

Agenda for a meeting of the Regulatory and Appeals Committee to be held on Thursday 8 February 2018 at 10.00 am in the Banqueting Hall - City Hall, Bradford

Members of the Committee – Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT AND INDEPENDENT
Brown Rickard	Amran Warburton Wainwright Watson	Griffiths

Alternates:

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT AND INDEPENDENT
Ellis Miller	Azam S Hussain Lal Lee	Stelling

Notes:

- This agenda can be made available in Braille, large print or tape format on request by contacting the Agenda contact shown below.
- The taking of photographs, filming and sound recording of the meeting is allowed except if Councillors vote to exclude the public to discuss confidential matters covered by Schedule 12A of the Local Government Act 1972. Recording activity should be respectful to the conduct of the meeting and behaviour that disrupts the meeting (such as oral commentary) will not be permitted. Anyone attending the meeting who wishes to record or film the meeting's proceedings is advised to liaise with the Agenda Contact who will provide guidance and ensure that any necessary arrangements are in place. Those present who are invited to make spoken contributions to the meeting should be aware that they may be filmed or sound recorded.
- If any further information is required about any item on this agenda, please contact the officer named at the foot of that agenda item.
- **A legal briefing for all Members will take place at 0915 in the Banqueting Hall on the day of the meeting.**
- Applicants, objectors, Ward Councillors and other interested persons are advised that the Committee may visit any of the sites that appear on this Agenda during the day of the meeting, without prior notification. The Committee will then reconvene in the meeting room after any visits in order to determine the matters concerned.
- At the discretion of the Chair, representatives of both the applicant(s) and objector(s) may be allowed to speak on a particular application for a maximum of five minutes in total.

From:

Michael Bowness
Interim City Solicitor
Agenda Contact: Sheila Farnhill
Phone: 01274 432268
E-Mail: sheila.farnhill@bradford.gov.uk

To:

A. PROCEDURAL ITEMS

1. ALTERNATE MEMBERS (Standing Order 34)

The City Solicitor will report the names of alternate Members who are attending the meeting in place of appointed Members.

2. DISCLOSURES OF INTEREST

(Members Code of Conduct - Part 4A of the Constitution)

To receive disclosures of interests from Members and co-opted members on matters to be considered at the meeting. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the Member during the meeting.

Notes:

- (1) Members may remain in the meeting and take part fully in discussion and voting unless the interest is a disclosable pecuniary interest or an interest which the Member feels would call into question their compliance with the wider principles set out in the Code of Conduct. Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (2) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.*
- (3) Members are also welcome to disclose interests which are not disclosable pecuniary interests but which they consider should be made in the interest of clarity.*
- (4) Officers must disclose interests in accordance with Council Standing Order 44.*

3. INSPECTION OF REPORTS AND BACKGROUND PAPERS

(Access to Information Procedure Rules – Part 3B of the Constitution)

Reports and background papers for agenda items may be inspected by contacting the person shown after each agenda item. Certain reports and background papers may be restricted.

Any request to remove the restriction on a report or background paper should be made to the relevant Strategic or Assistant Director whose name is shown on the front page of the report.

If that request is refused, there is a right of appeal to this meeting.

Please contact the officer shown below in advance of the meeting if you wish to appeal.

(Sheila Farnhill - 01274 432268)

B. BUSINESS ITEMS

4. MEMBERSHIP OF SUB-COMMITTEES

The Committee will be asked to consider recommendations, if any, to appoint Members to Sub-Committees of the Committee.

(Sheila Farnhill – 01274 432268)

5. LAND AT KINGS DRIVE, BOLTON HALL ROAD, BRADFORD Windhill and Wrose

1 - 26

The Assistant Director - Planning, Transportation and Highways will submit a report (**Document “AF”**) in relation to an application for outline planning permission, with all matters reserved, for the construction of 23 residential units consisting of 17 houses and 6 bungalows, on land at Kings Drive, Bolton Hall Road, Bradford – 17/05355/MAO.

Recommended –

- (1) That the application be approved for the reasons and subject to the conditions set out in the Assistant Director - Planning, Transportation and Highways’ technical report.**
- (2) That the grant of planning permission be subject also to the completion of a legal planning obligation under Section 106 of the Town and Country Planning Act 1990, or such other lawful mechanism for securing the heads of terms as may be agreed in consultation with the City Solicitor, in respect of:**

Affordable housing provision of 5 units,

the legal planning obligation to contain such other ancillary provisions as the Assistant Director - Planning, Transportation and Highways (after consultation with the City Solicitor) considers appropriate.

(John Eyles – 01274 434380)

6. **LEAVENTHORPE HALL, THORNTON ROAD, BRADFORD**
Thornton and Allerton

27 - 72

A report will be presented by the Assistant Director - Planning, Transportation and Highways (**Document "AG"**) in respect of two applications, as set out below, for development at Leventhorpe Hall, Thornton Road, Bradford:

- (i) A full planning application for the restoration of Leventhorpe Hall to form two dwellings, conversion of the North Barn to four apartments and the construction of 26 dwellings, with associated site works - 17/05079/MAF.
 - (ii) An application for Listed Building Consent for restoration works to Grade II* listed Leventhorpe Hall and Grade II listed North Barn and the demolition of the remains of the Grade II listed East Barn – 15/05080/LBC.
- (i) 17/05079/MAF

Recommended -

That the application be referred to the Secretary of State for Housing, Communities and Local Government under the provisions of the Town and Country Planning (Consultation)(Direction) 2009 and, subject to him deciding not to call in the application for determination, it be approved for the reasons and subject to the conditions set out in the Assistant Director - Planning, Transportation and Highways' technical report.

- (ii) 15/05080/LBC

Recommended -

That the application be approved for the reasons and subject to the conditions set out in the Assistant Director - Planning, Transportation and Highways' technical report.

(John Eyles – 01274 434380)

7. **LAND AT COPPICE COTTAGE, LEE LANE, WILSDEN, BRADFORD**
Bingley Rural

73 - 86

The Assistant Director - Planning, Transportation and Highways will present a report (**Document "AH"**) in relation to a full application for the change of use of land for caravan storage at Coppice Cottage, Lee Lane, Wilsden, Bradford – 17/02284/FUL.

The report explains that the application was considered by the Area Planning Panel (Keighley and Shipley) at its meeting held on 10 January 2018 when it was resolved:

'That the Panel endorse the officer's recommendation to grant planning permission and the application be referred to the Regulatory and Appeals Committee for final determination.'

Recommended –

That the application be approved for the reasons and subject to the conditions set out in the Assistant Director - Planning, Transportation and Highways' technical report.

(John Eyles – 01274 434380)

THIS AGENDA AND ACCOMPANYING DOCUMENTS HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER

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Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 8 February 2018

AF

Subject:

This is an application for outline planning permission, with all matters reserved, for the construction of 23 residential units on Land at Kings Drive, Bolton Hall Road, Bradford.

Summary statement:

The proposal relates to the construction of a scheme of 23 residential units consisting of 17 dwellings and 6 bungalows, of which 5 units are to be provided on an affordable rent basis. Access to the site is taken from Kings Drive.

A full assessment of the application, relevant planning policies and material planning considerations is included in the report at Appendix 1. Through the attachment of the proposed conditions and a Section 106 Legal Agreement to secure the affordable housing it is considered that the proposal is acceptable and it is recommended that Planning Permission is granted.

Julian Jackson
Assistant Director (Planning,
Transportation & Highways)

Report Contact: John Eyles
Major Development Manager
Phone: (01274) 434380
E-mail: john.eyles@bradford.gov.uk

Portfolio:

Regeneration, Planning and Transport

Overview & Scrutiny Area:

Regeneration and Economy

1. SUMMARY

This is an application for outline planning permission, with all matters reserved, for the construction of 23 residential units on Land at Kings Drive, Bolton Hall Road, Bradford.

2. BACKGROUND

There is no relevant background to this application.

3. OTHER CONSIDERATIONS

All considerations material to the determination of this planning application are set out in the Officer's Report at Appendix 1.

4. OPTIONS

The Committee can approve the application as per the recommendation contained within the main report, or refuse the application. If Members are minded to refuse the application then reasons for refusal need to be given.

5. FINANCIAL & RESOURCE APPRAISAL

There are no financial implications associated with this proposal.

6. RISK MANAGEMENT & GOVERNANCE ISSUES

No implications.

7. LEGAL APPRAISAL

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

8. OTHER IMPLICATIONS

8.1 EQUALITY & DIVERSITY

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

8.2 SUSTAINABILITY IMPLICATIONS

The site is located within the urban area close to a relatively frequent bus route. The site is considered to occupy a sustainable location.

8.3 GREENHOUSE GAS EMISSIONS IMPACTS

New development invariably results in the release of greenhouse gases associated with both construction operations and the activities of the future users of the site.

Consideration should be given as to the likely traffic levels associated with this development. Consideration should also be given as to whether the location of the proposed facility is such that sustainable modes of travel by users would be best facilitated and future greenhouse gas emissions associated with the activities of building users are minimised.

It is accepted that the proposed development would result in greenhouse gas emissions. However, it is considered that such emissions are likely to be lower than would be the case for alternative, less sustainable locations. Mitigation measures are also to be incorporated within the development in the form of Electric Vehicle Charging points to encourage the uptake of sustainable modes of travel.

8.4 COMMUNITY SAFETY IMPLICATIONS

There are no community safety implications other than those raised in the main body of the report.

8.5 HUMAN RIGHTS ACT

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

8.6 TRADE UNION

None.

8.7 WARD IMPLICATIONS

Ward members have been fully consulted on the proposal and it is not considered that there are any significant implications for the Ward itself.

9. NOT FOR PUBLICATION DOCUMENTS

None.

10. RECOMMENDATIONS

To grant outline planning permission subject to the conditions set out in the report attached at appendix 1 and subject to a Section 106 Legal Agreement to secure the provision of affordable housing units.

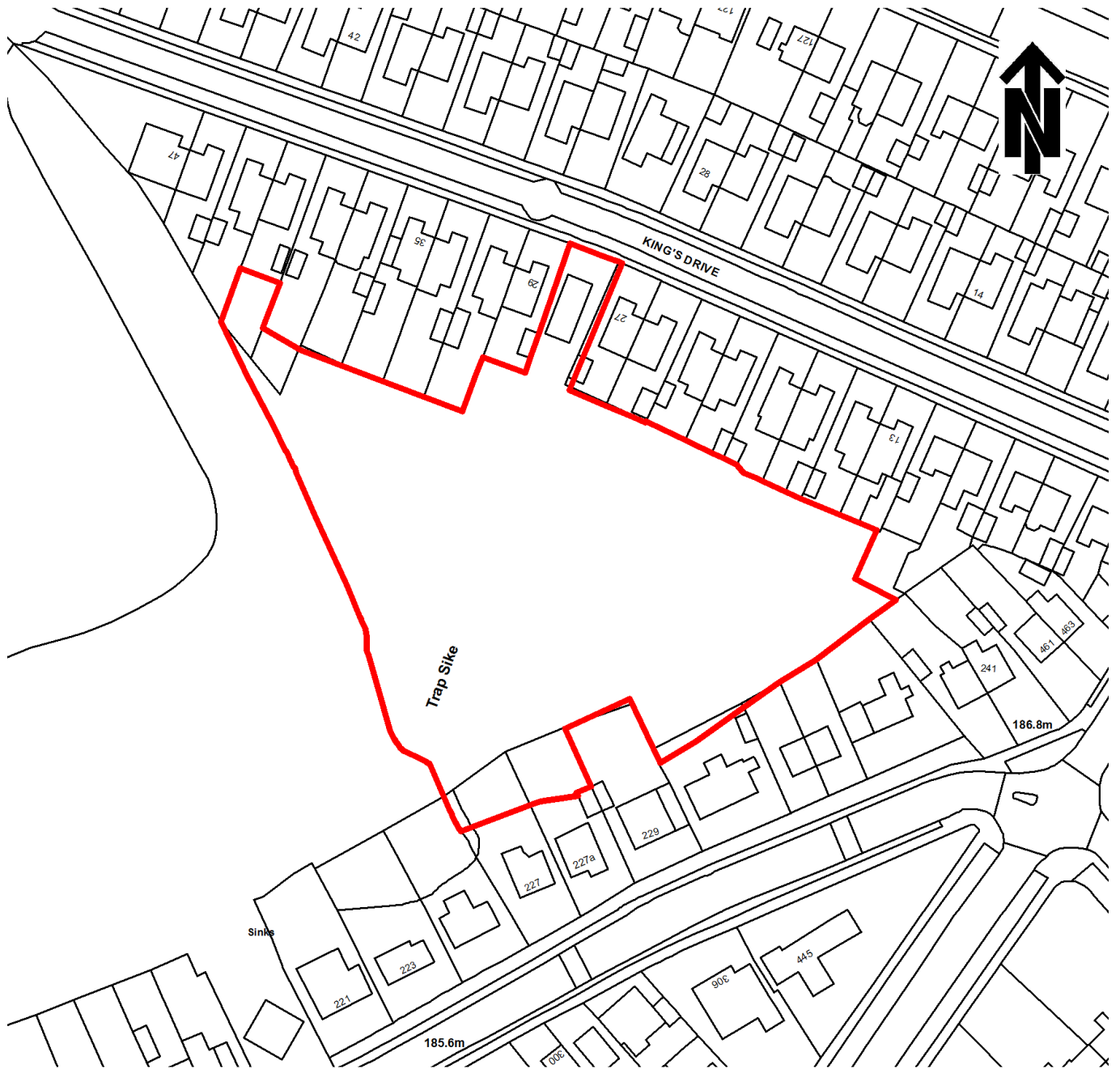
11. APPENDICES

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

12. BACKGROUND DOCUMENTS

National Planning Policy Framework
The Replacement Unitary Development Plan
Local Plan for Bradford

17/05355/MAO



1:1,250

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**Land At Kings Drive
Bolton Hall Road
Bradford**

8 February 2018

Ward: Windhill and Wrose

Recommendation:

GRANT PLANNING PERMISSION SUBJECT TO A SECTION 106 LEGAL AGREEMENT TO SECURE THE PROVISION OF THE AFFORDABLE HOUSING UNITS

Application Number:

17/05355/MAO

Type of Application/Proposal and Address:

Application for Outline Planning Permission with all matters reserved for the construction of 23 residential units consisting of 17 dwellings and 6 bungalows on Land at Kings Drive, Bolton Hall Road, Bradford.

Applicant:

Mr Simon Holdsworth

Agent:

Halliday Clark

Site Description:

The site is a broadly triangular parcel of land with an area of approximately 0.7ha. The site is predominantly comprised of overgrown and undulating land, with a moderate slope from north to south. The Trap Sike watercourse crosses the site from the site access on Kings Drive to the south-west corner, adjacent to the rear boundary of 227 Bolton Hall Road.

