

Report of the Strategic Director of Regeneration to the meeting of the Area Planning Panel (KEIGHLEY) to be held on 08 October 2009

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.	15 Bracken Bank Grove Keighley West Yorkshire BD22 7BG [Approve]	Keighley West
2.	Land At North West Of 51 Parkway Steeton With Eastburn West Yorkshire [Approve]	Craven

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Portfolio:
Environment and Culture

Improvement Committee Area:
Regeneration and Economy



Area Planning Panel (Keighley)

09/03249/HOU

8 October 2009



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ITEM NO. : 1	LOCATION: 15 Bracken Bank Grove Keighley BD22 7BG
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8 October 2009

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

Application Number:
09/03249/HOU

Type of Application/Proposal and Address:

Full application for the construction of a two storey side extension and single storey rear extension and hardsurfaced area for a car parking space at 15 Bracken Bank Grove, Keighley

Site Description:

The property is a semi detached house in an established residential area with boundaries formed by fences and hedges. The north west boundary of the site abuts a footpath which links Staveley Grove with Bracken Bank Grove. This footpath is approximately 1m higher than the ground level of 15 Bracken Bank Grove.

Relevant Site History:

None

Replacement Unitary Development Plan (RUDP):

Allocation

The site is unallocated.

Proposals and Policies

D1 General Design Considerations
UR3 The Local Impact of Development
D4 Community Safety Implications
TM12 Parking Standards for Residential Development
Supplementary Planning Guidance: Revised House Extensions Policy 2003

Parish Council:

Keighley Town Council objects and have requested that the application be determined by the Area Planning Panel. Concerns relate to;

- The size of the single storey rear extension – it is too large and sets an unnecessary precedent.
- Disposal of excavated clay.
- Tanking of building to keep it dry below footpath level.
- Whether drain is low enough to cope with water without being pumped.

Publicity and Number of Representations:

The application was publicised by neighbour notification letters. Expiry Date 13/08/2009. No representations received.

Summary of Representations Received:

None.

Consultations:

None.

Summary of Main Issues:

Impact on Local Environment
Impact on Neighbouring Occupants
Impact on Highway Safety
Community Safety Implications

Appraisal:

Impact on Local Environment

Part of the proposal is for a two storey side extension which would be built to within 0.56m of the side boundary of the dwelling. This side extension incorporates a set back at ground and first floor of 0.5m. The Councils House Extensions Policy recommends that to avoid terracing and maintain the symmetry of semi detached properties 'two storey extensions which are part of a uniform row will normally incorporate a set back to the first floor of 1m from the main front wall of the property'. Whilst the application proposal does not have a full 1m set back in view of the fact that, the extension will be subservient, the attached neighbouring property will not be able to extend to the side owing to its proximity to the side boundary and the location of a footpath between No.s 13 and 15 Bracken bank Grove will mitigate any terracing effect.

To the rear of the side extension it is proposed to build a 3m deep rear extension with a lean to roof. This extension is not excessively large in relation to the property and is of a size which accords with recommendations for rear extensions in the Councils House Extensions Policy.

The design of the extensions will be in keeping with the existing dwellings. The dwelling is finished in brick and concrete roof tiles. The applicant intends to render the whole property and render the extensions to match. Concrete tiles to match the existing are to be used on the roof.

It is considered that the proposal is in keeping with the character scale and design of the existing property and the street scene and in this respect accords with policies UR3 and D1 of the RUDP.

Impact on Neighbouring Occupants

The side and rear extension will be located over 3m from the side elevation of No. 13 Bracken Bank. The proposal will not have an undue effect on the occupiers of this adjacent property to the north west which is on a higher level and separated from the proposal by a footpath. There are no habitable room facing windows on the side elevation of No.13 and none proposed on the extensions at No. 15 so there are no overlooking issues.

The single storey rear extension is set far enough away from both neighbouring properties to have no adverse impact on the outlook from the windows of these dwellings. This rear extension has a side facing window which would be located 6.2m from the joint boundary with No. 17 Bracken Bank Grove and a rear window which would be located 7m from the rear boundary. It is considered that the existing boundary treatment comprising a fence along the side boundary and hedge along the rear boundary is adequate to prevent any significant levels of overlooking. Approval can be subject to a condition that boundary treatment is retained.

Impact on Highway Safety:

The proposal includes the provision of a new parking space to the front and associated dropped crossing on Bracken Bank Grove. The provision of off-street parking will remove vehicles from the highway to the benefit of highway safety.

Parish Comments

In addition to the size of the rear extension the Parish Council have raised concerns regarding the 'tanking' of the extension and position of the drain.

A Building Regulations Application has been submitted and a conditional approval granted. Inspections are to be made during construction. The Building Control Officer has advised that issues relating to tanking, construction of retaining walls adjacent to the footpath and the retention of the private gulley for surface water drainage have all been addressed as part of the Building Regulation Application.

Community Safety Implications:

There are no apparent Community Safety Implications.

Reason for Granting Planning Permission:

The proposed two storey side extension and single storey rear extension are considered to relate satisfactorily to the character of the existing dwelling and adjacent properties. The impact of the extensions 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. There are no adverse highway safety implications and no apparent Community Safety implications. As such this proposal is considered to be in accordance with Policies UR3, D1, D4 and TM12 of the Replacement Unitary Development Plan.

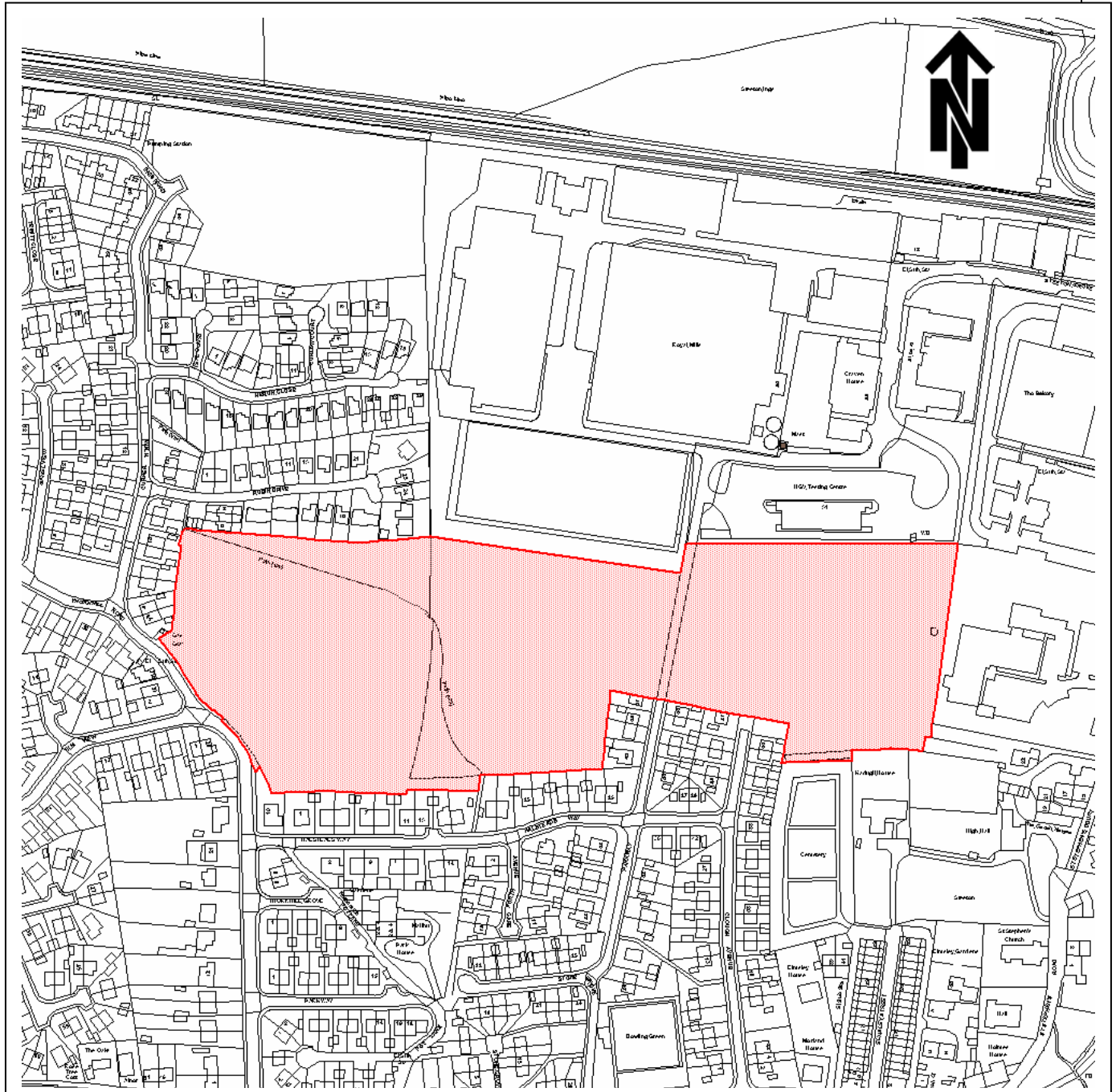
Conditions of Approval:

