110m to the west. The junction with Street Lane has good visibility to the south, whilst the visibility to the north is somewhat limited by the rising topography and a large hedge. The objectors have raised concerns about the safety issues that the extra traffic generated by the development would cause along Highfield Close and at it's junction with Street Lane. The highway officer does not share these concerns and has raised no fundamental objections to the proposal. The matters regarding the internal layout highlighted in the initial consultation response have been satisfactorily overcome; sight lines have been demonstrated, as have the turning facilities, parking spaces increased in size, arrangements for the pavement at the entranceway improved etc and it is now considered that the proposal will not result in conditions prejudicial to highway safety. The initial length of road up to the first yard/turning area will be constructed to adoptable standards; this will leave 7 dwellings to be served from the private shared surface access. Whilst this is more than the recommended 5 the proposed layout makes an interesting and innovative use of the site which would be compromised if this limit were to be slavishly adhered to. For this reason it is considered acceptable in this instance.

Drainage

Concerns have been raised by neighbours about the suitability of the local drainage and sewer system to cope with the extra demand that would be created by the development. This is essentially a practical issue that will be appropriately dealt with under the building control regulation. The drainage officer has advised that the site must be investigated for its potential to be drained by sustainable methods and that details of the drainage scheme should be secured by condition.

Social contributions

The following social contributions are to be secured via a s106 agreement:

Primary education £19,565

Secondary education £18,271

Recreation/open space £13,186

The development falls below the minimum threshold of 15 dwellings and therefore a contribution to affordable housing would not be requested.

Whilst Metro would support the provision of Metro Cards at this development the developer has not been requested to provide these as it was considered more important to secure contributions towards education and recreation.

Community Safety Implications:

There are no apparent community safety implications.

Reason for Granting Planning Permission:

SEE ABOVE

Head of Terms of s106 Agreement

Recreation contribution:

The sum of £13,186 (subject to RPI increase) will be paid to the Local Planning Authority for the purpose of maintaining the existing recreational facilities and playing pitches in the vicinity of the site. (Officer contact: Nanette Metcalf)

Education contribution:

The sum of £37,863 (subject to RPI increase) will be paid to the Local Planning Authority for the purpose of upgrading the existing educational infrastructure in the vicinity of the site. (Officer contact: Helen Latka)

Conditions of Approval:

1. The development hereby approved shall only be carried out in accordance with the approved plan(s) listed below:

6767 001 – Site Location Plan

6767 101 Rev. B – Site Layout Plan

6767 102 – Topographical Survey

6767 201 – Plots 1, 2 and 3 Plans and Elevations

6767 202 – Plots 4, 5 and 6 Plans and Elevations

6767 203 Rev. A - Plots 7, 8 and 9 Plans and Elevations

6767 204 – Plots 10, 11 and 12 Plans and Elevations
6767 205 – The Lodge Plans and Elevations
6767 206 – Double Garage Plans and Elevations

Reason: For the avoidance of doubt as to the terms under which this planning permission has been granted.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (as amended) or any subsequent equivalent legislation, no development falling within Class(es) A to E of Part 1 of Schedule 2 of the said Order shall be carried out without the prior written permission of the Local Planning Authority.

Reason: To accord with Policy D1 of the Replacement Unitary Development Plan.

3. Before development commences on site, arrangements shall be made with the Local Planning Authority for the inspection of all facing and roofing materials to be used in the development hereby permitted. The samples shall then be approved in writing by the Local Planning Authority and the development 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.

4. The development shall not be begun, nor shall any demolition, site preparation, groundworks, construction materials or machinery be brought on to the site until temporary Tree Protective Fencing has been erected around the Root Protection Areas of the trees within the site and along the boundaries of the site. The Tree Protective Fencing shall be to a minimum standard as indicated in BS 5837 (2005) "Trees In Relation To Construction". The position of the temporary Tree Protective Fencing will be outside Root Protection Areas (unless otherwise agreed with the Local Planning Authority). It shall be fixed in position and mounted on poles driven at least 0.6m into the ground and shall not move or be moved for the duration of the development.

The Local Planning Authority must be notified in writing of the completion of erection of the temporary Tree Protective Fencing and have confirmed in writing that it is erected in a satisfactory position and to a satisfactory specification.

No development, excavations, engineering works and storage of materials or equipment shall take place within the protected areas 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 and NE5 of the Replacement Unitary Development Plan.

5. No works forming part of, or ancillary to the approved development, shall be carried out on the site until a further Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority.

This additional Arboricultural Method Statement shall include details of:

1. Levels changes associated with the construction of the development and the removal of the existing spoil heap around T12. This area must be dug by hand and suitable proposal forwarded to deal with any structural roots which may be found growing in this area.
2. Full engineering details of all associated works within the Root Protection Area of the tree identified as T12 on the approved plans.

The works shall then be carried out in accordance with the Arboricultural Method Statement so approved.

Reason: The submitted proposals contain vague or inadequate detail of these works and their impact on T12, and to ensure the future sustainability of the trees being retained on the site in the interests of visual amenity and to accord with Policies UR3 and D5 of the Replacement Unitary Development Plan.

6. Before any part of the development is brought into use the proposed means of vehicular access and the vehicle turning area hereby approved shall be laid out, hard surfaced, sealed and drained within the site in accordance with the approved plans and completed to a constructional specification approved in writing by the Local Planning Authority.

Reason: To ensure that a suitable form of access and a suitable turning facility is made available to serve the development in the interests of highway safety and to accord with TM19a policies of the Replacement Unitary Development Plan

7. Before the development is brought into use, the off street car parking facility for each of the dwellings shall be laid out, hard surfaced, sealed and drained within the curtilage of the site 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.

8. The development shall not begin until details of a scheme for foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The scheme submitted shall include details of sustainable drainage arrangements for surface water or a technical explanation of why such techniques are not suitable on this site. The scheme so approved shall thereafter be implemented prior to the occupation of the development.

Reason: To ensure proper drainage of the site and to accord with Policies UR3 and NR16 of the Replacement Unitary Development Plan.

9. The development shall not begin until a scheme of hard and soft landscaping for the site has been submitted to and approved in writing by the Local Planning Authority. This shall feature a predominance of locally native species as listed on the Natural History Museums Postcode Plants Database.

In the first planting season following the completion of the development or as may otherwise be agreed in writing by the Local Planning Authority, the landscaping shall be implemented in accordance with the approved details.

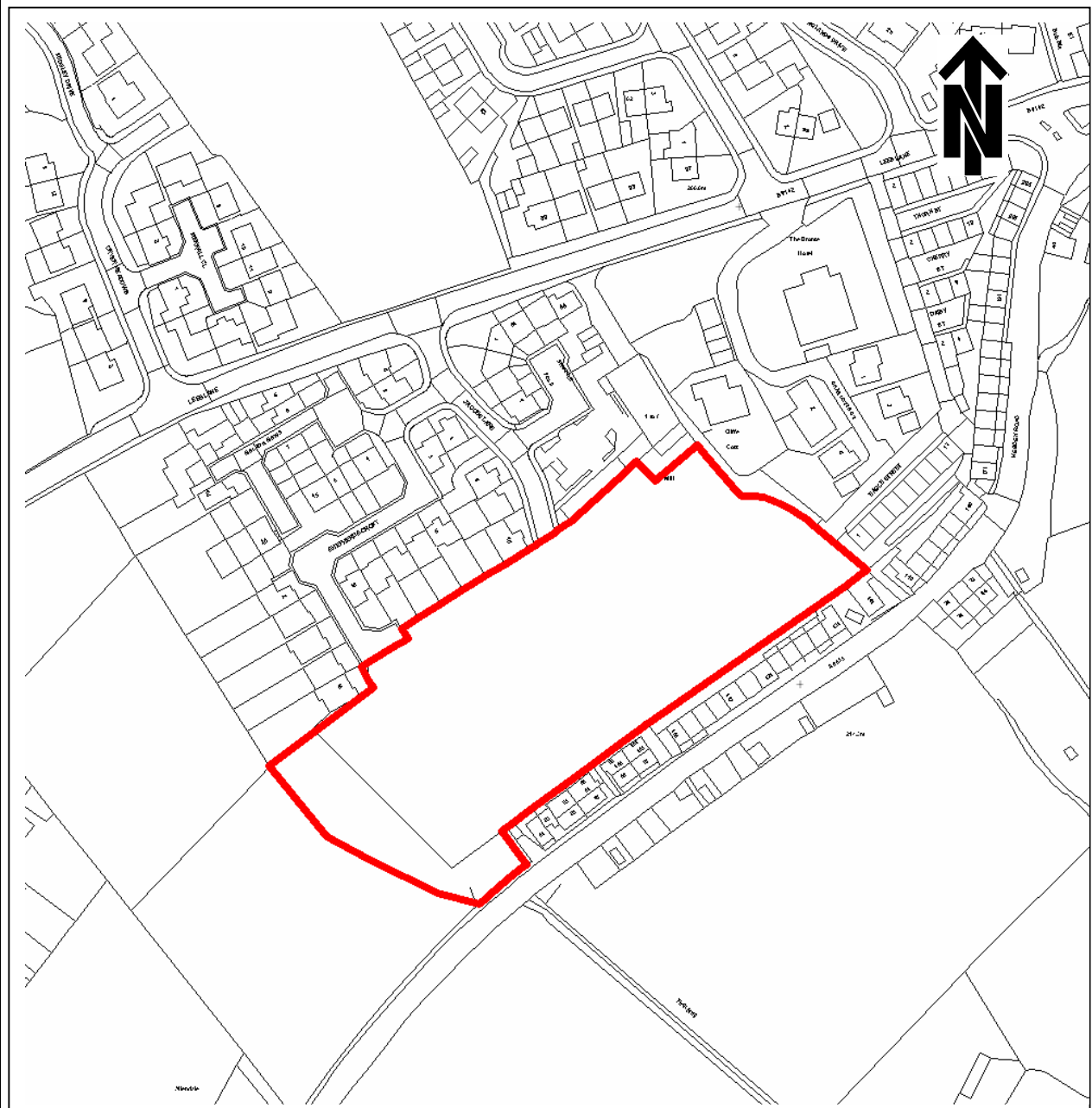
Any trees or plants comprising the approved landscaping becoming diseased or dying within the first 5 years after the completion of planting shall be removed immediately after the disease/death and a replacement tree of the same species/specification shall be planted in the same position no later than the end of the first available planting season following the disease/death of the original tree.