To the north the site adjoins bungalows on Kings Drive; to the south it adjoins two storey residential properties on Livingstone Road and to the east it adjoins a mixture of two storey dwellings and bungalows on Bolton Hall Road.

The site is allocated as recreation open space within the Replacement Unitary Development Plan (RUDP). Immediately to the west there is an allocated playing field, north of which there is a further area of allocated open space containing play equipment.

Relevant Site History:

00/01163/OUT-Detached bungalow-Granted-31.08.2001

03/02256/FUL-Detached Bungalow-Granted-21.10.2003

05/07729/OUT- Residential development and use of land for extensions to existing house gardens-Refused- 05.12.2005

06/00179/OUT- Construction of a residential development and use of land for extensions to existing house gardens-Refused- 24.02.2006. Reasons for refusal:

1. Harm to wildlife and habitat
2. Insufficient information on density with regard to the likely impact of increased traffic flows upon the junctions of King's Drive/Livingstone Road, Livingstone Road/Wrose Road and Wrose Road with Kings Road.
3. Loss of Recreation Open Space.
4. Inadequate affordable housing provision.
5. Failure to demonstrate site sustainability and a sequential approach to the development of land for housing.
6. Inadequate provision of recreation open space, playing fields or an equivalent commuted sum payment to cater for the additional demands likely from the development.

The National Planning Policy Framework (NPPF):

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

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

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

The Local Plan for Bradford

The Core Strategy for Bradford was adopted on 18th July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until the adoption of Allocations and Area Action Plan development plan documents. The site is allocated as Recreation Open Space within the RUDP. Accordingly the following saved RUDP and Core Strategy policies are applicable to this proposal.

Replacement Unitary Development Plan Policies

OS2-Recreation Open Space

Core Strategy Policies

P1-Presumption in Favour of Sustainable Development

SC1 Overall Approach and Key Spatial Priorities

SC4 Hierarchy of Settlements

SC9 Making Great Places

TR1 Travel Reduction and Modal Shift

TR2 Parking Policy

TR3 Public Transport, Cycling and Walking
HO5 Density of Housing Schemes
HO6 Maximising the Use of Previously Developed Land
HO11 Affordable Housing
EN2 Biodiversity and Geodiversity
EN7 Flood Risk
EN8 Environmental Protection
DS1 Achieving Good Design
DS3 Urban Character
DS4 Streets and Movement
DS5 Safe and Inclusive Places
ID3 Developer Contributions

Parish Council:

Wrose Parish Council has objected to the proposal on the following grounds:

- Kings Drive does not have sufficient capacity for a further 200 cars.
- This application has been refused three times previously.
- 700 houses are to be built at Bolton Woods Quarry.
- Residents have written to the applicant.
- The land contains mature trees and other habitat which would be lost if developed.

Publicity and Number of Representations:

The application was publicised by press advertisement, site notice and neighbour notification letters. The expiry date for comments in connection with the application was 1st November 2017. 44 letters of objection have been received including a letter of objection from a local ward councillor and a letter of objection from Philip Davies MP.

Summary of Representations Received:

Principle

- The development is on greenfield land which is used by many people
- The land is allocated as recreation open space.
- The development of brownfield land elsewhere would be more appropriate.
- Local housing need will be addressed with the construction of 210 dwellings nearby.
- 46% of the 4400 dwellings needed in north-east Bradford already have planning permission.

Highways

- Increased congestion on Kings Drive
- Kings drive is too narrow to cater for additional traffic
- Livingstone Road is already congested with traffic due to other developments
- The site access is too narrow for two way traffic.
- There is no footpath access into the site.
- Access to dwellings in Kings Drive will be restricted by construction traffic.
- Kings drive is already congested due to dog walkers and users of the park and football pitch.
- On street parking will prevent access for refuse collection.
- The point of access will conflict with road users on Kings Drive.

- A traffic survey of surrounding junctions is required.
- Kings Drive will be damaged by construction traffic.
- Alternative access options should be considered.
- Inadequate visibility at site access

Drainage

- The land is water logged with a stream running through it
- Previous development of the site has been abandoned due to drainage issues
- There is an existing problem with water run-off from gardens on Kings Drive into the site.
- The site acts as an important soakaway for surface water from Kings Drive.
- Increased pressure on the existing sewage network.
- No soakaway tests have been conducted on the site.
- The development will increase water saturation levels at neighbouring properties.
- The development will increase overland water flow.

Visual Amenity

- The new dwellings would not be in keeping with existing dwellings.

Residential Amenity

- The new dwellings will overlook existing properties and gardens.
- The development would result in a loss of views from existing dwellings.
- There will be unacceptable levels of overlooking within the development site.
- Loss of light to neighbouring dwellings.

Environment

- Loss of mature trees
- The development will generate noise, pollution and dust
- Increased traffic movements will diminish air quality

Wildlife

- Loss of habitat for wildlife
- The site forms part of the Bradford Wildlife Habitat Network which should not be fragmented.
- The presence of protected species on the site cannot be ruled out.
- The site is home to foxes, owls, birds of prey, bats, frogs, hedgehogs, voles and snakes
- The site provides foraging habitat for bat populations.

Other

- The application contains inaccuracies.
- The site is less than 0.6 miles from a development of 210 dwellings, including 19 affordable homes, on Bolton Hall Road.
- Schools within a reasonable distance of the site are overcrowded or full.
- The development density is excessive.
- The bungalows are excessive in size.
- There may be worked coal seams below ground which could result in instability.
- Properties neighbouring the site have established lawful use rights of the land

- The development does not provide any open amenity spaces.
- The site owner has not maintained the land appropriately.
- There are the foundations of a bungalow on the site access.
- There is a covenant preventing development of this land.
- Not all neighbours have been notified.
- There is no support for this development from the surrounding community.

Consultations:

Parks and Green Spaces (on behalf of Sport and Leisure) - Parks and Green Spaces Service would have previously requested a recreation commuted sum associated with the attached planning application for the provision or enhancement of Recreation Open Space, Playground and Playing Fields due to the extra demands placed on the locality by this development. However, due to the implementation of CIL from we hereby comment that the development will result in a minimal impact on the existing public open space due to 23 new residential units.

If the developer is looking to provide new public open space they will be required to maintain the areas themselves and a full landscape management plan will need to be produced and agreed as part of the planning process. If the developer is looking to the Council to maintain any new areas of public open space prior agreement is required as part of the planning process and a commuted sum will be required to maintain the areas for the next 25 years.

Countryside and Rights of Way (Biodiversity) - The loss of part of the existing habitat network is regrettable. However the landscape proposals will provide an acceptable buffer along the south-west side of the site which lies adjacent to the main body of the open habitat outside the site. The landscape proposal will therefore serve to mitigate the fragmentation of the existing habitat network to an acceptable extent.

It is recommended that the native species chosen for this landscaping should reflect as far as possible, those species currently on-site - such as gorse, rowan, silver birch, oak and alder (to replicate the existing line of alder outside the site) plus various native grass species.

In addition to the proposals outlined in the proposed site plan, details of how these areas are to be maintained in the future should be submitted and agreed, with particular emphasis on securing the long-term viability of the proposed swale, and how residents will be prevented/discouraged from fly-tipping garden waste over their boundaries onto the habitat areas.

The recommendations set out in the submitted Preliminary Ecological Appraisal (PEA) are supported in terms of the needs for further survey work to be carried out to establish the presence and use of the site by birds and bats. It is also recommended that amphibian surveys are carried out on the water course to establish if there are any protected species using this feature and to inform mitigation measures. There is also a need for pre-commencement surveys for badgers, invasive species and nesting birds.

N.B The Countryside and Rights of Way Department have confirmed that the submission of survey work can be ensured by the imposition of a planning condition. In the event that the required surveys reveal the need for any specific mitigation measures

these can be incorporated into the detailed design of the development at the reserved matters stage.

Lead Local Flood Authority- The Lead Local Flood Authority (LLFA) has assessed the documentation relating to surface water disposal and flood risk from other sources for the proposed development, against the requirements of the National Planning Policy Framework, Planning Practice Guidance and local planning policies. An assessment of the submitted documentation has been undertaken and no objections are raised subject to the imposition of planning conditions. Specifically, requiring the submission of details and calculations of the proposed means of disposal of surface water drainage; full details and calculations of the proposed means of disposal of foul water drainage and the submission of a Surface Water Drainage Maintenance and Management document .

Highways- The site is accessed from King's Drive. The site access road is designed to adoptable standards and is wide enough to accommodate two way traffic movements.

The worst case traffic generation at peak travel times from this site would be 0.8 trips per dwelling which equates to 18 two way trips for 23 dwellings. The level of traffic generated is well below the 30vph threshold of traffic impact set out in the Department for Transport guidance on transport assessment and therefore it will not have a material impact on the highway network.

The application is outline with the internal layout subject to change. The following issues would need to be addressed at reserved matters stage.

1. The level of car parking provision should be 1 space for 2 bed units and 2 spaces for 3 bed units. Garages should be 6m x 3m if to be counted as a parking space.
2. Refuse vehicle tracking should be submitted.
3. Footway adjacent to No. 29 should extend 2m beyond the ramp.
4. Dead strip of land adjacent to No. 29 should be removed.
5. Footway adjacent to plot 4 should be removed.
6. Hard margin should continue across shared drive.
7. Maintain 5.5m carriageway in turning heads.
8. Visitor parking should be within the adoptable highway.
9. Extend highway limits to the boundaries to remove any dead areas.
10. Remove strips in carriageways.
11. Highway drainage details should be submitted.

Education-The following schools are within a reasonable distance of the proposed development: Primary: Swain House, Blakehill, Low Ash, Poplars Farm, Grove House and St Francis Catholic. Secondary: Hanson Academy, Oasis Academy Lister Park and St Bede's and St Joseph's Catholic. Currently the aforementioned schools are overcrowded or full. Additional development in the area may therefore mean that the Council would need to increase the number of school places in this area

N.B The funding of off-site infrastructure including primary and secondary education is facilitated by the councils adopted Community Infrastructure Levy (CIL). The development site falls within 'Residential Zone 4' of the adopted charging schedule, which is a nil charge zone. Accordingly, a contribution towards primary and secondary education cannot be justified in this location.

Development and Enabling- This site falls within the Windhill and Wrose Council Ward and the number of units proposed are over the 15 units threshold so Affordable Housing provision on site would be required. The quota for this ward is 20% Affordable housing provision and this equates to 5 units. Therefore a minimum of 5 Affordable Housing units should be developed on site and delivered at affordable rent via a Registered Provider.

West Yorkshire Police- There are no details of the type and height of proposed boundary treatments. Boundary treatments should be to a height of 1800mm and be of materials such as masonry or closed boarded timber fencing which provides security to the rear of the properties. Rear plot dividers should be to a minimum height of 1500mm and include an 1800mm high privacy panel adjacent to the rear doorway. Alternatively plot dividers can be to a height of 1500mm and include a 300mm trellis along the top which still allows for surveillance into the neighbouring gardens.

Access should be restricted from the front of each property into rear gardens by installing a 1.8m high gate which incorporates some form of locking mechanism such as hasp and staple lock and pad bolt. Gates should be positioned near to the front building line to increase natural surveillance.

N.B This is an outline planning application with all matters reserved . As such the current application is concerned with the principle of residential development only. All matters relating to access, appearance, landscaping, layout and scale will be subject to consideration under reserved matters application(s). Accordingly it is appropriate for the suggestions made by the Police Architectural Liaison Officer to be incorporated into the development as part of the reserved matters applications.

Yorkshire Water Land Use Planning- The development shall be carried out in accordance with the details shown within the submitted Flood Risk Assessment (prepared by Met Engineers - Report dated September 2017), unless otherwise agreed in writing with the Local Planning Authority.

West Yorkshire Combined Authority- A bus shelter could be provided at bus stop 1667 at a cost of £10,000 to the developer, in order to improve the public transport offer in proximity to the site. A contribution of £11,296 could be provided in order to fund a Residential Metrocard scheme for residents of the new development in order to increase the uptake of public transport.

Environmental Health Air Quality- The proposed development constitutes a minor development for the purpose of the West Yorkshire Low Emission Strategy. Type 1 air quality mitigation measures should be provided in the form of Electric Vehicle (EV) charging points. The provision of EV charging points should be required by planning condition as should the provision of a Construction Emission Management Plan (CEMP) to control emissions from demolition and construction activities.

Planning and Highways Access Forum – Shared surfaces present safety issues for disabled users.

Environmental Health Land Contamination- No objections raised subject to planning conditions requiring the submission of a Phase 2 site investigation scheme, risk assessment and a detailed remediation strategy. Further conditions should be imposed

to control how unexpected contamination is dealt with and to control the quality of any materials imported onto the site

Environmental Health Nuisance- The site is located in an area where there are existing residential properties. Noise generated from construction works is likely to generate complaints to the Councils Environmental Health Department. It is therefore recommended that hours of operation are restricted to the following:

- Monday to Friday 8.00 a.m. to 6 p.m.
- Saturday 8.00 a.m. to 1 p.m.
- Sundays, Public/Bank Holidays No working.

During the construction phase there will be noise and dust generated on the site and therefore control measures will be required.

Landscape Design Unit - A landscape scheme has not been provided for the site and therefore full landscape scheme details will need to be submitted for all of the hard and soft landscaping elements of the proposed development, to include the proposed tree and shrub planting, hedging, grassed areas, surfacing, boundary treatments, retaining walls, street furniture etc. The applicant should refer to the CBMDC Supplementary Planning Document: Landscape Character, Design Guidance (Appendix 4, page 85) for information regarding what will need to be included in the detailed proposals. A planting plan with numbers, sizes and locations of all the tree/shrub/hedge planting, along with a softworks specification will need to be submitted.

A detailed schedule of Landscape Management/Maintenance will also need to be provided for the site to ensure that all of the landscaped areas are maintained to a high standard. For further information the applicant should refer to the above mentioned Supplementary Planning Document.

Generally, a strong landscaping scheme should be provided for the site, with tree and shrub planting generally throughout the site to include along the proposed streets and garden frontage areas, within the front/rear/side gardens and around the site boundaries, in order to soften and enhance the development, help to mitigate the overall visual impact, provide screening/filtering of views from adjacent properties and to help integrate the development into the surrounding environment. The proposed landscaping scheme should be robust in order to aim to help counteract the loss of open space to the area that this proposed development would create.

N.B. This is an outline application with all matters reserved including landscaping. Specific details in relation to the landscaping of the development will be subject to future consideration at reserved matters stage.