1. The development to commence within three years.
 2. The development to be constructed of facing and roofing materials to match the existing building.
 3. Boundary screening to be retained on boundaries with 17 Bracken bank Grove and 17 Staveley Grove and maintained as retained at all times.
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Area Planning Panel (Keighley)

09/01100/FUL

8 October 2009



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<p>ITEM NO. : 2</p>	<p>LOCATION: Land At North West Of 51 Parkway Steeton With Eastburn</p>
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8 October 2009

Item Number: 2

Ward: CRAVEN

Recommendation:

TO GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS AND A SECTION S106/278 LEGAL AGREEMENT

Application Number:

09/01100/FUL

Type of Application/Proposal and Address:

Full application for the construction of 229 houses, access roads, cycle ways and open space on Land at North West of 51 Parkway, Steeton with Eastburn

This application was deferred by Members of the Panel on 16 September 2009 in order to provide further information and greater clarity on certain issues. This early part of the report will deal with the issues of deferment and how these issues have been, or can be appropriately, addressed. The original report follows on from the discussion of the actions and starts with the paragraph noted site description. It should be noted that the original report has also been updated in certain areas e.g. number of representations received etc.

Actions to resolve which arose at the Panel of 16 September 2009

A. Education issues – The Education, Schools and Capital manager will be attending the Panel meeting to discuss and answer specific questions from Members. It should be noted that there is currently substantial strategic planning occurring across Children's Services to ensure that BMDC have sufficient schools places for all children which is one of our statutory responsibilities. It may mean that BMDC will begin consulting on a number of proposals for changes over a number of years as BMDC prioritise to meet the demand as the population of Bradford continues to grow significantly. The timing of any proposed changes will need to be scrutinised to ensure BMDC meet this demand bringing together and factoring in all funding streams to ensure that works are completed.

It is not possible to confirm which school(s) would be enlarged or remodelled or which dates it may be that Education services need to make temporary arrangements prior to completion of work, and it may be that Education Services need to plan the dates funding is available which may be the case for Steeton depending on a number of factors. Therefore provided Education Services are guaranteed that payment will be made it will not be essential to receive the funding immediately building begins as long as Education services can factor the amount into their calculations.

It should also be noted that children living in Steeton attend a number of schools in other areas/villages which include Eastburn, Silsden and parts of Keighley itself, often by choice. BMDC do have to take into account parental wishes and preferences for schools. Maps and tables provide this evidence, which is why education services cannot say where any section 106 monies would be spent at this stage but can say that it would be used in the Keighley area/constituency to increase primary educational provision. All schools are organised into planning groups and locality areas and work together as children living in areas may attend any of the schools not necessarily the most local one.

Essentially the prime consideration is that the contribution is paid within an agreed timescale in order that Education Services are able to factor the contribution into their budgets. As such, it has been negotiated that the contribution of £300,000 can be paid in the following way (i) £100,000 after 40% of the private dwellings have been first occupied with (ii) the remaining contribution (£200,000) after 80% of the total number of the dwellings on the site have been occupied. The S106 should also include a default clause which seeks to ensure that the whole contribution amount shall be paid within three years of commencement of development if the development commences but does not achieve the above building levels within a three year period.

B. Highway issues

B (i) Out of date Transport Assessment - Members were concerned that the existing traffic data as used in the 2009 version of the Transport Assessment is out-of-date because this was collected in March 2008. The following facts are presented to show that this not the case:

- Whilst collected in March 2008 the existing traffic data was only some 11 months old when it was utilised within the 2009 version of the Transport Assessment. It is understood that over this period of time there were no substantive changes to the local highway network or the introduction of any development that could be a significant generator of traffic. It is therefore considered that the March 2008 existing traffic data is fit for purpose in its use as a basis for the 2009 Transport Assessment.

~ Between March 2008 and February 2009 the country entered a period of significant recession and therefore it is likely that existing traffic flows actually decreased over this period but in any case they were unlikely to have increased significantly for this reason and the reasons identified above.

~ The 2009 Transport Assessment takes the March 2008 existing traffic flows and applies local morning and evening growth factors to obtain higher base flows for the assumed Design Year of 2014, 5 years after the date of the submission of the revised planning application. The traffic generated by the proposed development has then been added to these base flows in order to carry out the detailed traffic impact analysis contained within the 2009 Transport Assessment. This methodology accords fully with Government guidance in this regard as set out in the DfT publication 'Guidance on Transport Assessment', March 2007. The application of such growth factors does take account in general terms of other development in the local area and also any increases in car ownership and population based on local trends over the recent period prior to 2008 of significant growth in the economy. Given the recession and therefore the likelihood that there will be no significant development in the local area taking occupation over the next 2/3 years, the above is considered to be a very robust approach which has been taken by applying traffic growth over the full period of 2008-2014 and therefore there is no necessity to obtain any additional existing traffic data.

B(ii) Consideration of two points of access to the site

It is considered that the proposed single point of access to the site is satisfactory and will not compromise highway and pedestrian safety. The use of Steeton Grove to provide a vehicular access to the site is not supported in highway terms. The use of Parkway is also considered unsatisfactory as a general access to the site as such a road would severely compromise the retention of part of the belt of preserved trees in this location and undermine the visual amenity of this part of the site. Moreover, it is the junction at Thornhill Road/Skipton Road which is being improved as part of this development scheme and as

such, traffic exiting the development site is less likely to be engaged in rat running if the entrance to the development site is onto Thornhill Road.

B(iii) Junction Improvements to Thornhill/Skipton Road junction

A dedicated right turning lane is to be provided from Skipton Road into Thornhill Road. The existing retaining wall along Skipton Road will be realigned to facilitate the road improvements. 7 trees will be impacted upon by the proposed new road layout. Two of the trees are only marginally affected by the proposed development and should survive the works with little change of any future problems or implications occurring. Two further trees are a little more significantly impacted upon. However, the level of root loss expected would be survivable by the trees. Three further trees would lose approximately 20-25% of their rooting area. There is the possibility that this may have some impact upon the trees. However, rather than recommending the removal of these trees from the start, it is suggested that the excavations be undertaken carefully, avoiding root damage, in the presence of a specialist consultant and a decision be made on the retention of the trees dependent on the feasibility of keeping them when the level of root disturbance which is required if fully known. These trees form an attractive feature along Skipton Road and their retention if feasible after excavation is recommended. The treatment of all the trees affected by the works with Mycorrhizal fungi would help mitigate the loss of any feeding roots and therefore lessen the impact of the works carried out close to the trees.