Reason: In the interests of visual amenity and to accord with Policy D5 of the Replacement Unitary Development Plan.

Area Planning Panel (Keighley)

11/05736/FUL

22 February 2012



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ITEM NO. : 3

LOCATION:

**Land South Of Lees Mill
Shuttle Fold
Haworth, Keighley**

22 February 2012

Item Number: 3
Ward: WORTH VALLEY
Recommendation:
TO GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS
AND A S106 LEGAL AGREEMENT

Application Number:
11/05736/FUL

Type of Application/Proposal and Address:
A full application for the erection of 38 dwellings and access roads on Land South of Lees Mill, Shuttle Fold, Haworth.

Applicant:
Skipton Properties Ltd.

Agent:
JO Steel Consulting.

Site Description:
An unallocated 1.12 hectare rectangular shaped parcel of Greenfield land that is located within the settlement of Haworth. The site largely comprises of a large steeply sloping field to the rear of properties on Hebden Road and to the south of properties within Jacobs Lane, Shepherds Croft and Shuttle Fold. A small area of land in the western part of the application site lies within allocated Village Greenspace.

Vehicular access to the site can be gained from the field gate on at the end of Jacobs Lane. There are currently no buildings on the application site.

The site adjoins a variety of residential properties along most of its southern boundary, northern and eastern boundaries. To the west boundary lies a large parcel of village open space and partly along the north boundary lies of the site lies part of the former mill buildings.

Relevant Site History:
There is no relevant recent planning history for development of this parcel of land.

Replacement Unitary Development Plan (RUDP):
Allocation
Within the Proposals for the Keighley Constituency of the Replacement Unitary Development Plan, the majority of the site is unallocated whilst a small area at the western edge of the application site is allocated as village Green space within the Replacement Unitary Development Plan. Relevant policies include: -

Proposals and Policies

UDP1: Promoting sustainable patterns of development
UDP3: Quality of build and natural environment
UDP7: Reducing the need to travel/sustainable transport choices
UR2: Sustainable development
UR3: The local impact of development
UR6: Use of conditions or S106 agreements to resolve obstacles to planning permission
H5: Residential Development of Land and Buildings not protected for Other Purposes
H7: Housing Density
H8: Housing Density
H9: Provision of affordable housing
TM2: Impact of Traffic and its Mitigation
TM12: Car Parking Provision
TM19A: Traffic and road safety
D1: Positive contribution of the Environment
D4: Safe and secure environment/reduction in the opportunities for crime
D5: Landscaping
CF2: New housing proposals resulting in increased demand for educational facilities
OS5: Provision of recreation open space and playing fields in new development
OS7: Village Green space
NE3: Landscape Character Areas
NE3A: Landscape Character Areas
NE10: Protection of natural features and species
NR15B: Flood Risk
NR16: Surface Water run off and sustainable drainage systems

BMDC – Supplementary Planning Guidance

Landscape character
Planning Obligations
Planning for Crime Prevention

Airedale Corridors: A Master plan & Strategy for Airedale

Regional Spatial Strategy (RSS):

Policies

YH2 – Climate Change and Resource Use
YH3 – Working together
YH4 – Regional Cities and Sub-Regional Cities and Towns
YH6 – Local Service Centres and Rural and Coastal Areas
YH7 – Location of Development
H2 – Managing and stepping up the Supply and Delivery of housing
H4 – The Provision of Affordable housing
H5 – Housing Mix
ENV1 – Development and Flood Risk

Planning Policy Statements/Guidance:

PPS1 - Delivering sustainable development; the planning system: general principals (supplement to PPS1)

PPS3 – Housing

PPS4 – Planning for Sustainable Economic Growth

PPS12 – Local Spatial Planning

PPG13 – Transport

PPG17 – Planning for Open Space, Sport and Recreation

PPS23 – Planning and Pollution Control

PPS25 – Development and Flood Risk

The Draft National Planning Policy Framework (DNPPF):

The Draft 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 Draft Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Parish Council:

The Parish Council has no basic objections to building on this site.

It is noticed that some of the off street parking is compromised. Plots 2 and 3 have only one allocated space each, this being behind the properties. Traffic speeding on Les Lane is a problem – would it be possible to seek traffic calming measures from the developer. The PC would like a condition on any permission granted restricting the change of use from garages to domestic (this has happened frequently on other developments giving rise to more on street parking).

Publicity and Number of Representations:

Site notices were displayed at the site with individual neighbourhood notifications also being carried out. The statutory period for this publicity was until 2nd February 2012. 28 letters of representation have been received.

**Summary of Representations Received:
Objections**

- Increasing traffic using the junction from Jacobs Lane onto the busy Leeds Road
- Building on the last green space between Jacobs Land and Hebden Road would increase the likelihood of more surface water running downhill in bad weather contributing to drainage and flooding problems in the communities below
- The character of the area would be changed – Brownfield should be considered first. The semi-rural aspect of this area, vital to Haworth tourism would be eroded by the modern appearance of the development
- The field is [art of a natural buffer zone and safe migration route for wildlife between two residential areas
- Open space is a public visual amenity. Some houses on Hebden Road do not have a front or a back yard and the development would mean a complete loss of this open space
- There has already been more than 200 new houses built in this corner of Lees
- There is no good reason to construct a high density development on a difficult green field site when there are alternative brown field sites in the local vicinity which would be more appropriate and less intrusive into the character of the local area and the genuine concerns of the residents.
- Increase in traffic
- Pressure upon local amenities
- Adverse impact on natural drainage
- Removal of significant local habitat for existing wildlife
- Loss of privacy and overshadowing for existing neighbouring houses
- Detrimental impact upon Haworth's unique landscape with consequent impact upon the economically consequent tourist trade
- Overlooking of many established properties, including gardens and internal rooms compromising privacy
- There are already parking problems and this will compound them
- The occupants of these new houses may take places from the local school over those that would have gone to them who have lived in the area for a good number of years.
- The three storey houses will be directly behind Hebden Road house and will overshadow these houses and lose privacy
- The noise and disruption during building and afterwards will affect property on Hebden Road
- Will there be any problems with my foundations?
- Access to Lees Mill south side for window cleaning and maintenance required
- Detrimental impact on the value of my property
- Why do we need more houses when there are already many for sale in Haworth
- Pedestrian safety is compromised
- The local doctors surgery is also a bone of contention – it is already difficult to get an appointment
- Yet more houses would be catastrophic to our heritage
- Need to upgrade and replace the poor quality housing to provide affordable housing to enable local young people to stay in the area. These are the wrong type of property for this area.
- Building on this site would create a severe loss of amenity
- This part of the valley is partly boulder clay. Newer housing on clay has been slipping due to the unstable ground. More built structures prevent more ground water absorption causing local severe rain run off into the streets.