Summary of Main Issues:

1. Principle of Development
2. Biodiversity
3. Drainage
4. Highway and Pedestrian Safety
5. Land Contamination
6. Visual Amenity
7. Residential Amenity
8. Community Infrastructure Levy

- 9. Section 106 Planning Obligations
- 10. Other Issues

Appraisal:

1. Principle of Development

The site is allocated as recreation and open space and therefore saved policy OS2 of the Replacement Unitary Development Plan is an applicable consideration. Policy OS2 sets out a presumption against the development of recreation open space unless specific criteria are fulfilled. Specifically, development will not be permitted unless the loss of recreation open space does not lead to or exacerbate a local deficiency in the availability of open space and the site could not be used to help meet any deficiency in another type of open space, or the development proposal provides for equivalent alternative provision in terms of size and quality which is close to existing users. In either case the development should not result in a significant loss of amenity.

The development site is substantially overgrown and there are undulations to the land levels. A dilapidated fence along the west boundary suggests that the site has been previously enclosed and physically separated from the playing pitch and recreation open space to the west.

There is no physical evidence to suggest that the site has ever been utilised for recreational purposes. The Council's Parks and Green Spaces Department have confirmed that development of the site would have a minimal impact on public open space provision in the area. Accordingly the residential development of this site is not considered to lead to or exacerbate a local deficiency in the availability of open space and the proposal is considered to accord with policy OS2 of the RUDP.

Paragraph 47 of the National Planning Policy Framework stresses the need for Local Planning Authorities to significantly boost the supply of new housing. The adopted Core Strategy underscores this strong planning policy support for the delivery of new housing, emphasising that one of the key issues for the future development of the district is the need to house Bradford's growing population by delivering 42,100 new residential units by 2030. More specifically, policy HO3 of the Core Strategy identifies a need to provide 4400 new homes in north-east Bradford up to 2030.

In the above context there is an urgent need for the Council to provide appropriate housing land. In relation to housing land supply, the National Planning Policy Framework (NPPF) indicates that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years-worth of housing against the Council's housing targets. Where there has been a record of persistent under-delivery of housing the local planning authority should identify an additional 20%. The Council's Strategic Housing Land Availability Assessment Update Report 2015 (SHLAA) indicates that there is a substantial shortfall in housing land relative to these requirements. Whilst the Council is updating the SHLAA, it anticipates that the five-year housing land supply position will remain well below the level required by the NPPF. Under these circumstances paragraph 14 of the NPPF confirms that the relevant policies for the supply of housing should not be considered up-to-date. Paragraph 49 of the NPPF confirms that where a five-year supply of housing land cannot be demonstrated housing applications should be considered with a presumption in favour of sustainable development.

In light of the record of persistent under-delivery and the housing land supply shortfall relative to the requirements of the NPPF, there is an urgent need to increase the supply of housing land in the District. This proposal would make a valuable contribution towards meeting that need. The site is considered to occupy a sustainable location within an established residential area, where shops and services are accessible by travel modes other than the car. Specifically, there are bus services and local shopping facilities located nearby on Wrose Road. The principle of residential development is therefore considered to be acceptable.

The application site is classed as greenfield land, as it is not previously developed. Policy HO6 of the Core Strategy aims to prioritise the use of previously developed land for housing and sets a target of 50% of new housing development to be built on previously developed land over the plan period. However, in the absence of a five-year housing land supply the use of previously developed land cannot be insisted upon and where a site is considered to occupy a sustainable location there must be a presumption in favour of development in line with paragraph 49 of the NPPF.

Policy HO5 of the Core Strategy advises that densities should usually achieve a minimum of 30 dwellings per hectare. This submission has all matters reserved but it includes an indicative site layout plan which illustrates a potential arrangement of 23 residential units. The indicative layout is comprised of 8 pairs of semi-detached dwellings, a single detached dwelling and 3 pairs of semi-detached bungalows, with a single point of access taken from Kings Drive. Approval is not sought for this layout (as all matters are reserved) however it is considered that the indicative plan adequately demonstrates that 23 residential units could be accommodated on the site. The development of 23 houses on the site would equate to a density of 32 dwellings per hectare, which would exceed the density requirements of policy HO5 of the Core Strategy.

2. Biodiversity

The site is not a designated wildlife area, but it does form part of a local grassland habitat network and it contains the Trap Syke Watercourse. It is therefore necessary to establish that development can take place without having an adverse impact on the biodiversity value of the site. Policy EN2 of the Core Strategy seeks to protect and enhance ecological connectivity and green spaces which form networks of habitat or open space.

In particular policy EN2 states that the Council will seek to promote the creation, expansion and improved management of important habitats within the district and more ecologically connected patchworks of grasslands, woodlands and wetlands. Opportunities for specific habitat creation within development proposals will be sought, including provision for future management.

A Preliminary Ecological Appraisal has been submitted which was undertaken in August 2017. The assessment used a 2km area of search around the site for records of protected and notable species and locally or nationally designated wildlife sites.

The appraisal recommends that the development should include a well-conceived landscaping plan, featuring linear native planting and provision for wildlife in the form of retaining or re-creating, some wetland features and providing faunal habitats."

The revised layout plan indicates that the Trap Syke watercourse would be partially culverted, with a section of approximately 25m to be left open adjacent to the main access road into the site, and then diverted (by pipe) to the western boundary of the site where it is proposed to create an open swale running the length of the boundary to the southern corner.

In addition to the provision of the open swale it is proposed to provide a linear wetland habitat along the west boundary adjacent to the swale. This area will be planted with native species, as will smaller pockets of habitat between the garden boundaries and the site boundary (on the southern edge of the site) and alongside the main access road through the centre of the site.

The Council's Countryside and Rights of Way Service have confirmed that the proposed measures will mitigate the fragmentation of the existing habitat network to an acceptable extent.

The Preliminary Ecological Appraisal was undertaken in August 2017 meaning that some areas of the site were inaccessible due to overgrown vegetation. Whilst the findings of the preliminary appraisal do not suggest the presence of any protected species this cannot be unequivocally ruled out. It is therefore suggested that further survey work is undertaken at the appropriate time during the year. The requirement for further survey work can be ensured by a planning condition. In the event that any of the surveys reveal the need for mitigation measures, such measures can be incorporated into the detailed design of the development. The Council's Countryside and Rights of Way Service have confirmed that the conditional requirement for further survey work is acceptable.

The future maintenance and management of landscaped areas including the wetland habitat can be ensured by imposing a suitably worded planning condition.

Subject to the aforementioned conditions the proposal is considered to accord with policy EN2 of the Core Strategy and paragraph 74 of the NPPF.

3. Drainage

Policy EN7 of the Core Strategy states that the Council will manage flood risk pro-actively and policy EN8 states that proposals for development will only be acceptable provided that there is no adverse impact on water bodies and groundwater resources, in terms of their quantity, quality and the important ecological features they support.

Watercourse: The site includes the Trap Syke Watercourse. The submitted indicative layout plan indicates that the watercourse would be partially culverted but would be predominantly retained as an open water feature through the site. Further ecological enhancements are to be provided in the form of swales and wetland habitat areas.

The proposed partial culverting would not compromise the ability to maintain the watercourse, nor would it result in increased flood risk in the area. Whilst a small section of the watercourse is to be culverted the retention of the majority of the watercourse as an open feature and the inclusion of ecological enhancements is considered to be sufficient to ensure that the ecological value of the watercourse would

be maintained. This aspect of the proposal is therefore considered to accord with policies EN7 and EN8 of the Core Strategy.

Surface Water: A Flood Risk Assessment prepared by Met Engineers (Reference 10934-5007) has been submitted in support of the proposal. The document indicates that the preferred option for dealing with surface water from the site is disposal through soak away. If following testing this proves to be inadequate then disposal to a watercourse will be necessary and this will be restricted to a maximum outlet rate of 3.5 litres per second.

The information has been fully considered by the appropriate consultees (Yorkshire Water, Lead Local Flood Authority) and no objections are raised subject to imposing a planning condition requiring the submission of full details and calculations of the proposed means of disposal of surface water drainage, based on drainage principles that promote water efficiency and water quality improvements through the use of SuDS and green infrastructure. The maximum pass forward flow of surface water from the development shall be restricted to five litres per second and cater for all storms up to and including the 1% annual exceedance probability plus an allowance for climate change.

A further condition is necessary requiring the submission of a Surface Water Drainage Maintenance and Management document to ensure that the surface water drainage infrastructure is managed appropriately throughout the lifetime of the development.

Subject to the aforementioned conditions no adverse surface water implications are foreseen in accordance with policy EN7 of the Core Strategy.

Foul Water:

The submitted Flood Risk Assessment indicates that foul water should be directed to the existing combined sewer network on Bolton Hall Road. As the site rises upwards from Bolton Hall Road, connection to the main sewer by gravity should be achievable. The agreement of third party owners would be required to achieve this connection but the developer can requisition such an outfall from Yorkshire Water. Alternatively, foul water could be pumped back up the site and into the combined sewer network on Kings Drive. This would require a pump station within the site and would likely require the loss of one residential unit.

The Lead Local Flood Authority are satisfied that foul water from the development can be appropriately dealt with and they have recommended that a planning condition is imposed requiring the submission of full detailed designs and calculations of the final proposed foul water drainage system to be approved in writing, prior to the commencement of any drainage works on site. Subject to the aforementioned condition the proposal is considered to accord with policy EN7 of the Core Strategy.

4. Highway and Pedestrian Safety

Policy TR1 of the Core Strategy seeks to reduce the demand for travel, encourage and facilitate the use of sustainable travel modes, limit traffic growth, reduce congestion and improve journey time reliability, whilst policy TR2 seeks to manage car parking to help manage travel demand, support the use of sustainable travel modes meet the needs of disabled and other groups whilst improving quality of place.

As this is an outline application with all matters reserved, at this stage, it is only necessary to consider if access into the site is achievable. The submitted layout plan indicates that an adoptable access sufficient for two way traffic movements can be provided from Kings Drive. The Highways Department have confirmed that an adoptable access can be provided to serve the development. The specific design details of the access will be confirmed with the submission of a reserved matters application.

A number of objections have raised concerns in respect of the amount of traffic generated from the development. The provision of 23 dwellings would generate 18 two way vehicle trips per hour at peak periods. The level of traffic is significantly below the 30 vehicle trips per hour threshold of traffic impact set out in the Department for Transport Guidance on transport assessment and therefore the development of 23 dwellings is not considered to have a material impact on the surrounding highway network.

The internal layout of the site is indicative only and therefore its finalised design will be secured at the reserved matters application stage to the requirements of Highways Development Control.

West Yorkshire Combined Authority has requested the provision of a bus shelter at a nearby bus stop (cost of £10,000 to the developer) and a bus only Residential MetroCard Scheme (cost of £11,296 to the developer). It is considered that the site occupies a sustainable location within easy walking distance of public transport and shopping facilities. The developer has agreed to the provision of EV charging points within the scheme for each dwelling and this can be ensured by planning condition. It is considered that the provision of EV charging points represents a betterment of the scheme as charging points are in situ permanently, rather than, for example a MetroCard Scheme which is only for 1 year, with no guarantee that residents will renew after that period.

5. Land Contamination

Policy EN8 of the Core Strategy states that proposals which are likely to cause pollution or are likely to result in exposure to sources of pollution (including noise, odour and light pollution) or risks to safety, will only be permitted if measures can be implemented to minimise pollution and risk to a level that provides a high standard of protection for health, environmental quality and amenity.

A Phase 1 Desk study has been submitted in support of the application. The report indicates that “The site has been undeveloped since it was labelled agricultural land.” and it notes that “The remains of a small building were encountered in the northern entrance of the site during the site walkover. However it is not labelled on any historic maps, therefore the development and subsequent demolition date is unknown.”

With regards to the surrounding area the report states that it was “originally agricultural land with a shaft 200m west and a quarry over 250m south west. The surrounding area was slowly developed into residential properties with the sand stone quarry being in filled between 1978 and 1984”

The report concludes that a number of potential pollution linkages could exist within the site. An intrusive site investigation is recommended to confirm this potential. The report recommends that the site investigation should cover the whole site and in particular the northern area in location of the former farm building.

The Council's Environmental Health Department have confirmed that they concur with the recommendations provided in the submitted Phase 1 Desk Study. The development is considered to accord with policy EN8 of the Core Strategy subject to planning conditions requiring the submission of a Phase 2 site investigation scheme, risk assessment and a detailed remediation strategy.

6. Visual Amenity

The indicative site layout plan illustrates the provision of 23 dwellings, consisting of 16 semi-detached dwellings, 1 detached dwelling and 6 bungalows. The design, layout and appearance of the properties are subject to detailed approval at the reserved matters application stage. However it is considered that the proposed property types could be accommodated on site without resulting in any adverse visual amenity implications in accordance with the requirements of policies DS1 and DS3 of the Core Strategy.

It is noted that concerns have been raised regarding the relationship of the two storey semi-detached dwellings with the existing bungalows on the south side of Kings Drive. It is considered that the proposed two storey dwellings would be adequately separated from the existing bungalows in order to ensure that the appearance of the Kings Drive street scene would not be compromised. It is also notable that the proposed relationship would be similar to the existing relationship on the northern side of Kings Drive, where bungalows back onto the two storey semi-detached dwellings on Wrose Road.

7. Residential Amenity

The application is in outline form with all matters reserved. However, an indicative site layout plan has been provided which indicates that the site is capable of accommodating 23 residential units, whilst maintaining sufficient separation distances to ensure that no adverse implications would be incurred on existing residents neighbouring the site, or on the future occupants of the proposed houses. The proposal is therefore considered to accord with policy DS5 of the Core Strategy which requires that development does not harm the amenity of existing or prospective users and residents.

8. Community Infrastructure Levy

The site is located within 'Residential Zone 4' which is a nil CIL area. The development is therefore not required to provide a financial contribution towards the provision of off-site infrastructure provision.

9. Section 106 Planning Obligations

The developer has agreed to enter into a Section 106 Agreement to provide 5 affordable housing units. The proposed provision meets with the requirements of policy HO11 which requires that 20% of the dwellings are provided as affordable units in this area.