C. Phasing – No general phasing of the development is considered necessary over and above the usual necessity to ensure the infrastructure to enable the development is provided in the first instance. If planning permission is granted for the development of the site, the first construction work will therefore be to ensure that the drainage infrastructure is provided as soon as possible. This will enable the first tranche of affordable housing to be commenced circa 2009 and the completion of all the specified affordable units on or before January 2012 to ensure that the grant funding conditions stipulated by the Housing and Communities Association are met.

D. Location of the Registered Social Landlord (RSL) Units – Members raised concerns regarding the fact that the affordable housing units are primarily in one area in terms of the layout of the scheme.

Funding for the proposed 60 affordable units from the Housing Communities Association (HCA) was secured in July 2009. The nominated Housing Association (the RSL) has been working closely with both the developer and the Councils housing enabling section to ensure all parties can work together to develop the affordable units within an agreed period of time and to bring more investment into the district from the HCA's 2008-2011 National Affordable Housing programme.

The layout of the affordable scheme was agreed as currently proposed to enable the scheme to have an earlier delivery of the 60 affordable units. This ensures full deliverability of these grant funded units within the necessary timescales to enable necessary funding from the Housing Communities Association to be drawn down by the nominated Housing Association. The funding which has been currently secured has a time limit on the delivery of the scheme.

The developer, Bradford Council Regeneration, Manningham Housing Association and the Housing Communities Association (HCA) have been working mutually working towards these goals (albeit subject to planning consent). The layout as currently proposed will bring about a more effective/logical construction phasing of the development and a better management

of the completed affordable units for the housing association (RSL). If the housing association and BMDC were to undertake the planning committees' suggestion on board for a greater dispersal of the affordable housing on this site, this could affect the level of secured investment from the HCA coming into the District.

At this stage, it should also be noted that the affordable houses to be provided on the site have a larger floor space than the comparable private units and will be built to code 3 standards, which again is in excess of the standards required for any private housing on the site.

E. Affordable housing for local people – Concerns were raised about how the affordable housing units to be constructed on the site were to be provided for local residents.

If planning permission is granted for the scheme, it would be subject to a section 106 legal agreement. This essentially ring fences the houses for Steeton and Eastburn residents in the first instance, if there were not enough take up/need from the residents of Steeton, the catchment would be increased to include Craven/Keighley residents in the second instance and the residents of the rest of the District would be eligible only as a last option.

F. Drainage Issues – leaking sewer

A senior officer from the Councils drainage section will be attending Panel to address the specific concerns of Members. Councillor Mallinson tabled a photograph at the Panel and has been asked to provide details of the exact location of the sewer shown in the photograph. The text below identifies, in a straightforward manner, the drainage situation at the site itself:-

Foul Drainage

Yorkshire Water has identified a suitable connection to the existing sewer network on the north east side of Millennium Business Park. It is proposed that foul flows from the Thornhill Road development will flow freely into the existing sewer network. Yorkshire Water has been provided with details of the drainage proposals for the development and has not advised of any surcharge issues within the existing sewer network.

Surface Water Drainage

Surface water drainage proposals for the development involve connection of an existing highway drain at the start of the new drainage system, at Thornton Road. The new surface water drainage system will also collect rainwater from roof, highway and other paved areas within the new development. It is proposed that the surface water network will direct flows to Steeton Beck.

The Environment Agency and BMDC require that surface water flows into Steeton Beck are restricted to the pre-developed rates i.e. flows that run off the site presently.

A return period is defined as the average length of time separating rainfall events of a similar magnitude. For example, a 1 in 2 year rainfall event will occur on average once every 2 years. Likewise, a 1 in 30 year rainfall event will occur on average once every 30 years. In addition, rainfall during the 1 in 30 year event will be much heavier and therefore there will be more flow, than during a 1 in 2 year event.

For the 1 in 2 year event, which is an industry standard measure, the pre-developed flow rate has been calculated to be 86 litres per second. When the rainfall event increases, the

amount of flow increases to Steeton Beck as the existing flows are restricted only to the pipe diameter of the outfall. Therefore the discharge from the new development will be restricted to the Greenfield pre-developed runoff rate of 86 litres per second. Flows in excess of this will be stored on site before being allowed to flow into Steeton Beck, without being allowed to exceed the pre-development runoff rate.

After development, flows into Steeton Beck for periods of rainfall which are heavier than that occurring during the 1 in 2 year event will be reduced, resulting in betterment on the existing situation.

G. Other matters raised by Members but not addressed above

G(i) Pedestrian/cycleway access to the station – the developer is to provide for the provision of a cycleway through the development site. The provision of the cycleway/pedestrian linkages from the boundary of the development site to the railway station will be funded by a Local Transport Plan (LTP) initiative. The budget is in place for this project and can be drawn down once it is clear that the internal linkages within the development site can be put into place. A condition is suggested in any permission granted to ensure that within 6 months of development commencing on site, a timetable for bringing the internal cycleway forward on the development site shall be submitted to any agreed in writing by the Local Planning Authority.

G (ii) Flood lights from the adjacent HGV Testing Station – Full details of an acoustic barrier to be provided between the houses along the northern boundary and the adjacent HGV station have been suggested in any permission granted. The details of this barrier and associated boundary screening can also take account, as far as practically possible, of any adverse effects from flood lights from vehicles within the HGV station.

G (iii) Rat running and possible Traffic Regulation Orders (TROs) – Highways have advised that a TRO should be provided at the junction of Thornhill Road with Skipton Road to ensure the junction remains clear of parked cars. A drawing showing the details around the junction will be tabled for Members at the Planning Panel.

G (iv) Pill Boxes - There are two pill boxes on the site and it is proposed to retain the pill box which is sited within one of the two proposed parcels of public open space.

G (v) Economic benefits – it should be noted that in addition to the provision of 60 affordable housing units there will be the added benefit of approximately 50 jobs created if development commences and rising to circa 150 construction jobs after 6 months.

Site Description:

A 6.02 hectare irregular shaped parcel of Greenfield land that is located within the settlement of Steeton with Eastburn. The site is comprised of a number of fields to the rear of properties on the north side of Halsteads Way that are used for grazing and as open pasture. It slopes gradually from the south down towards the north east and is located to the south east of Steeton Conservation Area. A number of Tree Preservation Orders (TPOs) exist on the site which cover groups of trees - two of which cross the development site from north the south and the other is located adjacent to the Steeton Cemetery. Public footpath identified as Steeton with Eastburn 5 Footpath crosses the western part of the site linking Halsteads Way to the south with Currer Walk to the North West. A large portion of the site is allocated in the Replacement Unitary Development Plan as a phase 2 housing site (upon which development can be brought forward from 2009).

Vehicular access to the site can be gained from the field gate on Thornhill road. Remnants of the sites former use as part of a cannon testing range during World War Two (associated within the former Royal Ordnance factory to the north of the site) are still visible. These include pillboxes, one in the middle and one at the eastern end of the site, and two single storey watch posts.

The site adjoins a variety of residential properties along most of its southern boundary, along its western boundary and part of the north western boundary. The remainder of the northern boundary and the eastern boundary of the development site abuts an industrial/commercial area. The south eastern corner of the site adjoins Steeton Cemetery and other properties which are located within the Steeton Conservation Area.

Relevant Site History:

Applications

Planning application 08/02399/FUL – Construction of residential development with playing facilities, access roads - WITHDRAWN - from determination.

Policy (a full chronology of how policy has been established at the site is given in order to fully clarify the current situation with regard to allocation of part of the site and how that situation has emerged).