- The existing access via Jacobs Lane will put children's lives at risk.
- The provision of 9 affordable houses on this site will have little impact on the social housing issue
- The development will have a huge carbon footprint and is not in keeping with the Councils commitment to tackling climate change.
- The proposed development has at least 2 parking spaces per dwelling contrary to guidance
- The proposed development would mean a larger impermeable surface lying on a gradient about the existing estate.
- The application is only based on one motive that is profit for the builders and others based in the housing industry
- There would be more than 18 months of noise and dirt to contend with whilst building operations take place
- Bradford District has an estimated 5000 empty properties yet this is a Greenfield development close to a Conservation Area and in the historic tourist town of Haworth which is at risk of losing its character.
- Drainage of water run off from Jacobs Lane and Shuttle Fold is already inadequate and results in torrents of water running down into Melton Mews bypassing several drains in the process. In freezing/snowy conditions this becomes a huge sheet of black ice at the exit from the Mews and prevents vehicles from entering the Mews. This is a potential health and Safety hazard that needs addressing

Statement of Community Involvement

Members should also be aware that a community consultation exercise was undertaken by the applicants and their agents. On 7th November 2011 the draft scheme was presented to the Parish Council. The PC were concerned (i) about the additional traffic that would be generated especially in light of the congestion at the Halifax Road junction, (ii) the need to be assured that there was adequate capacity in the drainage and sewers to accommodate the new houses, (iii) the need for adequate parking within the site with a specific request made to provide a third space for each of the proposed detached houses, and (iv) than the PC would like information regaling the allocation of any S106 monies. 2 letters were received from surrounding householders concerned about increased traffic in general and how the boundary to the rear of existing properties in Hebden Bridge Road would be formed in order not to interfere with access to the rear of the terrace of houses.

Consultations:

(i)Environment Agency – There is no objection to the proposed development providing that the following condition is attached to any planning permission.

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- details of how the Greenfield surface water run off rates up to and including the 1 in 100 year (plus climate change) rainfall event will be achieved.
- details of how the scheme shall be maintained and managed after completion

(ii) Yorkshire Water – No objections in principle subject to appropriate conditions. Advise that there are public sewers which enter the red line site boundary. In light of the above comments suggest a planning condition to adequately protect the pipes from being built over or near to.

(iii) Drainage Section – No objections in principle to the development subject to conditions. The site must be investigated for its potential for the use of sustainable drainage techniques in disposing of surface water from the development.

(iv) Landscape Section - This development is compact, with relatively little private space in front of properties and better provision of private space behind them. The consequence of this, particularly because the development has limited provision of vehicle garaging, is that the frontages will be dominated by vehicle parking. This is illustrated particularly in the terrace of plots 4 to 12 which will be totally dominated by vehicle parking in the space between the front of the houses and the street.

With no garages, and no outside access to the rear of many properties, bin storage could also be an issue, and I do not see how this has been accommodated for within the development. The long term presence of wheelie bins within the frontage space would be visually unattractive and could potentially be a hazard.

Significant tree planting is mentioned as a feature of the landscaping, but apart from the paddock and the feature oak tree, the rest of the tree planting appears to be within private garden space. This means that the future survival of the majority of the trees will be in the hands of individual plot owners, which is less desirable than having trees under communal ownership.

The inclusion of the feature oak tree is a nice touch, but I do not agree with the provision of railings in front of the tree which would be a visual barrier to what should be a welcoming communal area, even if there is physical access via a gate.

It is not clear on the proposed site plan where access is gained to the paddock. If it is a shared facility, then there should be a linking path/track and gate to the meadow from within the development. The paddock presents an opportunity for the creation of a very attractive community garden area which could perhaps be used in a variety of ways by future residents. There are no details in the application about who will have ownership and responsibility for this area, which will have immediate maintenance needs planted as shown with grass and trees. I would suggest that the proposed ownership of the communal planted areas and responsibility for their maintenance are clarified at an early stage, with a management plan drawn up.

(v) Design Enabler – The development scores 12 out of 20 in the Building for Life assessment which is a good score. The proposal has adopted a neo-traditional and therefore uninspiring approach but as it is an extension to an existing development this is less important than it otherwise might have been. However, the cottagy windows should be amplified by substituting one, two or three plain casements.

(vi) Sports and Leisure Section – Overall request that an off site contribution of £21,463 for the provision of recreation open space due to the extra demands placed on the locality by this development. This is in compliance with policy OS5 of the RUDP.

(vii) Education Section – in assessing the situation in this area confirm that contributions to primary educational resources are required. The nearest primary schools are Haworth, Lees, Oakworth and Worth Valley and they are all completely full. The nearest secondary schools are Holy Family Catholic, Oakbank, Parkside and University Academy Keighley. There is spare capacity at University Academy Keighley.

The calculation is based on 38 x 2-4 bed houses.

Primary provision: 2 children x 7 year groups x 38 /100 houses x £12,265 = £65,250

(vii) Housing Section – The above site falls in the housing market area where affordable housing quota is 25%. Analysis suggests that there is a need for two and three bedroom houses. Floor areas in the range of 70-80sqm (2 beds) and 85-90sqm (3 beds) are required and these need to be transferred to a registered provider nominated by the LA at a discount of 35% on open market value.

(viii) Highways (Development Control) Section - No objections in principle. Full comments awaited and will be reported orally.

(ix) Landscaping Section –The central green area appears to have been thoroughly re-considered and I fully support the revised design. I look forward to reviewing full landscape details in due course.

(x) Local Development Framework Section– Comments awaited and any given will be reported orally.

(xi) Environmental Protection (noise) - Suggest conditions in any permission granted regarding construction noise/hours of working.

(xii) Environmental Protection (contamination) – No objections in principle. A phase 1 desk top study was submitted as part of the application which recommends the submission of a phase 2 investigation. Conditions should be attached to any permission granted to ensure that the site is 'fit for purpose'.

(xiii) Minerals and Waste Section - The main identified potential risk relevant to the proposed development relates to the adjacent former mill site and infilled mill pond. This site was developed in the early 2000s under planning permission 99/02667/FUL granted in October 2000. A site investigation report was submitted which found elevated contaminants (primarily arsenic) and recommended removal of 2 identified areas of contaminated material (including mill pond silt) and the placement of a 1m thick clean cover layer on residential gardens. Following contaminated silt removal the mill pond was required to be backfilled with clean fill material. Condition 9 of the planning permission required the implementation of these measures.

There is no evidence from historical maps that the current proposal site was ever used for any purposes associated with the adjacent Lees Mill or for any other potentially contaminating purpose (other than the use of a small area of the site as a site compound during the construction of the adjacent residential development in the early 2000s). However the December 2011 Preliminary Geo-environmental Assessment submitted in support of the application concludes that there is a contamination risk due to the proximity of the adjacent former mill and recommends phase 2 intrusive investigations and risk assessment. It is recommended that the Environmental Health Scientific and Technical team are consulted and that, providing they are happy that sufficient information has been submitted at this stage to understand the potential risks relevant to the residential development of the site, conditions are imposed requiring phase 2 investigations and remediation proposals (if necessary) to be submitted prior to development.

Summary of Main Issues:

- (a) Principle of development.
- (b) Density/affordable housing.
- (c) Highway and pedestrian Safety.
- (d) Impact of development in terms of:-
 - Design/landscaping
 - Adjoining properties/uses
 - Flooding and drainage aspects
 - Biodiversity
 - Contamination
- (e) The Heads of Terms of a s106 legal agreement including provision affordable housing, recreation and education contributions.
- (f) Community Safety Implications.
- (g) Comments on representations made.

Appraisal:

1. Permission is sought for the erection of 38 dwellings on this 1.12ha site comprising the following elements:

- A range of unit sizes and 8 different has been proposed to form a development which takes into consideration the existing natural features of the site (basically one which reflects the topography of the site);
- The creation of a cul-de-sac of terraced properties at the eastern end of the site;
- A mix of two and three storey properties across the remainder of the site which create a street scene within the development;
- The planting of a feature mature oak tree as a focal point which can be viewed on entry to the development;
- Boundary treatments are to be retained as is along the north and east elevations.
- Along the southern boundary and western boundary dry stone walls are proposed along the plot boundaries with a timber post and rail fence to define the extent of the paddock boundary.
- The frontage to the primary mews court that is the extension of Jacobs Lane is reinforced through the use of stone walls that are 900mm high.
- Materials are of Marshalls Cromwell artificial coursed stone with Russells Grampian slate grey roof tiles. Tarmac and block pavoids are to be used for the hard standing areas.

- Access to the site is via the existing Jacobs Lane highway which is to be extended onto the site in the format including 2 m wide pavements to both sides.
- The road follows the topography of the site and does not exceed a slope greater than 1:10.

Principle

2. The site is a Greenfield site, the majority of which is unallocated for any particular use in the Replacement Unitary Development Plan with a small parcel of land at the western edge of the application site being allocated as Village Green space.

3. Both the past and present Government's policy, as set out in Paragraph 71 of Planning Policy Statement 3, has been to put particular emphasis on Local Planning Authorities (LPA) ensuring that there is a 5 year supply of deliverable housing land. Where LPAs are not able to demonstrate that there is sufficient deliverable land they are required to consider favourably applications for planning permissions for housing development to redress this shortfall, subject to compliance with other aspects of national policy.

4. The Planning Service is working with developers, as it is required to do, to assess the precise outturn of deliverable sites against this 5 year land supply requirement, but the results so far suggest that the district may only currently have around half the required 5 year supply of land, judged against the annual house building target of 2700 dwellings per annum. If planning consent was not achieved on this Greenfield site, this could impact in terms of non delivery of the new homes needed and increase the threat of other sites or areas of land in the district, which have been identified for future needs only at this stage – potentially including designated open space, safeguarded land and green belt - being given consent via the appeal process. This is precisely what has happened in other parts of the country and the recent approval at appeal of the proposed development on safeguarded land at North Dean Avenue, Keighley underlines this potential threat.