10. Other Issues

A number of other issues have been raised during the publicity exercise that have not been addressed in the earlier sections of this report. These issues, together with the response, are as follows:

Principle

-Local housing need will be addressed with the construction of 210 dwellings nearby. *The construction of 210 is not sufficient to meet the need to provide 4400 new homes in north-east Bradford up to 2030.*

-46% of the 4400 dwellings needed in north-east Bradford already have planning permission. *The Core Strategy sets a target of 4400 new homes to be provided up to 2030. There is no evidence to suggest that 46% of the required 4400 properties already have planning permission. In any case the amount of consented development in relation to the Core Strategy housing requirements will be taken into account in formulating the forthcoming Housing Land Allocations Development Plan Document.*

Highways

The site access is too narrow for two way traffic. *The Highways Development Control Department have confirmed that the site access is suitable to allow for two way traffic. Specific details of the access arrangement are required for approval at reserved matters application stage.*

There is no footpath access into the site. *The indicative site access layout includes the provision of a footpath.*

Access to dwellings in Kings Drive will be restricted by construction traffic. *A condition is to be imposed requiring details of the areas for the loading, unloading and turning of construction vehicles within the site. Subject to the approval of acceptable details construction traffic is not considered to adversely impact upon access to dwellings on Kings Drive.*

A traffic survey of surrounding junctions is required. *The proposed development is not of a scale which requires a Transport Assessment.*

Inadequate visibility at site access. *The indicative access layout indicates that sufficient visibility splays can be achieved at the site access.*

Residential Amenity

-The development would result in a loss of views from existing dwellings. *The loss of a view is not a material planning consideration.*

-The development will result in a loss of light to neighbouring dwellings. *The indicative layout indicates that sufficient separation distances can be achieved both with the site and to existing dwellings, to ensure that the development would not result in a loss of light to habitable room windows or amenity areas.*

Environment

-The development will result in a loss of mature trees. *The site does not contain any trees protected by preservation orders and therefore existing trees could be removed from the site at any time without the need for permission.*

Wildlife

-Loss of habitat for wildlife. *The indicative site layout plan indicates that suitable habitat mitigation measures can be accommodated within the site.*

-The site forms part of the Bradford Wildlife Habitat Network which should not be fragmented. *The Council's Countryside and Rights of Way Service have confirmed that sufficient measures can be accommodated on site to mitigate the fragmentation of the existing habitat network to an acceptable extent.*

-The presence of protected species on the site cannot be ruled out. *The presence of protected species on site will be subject to further assessment by imposing a planning condition requiring that prior to commencement of site clearance the site shall be surveyed by a suitably qualified ecologist for the presence of Badgers, breeding birds or other protected species as detailed in the Preliminary Ecological Appraisal (Report reference: R-2997-01). The details of the surveys undertaken and any necessary mitigation measures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of site clearance. The mitigation measures shall then be implemented in accordance with the approved details.*

Community Safety Implications:

No adverse community safety implications are foreseen and the proposal is considered to accord with policy DS5 of the Core Strategy. All matters relating to access, appearance, landscaping, layout and scale will be subject to consideration under reserved matters application(s). Accordingly it is appropriate for the suggestions made by the Police Architectural Liaison Officer to be incorporated into the development as part of the reserved matters applications, ensuring that the development meets suitable secured by design standards

Equality Act 2010, Section 149:

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

Reason for Granting Planning Permission

The proposal is considered to represent a sustainable form of development and is acceptable in principle. The indicative layout demonstrates that the site can accommodate 23 dwellings and a suitable point of access, without resulting in any adverse implications in respect of biodiversity, drainage, highway and pedestrian safety, land contamination or residential amenity. Subject to conditions the proposal satisfies the requirements of policies P1, SC1, SC4, SC9, TR1 TR2, TR3, HO5, HO6, HO11, EN2, EN5, EN7, EN8, DS1, DS3, DS4, DS5, ID3 of the Local Plan for Bradford and the relevant paragraphs of the National Planning Policy Framework.

Heads of Terms of Section 106 Obligation

1. Provision of 5 affordable housing units.

Conditions of Approval

1. Timescale

Application for approval of the matters reserved by this permission for subsequent approval by the Local Planning Authority shall be made not later than the expiration of three years beginning with the date of this notice.

Reason: To accord with the requirements of Section 92 of the Town and Country Planning Act 1990, (as amended).

2. Timescale

The development to which this notice relates must be begun no later than the expiration of 2 years from the date of the approval of the matters reserved by this permission for subsequent approval by the Local Planning Authority, or in the case of approval of such matters on different dates, the date of the final approval of the last of such matters to be approved.

Reason: To accord with the requirements of Section 92 of the Town and Country Planning Act 1990, (as amended).

3. Reserved Matters

Before any development is begun plans showing the:

- i) access,
- ii) appearance
- iii) Landscaping
- iv) layout,
- v) and scale

must be submitted to and approved in writing by the Local Planning Authority.

Reason: To accord with the requirements of Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

4. Bat and Breeding Bird Surveys

Prior to commencement of development the site shall be surveyed by a suitably qualified ecologist for bat and breeding bird activity. The details of the surveys undertaken and of any required mitigation measures, shall be submitted to and approved in writing by the Local Planning Authority before development commences. The mitigation measures shall be implemented and retained in accordance with the approved details.

Reason: To safeguard protected species that may exist on the site and to accord with Policy EN2 of the Core Strategy.

5. Badgers, Nesting Birds and Invasive Species Surveys

Prior to the commencement of site clearance the site shall be checked by a suitably qualified ecologist for badgers, nesting birds and invasive plant species and the details of the surveys undertaken shall be submitted to and approved in writing by the Local Planning Authority..

Reason: To safeguard protected species that may exist on the site and to accord with Policy EN2 of the Core Strategy.

6. Landscaping and Wetland Habitat Plan

Development shall not begin until a landscaping scheme including the proposed areas of wetland habitat has been submitted to and approved in writing by the Local Planning Authority.

The landscaping scheme so approved shall be implemented during the first available planting season following the completion of the development hereby approved and in accordance with the approved details.

Any trees or plants comprising the approved landscaping that become diseased or die, or which are removed or damaged within the first 5 years after the completion of planting shall be removed and a replacement landscape planting using the same or similar species/specifications shall be planted in the same position no later than the end of the first available planting season following the demise of the original landscape planting.

Reason: In the interests of visual amenity and to accord Policies EN2, EN5, DS2 and DS3 of the Core Strategy Development Plan Document.

7. Landscaping Maintenance and Management

Before any part of the development is brought into use, the developer or successor in title, shall enter into a legal agreement to maintain the internal planting and wetland habitat areas within the site in perpetuity by way of a Management Company.

Reason: To ensure that the areas are adequately maintained for the lifetime of the site in perpetuity

8. Surface Water Drainage

Notwithstanding the details contained in the supporting information, the drainage works shall not commence until full details and calculations of the proposed means of disposal of surface water drainage, based on drainage principles that promote water efficiency and water quality improvements through the use of SuDS and green infrastructure to reduce its effect on the water environment have been submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter only proceed in strict accordance with the approved drainage details.

Reason: In the interests of the amenity of future occupiers, pollution prevention and the effective management of flood risk and to accord with Policies DS5, EN7 and EN8 of the Core Strategy Development Plan Document.

9. Surface Water Management Plan

The surface water drainage infrastructure serving the development shall be managed in strict accordance to the terms and agreements, over the lifetime of the development, as set out in a Surface Water Drainage Maintenance and Management document to be submitted to the Lead Local Flood Authority for approval.

Reason: In the interest of satisfactory drainage and to accord with policy EN7 of the Local Plan for Bradford.

10. Foul Water Drainage Details

Notwithstanding the details contained in the supporting information, the drainage works shall not commence until full details and calculations of the proposed means of disposal of foul water drainage, have been submitted to and approved by the local planning authority. The development shall thereafter only proceed in strict accordance with the approved drainage details.

Reason: In the interest of satisfactory drainage and to accord with policy EN7 of the Local Plan for Bradford.

11. Domestic Electric Vehicle Recharging Points

Unless otherwise agreed in writing with the Local Planning Authority, from the date of first occupation, every property on the site with dedicated parking shall be provided with access to a fully operation 3 pin socket on a dedicated 16A circuit, capable of providing a 'trickle' charge to an electric vehicle. Charging points should be provided via outdoor, weatherproof sockets within easy access of the parking areas or within dedicated garage space. All EV charging points shall be clearly marked with their purpose and drawn to the attention of new residents in their new home welcome pack/travel planning advice.

Reason: To facilitate the uptake and use of low emission vehicles by future occupants and reduce the emission impact of traffic arising from the development in line with the West Yorkshire Low Emission Strategy and the National Planning Policy Framework (NPPF).

12. Construction Environmental Management Plan

Prior to commencement of the development a Construction Environmental Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation, construction and demolition phases of the development shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must be prepared with due regard to the guidance set out in the IAQM Guidance on the Control of Dust and Emissions from Construction and Demolition and include a site specific dust risk assessment and mitigation plan. All works on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect amenity and health of surrounding residents in line with the Council's Low Emission Strategy and the National Planning Policy Framework (NPPF) as possible.

13. Site Investigation Scheme

Prior to construction of the development hereby approved beginning, a Phase 2 site investigation and risk assessment methodology 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 EN8 of the Local Plan for Bradford.

14. Site Investigation Implementation

Prior to construction of the development hereby approved beginning 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 EN8 of the Local Plan for Bradford.

15. Remediation Strategy

Unless otherwise agreed in writing with the Local Planning Authority, Prior to construction of the development hereby approved beginning 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 EN8 of the Local Plan for Bradford.

16. Remediation Verification

Unless otherwise agreed in writing with the Local Planning Authority, a remediation verification report, including where necessary quality control of imported soil materials and clean cover systems, 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 EN8 of the Local Plan for Bradford.

17. Unexpected Contamination

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 EN8 of the Local Plan for Bradford

18. Materials Importation

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.

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 EN8 of the Local Plan for Bradford.

19. Construction Plan

Notwithstanding the provisions 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 plan specifying arrangements for the management of the construction site 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 contractors means of access to the site including measures to deal with surface water drainage;
- ii) Hours of construction work, including any demolition works;
- iii) Hours of delivery of materials;
- iv) Location of site management offices and/or sales offices;
- v) Location of materials storage compounds, loading and unloading areas and areas for construction vehicles to turn within the site;
- vi) Car parking areas for construction workers, sales staff and customers;
- vii) The extent of and surface treatment of any all temporary road accesses leading to compound/storage areas and the construction depths of these accesses their levels and gradients.
- viii) Temporary warning and direction signing on the approaches to the site.

The construction plan details so approved before development is begun and shall be kept in place, operated and adhered to at all times until the development is completed.

Reason: To ensure the provision of proper site construction facilities in the interests of highway safety and the amenity of the surrounding environment and its occupants and to accord with policies TR1, TR3, DS4 and DS5 of the Local Plan for Bradford.

Footnote: It is noted unnamed watercourses are present within the site. The responsibility for granting consent for works in an ordinary watercourse lies with the Lead Local Flood Authority (LLFA) for the area, in this case Bradford Council. Should the developer seek to alter the profile of an ordinary watercourse they must therefore apply to Bradford Council for consent to undertake works to alter a watercourse. The developer must provide full & comprehensive details of their proposals for consent prior to any works commencing on the watercourse. This process is separate from the planning application process and therefore early discussions are recommended with the LLFA. For advice regarding works to the watercourse please contact Edward Norfolk on 01274 433905 or via e-mail at edward.norfolk@bradford.gov.uk.

Footnote: All contractors on site shall be briefed about their legal obligations in respect of protected species and any works should be undertaken under caution that protected species could be present. In the event that protected species are found work shall stop immediately and Natural England shall be contacted immediately.

Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 8 February 2018

AG

Subject:

Planning application 17/05079/MAF and Listed Building Consent application 15/05080/LBC for the following development at Leventhorpe Hall, Thornton Road, Bradford:

Restoration of Grade II* listed Leventhorpe Hall to form two dwellings, conversion of Grade II listed north barn to form 4 apartments and the construction of 26 dwellings with associated works.

Summary statement:

The Regulatory and Appeals Committee are asked to consider a Listed Building Consent application for restoration works to Grade II* listed Leventhorpe Hall and Grade II listed North Barn, as well as the demolition of the remains of the Grade II listed East Barn. The committee are asked to consider a full planning application for the restoration of Leventhorpe Hall to form two dwellings, conversion of the north barn to four apartments and the construction of 26 dwellings with associated site works.

A full assessment of both applications against all relevant planning policies and material planning considerations is included in the report at Appendix 1. The site the subject of this application is within the green belt and the proposal constitutes “inappropriate development as defined by national planning policy. In such circumstances planning permission should only be granted where there are proven “very special circumstances”. However, it is considered that in this case there are very special circumstances that warrant the grant of this development in the green belt. Taking other relevant planning policies into account and other material planning considerations it is recommended that conditional Planning Permission and Listed Building consent are granted for the reasons and subject to the conditions set out in the report at Appendix 1.

Julian Jackson
Assistant Director (Planning,
Transportation & Highways)
Report Contact: John Eyles
Major Development Manager
Phone: (01274) 434380
E-mail: john.eyles@bradford.gov.uk

Portfolio:

**Regeneration, Planning and Transport
Overview & Scrutiny Area:**

Regeneration and Economy

1. SUMMARY

The Regulatory and Appeals Committee are asked to consider the recommendations for the determination of planning application ref.17/05079/MAF and listed building consent application 15/05080/LBC as set out in the report of the Assistant Director (Planning, Transportation and Highways) - Technical Report at Appendix 1.

2. BACKGROUND

Attached at Appendix 1 is a copy of the Technical Report of the Assistant Director (Planning, Transportation and Highways). This identifies the material considerations relevant to both applications to be considered.

3. OTHER CONSIDERATIONS

All considerations material to the determination of this planning application are set out in the Officer's Report at Appendix 1.

4. OPTIONS

If the committee proposes to follow the recommendation to grant planning permission and listed building consent then the Assistant Director (Planning, Transportation, Highways) can be authorised to issue a decision notice granting conditional listed building consent for works to Leventhorpe Hall and North Barn and demolition of East Barn and planning permission for the development of the site consisting of the conversion of the North Barn to four dwellings and the construction of 26 dwellings with associated works.

The proposal site is within the Green Belt and is considered to represent Green Belt Development, as defined by paragraph 4 of the Town and Country Planning (Consultation) (England) Direction 2009. In accordance with the requirements of the Consultation Direction, in the event that the Committee resolve to grant planning permission, the Secretary of State must be consulted to allow him opportunity to call-in the application for his own determination if he so chooses.

If the Committee decide that planning permission and/ or listed buildings consent should be refused, they may refuse the application(s) accordingly, in which case reasons for refusal will have to be given based upon development plan policies or other material considerations.

5. FINANCIAL & RESOURCE APPRAISAL

A number of stakeholders have made requests for the developer to make contributions towards meeting off-site infrastructure and other needs associated with the development. These contributions principally comprise of a residential Metrocard Scheme at a cost of £12,769 and the provision of up to 20% affordable housing.

In order to comply with policy HO11 of the Core Strategy the provision of up to 20% of the proposed houses as Affordable housing would normally be required. The submitted scheme does not include the provision of any Affordable Housing.

In terms of considering the acceptability of the non-provision of Affordable Housing and funding for a Metrocard Scheme reference should be made to paragraph 173 of the NPPF. Paragraph 173 states that, to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions, or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns

to a willing land owner and willing developer to enable the development to be deliverable.