Unitary Development Plan - Adopted 1998

Allocated the development site as a housing site - Ref: K/H2.87 - Halsteads Way - 6.2 ha. 'A strategic allocation with part of the site to be reserved for a new primary school'

The site was also allocated under policy CF1 - School Site - Halsteads Way. 'A site of approximately 1 hectare is to be allocated within the Halsteads Way housing site as a prerequisite of development of that site'.

Draft Development Brief - approved for consultation November 1998

'Eastern part of the site with access from Clough Avenue, reserved for a school, if required' (This brief was never adopted, due to delays regarding drainage issues in the area and the preparation of the Replacement Unitary Development Plan).

First Deposit Replacement Unitary Development Plan - June 2001

Allocated as a Phase 2 housing site - K/H2.1 - Parkway/Clough Avenue - 6.02 ha

The site was also allocated as a school site - K/CF1.2 - Parkway/Clough Avenue: 'Carried forward from the adopted Unitary Development Plan of approximately 1 ha within the housing site K/H2.1 (This allocation was not specifically identified on the Proposals Map).

Revised Deposit Replacement Unitary Development Plan - July 2002

Allocated as a Phase 2 housing site - K/H2.1 - Parkway/Clough Avenue - 6.02 ha

Description the same as in the First Deposit apart from the addition of:

Approximately one hectare within housing site reserved for a new primary school - K/CF1.2 - Parkway/Clough Avenue, with the following description:

Carried forward from the adopted Unitary Development Plan. Approximately one hectare within housing site K/H2.1 is needed for a new school, the exact location of which is still to be identified; hence the Proposals Map shows an indicative site. This indicative school site was shown on the Proposals Map.

Inspector's Report 2004

Paragraph 6.228 states that:

'An allocation of part of the site for a new primary school was made at the time of the adoption of the existing Unitary Development Plan. A review of education needs in the district has now taken place and the Council accepts that it is no longer necessary to reserved part of the site for this purpose'.

Consequently the Inspector recommended that the Revised Deposit be modified by deletion of the reference to the need to reserve approximately 1 hectare for a new primary school.

Modifications - January 2005

Statement of Decisions - agreed with the Inspectors recommendation.

List of Modifications - Omitted reference to a primary school in the description of the site and deleted reference to K/CF1.2.

Adopted Replacement Unitary Development Plan - October 2005

Keighley Proposals Report

K/H2.1 - Parkway/Clough Avenue - 4.90ha - Description omitted any reference to a new primary school

There was no entry under Policy CF1.

Keighley Proposals Map

K/H2.1 allocated as a phase 2 housing site however, the school site still shown on the Proposals Map. This in light of the above policy developments is clearly a drafting error which has come to light following the submission of the 2008 planning application.

Replacement Unitary Development Plan (RUDP) Proposals & Policies

The majority of the site is allocated as a phase 2 housing site whilst the remainder of the site is unallocated within the Replacement Unitary Development Plan. Relevant policies include:

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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

TM8 - New pedestrian and cycle links

TM9 - Protection of routes

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

D6 - Meeting the needs of Pedestrians

D7 - Meeting the needs of Cyclists

BH7 - New Development in or affecting the setting of Conservation Areas

CF2 - New housing proposals resulting in increased demand for educational facilities
OS5 - Provision of recreation open space and playing fields in new development
NE4 - Trees and Woodland
NE5 - Retention of trees on development sites
NE6 - Protection of trees during development
NE10 - Protection of natural features and species
NR15B - Flood Risk
NR16 - Surface Water run off and sustainable drainage systems

Parish Council:

Objected to the original plans for the scheme on drainage issues, traffic and transport issues and policy and design issues. This objection is carried forward to the amended proposals for the following reasons:

the houses, especially in Zone 1 are not in keeping with surrounding properties
the affordable housing, although allocated to both zone 1 and 2 is still in a small area and in a condensed format
the access road between zones 2 and 3 is narrow and does not have a defined footway
there is inadequate parking in zones 1 and 2
the cycleway is not defined
there is a serious lack of amenity and open space on the development
the single access road from Thornhill road is inadequate for the size of the development and additional access roads to the site should be considered
The council has not been informed of the area of the site as agreed between the planning authority and the developer. Part of the site is still defined as 'unallocated' on the Bradford Council website and yet development of this part of the site is included in plans.
Consequently the council is concerned that accurate density figures have not been supplied
The council would like to be informed as to why this application has not been determined within the council's agreed policies the government guidelines of 13 weeks.

Publicity and Number of Representations:

Originally advertised by the individual notification of surrounding neighbouring properties and the display of site notices. The statutory period for publicity was until 21 May 2009.
Substantial numbers of representation were received –
52 individual letters of objection and 119 pro-forma letters of objection were received. Two letters of no objection/comment were also received

Following the receipt of amended plans, the amended application was again advertised by individual notification of surrounding neighbouring properties and the display of site notices. The statutory period for the expiry of publicity was 27 August 2009. 111 letters of objection (including 75 pro-forma letters) have been received.

In addition to the above letters of representation, this application was discussed at a Local Neighbourhood forum meeting on 18 May 2009 at the local school. Substantial numbers of concerned residents attended the meeting and raised the following issues:

If development were to be undertaken for residential development across the whole site, the chance of an educational site would be gone forever.
Every child matters and the schools at Steeton and Eastburn are full and there is only a slight capacity at Silsden
the committee need to take into account the surrounding area

to give all the land for housing development is nonsense
need to be able to walk children to school within a community but any children would have to go to Silsden
want local housing for local people
houses are out of character with the locality
it is still along walk to the Station, shops etc
Lack of community facilities such as doctors surgery etc. to accommodate the development
there is by-pass between Steeton and Silsden
230 children could potentially need spaces for 552 children and it is not acceptable to just look for these spaces when they may be needed once the development is occupied
the type of housing is inappropriate
there is a lack of car parking spaces - need more than 1.5 spaces
Thornhill road is not wide enough to accommodate the development
the estate roads will be very congested because of the width of roads
visitor parking is inadequate
Only one access to the site will create congestion
Is it possible to put access to station Road
Would like to alter detached houses. Strongly object to affordable housing in the middle of the site. Is this social engineering?
There are footpaths through the site. Want the number of footpaths reduced
How safe are the preserved trees on the site. Two trees are to be removed
pill boxes - are they worthy of retention
Sewers are a problem around the site especially at Clough Avenue which has had flooding problems
There has been no work on the sewers for 50 years
Land further down from the site floods. Surface water should not go into the Beck.
Centre of Bradford is a disgrace
Concerned that this developer would not build in accordance with the plans
there are 15000-20,000 empty houses in Bradford
At Steeton Top the lights are running at 130% capacity and 140% when the development is completed
do not want to cluster affordable housing

Summary of Representations Received:

Original scheme

- Increase from 180 to 230 dwellings is abominable
- Water and sewage are main problems
- Conflict with the RUDP which states that a buffer zone is required ensuring that new dwellings on site are protected from potential adverse impact from the employment site.
- There is insufficient information to deal with the application
- Object to the access being opposite residential property – this is dangerous
- More traffic congestion will be caused
- Facilities in Steeton do not have the capacity to cope with an increase in population (schools, surgery and hospital)
- Loss of nature – trees, impact on conservation area, bird population
- Traffic issues, need improved visibility splays, need to stop rat running
- Housing – there is a glut of houses and flats in the market which are not selling. Need management plan for open areas
- Where are the children from this new development going to go to school as there are no/ or very few spaces in the existing local schools