5. Recent work carried out for the forthcoming LDF has revealed the scale of need for affordable homes. This suggests an affordable housing need equivalent to around a third of the total housing requirement, or over 700 dwellings per annum. This is well in excess of anything achieved in recent years. The development at this site therefore has the potential to make a contribution to both market and affordable housing need.

6. In conclusion the district faces a significant challenge in securing sufficient housing to meet its need over the coming years. Ensuring the delivery of development on both existing identified housing sites and those sites which are currently unallocated will be the first steps to meeting this challenge. It is essential that land is available now which can be prepared and progressed so that the needs of the district's population are met as confidence among both developers and house purchasers recovers. This relatively small parcel of land will help boost the supply of new homes at a time when housing delivery has dropped to undesirably low levels. Therefore, if an acceptable scheme is achieved, the site will contribute to the Council's 5 year land supply and thus reduce the pressure and threat of unplanned releases of land in other locations which conflict with current RUDP policy such as the green belt. Overall, the proposed residential use of the site is acceptable in principle.

7. Policy OS7 identifies areas of green space, which the application site is apart of, which have an important local amenity value, contributing to the character and setting of the village. Development of these areas, some of which may be privately owned or include area of Recreation Open space, may be harmful to the visual, quality, character and setting of the village. This is particularly so where the land is very prominent within the village.

8. It is considered that the development of the application site with a paddock area (fenced with a post and rail boundary treatment) is appropriate and will, because of the open nature of this area not create an untoward visual intrusion in the Village Green space. Indeed, the proposed open treatment of this area of small area of Village Green space, which will be managed as one holistic landscaping component of the site and controlled under the S106 legal agreement, will not compromise the visual amenities of the location or the setting of the village as a whole.

Sustainability

9. The draft national Planning 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.

10. The established approach to planning for sustainable development is set out in Planning Policy Statement 1 (PPS1). The key principles of this documents 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 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.

11. It is considered that the proposed development meets the sustainability criteria outlined in established national and local policy. Indeed, the site is located in close proximity to a major distributor road within the District and is also in proximity to a range of services.

12. Good design ensures attractive usable, durable and adaptable places and is a key element in achieving sustainable development. This is a fully detailed application which shows that environmental sustainability will be created by maximising the use of the land by effectively using the topography of the site and by the creation of a focal landscaping area within the development itself both ensure that a suitable and meaningful place can be achieved. Furthermore the establishment of a holistic landscaping management strategy for the paddock area of the site can mitigate the impact of the development from wider views.

Density/Efficient use of land

13. Policies H7 and H8 of the RUDP seek to ensure that the best and most efficient use is made of any development site. Paragraph 69 of PPS 3 also advises that local Planning Authorities shall have regard to:

- Achieving high quality housing
- Ensuing development achieve a good mix of housing
- The suitability of a site for housing
- Using land effectively and efficiently
- Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in the area.

14. The total number of units proposed for this development is 38. Taking the site area of 01.12 hectares an overall site density of around 34 dwellings per hectare is generated. It is considered that this density is appropriate in this location and in accord with established planning policy.

15. The provision of affordable housing can be achieved on the site in line with Replacement Unitary Development Plan policies and the needs of the locality as advised by Housing Strategy (25% of dwellings proposed for the site). Indeed, a mix of 9 two and three bedroomed dwellings is proposed as part of this application. This mix fits in line with the strategic affordable housing assessment of the District and will be primarily targeted for families who live in the local and surrounding area of Haworth.

Highway/Pedestrian Safety

16. The development is considered acceptable in principle and will not undermine the highway and pedestrian safety. Indeed, the access via Jacobs Lane was originally designed to carry traffic onto the current development site. It should be noted that many residents have written concerned about the increase in number of vehicles using the access from Lees Lane and the fact that this consequential increase in vehicular movements could compromise child safety. However, overall, policies TM2 and TM19A of the Replacement Unitary Development Plan are satisfied and the geometry of junctions etc are fully met.

17. Sufficient parking spaces are provided within the development to accord with established planning policy TM12 of the Replacement Unitary Development Plan. As requested by the Parish Council, a condition is recommended to be attached to any permission granted to ensure that there should be no rights to convert any garage on the site without prior consent from the Local Planning Authority.

Design/Landscaping

18. It is considered that the scheme an appropriate housing development which provides a mix of unit sizes and styles across the site which range from more tightly knit terraced dwellings to more spacious detached houses. It is considered that the proposal provides an acceptable layout of the site being clearly specific to the site with a focal open spaces to ensure that the development overall is coherent and well structured in response to the topography of the site. The car parking is integrated into the scheme and situated in order to support the street scene in addition to the pedestrian routes being well overlooked and as such feeling safe.

19. As noted in the urban design comments for the scheme, In terms of building for life standards the scheme scores 12 out of 20 – scoring highly in all categories except design and construction. Overall, the proposal is considered to be an appropriate development which meets the challenge of developing this steeply contoured site with a range of residential development to provide visual diversity and choice. As recommended by the design enabler, a condition can be attached to any permission granted to ensure that the window designs proposed are altered to a more simplistic casement window detail.

20. Landscaping is an important design element in any development and contributes to the character and local identity of local areas whilst contributing to the quality of the public realm. It is considered that the formation of a focal area at the confluence of the two cul-de sac routes is welcome and helps make a positive contribution to the sense of place in this development scheme. Maintenance and management of this space and that detailed on the drawings as the paddock will be via a management plan agreement as part of a S106 legal document.

Character of the locality/impact on surrounding properties

21. The character of the immediate surrounding locality is primarily mixed residential. It is considered that the scheme takes the opportunity to create a creative solution in order to provide a suitable density on the site whilst not detracting from the existing established residential properties which share boundaries with the development site. Direct impacts on the surrounding properties have been minimised as far as practically possible by the creation of spatial distances between the proposed and existing properties. Furthermore, the majority of the proposed properties are primarily two storeys in height and have been designed to reflect the different building styles in the surrounding community. The proposed two and a half/three storey properties have been strategically placed to the rear of properties in Hebden Road where they will be sited a significantly lower level in order to ensure that no undue loss of privacy or overlooking is created.

22. In general it is acknowledged that when a development site is being built out over a number of years, there are noise impacts from the construction works. A condition is recommended in any permission granted to ensure that construction works on the site for its preparation for future development are limited. Such a restriction will protect the amenities of the surrounding properties as far as practically possible and the following condition is suggested: 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. A condition controlling where the entire construction traffic and site compound is located is also proposed.

Flooding/drainage

23. Development has the potential to cause major water pollution problems however, through the development control process, and with close liaison with bodies such as the Environment Agency and Yorkshire Water, such pollutions problems can be avoided. The Environment Agency considers that the scheme is acceptable from a flooding point of view providing a suitable condition is attached to any permission granted. This is attached at the end of this report as condition 15.

24. Yorkshire Water has also advised that they have no objections in principle to the development and has suggested conditions be attached to any permission granted. These suggested conditions are attached as 11, 12, 13 and 14 in the paragraphs below. Overall, the submitted details show the scheme can be built without increasing the risk of flooding whilst providing appropriate sewerage and surface water measures and that the proposal accords with established local plan policies UR3 and NR16.

Biodiversity

25. In terms of biodiversity there are no objections in principle to the development. It is considered that the proposed tree planting throughout the site and especially that which could be created on the paddock area is welcomed in providing an enhancement to the open fields in this location and is an important component to meeting the requirements of Planning Policy Statement 9. As there are no buildings or trees other than scrub land on the site it is considered that no bats will be using the site as a roosting or commuting area.

Contamination

26. The submitted report and plans have been examined to identify information which demonstrates that the site has been appropriately characterised to:

(i) Identify contaminants of potential concern and develop a conceptual model of potential contamination, (ii) quantify contaminants of potential concern sufficiently, (iii) demonstrate an appropriate assessment of risk has been carried out, (iv) the remediation proposals to manage contaminants of potential concern are practical, effective, durable and sustainable, (v) the remedial works will be verified, (vi) unexpected contamination will be dealt with appropriately if necessary, and (vii) long term management of pollutant linkage controls is defined.

27. BMDC specialist officers concur with the recommendations laid down in the submitted information and it is recommended that further site investigations will be required prior to construction work commencing at the site. This is necessary to ensure that sufficient information is available to enable robust and sustainable remedial decisions to be made. The extent of the next stage of site investigation and the criteria for risk assessment must be tailored appropriately to the ground conditions. As such, conditions regarding the submission of a site investigation report, submission of a remediation strategy, implementation of any approved remediation scheme and final verification are recommended to be attached to any permission granted to ensure that the site is 'fit for purpose'. Conditions regarding unexpected contamination and the importation of materials to the site should also be attached to any permission granted (and indeed are attached as conditions 21 and 22 in the list of suggested conditions below).

Heads of Terms/S106 contributions

28. Development of the scale proposed involves physical infrastructure works, management plans and social infrastructure works such as recreation provision and affordable housing. 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 educational contributions.