The applicant argues that the provision of Metrocard funding and affordable housing as part of the development scheme would render the development unviable. They explain that this is due to the costs associated with the proposed development including the costs of the proposed restoration works to Leventhorpe Hall, North barn and the provision of an appropriate replacement building in the location the derelict east barn.

To support this argument the applicant has submitted a Financial Viability Report which sets out the costs and value of the development. This report has been reviewed by the Council's Economic Development Service, who have confirmed that they consider it to demonstrate both that the amount of development proposed (in the Green Belt) is required to make the development economically viable and the provision of affordable housing and Metrocard funding would render the scheme unviable. Therefore, notwithstanding the conflict of the proposal with policy HO11 of the Core Strategy it is considered that the scale of discounted housing provision and infrastructure contributions proposed by the applicant is acceptable in relation to advice on scheme viability set out in paragraphs 178-181 of the NPPF.

6. RISK MANAGEMENT & GOVERNANCE ISSUES

None relevant to this application.

7. LEGAL APPRAISAL

The options set out above are within the Council's powers as the Local Planning Authority under the provisions of the Town and Country Planning Act 1990 (as amended), subject to consultation with the Secretary of State to allow him opportunity to call in the application if he so wishes under the provisions of the Consultations Direction.

8. OTHER IMPLICATIONS

All considerations material to the determination of the planning application and listed building consent are set out in the technical report at Appendix 1.

8.1 EQUALITY & DIVERSITY

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups, in accordance with the duty placed upon Local Authorities by Section 149 of the Equality Act 2010.

The context of the site, the development scheme proposed and the representations received have been reviewed to identify the potential for the determination of this application to disadvantage any individuals or groups of people with characteristics protected under the Equality Act 2010.

The outcome of this review is that there is not considered to be any sound reason to conclude that the proposed development would have a significantly detrimental impact on any groups of people or individuals with protected characteristics. Full details of the process of public consultation undertaken and a summary of the comments made are attached at Appendix 1.

8.2 SUSTAINABILITY IMPLICATIONS

The proposal is for the development of a 1.74 hectare area of predominantly previously developed land. The site is located immediately to the west of the main urban area of Bradford and is close to a relatively frequent bus route on Thornton Road. Consequently the site is considered to occupy a sustainable location in line with the criteria set out in national and local policy. This is set out in the report attached at Appendix 1.

8.3 GREENHOUSE GAS EMISSIONS IMPACTS

The development of new buildings and land for residential purposes will invariably result in an increase in greenhouse gas emissions associated with both construction operations and the activities of future users of the site. Consideration should also be given to the likely traffic levels associated with this development. Consideration should also be given as to whether the location of the proposed development is such that the use of sustainable modes of travel would be best facilitated and future greenhouse gases associated with activities of the residents are minimised.

It is accepted that the proposed development would result in greenhouse gas emissions. However, it is considered that such emissions are likely to be relatively lower than would be the case for alternative, less sustainable locations.

In order to encourage alternative means of transport Electric Vehicle (EV) charging points are proposed at a rate of 1 per residential unit in line with the Type 1 Mitigation requirements set out in the Bradford Low Emission Strategy. This can be ensured by a planning condition.

8.4 COMMUNITY SAFETY IMPLICATIONS

There are no community safety implications other than those raised in the main body of the report.

8.5 HUMAN RIGHTS ACT

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

8.6 TRADE UNION

None.

8.7 WARD IMPLICATIONS

The site is within the Thornton and Allerton Ward. Ward Councillors and local residents have been made aware of the applications and have been given the opportunity to submit written representations. In response to this publicity 13 representations have been received from local residents in respect of application 17/05079/MAF, consisting of 11 letters of objection and 2 letters of support. In respect of Listed Building Consent application 17/05080/LBC one representation was received in support of the application.

Prior to the submission the applicant undertook pre-application consultation with the local Member of Parliament, Ward members, the local community, statutory consultees and the Local Planning Authority.

The local Member of Parliament and ward members were contacted by email on 20th and 21st June 2016 respectively. The email included a link to the development proposals and supporting documents and it advised that the development team would be available to answer any queries. The Statement of Community Involvement indicates that no responses were provided by the local Member of Parliament or Ward Members.

The Statement of Community Involvement advises that letters were issued to local residents neighbouring the development site on 26th June 2017. A single response was received which querying how the restoration of the hall would relate to the respondents property.

The Technical Report at Appendix 1 summarises the material planning issues raised by representations and the appraisal gives full consideration to the effects of the development upon residents within Thornton and Allerton Ward.

9. NOT FOR PUBLICATION DOCUMENTS

Viability Statement carried out by Mac Consulting, dated 25th September 2017. The document is exempt by reason of commercial privacy.

10. RECOMMENDATIONS

Planning Application: To Grant Planning Permission subject to the conditions recommended at the end of the Technical Report at Appendix 1.

Listed Building Consent Application: To Grant Listed Building Consent subject to the conditions recommended at the end of the Technical Report at Appendix 1.

11. APPENDICES

Appendix 1: Technical Report

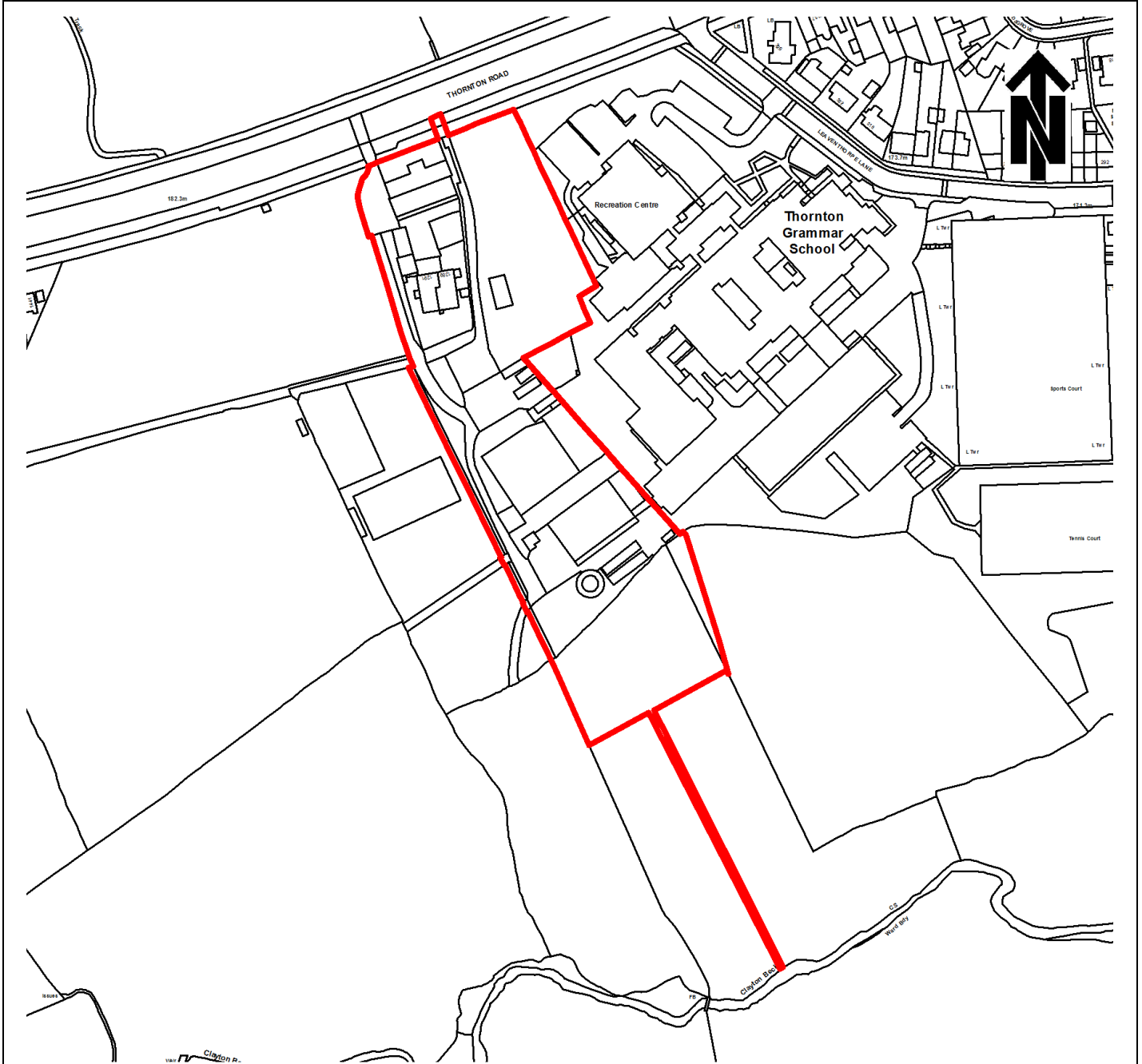
12. BACKGROUND DOCUMENTS

National Planning Policy Framework
Replacement Unitary Development Plan
Local Plan for Bradford
Planning Application 17/05079/MAF
Listed Building Consent Application 15/05080/LBC

17/05079/MAF 17/05080/LBC



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:2,500

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**Leventhorpe Hall
Thornton Road
Bradford
BD13 3BD**

8th February 2018

Ward: Thornton and Allerton (Ward 23)

Recommendation:

Planning Application: Subject to referral to the Secretary of State for Housing, Communities and Local Government, to Grant Planning Permission subject to the conditions recommended at the end of this report.

Listed Building Consent: To Grant Listed Building Consent subject to the conditions recommended at the end of this report.

Application Number:

- Planning Application-17/05079/MAF
- Listed Building Consent-17/05080/LBC

Type of Application/Proposal

A full planning application for the restoration of Leaventhorpe Hall to form two dwellings, conversion of the north barn to four apartments and the construction of 26 dwellings with associated site works.

A listed building consent application Listed Building Consent application for restoration works to Grade II* listed Leaventhorpe Hall and Grade II listed North Barn, as well as the demolition of the remains of the Grade II listed East Barn

Site Address

Leaventhorpe Hall
Thornton Road
Bradford
West Yorkshire
BD13 3BD

Applicant:

Mr Liam Wainwright

Agent:

Mr Haydn Jones

Site Description:

The site is comprised of 1.8ha parcel of land within the Green Belt, located on Thornton Road, 2.8 miles from Bradford City Centre. The site is largely previously developed land, with the northern portion containing the remaining elements of a historic farmstead. This aspect of the site includes Grade II* listed Leaventhorpe Hall which is a highly significant house with origins in the 17th Century. There is a grade II listed barn located to the north of Leaventhorpe Hall, directly adjacent to the Thornton Road; to the east of the hall there are the derelict remains of a further grade II listed barn. Leaventhorpe Hall is currently vacant and in a poor state of repair, but was last occupied as two residential properties. The north barn is currently in use as a feed

store, stable and office associated with the equestrian use of land to the south. The east barn was previously in agricultural use prior to its dereliction.

To the south of the complex of listed building stands the partially completed shell of an unauthorised dwelling. The remainder of the site to the south is comprised of an agricultural building, stables, storage block and horse walker with associated areas of car parking and hard standing, beyond which an agricultural field descends towards Clayton Beck.

The land surrounding the site is comprised of agricultural land to the north on the adjacent side of Thornton Road; Beckfoot Thornton School and Thornton Recreation Centre to the east and agricultural land followed by residential development to the west.

Relevant Site History:

90/01885/LBC- Internal alterations to hall, partial removal of later outbuildings to two barns, conversion of two listed barns and derelict cottages to dwellings- Withdrawn

90/01888/FUL-Conversion of two cottages, two barns and outbuilding to form nine dwellings- Withdrawn

97/02150/FUL-Construction of two, two storey detached dwellings-Refused-23.06.1998 (Inappropriate development in Green Belt and sub-standard access)

00/01185/FUL- Extension of garden and erection of car port and construction thirteen houses-Withdrawn

04/04585/FUL-Retention of area for storage of caravans- Refused-09.12.2004 (Inappropriate development in Green Belt). Appeal reference 05/00032/APPFUL Dismissed.

02/04432/PN-Erection of general purpose agricultural building- Prior Approval Granted-20.02.2003

06/07935/FUL-Conversion of barn to form 3 dwellings, demolition and reinstatement of stables to form 1 dwelling and construction of a new terrace comprising 5 dwellings with 2 terraces of car ports and associated works including new access- Granted Subject to Section 106 Agreement-Granted-17.04.2007 (New dwellings in green belt found to be justified as enabling development to facilitate the restoration of Leventhorpe Hall and East Barn).

06/07936/LBC-Restoration of Leventhorpe Hall, conversion of East Barn, demolition of and rebuilding of stables, erection of new terrace comprising of 5 dwellings, erection of two terraces of car ports and associated external works including access- Granted Subject to Section 106 Agreement-04.06.2007

06/08857/FUL- Retrospective application for construction of portal framed building and construction of access track-Refused-10.07.2007 (Harm to openness of Green Belt and landscape character, unsuitable access and harm to the setting of grade II* Listed Leventhorpe Hall.

06/07935/SUB01-Submission of details of conversion of barn to form 3 dwellings, demolition of and reinstatement of stables to form 1 dwelling and construction of new terrace comprising 5 dwellings with 2 terraces of car ports and associated works including new access to comply with conditions 3,5,6,12,13 and 18- Partial Approval Granted-20.11.2008

09/06181/FUL-Retention of hard standing- Refused-23.02.2010 (Inappropriate development harmful to the openness of the Green Belt and landscape character, inadequate access information) Appeal reference 10/00063/APPFUL Dismissed.

11/02926/PN-Two timber clad agricultural buildings-Prior Approval Not Required-20.07.2011

11/03666/FUL-Variation of existing access track, variation of existing yard and car park (retention of car park use) and retention of hard standing and stable building-Granted-14.10.2011

11/05741/VOC-Variation of Condition 2, to extend the date for completion of works to to planning approval 11/03666/FUL: Variation of existing access track, variation of existing yard and car park (retention of car park use) and retention of hard standing at stable building-Granted-15.02.2012

16/09152/PMJ-Restoration of the Grade 2* Leventhorpe Hall (No 1289 and 1291), conversion of Grade 2 North Barn to 6no apartments and construction of 17 dwellings at Leventhorpe Hall- Amendments Required.

The National Planning Policy Framework (NPPF):

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

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

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

The Local Plan for Bradford:

The Core Strategy for Bradford was adopted on 18th July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until the adoption of Allocations and Area Action Plan development plan documents. The site is not allocated for any specific purpose within the RUDP but it is

within the Green Belt. Accordingly the following saved RUDP and Core Strategy policies are applicable to this proposal.