- Insufficient parking at Steeton and Silsden railway station
- Aesthetically, the present fields provides a green oasis to the surrounding residents
- Need to safeguard all the trees we cannot afford to lose more
- Traffic assessments show that existing traffic lights at Steeton Top run near their capacity at peak times
- Transport plan walking and cycle distances show straight routes not the true distances.
- Should have access via a Station Road/Steeton Grove
- Layout of roads within the estate around the open space areas are potentially unsafe
- Detached houses should be located on the western part of the site.
- Public space provision near the mature trees will be in shade for much of the year
- The density of the development is too much and the 60 affordable houses should not be clustered
- Residents do not want large scale housing developments with the existing lack of infrastructure
- Traffic all using Thornhill Road will produce noise, pollution and general disturbance
- With the addition of a footpath which links the village and this new estate with the station, there will be the potential for commuters to park in the estate
- The development is not mixed – where are the bungalow and semis?
- The use of artificial stone is not good enough and the materials should be real stone
- The NHS primary care system in this area is already stretched
- The existing trees on the site must be retained
- In danger of the rural village scene becoming an urban sprawl.
- The whole sewage system of the area needs to be brought up to standard

Amended scheme

- Understand that comments given to the original scheme will still be considered as part of this amended scheme – would like to state that nothing in the revisions addresses any of the points on traffic, drainage, sewerage or the impact on village facilities.
- The changes are cosmetic and deal with changes to the layout and type of affordable housing which is even more concentrated into zone 1
- High density of the development is completely out of character
- Scale of development will have a catastrophic impact on the surrounding infrastructure of roads
- Insufficient schooling available to accommodate the anticipated numbers of primary school children
- Overlooking and loss of privacy
- Policies D1, UR2, UR4 and UR6 should be considered by Members along with the negative impact on the existing community

Consultations:

(i) Environment Agency – Originally objected to the scheme but following the submission of a revised Flood Risk Assessment the EA is in a position to remove their objection providing a condition limiting the surface water run-off is attached to any permission granted. Details of these proposals must be submitted to Bradford Drainage for approval.

(ii) Yorkshire Water – No objections in principle subject to appropriate conditions. Advise that there are public sewers, which cross the site and that the presence of the sewer affects the layout of any scheme. 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 – Confirm the Ground Investigation Report provided by Arc Environmental demonstrates infiltration type sustainable drainage techniques are inappropriate for this use. The developer to undertake a survey of the existing culverted watercourse and provide a report on its condition to demonstrate that, if necessary, it would be hydraulically and structurally suitable to drain the proposal - survey to cover the length of watercourse from point of connection to outfall to Steeton Beck. All flow control and flow balancing works must take place off line of the existing watercourse and they must be designed and constructed to control the surface water flows from the development only. The flow through existing water use must not be impeded in any way. A public sewer crosses the site in the area of the proposed dwellings. Yorkshire Water must be consulted as to the impact on the public sewerage system.

(iv) Rights of Way Section - Public Footpath No. 5 (Steeton with Eastburn) crosses the site linking from Halsteads Way to Robin Drive. It is the developer's intention to retaining this footpath on its current alignment. The amendment is shown on Landscape Proposals (Hardworks) Drawing No. HL01 Rev A to the northwest corner of the site allowing the recorded route of the public footpath to run on the estate road with no interference from parking spaces.

It is noted that the route shown on this drawing as a footpath surfaced with resin bonded gravel has been amended to that it mainly aligns with the recorded public right of way. There is a short section of the public footpath to the north of a bin store that runs between the bin store and woodland shrub area WM5 which is not shown with a gravel surface but as grass. It appears that the route will be open and available to the public and that there is a surfaced alternative in the estate road so I would not insist on this section of path being surfaced. The section of path from the site boundary near Robin Drive to the access road must however be surfaced.

On Landscape Proposals Drg. No. HL02 Rev A - it is noted that the width of the pedestrian connection between the north-eastern corner of the site and the estate road has been increased to three metres. This should be surfaced by the developer.

The plans show a proposed cycleway link running north from Parkway to link with Steeton Grove. A link between the estate and the railway for pedestrians and cyclists has been much requested over the years. A need for such a link was identified during consultations carried out when the Council's Rights of Way Improvement Plan was drawn up. The Development Brief drawn up some years ago identified the need for a cycleway link. Steeton with Eastburn Parish Plan also identifies that a pedestrian and cycle link from the Thornhill Road area to the railway station is required when this site is developed.

The Hardworks Landscapes Proposals Drawing No. HL02 shows a surfaced estate road for the majority of the length of the route identified as the cycleway link. Further details are required showing full details for the whole of the link to the site boundaries, bollards at the end of Parkway and details of barriers at the northern boundary of the site to restrict access to pedestrians and cyclists and prevent use by vehicles as a rat run.

(v) Design Enabler – request changes are made to the window design on some of the dwellings. Overall, it is considered that this is a thoughtful and well presented application.

(vi) Minerals and Waste Section - it is noted that a Desk Study land contamination report has been submitted in support of the application. The report assesses there to be low-negligible contamination risks associated with the residential development however it does recommend

that gas monitoring is undertaken. Recommend conditions are attached to any permission granted to ensure that gas monitoring is undertaken and appropriate mitigation measures are submitted for approval prior to the occupation of the development.

(vii) Parks and Landscape Section - 229 dwellings would need public open space (POS) to be provided up to 4600 sqm and this would need to be of significant amenity value. We would expect to see from a development of this size provision for a children's play area but the question arises however, should this be on site or off site. In the past there have been significant issues relating to anti-social behaviour on development site where the children's play areas has been provided on site however, there is a need to have easy access to a play area. The nearest off site is Steeton Bowling Green play area but this is quite small and the scope for improvements is limited.

No provision has been made for playing pitches and we would seek an off site contribution. In the past investment at Eastburn Rugby Ground was discussed and that would still be a viable option.

If POS and children's play area are to be provided on site but no playing pitch it is requested that a contribution of £28,675 is made. The council would not wish to take on the future maintenance of the areas on site and they would be best managed under the auspices of a management company.

(viii) Education Section – original consultation - Request a contribution of £375,066 for the following reasons: -

The nearest primary schools are Steeton and Eastburn which are completely full so a primary contribution would be required

The nearest secondary schools are The Holy Family Catholic School which is full and Greenhead High which has spaces, so a secondary contribution would not be required

The calculations are based on 2 additional children per school year group per 100 houses

Additional Comments – see paragraph A, page 1. It is understood that due to the financial viability of the proposed development scheme a contribution of £300,000 has been offered to be payable within a certain timeframe in order to allow Education Services to programme the spending of these monies into our programmes to increase primary education in this locality.

(ix) 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. Therefore the housing department request on site provision and is looking for 25% of the number of units to provide a mix of two and three bedroom houses to help accommodate the need for affordable provision. These houses will primarily be targeted for families who live in the local and surrounding areas of Steeton

BMDC have successfully engaged the Housing and Communities Agency (HCA) through the continuous Market Engagement bid round (June 2009) which has identified the priority housing schemes that can meet the Regional priorities in a set period. This site has been identified as one of the schemes (the flagship one) to meet the HCA and the Councils priorities as it can deliver a sustainable housing option which meets local and regional priorities whilst offering value for money in terms of the best use of available public funds within a set period.

Essentially in order to achieve the identified 60 affordable housing units within this development and within a certain period and to a higher standard than the developers normal standard, it is crucial to receive sufficient social housing grant from the HCA. Without the HCA funding the Council and nominated housing association may not be able to deliver the 60 proposed affordable units from the developer in this present economic downturn. The HCA funding is crucial to this scheme as the specification upgrade costs for the affordable units will require HCA grant funding to make the purchase financially viable for an affordable housing provider.

The above grant funding is dependent upon a s106 legal agreement being in place to (i) ensure the development of the affordable units is delivered in accordance with the Councils nominated social housing provider's specification incorporating the HCAs grant funding conditions i.e. design and quality standards and the code for sustainable homes code level three, and; (ii) ensure an agreed programmed of delivery dates i.e. start on site circa December 2009 and completion of all the specified affordable units on or before Jan 2012.