29. Policy H9 of the Replacement Unitary Development Plan seeks to achieve affordable housing provision within development sites in the Villages of 25%. The housing enabling section has also identified a need for 2 and 3 bedroom properties in the area. It is considered appropriate that affordable housing is provided within the scheme to accord with relevant planning policy (see above paragraphs for details).

30. 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. No public open space is provided within the development and as such, a commuted sum is required towards improving open space recreation facilities in the locality will also be required.

31. Further development contributions on this scheme also include educational provision. Under policy CF2 of the Replacement Unitary Development Plan, new housing proposals that would result in an increased demand for educational facilities that cannot be met by existing schools and colleges should contribute to new and extended school facilities. The nearest schools, at primary level, are full and a contribution of £65,250 is requested.

32. Head of terms of any agreement should therefore include the above mentioned development contributions along with the issues raised in the report regarding the highway mitigation measures: -

- Provision of a contribution of £21,463 towards the provision of open space creation facilities in the near locality;
- Provision of 9 affordable housing (2/3 bedrooms at a discount of 35% of Open market value or equivalent);
- Payment of a contribution to increase educational facilities in the locality - £65,250 to be paid at trigger points throughout the development;
- Provision of a management plan agreement to ensure that all the paddock space and the focal landscaped area are fully and holistically maintained by an appropriate management company specially set up for the task.

Community Safety Implications

33. It is considered that the scheme is in accord with Secure by Design principles e.g specific boundary detailing etc, conditions are suggested on any permission granted to ensure that the measures proposed within the scheme are retained once the development is built and occupied. As such, it is considered that the proposal will pose no undue community safety implications and accords with Policy D4 of the Replacement Unitary Development Plan.

Comments on Representations

34. The majority of the issues raised in the letters of representation have been covered in the above report. The majority of the site is unallocated within the Replacement Unitary Development Plan and as such it is not protected as space which should not be released for development. Specialist drainage engineers from the environment agency, Yorkshire water and BMDCs own officers concur that the site can be appropriately developed and the information provided satisfactorily deals with the potential flooding risks from the site. In addition, conditions are suggested on any permission granted to ensure that the site may be satisfactorily developed in terms of its impact on sewerage and particularly surface water drainage.

35. With regard to highway issues, the Councils highway engineers consider that the extension of the existing Jacobs Lane into the development site will not compromise highway and pedestrian safety. Similarly the junction at the end of Jacobs Lane with Lees Lane has sufficient capacity to cope with the additional traffic which will be generated by the proposed new units. Sufficient parking spaces are provided within the development.

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 Planning Policy Guidance Notes and Statements, 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 site with a residential scheme in the manner proposed offers a suitable mix of properties across the site whilst proposing an efficient and effective use of land and is considered a good opportunity to provide a sustainable pattern of housing development within the existing urban fabric of Haworth/Lees. The effect of the proposal on the surrounding locality and the adjacent neighbouring properties has been assessed and is acceptable. The provision of an access from Jacobs Lane into the development site, in the manner and location proposed is appropriate. Parking provision has been made to accord with established policies. As such, the proposal is in conformity with the principles outlined within the Replacement Unitary Development Plan and subject to appropriate conditions it is considered that the proposal complies with policies UDP1, UDP3, UDP7, UR2, UR3, H7, H8, H9, TM2, TM12, TM19A, D1, D4, D5, NR15B and NR16.

Permission is recommended accordingly subject to: - a s106 agreement and the following conditions: -

Conditions of Approval:

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 shall be carried out in accord with the following approved plans:- 375-001-1001, 375-001-1003, 375-001-1004, 375-001-1005, 375-001-1006, 375-001-1007, 375-001-1008 and 375-001-1009.

Reason: For the avoidance of doubt as to the terms under which this planning permission has been granted.

3. Notwithstanding the details submitted as part of the approved application, the development shall not begin 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) 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.
- iv) Types of enclosure (fences, railings, walls).
- v) Types of hard surfacing (pavings, tarmac, etc).
- vi) Regraded contours and details of changes in level

Reason: In the interests of visual amenity and to accord with Policies UR3, D1 and D5 of the Replacement Unitary Development Plan.

4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development 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.

5. No dwelling shall be occupied until the boundary treatments proposed within the design and access statement and the email received 31 January 2012 from J O Steel Consulting relating to the provision of a dry stone boundary wall along the southern boundary of the site which adjoins the backs of the houses that front Hebden Road has been provided in full, unless other details have been agreed in writing by the Local Planning Authority. The approved boundary treatments shall thereafter be retained.

Reason: In the interests of amenity and privacy and to accord with Policies UR3 and D1 of the Replacement Unitary Development Plan.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any subsequent equivalent legislation) no development falling within Classes A, B, C, D, E and F of Part 1 of Schedule 2 of the said Order shall be carried out without the prior written permission of the Local Planning Authority.

Reason: To accord with Policies UR3 and D1 of the Replacement Unitary Development Plan.

7. Before the occupation of each dwelling, 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.

8. Before any part of the development is brought into use, the proposed means of vehicular and pedestrian access from Jacobs Lane and the development site hereby approved shall be laid out, hard surfaced, sealed and drained within the site in accordance with the approved plan numbered 375-001-1008 (unless otherwise agreed in writing by the Local Planning Authority) 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 UR3, TM2 and TM19A of the Replacement Unitary Development Plan.

9. 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 hereby permitted shall not be begun until a construction plan has been submitted to and approved in writing by the Local Planning Authority. The construction plan shall include the following details:

- i) full details of the contractor's means of access to the site including measures to deal with surface water drainage;
- ii) hours of delivery of materials;
- iii) location of site management offices and/or sales office;
- iv) location of materials storage compounds, loading/unloading areas and areas for construction vehicles to turn within the site;
- v) car parking areas for construction workers, sales staff and customers;
- 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.

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

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

10. Prior to the occupation of any residential unit, full details of the proposed bin stores shall be submitted to and approved in writing by the Local Planning Authority. The provision of the bin stores on the site shall be implemented and retained for the duration of the use as approved

Reason: In the interests of visual amenity of the site, to ensure that appropriate facilities are provided for each dwelling for the disposal of waste and to accord with policies UR3 and D1 of the Replacement Unitary Development Plan.

11. The development shall be drained using separate foul sewer and surface drainage systems.

Reason: In the interests of pollution prevention and to ensure a satisfactory drainage system is provided and to accord with Policies UR3 and NR16 of the Replacement Unitary Development Plan.

12. No dwelling shall be occupied until details of the proposed means of disposal of foul water drainage, including details of any balancing works and off-site works have been submitted to and approved by the Local Planning Authority. No buildings shall be occupied or brought into use prior to completion of the approved foul drainage works

Reason: To ensure that the development can be properly drained, to ensure that no foul water discharges take place until proper provision has been made for its disposal and to accord with policy UR3 of the Replacement Unitary Development Plan.

13. Unless otherwise agreed in writing by the Local Planning Authority, no building or other obstruction shall be located over or within 3.0 metres either side of the centre line of the sewers that enter the site.

Reason: In order to allow sufficient access for maintenance and repair work at all times and to accord with policy UR3 of the Replacement Unitary Development Plan.

14. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the Local Planning Authority within 3 months of the commencement of development.

Reason: To ensure that the site is properly drained and to prevent overloading of the local sewerage network and to accord with policy UR3 of the Replacement Unitary Development Plan.

15. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- details of how the Greenfield surface water run off rates up to and including the 1 in 100 year (plus climate change) rainfall event will be achieved.
- details of how the scheme shall be maintained and managed after completion

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to accord with policies UR3 and NR16 of the Replacement Unitary Development Plan.

16. 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 to accord with Policy UR3 of the Replacement Unitary Development Plan.

17. Unless otherwise agreed in writing with the Local Planning Authority, prior to development commencing, a Phase 2 site investigation and risk assessment scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site, must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to comply with policy UR3 of the Replacement Unitary Development Plan.

18. Unless otherwise agreed in writing with the Local Planning Authority, prior to development commencing the Phase 2 site investigation and risk assessment must be completed in accordance with the approved site investigation scheme. A written report, including a remedial options appraisal scheme, shall be submitted to and approved in writing by the Local Planning Authority.

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

19. Unless otherwise agreed in writing with the Local Planning Authority, prior to development commencing a detailed remediation strategy, which removes unacceptable risks to all identified receptors from contamination shall be submitted to and approved in writing by the Local Planning Authority. The remediation strategy must include proposals for verification of remedial works. Where necessary, the strategy shall include proposals for phasing of works and verification. The strategy shall be implemented as approved unless otherwise agreed in writing by the Local Planning Authority.

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

20. Unless otherwise agreed in writing with the Local Planning Authority, a 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 (if phased) or prior to the completion of the development.

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

21. If, during the course of development, contamination not previously identified is found to be present, no further works shall be undertaken in the affected area and the contamination shall be reported to the Local Planning Authority as soon as reasonably practicable (but within a maximum of 5 days from the find). Prior to further works being carried out in the identified area, a further assessment shall be made and appropriate remediation implemented in accordance with a scheme also agreed in writing by the Local Planning Authority.