Replacement Unitary Development Plan (RUDP):

Allocation

GB1-New Building in the Green Belt

Proposals and Policies

P1- Presumption in Favour of Sustainable Development

SC1- Overall Approach and Key Spatial Priorities

SC4- Hierarchy of Settlements

SC7- Green Belt

SC9- Making Great Places

TR1- Travel Reduction and Modal Shift

TR2- Parking Policy

TR3- Public Transport, Cycling and Walking

HO5- Density of Housing Schemes

HO6- Maximising the Use of Previously Developed Land

HO8- Housing Mix

HO9- Housing Quality

HO11- Affordable Housing

EN2- Biodiversity and Geodiversity

EN3- Historic Environment

EN5- Trees and Woodland

EN7- Flood Risk

EN8- Environmental Protection

DS1- Achieving Good Design

DS3- Urban Character

DS4- Streets and Movement

DS5- Safe and Inclusive Places

ID2- Viability

ID3- Developer Contributions

Parish Council

Not in a Parish

Publicity and Number of Representations:

The planning application was advertised through the publication of site notices, press advertisements and neighbour notification letters. The Listed Building Consent application was publicised by press advertisement and site notice.

In response to this publicity 13 representations were received in respect of planning application 17/05079/MAF, consisting of 11 letters of objection and 2 letters of support.

In relation to Listed Building Consent application 17/05079/LBC, 1 letter of support was received.

Prior to the submission the applicant also undertook pre-application consultation with the local Member of Parliament, Ward members and the local community. No responses were received from the local Member of Parliament or Ward Members. 1 response was received from a local resident which raised a general comment regarding how the restoration of the hall would relate to their property.

Summary of Representations Received:

Objection:

Flooding/Drainage

- Draining water into Clayton Beck could result in increased flood risk.
- Increased insurance premiums for neighbouring resident as a result of increased flood risk.
- Clayton Beck is already at capacity and this development could result in flooding to properties on Middlebrook Way, View, Walk and Crescent.
- Increased risk of flooding as a result of run-off from new properties.

Highway and Pedestrian Safety

- Increased traffic congestion in the local area.
- Insufficient parking
- Increased congestion at Thornton Grammar School at peak times.
- Pedestrian safety concerns for school children crossing the access to the development
- Traffic passing near to listed buildings.

Amenity

- Loss of views from neighbouring houses.
- Noise and dust pollution as a result of construction works.
- Air pollution as a result of wood burners and garden fires from the new dwellings.

Loss of Green Belt Land

- The new properties would protrude further into the valley than is currently the case.
- Vacant buildings or brownfield sites should be developed before green belt land.
- Adverse environmental impacts as a result of developing a green belt site.

Infrastructure

- Local schools and doctors surgeries are already oversubscribed; the proposed new houses will make this situation worse.

Inaccurate Plans

- The site plan incorrectly takes in the lower field.
- The map indicates a new footpath terminating in the school car park which is not possible

Support

- A permanent use for Leventhorpe Hall is welcomed.
- The refurbishment of Leventhorpe Hall and North Barn is welcomed.

Consultations:

Historic England

The applicant has been actively engaged in discussions with Historic England to secure the best possible outcome for Leventhorpe Hall and its associated buildings. Historic England welcomed the pre-application engagement and the opportunity to fully

understand the scope of the proposed development and facilitate design changes where necessary. Historic England commend the applicant on the submission of a detailed Heritage Statement and Condition Surveys as well as supporting structural information.

The restoration of the hall and north barn are welcomed and it is hoped that the proposal will secure a long term future for the buildings. In particular the vacant hall which has been identified on the heritage at risk register. Historic England supports the application in principle. We consider that further information should be provided and amendments sought to the scheme to ensure that the harm to the significance of the grade II* listed and Grade II listed buildings is minimised. Specifically;

Leventhorpe Hall-Further investigation regarding the condition of the remaining fabric is required once the building is made safe. This should include a timber survey and analysis of the survival of lath and plaster.

Clarification should be sought on the extent of the survival of the fixtures and fittings and their incorporation within the scheme

Suitable methodologies and samples of materials should be sought for the repair and like for like replacement of historic fabric to ensure the enhancement of the Grade II* listed building. Further details will be required regarding all new services, soil and vent pipes, insulation and fire proofing and the building adequately recorded prior to the commencement of work.

The preferred approach is that where historic fabric remains it should be repaired and reinstated on a like for like basis. We accept that where fabric or features have been lost there is scope for interpretation or an alternative replacement such as windows

North Barn-As with the Hall we request that suitable methodologies and samples of materials should be sought for the repair and like for like replacement of historic fabric to ensure the enhancement of this Grade II listed building. Further details will be required regarding all new services, soil and vent pipes, insulation and fire proofing and the building adequately recorded prior to the commencement of work.

East Barn-The east barn is in poor condition with very little remaining of the original structure. We would not raise any objection to the demolition of the remaining walls and its replacement with four dwellings. The existing materials should be salvaged and reused where possible.

Historic England considers that providing the building can be rebuilt as sympathetically as possible and an appropriately detailed scheme is secured, the proposed rebuilding will help to retain some of the significance of the site and the adjacent listed buildings.

Redevelopment of the Wider Site- The addition of housing on the site will harm the ability to appreciate the Hall and north barn within their rural setting, which is a key aspect of their significance as outlined above. The Council therefore needs to be satisfied that the economic need for the additional dwellings is robustly demonstrated and that the extent of new build is necessary to ensure the viability of the development and a sustainable future for the Hall and north barn.

The majority of the new housing would be located to the south of the hall, where the land falls away, there are concerns regarding the siting and layout of the terrace of four

houses identified as numbers 11-14 to the south east of the Hall. The concern is that the height and siting of these dwellings will impact on a key view of the Hall and north barn. It is advised that further consideration is given to the re-siting of these dwellings to reduce the impact of the development on the setting of these listed buildings.

The proposals also include the reinstatement of the historic access from Thornton Road. Whilst we have no objections to this element of the scheme, further details will be required regarding any alteration to the existing boundary wall and excavation of levels.

The enveloping works required to stabilise the condition of Hall and north barn must be undertaken during the first phase of the redevelopment to ensure the long term future of these significant buildings.

Historic England (further comments dated 18.12.2017)

We previously provided advice in response to these applications on 17th October 2017. This letter should be read in conjunction with our previous advice.

As set out in our previous response Leventhorpe Hall is a remarkable late 17th century manorial hall which despite some alterations during 18th and 19th centuries exhibits considerable historic fabric and a discernible plan form. Internally there is a particularly good survival of features; a major part of the significance of the Grade II* listed Hall therefore derives from its historical illustrative and evidential values. The application site also comprises of two Grade II listed barns, a detached dwelling on the site of the former Grade II listed stables, two cottages and an equestrian centre. The applications propose the refurbishment of for the restoration of the Hall; conversion and subdivision of the north barn; demolition a partially built detached dwelling; demolition of the east barn and the construction of 26 dwellings with associated vehicular access, car parking and hard and soft landscaping.

We welcome the proposed restoration of the Hall and the north barn. We hope this approach will help to secure a long term sustainable future for these significant buildings. In particular the vacant Hall which has been identified on the Heritage at Risk Register for a number of years and its repair and sustainable reuse is a priority for the site. We previously requested further information should be provided and amendments sought to the scheme to ensure that the harm to the significance of the grade II* listed and Grade II listed buildings is minimised. We note the additional information provided which includes a number of 3D perspectives; updated phasing plan; landscaping details and improvements to the design of the enabling development. Having looked at the perspectives, particularly the northern one, we confirm we are satisfied that units 11-14 will not significantly impact on the setting of the Hall. We also welcome the confirmation that the enveloping works for the Hall and north barn will be undertaken during Phase 1.

Historic England supports the applications on heritage grounds.

We consider that the applications meet the requirements of the NPPF, in particular paragraph numbers 128-129, 131-132 & 134.

In determining these applications you should bear in mind the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas)

Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Your authority should take these representations into account in determining the applications. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

Design and Conservation (31.10.2017)

Leaventhorpe Hall is a highly significant house with origins in the 17th century. The site certainly however was occupied prior to that. The site now comprises 3 listed buildings, a fourth, known as the stable building which was subject to unauthorised damage early in the 2000s and subsequently demolished, stood where the unfinished detached house is now sited, east of the Hall. The Hall was historically served by 2 substantial barns, various cart sheds and functioned as a significant farmstead. The Hall however declined in status from the 18th century onwards, losing an original second storey of accommodation and being split into 2 dwellings in the 19th century.

More recently the Hall has been allowed to deteriorate drastically. The roof now offers little protection from the elements with resultant impact on the masonry of the walls, internal structure, roof timbers and important internal fabric. The building displays numerous structural defects including cracking at the north-west corner and a very serious bulge to the east elevation. The prolonged and continued ingress of water and saturation of the structure will do nothing to help these progressive defects. The Hall is highly significant but has been regarded as being at risk for over 15 years and features on the Historic England risk register, although this underestimates the severity of condition.

The North Barn is less severely neglected, having been in agricultural use. However the roof does present problems with some structural timbers displaying signs of prolonged moisture saturation and decay.

The East Barn is entirely derelict, largely as a result of the unauthorised removal of the roof covering a number of years ago. The roof timbers have subsequently been removed leaving little more than four walls.

These proposals present an essential opportunity to save the Hall from impending complete loss, and safeguard the practically salvageable aspects of the farmstead. There have been no realistic opportunities for over 10 years, and the condition of the hall is such that immediate resolution is required.

I have been unable to find any reference to temporary protection to the Hall. The potential development phasing suggests that the Hall will be the last phase of the site. This in itself gives cause for concern as other elements of the development could be undertaken with no commitment or obligation to attend to the most significant building on the site. The time which could elapse before work is commenced on the Hall would cause further and possibly irreversible damage. The phasing is therefore challenged as not being sufficiently binding in the interests of the Hall. Immediate protection of the roof is required to protect the fabric of the building and to allow it to dry out. Partial renovation of the Hall should be considered as necessary as an earlier phase of the development to demonstrate commitment to the key significant asset. This may comprise permanent repairs to the roof or structural repairs to the elevations.

Whilst considerable detail is provided in respect of the Hall, showing a structural inspection report, structural works to elevations, heritage statement and a building survey report, much further detail will be required in relation to the appropriate renovation of a Grade II* listed asset. A full schedule of all timber repairs to ground and first floors will be required, addressing individual members and including floor beams and joists, together with an understanding of what boarding can be retained and the specification for all repairs and replacement timbers.

Very little information is provided in respect of the roof structure. This is one of the most significant components of the historic fabric of the building. Before any works starts comprising any repairs or replacement of roof timbers, a full survey of the roof timbers shall be undertaken, with resultant comprehensive specification and schedule of repairs. The guiding philosophy must be maximum retention of historic timbers, with honest repairs using traditional carpentry and engineering methods.

Internally, schedules for the finishes for all spaces are required. These will include the intended finish for walls, ceilings and floors, with joinery specifications for doors, architraves, skirtings, and identification of what existing features are to be retained and repaired.

Externally, a sample panel of pointing will be required, together with a sample of the stone to be used for areas of rebuilding, and replacement of architectural components. The specification for high level repairs must include retention of all evidence of historic construction and fenestration at upper levels, on both inner and outer leaves of the walls. Full details of new windows, the repair of the external doors and specification of rainwater goods will be required before works commence on these elements.

The proposed configuration of the 2 dwellings intended within the Hall is regarded as the least invasive and has resulted from consideration of several options and the input of heritage consultees at pre-submission stage. It is concluded to be the best solution for the building and has the interests of the building's significance at its heart.

The North Barn is a prominent structure which provides the public facing aspect of the farmstead. Care has been taken to avoid puncturing the powerful blank elevations facing Thornton Road. The building is generally regarded to be in reasonable condition, however, the amount of stitching shown on the structural drawings appears to conflict with the levels of concern expressed in the structural inspection report.

Further detail is required on how the proposed configuration of the new domestic units within the North Barn will be achieved, with sections possibly assisting in illustrating this. The degree of structural intervention is unclear from the general plans provided. Further information on whether trusses will remain visible and what existing structure will remain visible would assist.

Before any works starts comprising any repairs or replacement of roof timbers to the North Barn, a full survey of the roof timbers shall be undertaken, with resultant comprehensive specification and schedule of repairs. The guiding philosophy must be maximum retention of historic timbers, with honest repairs using traditional carpentry and engineering methods.

Externally, a sample panel of pointing will be required. Full details of new windows, rooflights, external doors and specification of rainwater goods will be required before

works commence on these elements. The main cart doors should be retained as operable if at all possible given their unusual form of operation. Details of all external vents and flues must be clarified.

The East Barn stands as a shell with outer walls and a few surviving timbers. Some of the timbers used in the building were understood to be re-used from previous structures, possibly brought from other sites. At least one of these appears to remain in the former aisle to the east side of the building and displays elaborate carvings. The building structure overall is now decayed to an advanced stage. It has been concluded by the engineers that the remaining walls would need comprehensive reconstruction to enable incorporation in any form of new development. For the remaining structure to be brought to a structural or thermal standard compatible with residential standards would require almost entire reconstruction. The heritage significance of any fabric remaining therefore would be very slight. The case for taking down the remainder of the structure has been fully justified and is accepted by both Historic England and the Council's conservation officer. Prior to the start of any works to the fabric of the building, a comprehensive record must be made in accordance with an agreed specification. Arrangements should also be made for the historic timbers to be analysed and if regarded as being significant, to be deposited with a suitable permanent custodian.

The proposed replacement structure for the East Barn has been conceived to have a similar form and appearance to the traditional barn, thus perpetuating the layout of the traditional buildings of the farmstead. The general design, form and appearance of the new structure is regarded as acceptable. A sample panel of masonry and pointing will be required, together with approval of the roof materials, windows and doors which must be set at least 120mm into reveals.

2 blocks of car ports are proposed adjacent to the East Barn. It appears these are to be timber clad although this is unclear. The roof materials are not specified. The northern block will be highly visible from Thornton Road and will obscure a good part of the gable of the East Barn (and windows shown within that elevation). Without a better understanding of the landscaping, this block of car ports is regarded as visually discordant.

Analysis of the viability justification presented for the quantity of new dwellings proposed appears to verify the numbers. The proposed siting of new buildings is regarded as generally sympathetic. The row of cottages (DD) east of the Hall is proposed in a similar position to those approved in 2006. The separation from the hall and the general form are regarded as broadly complementary. With regard to detail, some aspects require clarification. It is not clear if the divides to paired windows are stone mullions, which will be essential on this row and the other new builds. The window frame details will need to be confirmed, with a set back of at least 120mm into reveals. The eaves must be constructed in a traditional way, without fascia boards and with gutters on stone dentils or traditional metal brackets. The gable end chimneys especially that nearest the Hall must be accommodated within the depth of the wall, and not projecting with the appearance of an afterthought. The height of the intended verge coping to the roof must be clarified to prevent this appearing as a parapet. Given the proximity of this block to the Grade II* Hall, these matters must be resolved prior to determination. A sample panel of walling and the roofing slate will be required.