(x) Highways (Development Control) Section – Advised that the proposal would lead to an increase in the use of the Thornhill Road/Skipton Road junction therefore whilst capacity may not be an issue at present, the continued safe operation of the junction. Thornhill Road is a residential road and takes access from the main transport corridor the B6265 Skipton Road, which is a very busy classified district distributor road. Airedale hospital is located approximately 300m to the west of the Thornhill road junction.

The existing priority junction between Skipton /Road and Thornhill road is substandard in terms of its geometric layout i.e. carriageway widths, tight kerb radii and intervisibility around the bend for vehicles turning left onto Thornhill road and visibility from Thornhill road onto the major road network. Despite the fact that some minor improvements to this junction have already been carried out by the council in the form of build outs onto Skipton Road, this still does not achieve the visibility requirements for this type of road. For a higher classified road guidance recommends that a visibility splay of 4.5m x 90 should be achieved.

Original Scheme - the applicants Transport Assessment concludes that the existing priority junction of B6265 Skipton Road/Thornhill Road will still operate within capacity in the Design year of 2014. However it also goes onto acknowledge the requirements to improve this junction as stipulated within the RUDP and in previous advice from the highways department. Signalising the existing junction layout is proposed. However, it is considered that the proposed signalised junction arrangement is unacceptable due to the highway safety concerns it raises. these concerns include (i) installing signal poles within the existing footways around the junction would reduce the available footway width to pedestrians, (ii) poor intervisibility between vehicles on Skipton road and Thornhill road, the left turn from Skipton road is too sharp and is unacceptable and, (iii) the geometry of the junction with the proposed signal is likely to encourage right turners to jump in front of ahead traffic on Skipton Road.

It was considered that the original proposal could lead to an increase in vehicular movements through the streets between Thornhill road and Clough Avenue in an attempt to avoid any queuing at the Thornhill Road/Skipton road junction. Promoting some new TROS would effectively make some sort lengths of roads one way and could help discourage rat running.

Noted that road traffic accidents over the last 5 years have been investigated for 100m to either side of Skipton road/Thornhill Road junction and the results of which were 3 slight accidents and 1 serious accident. Of these accidents 1 of the slight accidents occurred at the above junction and was a result of a vehicle turning into the path of oncoming traffic when making aright from Skipton road to Thornhill Road. One slight accident occurred 100m to the west of the junction and the remaining slight and serious accidents occurred at the junction of Skipton road with Chapel road.

In light of the above, it was considered that the scheme as originally proposed would result in intensification in use of an existing junction substandard in terms of its visibility and substandard kerb radii and geometric layout likely to result in highway safety concerns arising.

Revised Scheme - The improvements to the Skipton Road/Thornhill Road junction via an improved priority junction design as shown on drawing 08-160-TR-110 Rev A is considered acceptable in terms of highway and pedestrian safety.

(xi) Police Architectural Liaison – Policy D4 states that developers will need to ensure that crime prevention is considered as an integral part of the initial design of any development and not as an after thought. Developers should incorporate the principles of ‘Secured by Design’. The application must ensure that it takes into consideration access and movement throughout the site, Natural Surveillance Areas of the Public Open Space, the need to have well defined security features and to have appropriate management and maintenance of the communal spaces.

In conclusion, the Police have no fundamental objection to a development of this type in this location but would seek to fully address the above points before the application could be fully supported.

(xii) Tree Section – No comments have been received to date regarding the amended plan details. Previous comments related to a number of units being unacceptably close to trees and the proposals not complying with BS5837:2005 in with regard to root protection areas and roadways.

(xiii) Landscaping Section – these comments supersede the previous comments dated 21/05/09:

Public Open space

The two integral, overlooked, green public open spaces are welcomed and provide a strong sense of place and enhance the legibility of the proposed development.

Retailed pill box

The retained pill box appears to have a suitable landscape setting. Need to ensure who is responsible for ownership and maintenance of this structure

Landscaping Proposals

There are some shared surface elements to the scheme i.e. no footway adjacent to the carriageway. This needs careful consideration in light of the on-going campaign by Guide dogs for the Blind in relation to shared surfaces. No comments in relation to the proposed soft works.

(xv) Metro - The majority of the development site is located within 400 metres of a strong bus corridor on Skipton Road. Part of the wider site is within 800 metres of Steeton and Silsden rail station albeit the walk route is convoluted and not particularly attractive.

The main issue that needs to be addressed by the development in terms of public transport accessibility is the permeability of the site in ensuring that the public transport services are easily reached. The main access into the site is via Thornhill Road. Other pedestrian access should also link into Stone Grove and Clough Avenue to allow direct access to bus routes operating on Skipton Road.

Pedestrian access to the Steeton and Silsden rail station may be available through the north east of the site via Steeton Grove. The attractiveness of this route, particularly at night, is questionable and would require significant improvements to lighting and landscaping to make it attractive to rail users.

The rail service is likely to be an attractive for commuters into Leeds and Bradford. Improvements to the station are limited due to the embankment and flooding risk on lower land around the station however the station security could be improved through the installation of CCTV. We expect that the development will generate additional park and ride demand. Metro are aware of a council aspiration for extending the station car park to the east of Station Road. Car parking extensions at this station funded by the developer would be supported (subject to a favourable business case).

The travel plan indicates that the development will seek to reduce the car trips from the site by 5%. This will be achieved through providing public transport information and encouraging car sharing. Metro feel that the provision of Residential Metro Cards would help encourage the use of public transport and could be conditioned through a section 106 agreement on this development.

The existing bus stops on Station Road have recently been upgraded and therefore don't require any further work.

Summary of Main Issues:

Principle of development

Density

Impact of development in terms of:-

Design

Protection of definitive rights of way

Preserved trees (TPOs)

Landscaping including public open spaces

Surrounding locality including the adjoining Conservation Area

Adjoining properties/uses

Flooding and drainage aspects

Biodiversity

Highway and pedestrian Safety

Creation of pedestrian and cycle linkages through to Steeton Station

The Heads of Terms of a s106 legal agreement provision affordable housing, recreation and education contributions

Community Safety Implications

Comments on representations made both in writing and at the Local Neighbourhood forum meeting

Appraisal:

Permission is sought for the erection of 229 dwellings on this 6.02ha site comprising the following elements:

A range of unit sizes has been proposed within three distinct zones to form a development which takes into consideration the updated design guidance contained within Manual for Streets. Zone 1 comprises primarily close knit terrace units; zone two is also designed as terraced units, many of which are set around a central green space area whilst zone 3 is an area of mixed unit types with detached units in cul-de-sacs with terraced units fronting the main spine road through the site. Materials are a mix of masonry, render and artificial stone. Two areas of public amenity space are to be provided in the development with these spaces providing a setting to the existing preserved trees on the site which are to be retained. Access to the site is via Thornhill Road via an improved priority junction leading from Skipton Road.

Principle

The site is a Greenfield site, the majority of which was allocated as a phase 2 housing site in the Replacement Unitary Development Plan with the remainder left as unallocated. The history of this unallocated parcel of land is fully explained in the earlier history section of this report. From a current policy point of view, it is considered appropriate to consider both parcels as suitable for housing development as discussed in paragraph 3.34 of the draft planning brief which stated “in the event of a school no longer being required, this area of the site should be developed for housing”. Indeed, this unallocated parcel of land should form part of the development of the phase 2 housing site to ensure a suitable comprehensive development can be satisfactorily achieved at this sustainably located site now it is no longer identified for educational purposes.

Policy UDP1 itself sets out locational strategy and an important tool in promoting sustainable patterns of development is the phasing of development sites on the basis of their sustainability. Applying this strategy to the provision of housing is supported through Planning Policy Statement No. 3 and Regional Planning Guidance and helps promote effective use of sites and buildings in more sustainable locations. As such, the Council is committed to ensuring that phase 1 and phase 2 sites are developed before other potential development sites and safeguarded land, in accordance with policies of the Replacement Unitary Development Plan. There is no objection in principle to the development of the development site for housing.