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

22. A methodology for quality control of any material brought to the site for use in filling, level raising, landscaping and garden soils shall be submitted to, and approved in writing by the Local Planning Authority prior to materials being brought to site. Relevant evidence and a quality control verification report shall be submitted to and is subject to the approval 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 comply with policy UR3 of the Replacement Unitary Development Plan.

23. Notwithstanding the details shown on the approved plans, the works shall not begin until the details of the proposed windows for each unit have been submitted to and approved in writing by the local Planning Authority. The windows shall then be installed in accordance with the approved details and so retained.

Reason: In the interests of the local character and visual amenity and to accord with policies UR3 and D1 of the Replacement Unitary Development Plan.

24. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any subsequent equivalent legislation, no garage shall be converted to any other use without the prior written permission of the Local Planning Authority.

Reason: To safeguard the off street parking for each dwelling on the site, in the interests of highway safety, to safeguard the visual amenities of the area and to accord with policies UR3, D1, and TM12 of the Replacement Unitary Development Plan.

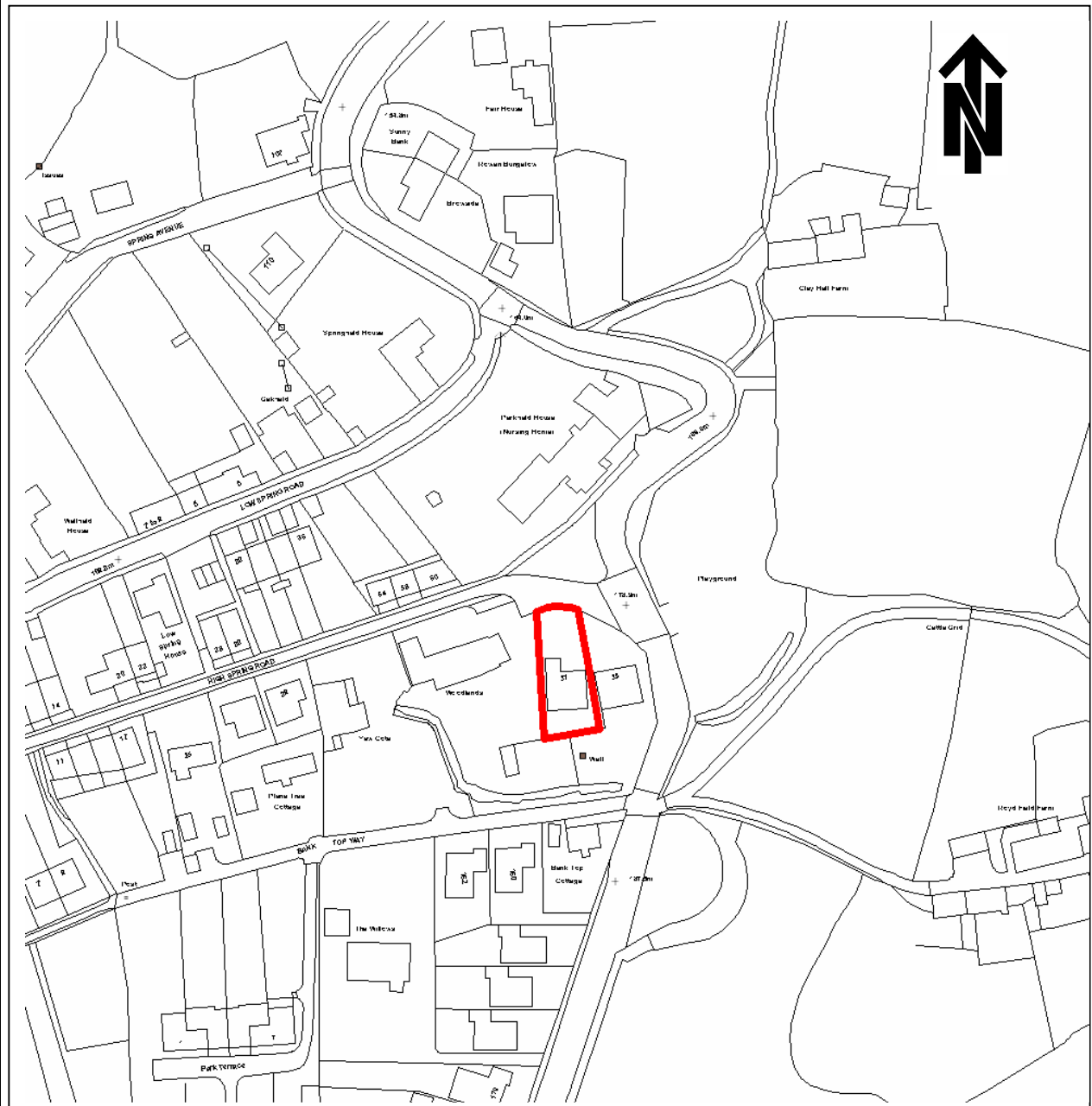
Heads of Terms of the S106 legal agreement

- Provision of contribution of £21,463 for the enhancement of open space recreation facilities in the near vicinity of the development;
 - Provision of 9 affordable housing (2/3 bedrooms at a discount of 35% of Open market value or equivalent);
 - Payment of a contribution to increase educational facilities in the locality - £65,250 to be paid at trigger points throughout the development;
 - Provision of a management plan agreement for the paddock area and the focal landscaped area to ensure that these spaces on the site are fully maintained by an appropriate management company or other appropriate mechanism specially set up for the task and remain free from built development.
-

Area Planning Panel (Keighley)

11/05735/HOU

22 February 2012



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ITEM NO. : 4

LOCATION:

**37 High Spring Road
Thwaites Brow
Keighley**

22 February 2012

Item Number: 4
Ward: KEIGHLEY EAST
Recommendation:
TO REFUSE PLANNING PERMISSION
APPLICATION WITH A PETITION

Application Number:
11/05735/HOU

Type of Application/Proposal and Address:

Householder application for proposed development at 37 High Spring Road, Keighley, BD21 4TF. Comprising the creation of an additional bedroom at first floor level by division of existing 2 bedrooms and addition of a clear glass first floor window at gable end to provide light, air and fire escape.

Applicant:
Mr K Green

Agent:
Not applicable.

Site Description:

The existing dwelling is a stone detached house with blue slates to the roof. High Spring Road is a residential area with varying property types with a mixture of detached, semi detached and terraced dwellings all of varying designs. The site is situated at a slightly higher level than the neighbouring dwelling of Woodlands. The property is accessed by a driveway to the front of the house. The property is not listed and is not situated within a conservation area.

Relevant Site History:

11/03740/HOU - Creation of an additional bedroom and a clear glass window at gable end – Refused 25.10.2011.

Replacement Unitary Development Plan (RUDP):

Allocation

The site is unallocated on the RUDP Proposals Map.

Proposals and Policies

Relevant policies are:

UR3 - The local impact of development
D1 – General design considerations

Additional supplementary guidance is contained in the Council's approved, revised policy documents on House Extensions.

The Draft National Planning Policy Framework (DNPPF):

The Draft 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 Draft Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Parish Council:

Keighley Town Council recommends refusal.

Publicity and Number of Representations:

The application was publicised by letter to occupiers of adjacent premises. Expiry date for comments was the 18th January 2012.

One representation received objecting to the proposal.
Petition of support received with 8 signatures.

Summary of Representations Received:

Overlooking of the adjoining property and its garden.

Consultations:

Keighley Town Council (see above).

Summary of Main Issues:

- i) impact on the local environment.
- ii) impact on the amenity of neighbouring occupants.

Appraisal:

Background circumstances

This is a retrospective application for retention of a first floor window to the western side elevation of the property. The window serves a bedroom.

The window opening has been inserted but is currently boarded up.

Need for planning permission:

Insertion of a window in an existing house wall is often permitted development. Part 1 Class A to Schedule 2 of the Town and Country Planning (General Permitted Development) Order (as amended in 2008) would permit the insertion of a window as permitted development subject to the condition A3 (b) that any upper floor window in a wall forming a side elevation should be:

- (i) obscure glazed, and
- (ii) non opening, unless the opening parts are more than 1.7m above floor level within the room.

As the window here is at an upper floor level and is not intended to be obscured and non opening it cannot qualify as permitted development under these amended provisions.

Impact on Local Environment:

The window has been formed in proportion to the windows in the existing dwelling. Taking into consideration the mixed design, age and size of the dwellings on High Spring Road, it is not considered that the proposal would be detrimental to the character or appearance of the property or the wider street scene and so complies with Policy D1 of the RUDP.

Impact on the amenity of occupiers of neighbouring properties:

The proposal is, however, considered to significantly affect the amenity of occupiers of the neighbouring property due to its proximity to the boundary and the manner in which it would allow overlooking of the house and its garden if it is not obscure glazed. The neighbouring house, Woodlands, has a number of habitable room windows on the eastern side and southern rear elevation including a conservatory. These windows and a large area of private rear garden space are directly overlooked by the new window which is close to the boundary and too high up to make any screening by fencing or hedges effective.