A useful separation is proposed between the south front of the Hall and the cluster of new build dwellings. The proposed dwellings will still be visible in views of the historic

grouping from Thornton Road, although the crest of the contours and the separation will reduce the impact. The general form and appearance of the rows of new dwellings are regarded as sympathetic, although the same detail comments applicable to row DD above, should be applied.

The key to the successful integration of access arrangement and the new development into this open landscape and the sensitive setting of the heritage assets will be the hard and soft landscaping. The details of the carriageway and parking courts are insufficiently clear. The carriageway and parking courts appear to show margins which will result in an appearance which is wholly too regular for the context, especially in proximity to the Hall. The design and formality of the road and courts must be reduced to the minimum practicable. The parking court to the north of the East Barn will be very visible from Thornton Road, and is very regular in layout and design. It offers minimal space for greening to soften the impact to the barn and the site perimeter.

In general the landscaping plans are insufficiently clear to enable a proper understanding of the visual effect of the landscape and hard surfaced areas. Colours would help illuminate this but the effect throughout must have local distinctiveness, compatible with the character of the farmstead and capable of blending the development into the context. There is insufficient clarity on property boundaries throughout, which will have an immediate impact on the character and identity of the development. Heights, finishes and construction of stone walls must be confirmed, and the use of any timber fencing above walls must be clarified. All landscaping and boundary treatments are fundamental to the character of the development and must be clarified before determination.

The comments of the Archaeology Service should be noted and are regarded as valid and proportionate. Relevant recording must be conditioned.

The development is regarded as justified and should be argued as essential to save this rare asset for the future. The enabling development has been demonstrated as necessary and proportionate, and with some amendments will complement the character of the context. The development is broadly regarded as being in accordance with Para.131 of the NPPF and policies EN3 and DS3 of the Core Strategy.

Amendments and clarification are required before determination, with robust conditions to ensure the phasing prioritises the protection of the Hall, and other technical details across the development. Subject to that, full satisfaction of the relevant policies is seen as being possible. The exceptional circumstances pertaining to the renovation of the Grade II* listed Hall and the long term future of it and the surviving farm buildings is considered to meet the demands of public benefit, and offset the conflict with other planning policies.

Design and Conservation (Further Comments Dated 18.12.2017)

Additional information has been provided to respond to requests for clarification on various aspects of the development.

Architectural recording and analysis of all standing buildings including the East Barn will be required in accordance with the expectations of WYAAS. This must be undertaken before any work commences on the applicable buildings, to an agreed specification.

Additional monitoring of activity within the site as groundworks occur will be required, as recommended by WYAAS.

Comprehensive conditions will be required in respect of the Hall. These should be worded to be applicable before any work commences in respect of the fabric of the building. A full survey of all structural and roof timbers within the Hall will be required once effective access is available. This will inform a detailed schedule and method statement for all timber repairs and augmentations.

A method statement for all masonry replacements will be required, to demonstrate that these will be implemented with full regard for good practice, being mindful of the high grading of the Hall. Approval of the stone to be used for all repairs, and the method of finishing this, will be required.

Conditions are required in respect of timber repairs and specifications for the first floor, the roof, all floor boarding and all structural timbers within the Hall. Schedules of finishes for walls, ceilings and internal joinery repairs and replacements will be required.

A sample panel of pointing will be required, and the specification for the areas of high level reconstruction to elevations, to ensure that historic evidence within the walls is precisely reconstructed.

Full specifications for windows will be required and a method statement for the repair of the historic external doors.

Details of the rainwater goods are required.

It is noted that the proposed plans do not appear to show the reinstatement of the 2 main chimney stacks to the roof valley area. These are part of the original fabric and configuration of the Hall and must be reinstated. Details should be secured by condition.

The level of intervention to the North Barn is now clearer and is concluded as being justified and proportionate. As with the Hall, a full specification and method statement for all timber repairs will be required.

A method statement will also be required for the insertion of the new first floor and subdivisions within the body of the barn, to understand what interface these will have with the existing fabric.

To a comparable level of detail to those provided for the Hall, details of all doors and windows, rainwater goods, a sample panel of repointing and confirmation of the retention in working order of the main cart doors will be required.

The elevational treatment of block DD has been suitably amended. Clarification of the means of gutter support will be required, together with window details and confirmation of a suitable set-back into the reveal.

Samples for all aspects of paving throughout the site will be required, including kerbs, setts and block for carriageways, and paving to domestic curtilages.

Clarification of boundary definition particularly to the front of plots and in proximity to the Hall remains necessary and should be secured by condition.

The outcome of the custodianship of the re-used historic timbers incorporated in the East Barn should be concluded by condition, before the development is completed.

The block of car ports proposed to the north of the East Barn, close to Thornton Road are regarded as incongruous, despite assertions that these will be set relatively low. The 3-D perspectives indicate that this block will be very evident and will obscure a large part of the north gable of the replacement eastern barn structure. The car port is regarded as discordant and not consistent with the character of the context.

Subject to the placing of specific and comprehensive conditions, and the resolution of a couple of matters as highlighted, the development is regarded as providing a lifeline for the future of the Hall which is justified in its wider impacts. Accordance with para.131 of the NPPF and policies EN3 and DS3 of the Core Strategy is concluded.

Economic Development

The enabling development in the green belt has the potential to save a number of listed properties, which are on the At Risk register, as well as providing much needed new homes in the west of Bradford. The issue under consideration is whether the number of units required to be built on green belt is acceptable in terms of the returns generated and whether they are excessive when considered against the cost of refurbishing the listed structures. The applicant has provided a comprehensive appraisal to demonstrate that the level of new build on green belt is required as enabling development to facilitate redevelopment of the listed structures on the site. From the figures provided no significant concerns are raised that the level of new build development proposed is beyond that which would be required to deliver an economically viable scheme

Highways Development Control

Although the scale of development proposed does not require a formal Transport Assessment or Statement, as detailed in the Department for Transport's publication 'Guidance on Transport Assessments', a Transport Assessment has been provided. This shows that the worst case vehicle trip generation from this site, based on the nationally accepted TRICS database, would be 18 two way trips in the AM peak and 19 two way trips in the PM peak. The level of traffic generated is well below the 30vph threshold of traffic impact set out in the DfT guidance on transport assessment and therefore will not have a material impact on the highway network. The development provides a minimum of 2 parking spaces per dwelling plus visitor spaces at a rate of 1 space per 5 dwellings which is acceptable. No adverse highway implications are foreseen subject to the imposition of conditions requiring that the pedestrian and vehicular accesses are provided prior to the first occupation of the dwellings.

West Yorkshire Combined Authority

Bus availability serving the site is considered to be acceptable. Real time bus information boards could be provided at a nearby bus stop (21016) at a cost of £10,000 to the developer. It is recommended that the developer contributes towards a sustainable travel fund. The fund can be used to purchase a range of sustainable transport measures including MetroCards (residential metrocard scheme). A bus only MetroCard scheme for this development would require a contribution of £12,769.

CIL

The site is located within zone 4, which is a nil charge zone.

Education

Currently there are places available in some local primary schools but the secondary schools are overcrowded or full (Beckfoot Thornton, Dixons Allerton and Bradford Girls; Grammar School.) The development may therefore result in a need for the Council to increase the number of school places in the area. The development site is located within a nil CIL area. As education is listed on the Council's CIL Regulation 123 list a financial contribution cannot be sought.

Sport and Leisure

The development will have a minimal impact on existing public open space in the area. Any new public open space within the development should be maintained by the developer by an agreed landscape management plan. If the developer is seeking management of the area by the Council then a commuted sum will be required to maintain the area for the next 25 years.

Trees Section

No objections. There are no protected trees on site and the three trees which have been identified as being "B" category trees within or within influencing distance of the proposed development, are all proposed for retention with adequate space around them to make this feasible.

Drainage Unit (Lead Local Flood Authority)

The Lead Local Flood Authority (LLFA) has assessed the documentation relating to the surface water disposal on the proposed development, against the requirements of the National Planning Policy Framework, Planning Practice Guidance and local planning policies. No objections are raised subject to conditions requiring the submission of full details and calculations of the proposed means of foul and disposal of surface water drainage and the submission of a Surface Water Drainage Maintenance and Management document.

Yorkshire Water Land Use Planning

The development shall be carried out in accordance with the details shown on the submitted plan ,drawing 2849/S111 (revision A) dated 23/08/2017 prepared by MP Consulting Engineers , unless otherwise agreed in writing with the Local Planning Authority (In the interest of satisfactory and sustainable drainage)

Landscape Design

The development proposals need to respond sensitively to the existing landscape character of the Thornton and Queensbury Landscape Character Area. It would be beneficial for a stronger landscape buffer with more tree planting to be provided around the site boundaries, in order to help mitigate the impact of the development on the surrounding green belt landscape. A landscape visual impact assessment would assist in assessing the impact of the development on the surrounding landscape environment.

West Yorkshire Police

The west boundary does not show the material or heights, It is assumed that the existing stone walls will be retained, if the height is less than 1.8m, the wall height should be increased or fencing installed along the top to increase the height or

defensible planting installed along the boundaries to provide more security for the rear gardens.

It is recommend that rear plot dividers are to a minimum height of 1.5m with external boundaries to 1.8m high. If stone walls are below this level the heights should be increased as noted above.

Access should be restricted from the front of each plot to the rear gardens by installing a 1.8m high gate which incorporates some form of locking mechanism such as hasp and staple and pad bolt. Gates should be positioned as near to the front building line as possible to increase natural surveillance and prevent any strangers / potential offenders from gaining accessing to the rear of the properties.

It's positive to see that all parking is on plot and has good natural surveillance. In relation to plot 14, it would be advisable to install a side window in the east elevation (kitchen or lounge) which will provide good surveillance of the parking bays.

Plot numbers 6, 7, 12, 13, 20, 21, 24, 25, 28 and 31 will allow require front bin storage. Bins should be kept within a lockable bin store to create a tidy street appearance.

Land Contamination

No objection subject to conditions requiring the submission of a remediation strategy and remediation verification report. Further conditions requiring details of how any unexpected contamination is dealt with in the event that it is encountered and a methodology for the quality control of any material brought to the site for use in filling, level raising, landscaping and garden soils are also required.

Rights of Way

The footpath link to Beckfoot Thornton School as shown on the development plan should be ensured by an associated highways agreement or planning condition to ensure its construction and future protection. The developer should also observe the standard requirements in relation to rights of way during the construction period.

Parks and Greenspace

If the developer is looking to provide new public open space they will be required to maintain the areas themselves and a full landscape management plan will need to be produced and agreed as part of the planning process. If the developer is looking to the Council to maintain any new areas of public open space prior agreement is required as part of the planning process and a commuted sum will be required to maintain the areas for the next 25 years.

West Yorkshire Archaeology Service

The WYAAS recommend that a building record, structural watching brief and archaeological watching brief are carried out during the development and restoration of the hall. These works can be secured by the attachment of the following condition in accordance with the Department of the Environment's Circular 11/95:

"No development to take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological and architectural recording. This recording must be carried out by an appropriately qualified and experienced archaeological consultant or organisation, in

accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority."

British Horse Society

No comments received.

Housing Development and Enabling

This site falls within the Thornton and Allerton Ward. The number of units proposed is over the 15 unit's threshold so Affordable Housing provision on site would be required. The quota for this ward is 20% Affordable housing provision and this equates to 6 units. Therefore 6 Affordable Housing units are required on site and they should be delivered at affordable rent via a Registered Provider.

Summary of Main Issues:

- 1) Principle
- 2) Heritage Implications
- 3) Design, Landscaping and Visual Impact
- 4) Trees
- 5) Rights of Way
- 6) Flood Risk and Drainage
- 7) Highway and Pedestrian Safety
- 8) Air Quality/ Sustainable Travel
- 9) Affordable Housing
- 10) Other Issues Raised by Representations

Appraisal:

Principle

Paragraph 47 the National Planning Policy Framework (NPPF) stresses the need for Planning Authorities to significantly boost the supply of new housing. In order to achieve this goal the NPPF requires LPAs to identify and update annually a supply of specific deliverable sites sufficient to provide five years-worth of housing against the Council's housing targets. Where there has been a record of persistent under-delivery of housing the local planning authority should identify an additional 20%. The Council cannot currently demonstrate a 5 year supply of deliverable housing sites, as assessed against the objective assessment of housing.

In light of the record of persistent under-delivery and the housing land supply shortfall relative to the requirements of the NPPF, there is an urgent need to increase the supply of housing land in the District. Policy HO3 of the Core Strategy identifies a need for the provision of 700 dwellings in Thornton up to 2030. The delivery of 32 dwellings on this site would contribute towards meeting the future housing needs of the Bradford District's growing population and in this regard would be supported in broad terms by the National Planning Policy Framework. However the site specific policy constraints associated with the proposed development must be considered, including the acceptability of development within the Green Belt.

Green Belt

The restoration of Leaventhorpe Hall and the conversion of north barn are not considered to have a materially greater impact on openness than currently exists. The proposal would not involve the complete or substantial rebuilding of either building, nor

would it adversely affect the character of the buildings. The volume, form and materials of the buildings would remain substantially the same. As such the restoration of Leventhorpe Hall and the conversion North Barn is considered to be acceptable in green belt terms and would accord with policy GB4 of the RUDP and paragraph 90 of the NPPF.

The development site extends to approximately 1.8 hectares all of which is within the green belt. It is proposed to construct 26 new dwellings an access road, landscaping and drainage within the green belt.

Section 9 of the NPPF sets out a national framework for assessing the acceptability of proposals for the development of land within the Green Belt. At paragraphs 89 and 90 the NPPF defines types of development which can be treated as appropriate development within the Green Belt. The proposal cannot be considered to be covered by any of the exceptions set out in paragraphs 89 or 90 and must therefore be treated as inappropriate development within the Green Belt which is, by definition, harmful to the Green Belt.

In terms of the provisions of the RUDP, saved policy GB1 provides the local policy basis for assessing the appropriateness of proposals for new development within the Green Belt. The proposed development does not meet any of the exceptions stated within saved policy GB1 and therefore the proposal must also be treated as inappropriate development in terms of the local Green Belt policy framework. Inappropriate development should only be approved in very special circumstances.

The NPPF confirms at paragraphs 87 and 88 that:

87. As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

88. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

It is accepted that the proposed development would harm the Green Belt by reason of its inappropriateness, by reason of the harm to the openness of the Green Belt which would be caused by the development of 26 new houses and associated infrastructure in the Green Belt, and by reason of the elements of the development which conflict with the stated purposes of including land within the Green Belt.