Density/affordable housing

Within the urban areas, it is usual that a minimum density of 50 dwelling per hectare should be achieved in accordance with Planning Policy Statement No. 3 and policy H7 of the Replacement Unitary Development Plan. On those sites close to public transport links, such as the application site, and within town centre locations, higher densities should be achieved. This development covers 6.02 hectares, which provides a density for this site area of 38 dwellings per hectare. Due to the constraints of the site i.e. two groups of preserved trees on the site, access via residential roads and the necessity to protect the amenities of existing properties as far as practically possible, It is considered that this density is appropriate within this sustainable location and maximises development potential on this site.

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, 60 two and three bedroomed dwellings (just over the required threshold of required 57 dwellings) are 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 Steeton.

The Council's housing section have been successful in bidding for monies from the Housing and Communities Agency (HCA) through the continuous Market Engagement bid round (June 2009). The Market Engagement round has identified which priority housing schemes can meet the Regional priorities in a set period. This site has been identified as one of the schemes (the flagship one) which can meet both the HCA and the Council's priorities as it can deliver a sustainable housing option which meets local and regional priorities whilst offering value for money in terms of the best use of available public funds within a set period. To achieve the identified 60 affordable housing units within this development by a certain time period, and to provide these units to a higher standard than the developer's normal standard, it is crucial to receive sufficient social housing grant from the HCA. Without the HCA funding it is unlikely the Council and nominated housing association will be able to deliver the 60 proposed affordable units from the developer in this present economic downturn.

The above grant funding is dependent upon a s106 legal; agreement being in place to (i) ensure the development of the affordable units is delivered in accordance with the Council's nominated social housing provider's specification incorporating the HCA's grant funding conditions i.e. design and quality standards and the code for sustainable homes code level three, and; (ii) ensure an agreed programmed of delivery dates i.e. start on site circa December 2009 and completion of all the specified affordable units on or before Jan 2012. As such, the developer in line with the nominated social landlord has identified the specific plots that are proposed to form the affordable element of the scheme. It should be noted that concern has been raised by objectors as to the clustering of these units in a certain location on the site, however, one of the reasons for this is that the design standards required for these units need a more spacious layout, i.e. both garden and dwelling overall sizes than what is generally provided for private housing. Moreover, it should also be noted that the nominated Registered Social Landlord has specifically requested these units in the locations provided.

Impact of development

Design

It is considered that the scheme is well conceived with a mix of units across the site which range from tightly knit terraced dwellings to more spacious four bedroomed detached houses adjacent to Steeton Conservation area. It is considered that this development would preserve the conservation area in this location. It is clear the scheme does not emulate the existing development which surrounds the application site but seeks to achieve a good design following the up to date principles laid down in manual for Streets which advocates a range of plot sizes to achieve density, whilst pursuing more creative design in any proposed layout. Planning policy Statement 3 also states that "new housing development of whatever scale should not be viewed in isolation. Considerations of design and layout must be informed by the wider context, having regard not just to any immediate neighboring buildings but the townscape and landscape of the wider locality".

Rights of Way

Public Footpath No. 5 (Steeton with Eastburn) crosses the site linking from Halsteads Way to Robin Drive. It is the developer's intention to retaining this footpath on its current alignment. The amendment is shown on Landscape Proposals (Hardworks) Drawing No. HL01 Rev A to the northwest corner of the site allowing the recorded route of the public footpath to run on the estate road with no interference from parking spaces. As such there is no objection to the proposed scheme from a Rights of Way point of view. Further pedestrian and cycleway links are also proposed leading from this proposed new estates and the existing village. These linkages are welcomed and achieve the aspirations of the Council.

Trees

A tree plan detailing where the preserved trees are will be tabled at the meeting to ensure clarity of the situation. The tree works will include the removal of T9, Y34, T36 and T44 for arboricultural reasons. The removal of T6, T10 (in a group of mature trees adjoining the cemetery) and T61 (along the Thornhill Road boundary) will be required to facilitate the development. All other trees will be retained and protected on the development site although pruning works to various trees are required.

The scheme has been amended to ensure that the houses, garages, and road locate in the lower south west corner of zone 3 have been moved further away from the trees to accommodate the root protection areas. The looping roads situated to the south of the public green space and on the bottom of the public green spaced between zones 2 and 3 have been removed and in its place are two separated access routes of the associated dwellings. This again has resulted in a reduction of potential harm to the root protection areas. A condition requiring fencing to protect root protection areas should be attached to any permission granted to ensure the proposal is in conformity to policies NE5 and NE6 of the Replacement Unitary Development plan.

Vehicular site traffic is expected to pass over the Root Protection Areas of several trees however robust ground protection will be carried out in the form of an adequate rigid surface which will distribute the vehicle weight and prevent soil compaction. Pedestrian site traffic is expected to pass over the root protection areas of T4, T5 and T13. Again suitable ground protection is recommended in the form of an adequate rigid surface which will distribute weight and prevent soil compaction.

Landscaping

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 two areas of public open space that are very usable and integrated into the scheme is welcomed and helps make a positive contribution to the sense of place in this development scheme. Linkages to the footpath network are also welcomed. Maintenance and management of these spaces will be via a management company to ensure a co-ordinated strategy and consistency in design.

Character of the locality/impact on surrounding properties

The character of the immediate surrounding locality is mixed residential and commercial. 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 established residential properties. 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.

Flooding/drainage

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. Amended plans have been submitted and the Environment Agency has removed their objection from the scheme providing appropriate conditions are attached to any permission granted. Yorkshire Water has suggested conditions be attached to any permission granted. Overall, the amended details show the scheme can be developed without increasing the risk of flooding whilst providing appropriate sewerage and surface water measures.

Biodiversity

West Yorkshire Ecology has records of bats in the 2 km search areas around the site. An assessment was made of the trees which are proposed to be felled and the two storey pill box. No bat roosts were discovered during the tree survey however, three trees have suitable features for use by bats. As such bats may use the trees for roosting throughout the years and for this reason it has been agreed that providing no bats were discovered using the features and no signs of use by bats were found, the at the entrances of the features will be blocked using plastic membrane. This will then allow the tree contractor to fell the trees at any time up to 3 months after blocking the features without any concerns of bats using the features in the interim.

The proposed works have the potential to impact on any bats utilising the pillbox and could contravene the protection afforded bats. Further survey is therefore recommended to determine the presence/absence of a roost in line with appropriate standards. It is suggested that a condition should be attached to any permission granted to accord with policy NE10 of the Replacement Unitary Development Plan.

Highway Safety

The applicants Transport Assessment concludes that the existing priority junction of B6265 Skipton Road/Thornhill road will still operate within capacity in the Design year of 2014. However it also goes onto acknowledge the requirements to improve this junction as stipulated within the RUDP and in previous advice from the highways department. Signalising the existing junction layout is proposed. It is considered that the proposed signalised junction arrangement is unacceptable due to the highway safety concerns it raises. these concerns include (i) installing signal poles within the existing footways around the junction would reduce the available footway width to pedestrians, (ii) poor intervisibility between vehicles on Skipton road and Thornhill road, the left turn from Skipton road is too sharp and is unacceptable and, (iii) the geometry of the junction with the proposed signal is likely to encourage right turners to jump in front of ahead traffic on Skipton Road.

It was considered that the original proposal could lead to an increase in vehicular movements through the streets between Thornhill road and Clough Avenue in an attempt to avoid any queuing at the Thornhill Road/Skipton Road junction. Promoting some new TROS would effectively make some sort lengths of roads one way and could help discourage rat running. In light of the above, it was considered that the scheme as originally proposed would result in intensification in use of an existing junction substandard in terms of its visibility and substandard kerb radii and geometric layout likely to result in highway safety concerns arising.