An objection has been received from this neighbouring property relating to overlooking and the pressure to prune trees in the garden. Due to the overlooking of the neighbouring garden and some of the windows in that property, the addition of a window at first floor level serving a bedroom will exacerbate the relationship between the buildings which is already not ideal.

It has been noted that there are existing windows at ground floor level that already look onto the neighbouring dwelling. However, these form part of the original design of the dwelling and, as they serve non habitable rooms (understood to be wc and utility room) they do not give rise to the same direct overlooking issues as the 1st floor window which is to a bedroom. Being at ground floor level such windows would have been Permitted Development had they been installed under the current regulations whereas insertion of windows above ground floor that are not obscure glazed cannot be installed without planning permission.

The development has been carefully assessed on its merits but is considered unacceptable as it would have a negative impact on the amenity of the occupants of Woodlands due to overlooking and loss of privacy. If it is to be acceptable, the window needs to be obscure glazed and any parts less than 1.7m above floor level of the room made non-opening to accord with the condition of permitted development. However, the applicant is not willing to submit to this requirement. The development must therefore be regarded as being harmful to privacy and amenity of the adjoining occupiers, contrary to Policy UR3 of the RUDP.

Impact on Highway Safety:

The existing means of access to and from the site is not altered so there are no implications for highway safety.

Community Safety Implications:

The proposal poses no apparent community safety implications and is considered to accord with Policy D4 of the RUDP.

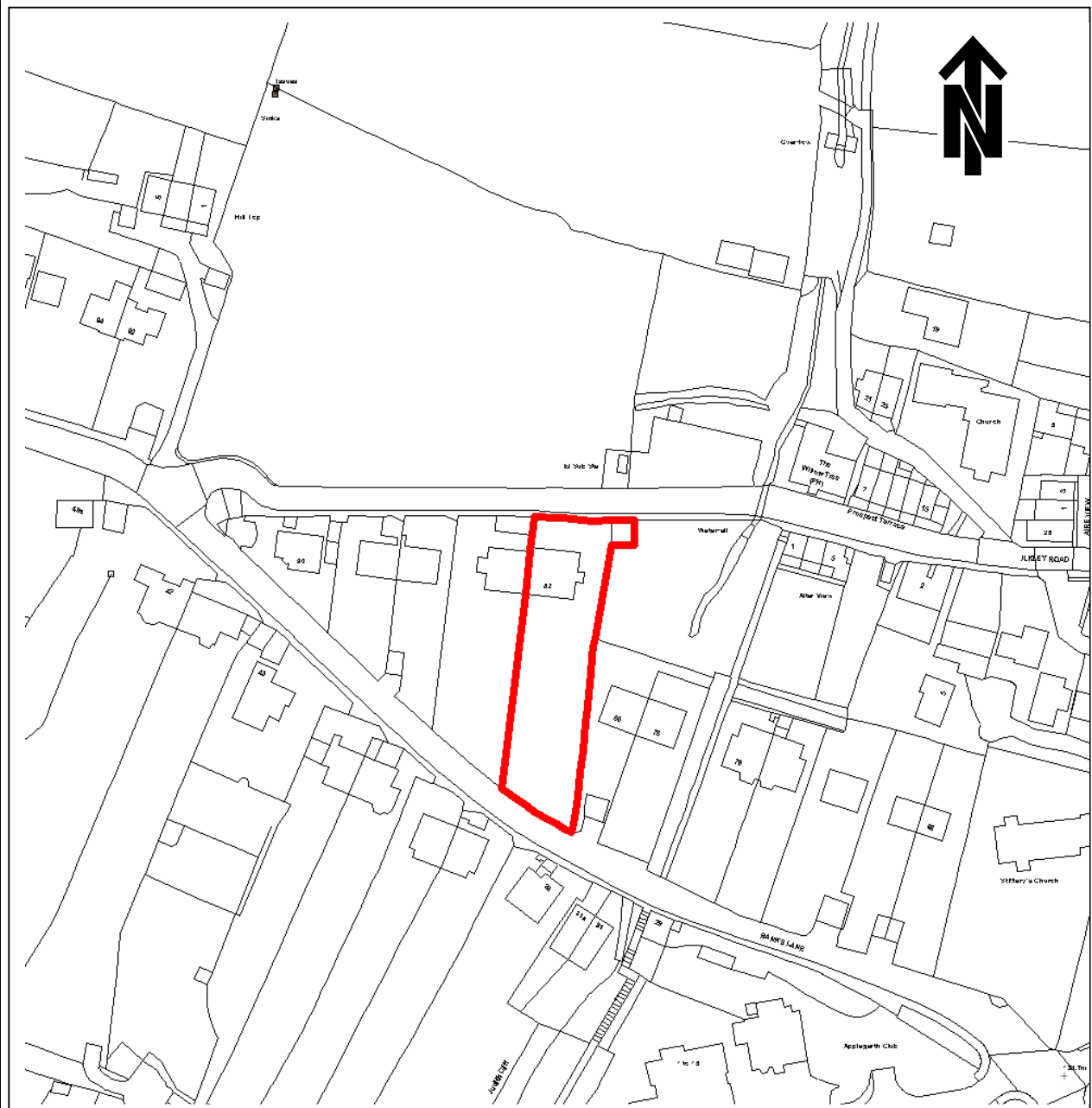
Reasons for Refusal:

The proposed development introduces a clear glazed window which would overlook private garden space and habitable room windows of the neighbouring property at close quarters. As such it would be detrimental to the amenity and privacy of existing and future residents of that property contrary to Policy UR3 of the Replacement Unitary Development Plan for the Bradford District.

Area Planning Panel (Keighley)

11/04899/FUL

22 February 2012



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ITEM NO. : 5

LOCATION:

**82 Banks Lane
Riddlesden
Keighley**

22 February 2012

Item Number: 5
Ward: KEIGHLEY EAST
Recommendation:
TO REFUSE PLANNING PERMISSION

Application Number:
11/04899/FUL

Type of Application/Proposal and Address:
Full planning application for detached dwelling house at 82 Banks Lane, Riddlesden, Keighley, BD20 5PJ.

Applicant:
Mr Danny Caulfield

Agent:
Kaminski Developments

Site Description:
This application relates to a garden area associated with an existing semi-detached dwelling located at higher level off Ilkley Road to the north.

The site is sloping and terraced and falls in level to a frontage on Banks Lane.

This frontage comprises a high boundary wall that is contiguous with similar high frontage walls along this section of Banks Lane. There is a pedestrian gate in the wall. There is no footway along the highway frontage.

The area is generally residential in character and the area as a whole falls from north to south with the valley side.

Relevant Site History:
07/06849/OUT – 2 dwellings on land to the front of 82 – 84 Banks Lane with access off Banks Lane. Approved.

08/03309/FUL – Construction of a detached dwelling on land to the front of 82 Banks Lane with access off Banks Lane. Refused for the following reason:

‘The proposed means of access to the site fails to provide adequate visibility splays to ensure that vehicles emerging into Banks Lane could do so safely at a point where forward visibility for approaching traffic is restricted by a curve in the road alignment. The absence of a footway along this section of frontage compounds the problem, and requires emerging vehicles to substantially enter the highway in order to obtain any view of approaching traffic. Consequently, the proposed formation of a new entrance at this point is unacceptable since it would result in significant harm to highway safety, contrary to Policies TM2, TM12 and TM19A of the Replacement Unitary Development Plan.’

Decision upheld at appeal.

08/07255/FUL - Construction of a detached dwelling on land to the front of 82 Banks Lane. Accessed off Banks Lane. Refused on highway safety grounds

10/04504/FUL - Construction of a detached dwelling on land to the front of 82 Banks Lane with pedestrian access off Banks Lane and off road parking off Ilkley Road with path down to the dwelling. Refused for the following reason:

‘The proposal attempts to address reasons for refusal of previous applications and reasons for the dismissal of a previous appeal by means of an alternative arrangement for access, parking and servicing of the proposed dwelling. However, this is a contrived arrangement which proposes parking spaces located some 50 metres from the proposed dwelling and would require occupiers to negotiate a number of steps to reach the dwelling. This arrangement would not be attractive to use and it is likely that the alternative of parking on Banks Lane would be preferable to future occupiers. The proposed arrangement does not allow adequate arrangements for servicing of the dwelling or dealing with the collection of waste. In addition, the indicated car parking arrangement is shown partly outside the edged red application site and may not be in the control of the applicant. The proposals would continue to be detrimental to highway safety and do not provide adequate design arrangements for servicing and waste handling and fail to accord with Policies D1, TM2, TM12 and TM19A of the Bradford Replacement Unitary Development Plan.’

10/04652/OUT – 2 dwellings on land to the front of 82 – 84 Banks Lane with access off Banks Lane. Approved.

Replacement Unitary Development Plan (RUDP):

Allocation

Unallocated.

Proposals and Policies

UDP3 – Quality of built and natural environment

UR2 – Promoting sustainable development

UR3 – Local impact of development

TM2 – Impact of traffic and its mitigation

TM19A – Traffic management and road safety

D1 – Design

D4 – Community safety

H7 – Housing density – expectation

H8 – Housing density – efficient use of land

NE4 – Trees and woodland

NE5 – Retention of trees on development sites

NE6 – Protection of trees during development

P5 – Development close to former landfill sites

The Draft National Planning Policy Framework (DNPPF):

The Draft 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 Draft Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Parish Council:

Recommended for refusal on highway grounds.

Publicity and Number of Representations:

Publicised by means of site notice and individual neighbour notifications. A petition of six signatures in support of the application has been submitted.

Summary of Representations Received:

The petitioners were not specific as to why they consider the application should be approved.

Consultations:

Council's Drainage Unit: Comment on a public sewer that crosses the site and the need to consult Yorkshire Water on the layout implications because of this fact. They also comment on the need to carry out the development so that it doesn't adversely affect surface water flow patterns across the site and the need to use porous materials for car parking / hard standing areas.

Minerals and Waste Team has no comments.

Highways Development Control would not be able to support the current proposal due to highway safety concerns it would raise if it were to be approved.

Similar proposals for a single dwelling on this site on planning applications 08/03309/FUL and 10/04504/FUL have been refused by the Council on highway safety grounds. An appeal against the decision to refuse planning application 08/03309/FUL was also dismissed by an inspector.

The current proposal attempts to address previous concerns raised by them regarding the proposed location for the wheelie bins for the new dwelling. These are now to be located close to Ilkley Road approximately 36m from the rear of the new dwelling. However the concerns raised regarding the excessive distance of the proposed parking bays to the dwelling and the steep nature of the path leading to the dwelling from Ilkley Road have not been addressed.

The proposed parking spaces located some 50 metres from the front of the new house and would require occupiers to negotiate a number of steps to reach the dwelling. This arrangement would not be attractive to use and it is likely that the alternative of parking on Banks Lane would be preferable to future occupiers. Banks Lane is narrow, lacks adequate footway and therefore this would not be desirable.

In conclusion the current proposal fails to provide suitable parking arrangements for the proposed development likely to lead to an increase in on street parking on Banks Lane with highway safety concerns likely to arise. Furthermore the proposed arrangements do not allow for adequate servicing of the dwelling. The proposal is therefore likely to lead to conditions detrimental to highway safety.

Summary of Main Issues:

Principle
Density
Design and external appearance
Residential amenity
Drainage
Trees
Highway safety

Appraisal:

Principle

Site is brown field land already used for residential purposes and is sited in the defined urban area of the District, within the built up settlement of Riddlesden. The site is considered to be in a sustainable location with access to buses that provide a 30 min daytime service Monday to Friday to Keighley town centre. The proposal would therefore accord with policy UR2 of the Replacement Unitary Development Plan (RUDP).

Density

The site is being developed at a lower density than policy H7 of the RUDP would advise but it is considered that due to constraints in the form of the position of the existing dwelling on the site and adjacent dwellings, the long thin nature of the site and the existing character of the area the density of development is the maximum that can be achieved and the proposal would therefore accord with policy H8 of the RUDP.

Design and external appearance

The proposed dwelling although set at a slight angle, due to drainage constraints, has been sited so that it relates to the semis 80 and 78 Banks Lane, which together with 68 to 76 Banks Lane form a building line fronting Banks Lane.

The proposed dwelling has a lower ridge than 80 Banks Lane but the dwelling is two storey when viewed from Banks Lane reflecting the character of existing adjacent development.

The design of the dwelling reflects the character and appearance of existing dwellings to the rear and side of it with pitched roof, displaying windows with a vertical emphasis and a bay window on its Banks Lane elevation on the principle elevation of the proposed dwelling onto Banks Lane.

The dwelling is to have natural stone walls and a blue slated roof reflecting materials used on existing buildings in the vicinity.

The proposal is considered to accord with policies UDP3, D1 and UR3 of the RUDP in terms of its design and external appearance.

Residential amenity

The proposed dwelling will be sited at a lower level than 82 Banks Lane. The distance between elevations with habitable room windows in them would be 21m. The distance of 21m is considered to be sufficient to prevent 82 Banks Lane having an overbearing impact on the occupiers of the new dwelling and privacy to the bedroom window facing 82 Banks Lane is to be preserved via a planting screen. The planting screen would work but may take time to establish. In the mean time privacy could be ensured via a hit and miss fence with pales angled to prevent views not light through it and its erection ensured by means of condition.

The proposed dwelling will have secondary windows on its side elevations, close to the boundaries of the property overlooking the garden of 84 Banks Lane and facing the boundary with 80 Banks Lane. 80 Banks Lane also has habitable room windows facing the site. Privacy between properties can be achieved by conditioning the dressing room window facing 84 Banks Lane so that its obscured and non opening. With regard to the windows facing 80 Banks Lane privacy here could be achieved by retention of the privet hedging between the two properties and the use of obscure glazing.

The front of the property, which will face Banks Lane, is sufficiently distant from Banks Lane (between 15m and 23.5m) to ensure the windows it contains don't cause overlooking problems.

The dwelling would lie 2m and 3.3m off boundaries with 84 and 80 Banks Lane and the dwelling would have an overall height of 8.414m. Due to the slope of the land the dwelling would be sited on and the fact that it would be partly dug into the slope it is not considered that the proposed dwelling would lead to problems of overbearing for the occupiers of adjacent lane contrary to policies D1 and UR3 of the RUDP.

In conclusion it is considered that the proposal would accord with policies D1 and UR3 of the RUDP in terms of its impact on residential amenity.

Drainage

The public sewer referred to by the Councils Drainage Unit runs near to the sites existing boundary with Banks Lane. The sewer would be between 14.8m and 23.5m from the front wall of the proposed dwelling. At these distances the development would not affect the public sewer. There are no other drainage issues that need considering here or that can't be dealt with by condition.

Trees

The existing site does have an existing tree on it which would be lost to allow the development to proceed. It is not considered that the tree makes such an important contribution to the visual amenities of the area that its removal would prevent the development taking place. It is considered that the proposal would accord with conditions NE4, NE5 and NE6 of the RUDP in terms of its impact on trees.

Highway safety

The current submission differs from planning refusal 10/04504/FUL in so far as the red edge of the application has been amended to enclose all the land the applicant is relying on and the existing pedestrian gate onto Banks Lane is to be walled up.

The current proposal attempts to address previous access concerns raised. Wheelie bins are now to be located close to Ilkley Road approximately 36m from the rear of the new dwelling. However the concerns raised regarding the excessive distance of the proposed parking bays to the dwelling and the steep nature of the path leading to the dwelling from Ilkley Road go wider than just the location of wheelie bins and have still not been adequately addressed.

The proposed parking spaces and wheelie bins would still be located some 36 metres from the entrance to the new house and would still require occupiers to negotiate a number of steps and a steep sloping path to reach the dwelling. Additionally any services provided for the dwelling, not just waste disposal service, would be required to use this long, stepped and steeply sloping access. This arrangement would not be attractive to use and although the pedestrian gate to Banks Lane is to be walled up (and in theory could be made so indefinitely via a planning condition) it is likely that the alternative of parking on Banks Lane would be preferable to future occupiers and there would be pressure in the future on the Local Planning Authority (LPA) to allow access (whether that was pedestrian and / or vehicular access) from Banks Lane. Given the unsatisfactory nature of the access from Ilkley Road being proposed it is considered that it would be difficult for the LPA to resist those requests and that as a result, by a circuitous route, an undesirable access to Banks Lane which of itself is narrow, lacks adequate footway and visibility, would be created contrary to the promotion of highway safety.

In conclusion the current proposal fails to provide suitable parking arrangements for the proposed development and would put pressure on the LPA to approve unsuitable access from Banks Lane with highway safety concerns likely to arise. Furthermore the proposed arrangements do not allow for adequate servicing of the dwelling. The proposal is therefore likely to lead to conditions detrimental to highway safety.

Community Safety Implications:

There is potential for the dwelling to form defensible space for the use of occupiers of the new dwelling and the occupants of 82 Banks Lane and does not raise any community safety issues contrary to policy D4 of the RUDP.

Reasons for Refusal:

The proposal attempts to address reasons for refusal of previous applications and reasons for the dismissal of a previous appeal by means of an alternative arrangement for access, parking and servicing of the proposed dwelling. However, this is a contrived arrangement which proposes parking spaces located a considerable distance from the proposed dwelling and would require occupiers to negotiate a number of steps and a steep slope to reach the dwelling. This arrangement would not be attractive to use. The proposed arrangement does not allow adequate arrangements for servicing of the dwelling or dealing with the collection of waste. The proposals would continue to be detrimental to highway safety and do not provide adequate design arrangements for servicing and waste handling and fail to accord with Policies D1, TM2, TM12 and TM19A of the Bradford Replacement Unitary Development Plan.