The improvements to the Skipton road/Thornhill Road junction via an improved priority junction design as shown on drawing 97-156-10A are considered acceptable.

It is considered that the proposed level of parking for the scheme is appropriate. Overall, the proposal complies with the principles outlined in policies TM2 and TM12 of the Replacement Unitary Development Plan.

Heads of Terms/S106 contributions

Development of the scale proposed inevitably 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.

Policy H9 of the Replacement Unitary Development Plan seeks to achieve affordable housing provision within development sites in Airedale 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).

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. Two parcels of recreational space is shown on the layout which help form a sense of place within this scheme. Play facilities will be required to be provided as part of any s106 legal agreement.

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 £300,000 has therefore been negotiated (also refer to paragraph A in the report). Education services consider that the payment of the contribution does not have to be payable on commencement of development and can be paid whilst the development progresses. Essentially the prime consideration is that the contribution is paid within an agreed timescale in order that Education Services are able to factor the contribution into their budgets.

As such, it has been negotiated that the contribution of £300,000 can be paid in the following way (i) £100,000 after 40% of the private dwellings have been first occupied with (ii) the remaining contribution (£200,000) after 80% of the total number of the dwellings on the site have been occupied. The S106 should also include a default clause which seeks to ensure that the whole contribution amount shall be paid within three years of commencement of development if the development commences but does not achieve the above building levels within a three year period.

(ii) Provision of footways/cycleway through the site leading from the estate and the village through to Steeton railway station.

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 on site recreation equipment £61,325;

Provision of 60 affordable housing on the site - to be built to code 3 standard;

Payment of a contribution to increase educational facilities in the locality - £300,000 to be paid in the following way (i) £100,000 after 40% of the private dwellings have been first occupied with (ii) the remaining contribution (£200,000) after 80% of the total number of the dwellings on the site have been occupied. The S106 should also include a default clause which seeks to ensure that the whole contribution amount shall be paid within three years of commencement of development if the development commences but does not achieve the above building levels within a three year period.

The provision of a public footpath/cycle way through the site (to include full details of the barrier mechanisms at each boundary of the path);

The funding of a Traffic Regulation order at the junction of Skipton Road/Thornhill Road; and, the carrying out of junction priority improvements to the Skipton Road/Thornhill Road junction.

Community Safety Implications:

In order to ensure 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 now 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

The majority of the issues raised in the letters of representation have been covered in the above report. The majority of the site is allocated as a phase 2 housing development. Phase 2 housing sites were released for development early 2009 and thus it is part of established planning policy that this site should be brought forward for development in a comprehensive way. The Environment Agency has removed their objection to the scheme following the submission of a revised Flood Risk Assessment which satisfactorily deals with the potential flooding risks from the site. In addition, Yorkshire Water considers that the site may be satisfactorily developed in terms of its impact on sewerage and drainage. With regard to highway issues, the Councils highway engineers consider that the amended junction design can safely accommodate traffic from Skipton Road to Thornhill Road. Education has advised that education needs have to be assessed once families move into the areas to ensure that the serviced expands the correct area e.g. foundation stage, key stage 1 areas or key stage 2. they have also advised that in this instance it is acceptable to receive the contribution towards education resources after development has commenced providing the contribution is paid either (i) within a certain time period or (ii) when a certain portion of the residential units have been occupied, in order to allow Education services to plan this receipt of monies into their budgets.

Reason for Granting Planning Permission:

The development of this site with a well conceived residential scheme which closely follows the up to date design guidance offered in Manual for Streets, is considered a good opportunity to provide a sustainable pattern of housing development within the existing urban fabric of Steeton. The effect of the proposal on the adjoining conservation area, the surrounding locality and the adjacent neighbouring properties has been assessed and is acceptable. The provision of an access, both from Skipton Road into Thornhill Road and from

Thornhill road into the development site, in the manner and location proposed is appropriate. Parking provision has been made to accord with the highly sustainable location of the development and the provision of suitable pedestrian/cyclist linkages to the station has been included. 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, H5, H7, H8, H9, TM2, TM8, TM9, TM12, TM19A, D1, D4, D5, BH7, NR15B and NR16.

Permission is recommended accordingly subject to (i) a s106 agreement, a S278 agreement, and (ii) the following conditions: -

Conditions of Approval:

- Time limit – three year standard time period for commencement of development
- Materials to be to be approved for each plot prior to commencement of each unit and implemented as approved.
- Landscaping scheme – to be implemented as approved on submitted drawing
- Scheme for protection of existing trees to be implemented as approved on submitted drawing
- .
- Trees to be planted during first season
- Boundary treatments throughout the site to be implemented as approved on the submitted drawing
- Provision of acoustic barrier on that part of the site which adjoins the current vehicle testing station. Details to be provided prior to the commencement of any of the dwelling units which share a boundary with the VTS. All approved details shall be implemented prior to the occupation of any of these dwellings.
- Within 6 months of commencement of development on site, a timetable for the provision of the cycle ways through the development and full details of the footpath/cycleway surfaces, barriers at the northern boundary and bollards at the end of Parkway shall be submitted to and approved in writing by the Local Planning Authority. The details shall be implemented as approved in accordance with the timetable.
- Management Plan – maintenance agreement for the long term management/ maintenance of communal/public open space areas prior to the first occupation of any residential unit
- Permitted Development restriction to all dwellings (A, B, C, D, E, and F of Part 1, Class A, Schedule 2
- Permitted development restriction to various plots - no insertion of additional windows without consent.
- Prior to demolition of any pill box structure - archaeological recording needs to be undertaken
- Provision of parking spaces prior to occupation of the buildings
- Construct access to the site before commencement of residential development
- Construct priority junction improvement to Skipton Road prior to the occupation of any dwelling unit on the site.
- Construction plan details to be approved prior to commencement of development and implemented as approved.
- Provision of bin stores to be implemented as approved.
- Separate systems for foul and surface water on and off site
- No buildings occupied until completion of approved foul drainage
- No building or other obstruction shall be located over or within 3.0 metres either side of tee centre line or the sewers that cross the site
- No piped discharged of surface water until works to provide a satisfactory outfall for surface water have been completed

Gas monitoring measures to be carried out and necessary precautions made prior to development being occupied

Hours of Operation – no construction between the following 0730-1800 Mondays to Fridays and 0730-1300 Saturdays. No activities except for emergency repairs shall be carried out at all on Sundays, Bank Holidays and/or Public Holidays

Drainage for parking and hard standing areas to pass through an interceptor prior to discharge

The development shall only be carried out in accordance with the approved Flood Risk Assessment dated July 2009 and the following mitigation measure detailed within the FRA - limiting the surface water run off to 4.5 litres per second per hectare so it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

The protective fence lines around the root protection areas of the preserved trees (as detailed in appendix 5: Method statement tree protection plan) shall be constructed prior to the commencement of any works on site and shall remain for the duration of the construction works (any change to these conditions must be agreed in writing by the Local Planning Authority)

The scheme shall be carried out in accord with the amended plans and documentation received by the Local Planning Authority.

Provision of further bat surveys prior to the demolition of any pill box.

Heads of Terms

- Provision of on site recreation equipment £61,325;
- Provision of 60 affordable housing on the site - to be built to code 3 standard;
- Payment of a contribution to increase educational facilities in the locality - £300,000;
- The provision of a public footpath/cycle way through the site;
- The funding of Traffic Regulation orders, and;
- The carrying out of junction priority improvements to the Skipton Road/Thornhill Road junction.

Section 278 Works

Junction improvements to Thornhill Road and Skipton Road as specified on the approved drawing including the provision of a traffic Regulation order at the junction of Thornhill Road and Skipton Road.