Overall, therefore, it is considered that the development would result in significant harm to the Green Belt in terms of inappropriateness, loss of openness and urban encroachment to the setting of Thornton. Paragraph 88 of the NPPF advises that, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

This report finds that all 'other harm' associated with the development can be mitigated to an acceptable level or has been adequately compensated for within the development

scheme except for the harm the development will cause to the character of the landscape; the substantial harm incurred by the loss of the east barn and the less than substantial harm the development would cause to the setting of Leventhorpe Hall and the North barn.

Therefore it is the harm to the Green Belt, the harm to the landscape, the harm incurred by the loss of the east barn and the harm to the setting of Leventhorpe Hall and the north barn which are the subjects of the very special circumstances test. The considerations which are considered to be capable of counterbalancing this harm in this instance are as follows:

a) the development would provide for the delivery of 26 new residential units, mainly on previously developed land in a relatively sustainable location, well connected to an existing settlement. The applicant has demonstrated that the Green Belt aspect of the development is necessary to make the development viable overall;

b) the development provides for the repair and restoration of Leventhorpe Hall, a Grade II* Listed Building at risk and in need of urgent repair, and the repair of Grade II Listed North Barn. The development will also secure a long term residential use for each of the listed buildings ensuring that maintenance is sustainable in the long term. It is considered that these elements of the scheme will sustain and enhance the significance of the Grade II* and Grade II listed buildings.

Substantial weight should be given to the harm the development will cause to the Green Belt. Inappropriate development in the Green Belt can only be approved in very special circumstances. Very special circumstances can only be considered to exist where the harm the development will cause to the Green Belt and any other harm is clearly outweighed by other considerations. In coming to a decision on this planning application members of the Regulatory and Appeals Committee must consider whether the two considerations set out in the preceding paragraph (either individually or in combination) clearly outweigh the harm the development will cause to the Green Belt, the character of the landscape, the substantial harm incurred by the loss of the east barn and the less than substantial harm to the setting of Leventhorpe Hall and the North barn.

After giving due consideration to, and placing substantial weight upon, the harm the development would cause to the Green Belt Members are advised that in this case the two considerations listed above, when considered in combination, do clearly outweigh the harm the development would cause to the Green Belt, the landscape and the listed buildings and accordingly very special circumstances (so as to justify the inappropriate development in the Green Belt) have been demonstrated.

The remainder of the report below concludes that all other potential forms of harm associated with the development, can be mitigated to an acceptable level through the imposition of planning conditions.

Heritage Implications

The application proposals have been assessed in relation to the relevant statutory duties, including the Planning (Listed Buildings and Conservation Areas) Act (1990), the National Planning Policy Framework and Replacement Unitary Development Policies. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act

1990 are relevant to the determination of the application. Insofar as material the statutory provisions provide: Section 66(1) provides: "In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority, or as the case may be, the Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

The site includes grade II* listed Leventhorpe Hall and its grade II listed north and east barns, which collectively formed a historic farmstead. The significance of each heritage asset and the impact of the proposed development on its historic character and setting are considered below.

Leventhorpe Hall

Leventhorpe Hall is a grade II* listed building. Grade II* listed buildings are particularly important buildings of more than special interest, with only 5.8% of listed buildings achieving this classification. The listing description notes that Leventhorpe Hall is a late C17 house constructed of coursed gritstone. The building appears to have been re-roofed with a double pitched stone slate roof early to mid C18. The building is on the Historic England Heritage at Risk Register and is noted as a Priority Category C building, in poor condition with slow decay and no solution agreed. It is considered that this categorisation is most likely outdated and incorrect. In reality the building is at immediate risk of further rapid deterioration or loss of fabric with no solution currently agreed. In all likelihood the building would be placed within category A of the Heritage at Risk Register if an updated assessment was conducted.

The poor condition of the building is confirmed in the submitted structural report (MP Consulting Ref 284) which notes that the hall structure has suffered from many years of weathering with the lack of adequate roofing, windows and rainwater goods allowing a significant amount of deep structural damage to penetrate the building envelope.

Leventhorpe Hall is currently vacant and has been for a substantial period of time. The proposed formation of two dwellings within Leventhorpe Hall is considered to be consistent with the last historic use of the building, when it was occupied as two properties in the early 19th Century. The proposed north south split of the building is accepted as resulting in the least amount of internal intervention necessary to allow for the conversion. The proposed use is therefore considered to be consistent with the last historic use and accords with policy EN3(D) of the Core Strategy.

The external restoration works are primarily comprised of the replacement and repair of the masonry. This would consist of the dismantling and rebuilding of the east and west gables and the replacement of the existing chimneys on a like for like basis. Minor areas of replacement masonry are also proposed to all elevations of the building and the elevations are to be de-scaled and re-pointed using lime mortar. Structural stitching is required to all corners of the building, with minor areas of stitching proposed to all elevations in order to ensure structural integrity. The existing timber windows are to be replaced with stainless steel slim profile windows and all existing external doors are to be refurbished and reused. Planning conditions are to be imposed requiring the submission of a sample panel of pointing, together with a sample of the stone to be used for areas of rebuilding, and replacement of architectural components. Further conditions are necessary requiring the submission of details in relation to the replacement windows, door repairs and rainwater goods.

Internal alterations would primarily consist of the repair and, where necessary, replacement of flooring and roofing timbers, as well as the construction of timber stud walls at ground floor and first floor level. A full schedule of all timber repairs can be secured by condition. A further condition is also necessary requiring the submission of schedules for the finishes of all internal spaces, including walls, ceilings and floors, with joinery specifications for doors, architraves and skirtings,

The restoration of the building is welcomed by both Historic England and the Council's Design and Conservation Department. It is considered that subject to conditions the proposed works would significantly enhance the character and appearance of the grade II* listed heritage asset and the proposal would accord with policies EN3 of the Core Strategy.

North Barn

The North barn is a grade II listed building and its listing description notes that it is a Late C18 barn, probably a rebuild, constructed of sandstone "brick" beneath a stone slate roof.

The North Barn is currently in use as a feed/hay store and the proposal is to convert the building to provide four residential properties. The building is noted to be of average condition and its on-going use as a feed/hay store is not viable in terms of ensuring the long term maintenance and preservation of the heritage asset.

The proposed conversion of the barn to four dwellings is considered to be compatible with preserving the character of the building and its setting and it is considered that no other reasonable alternative exists which would safeguard the character of the building and its setting. As such the proposed conversion is considered to accord with policy EN3(D) of the Core Strategy and paragraph 126 of the Core Strategy.

The proposed layout of the building to form four dwellings has evolved through a process of detailed consideration which is documented in the submitted Design and Access Statement. On this basis it is considered that the layout ensures that the external alterations are the minimum necessary to facilitate the conversion of the building, whilst retaining as much its historic character and internal fabric as possible. After initial concerns the Design and Conservation Department are satisfied that the submitted sections illustrate that the configuration of the new domestic units will not compromise the historic internal fabric of the barn.

The external works would consist of a minor amount of rebuilding of masonry on the north and west elevations, as well as the descaling and repointing of the building. On the northern facade, the cart door is to be fixed back within the existing opening and aluminium framed glazing is to be installed in the opening with a new entrance door. A patent glazing system is proposed to the roof pitch. It is proposed to install two new timber windows in the western and eastern elevations of the building, with heads, cill and mullions designed to match existing window openings. To the south elevation 6 first floor windows are proposed, as well as 9 conservation type rooflights to the roofscape.

It is considered that planning conditions are necessary requiring the submission of a sample panel of pointing; a sample of the stone to be used for areas of rebuilding; a survey of the existing roof timbers with resultant comprehensive specification and schedule of repairs; details of rainwater goods and details in relation to new windows, doors, rooflights and any vents or flues.

Subject to conditions the proposed conversion would secure an appropriate long term use for the grade II listed North barn without having any significant adverse effects upon its special architectural or historic character. The proposed works are therefore considered to accord with policies EN3 of the Core Strategy and paragraph 132 of the NPPF.

East Barn

The East barn is a grade II listed building and its listing description notes it as a long sandstone "brick" and gritstone barn, which was largely, rebuilt C18.

The East Barn is now decayed to an advanced stage and currently stands as a shell with outer walls and some surviving timbers. The submitted structural report confirms the current state of the building and notes that 95% of the roof coverings and structural elements of the building have been removed. The report concludes that the remaining walls would need comprehensive reconstruction to enable incorporation in any form of new development. In addition a Viability Statement has been submitted which demonstrates that it would not be economically viable to bring the existing building back into use and that the financial implication of doing so would outweigh any rental or investment income for the building and the remainder of the site. The Viability Statement is not contested by the Council's Economic Development Department.

The proposal is therefore to demolish the remains of the East barn and construct a new building of a similar size, scale, massing and in its place, providing four dwellings.

Paragraph 133 of the NPPF states that where a development would result in the total loss of significance of a designated heritage asset planning consent should be refused unless it can be demonstrated that the loss is necessary to achieve substantial public benefits that outweigh that loss.

It is considered that the case for taking down the remainder of the East Barn has been fully justified and it is supported by both Historic England and the Council's Design and Conservation Department.

The remains of the East Barn are only of slight historic significance and the financial benefit of providing a replacement building rather than repairing the remains would assist in enabling the restoration of both Leaventhorpe Hall, an at risk grade II* listed building of superior heritage value, and the grade II listed North Barn.

For the above reason it is considered that the demolition of the East barn would bring about a substantial public benefit by enabling the restoration of a higher value heritage asset and another grade II listed building. The substantial public benefit would outweigh the loss of the East Barn. Subject to a condition requiring the recording of the remaining fabric of the building the proposal is considered to accord with paragraph 133 of the NPPF and policy EN3 of the Core Strategy.

New Build Dwellings

It is proposed to construct a total of 26 new dwellings with access and landscaping.

The remains of the East barn are to be replaced with a building (Block BB) of a similar form and appearance containing 4 dwellings, which would be within the immediate setting of Leventhorpe Hall and North Barn. As would the proposed terrace of 4 dwellings contained within Block DD.

Two pairs of semi-detached dwellings (Block EE and Block FF) are proposed to the South of Leventhorpe Hall separated by an area of landscaped open space. These dwellings are considered to be within the immediate setting of Leventhorpe Hall and the extended setting of North Barn.

The 14 remaining dwellings are arranged as four rows of terraced properties and are positioned to the south of and within the extended setting of North Barn and Leventhorpe Hall.

It is considered that the proposed development would result in less than substantial harm to the immediate and extended setting of Leventhorpe Hall and North Barn.

In accordance with guidance set out in paragraph 134 of the NPPF it should be considered whether the harm the development would cause to the setting of Leventhorpe Hall and North Barn, as designated heritage assets, would be counterbalanced by the public benefits of the proposal.

The proposal would be of significant public benefit as it would enable the restoration of Leventhorpe Hall and North Barn, as well as securing long term viable uses for both buildings.

Members are advised that these benefits do outweigh the harm caused to the setting of Leventhorpe Hall and North Barn. It is furthermore accepted that, in order to realise the heritage benefits of the development, a viable scheme must be provided for and that the quantum of development proposed within the setting of the listed buildings is the minimum necessary.

After taking into account the intrinsic value of the heritage assets the very significant weight which should be given to the conservation of the heritage assets and the substantial public benefits that the development would provide it is concluded that the development is acceptable in heritage terms and is consistent with the approach set out in paragraph 140 of the NPPF and accords with policy EN3 sections D and E, whilst sitting partially in conflict with section C in respect of the requirement to conserve or enhance the setting of Bradford's heritage assets.

Phasing of Development

Following initial concerns raised by both Historic England and the Council's Design and Conservation Department an updated Phasing Plan has been provided indicating that the proposed works to Leventhorpe Hall and North Barn will occur in Phase 1 of the development. This can be secured by a planning condition which is sufficiently binding to ensure a commitment to the preservation of the heritage assets at the earliest possible stage to prevent any further damage to the assets and to ensure that other

aspects of the development are not built out with no commitment to attend to the most significant buildings on site.

Design, Landscaping and Visual Impact

The National Planning Policy Framework (NPPF) confirms that good design is a key aspect of sustainable development, is indivisible from good planning and should and should contribute positively to making places better for people. Planning decisions should aim to ensure that developments:

- Will function well and add to the overall quality of the area, not just for the short-term but over the lifetime of the development;
- Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks;
- Respond to local character and history and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Create safe and accessible environments where crime and disorder and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping.

The NPPF also stresses that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

At the local level policy DS1 of the Core Strategy seeks to ensure that development proposals achieve good design and create high quality places and policy DS3 requires that proposals create a strong sense of place and are appropriate to their context. In respect of landscaping policy DS2 seeks to ensure that development proposals include appropriate and effective site landscaping. Policy DS5 requires that development proposals are designed to ensure a safe and secure environment and reduce opportunities for crime.

The approach to design and landscaping taken by the development scheme is considered to be positive and appropriate to the character of the built and natural environment in the locality.

The layout of the development is the product of four previous design phases during which the layout has evolved through consultation with both Historic England and the Council's Design and Conservation Department. The layout includes a central, relatively straight, access road which provides a vista down through the site and assists in maintaining direct views from the hall.

The northern portion of the layout provides for the replacement of the derelict East Barn with a building of a similar design and form to the barn prior to its decay. This is considered to perpetuate the historic layout of the traditional buildings of the farmstead and is an appropriate response to the historic context. A row of four dwellings is also proposed within the northern portion of the site to the east of the hall. This aspect of the layout is similar to that which was previously approved in 2006 and the Design and

Conservation Department have noted that the general form of the row and its separation from the hall mean that it is broadly complementary to the hall.

The layout provides for a new public amenity space to the south of the hall, which acts as an effective buffer between the listed buildings and the majority of the new build housing. This also takes advantage of the site topography in that the new build dwellings on the southern portion of the site are positioned beyond the crest of the hill, reducing their visual presence from Thornton Road.

The new build properties within the southern portion of the site are arranged in a traditional street configuration, with three differing house types. The differing house types, floor levels and orientations of the dwellings are considered to add variety and interest to the street scene.

The presence of heritage assets and the green belt location of the site mean that the inclusion of appropriate hard and soft landscaping is imperative in order to ensure that the development integrates successfully.

Following initial concerns from the Design and Conservation Department and the Landscape Architect regarding the hard and soft landscaping scheme the developer has submitted updated plans in order to clarify the content of the proposals.

In relation to hard landscaping the site access road would be constructed using tegula paving. Residential driveways and parking areas would be constructed of block paving (grey) with 'conservation type' kerbs. Traditional Yorkshire stone paving is proposed for the front garden paths of plots 1-14, as these units are nearest the heritage assets. To the rear gardens of these plots and to the front and rear of plots 14-32 natural sandstone is proposed.

It is proposed to utilise 1.8 metre high hit and miss fencing to site boundaries, with the exception of the south and west boundaries where a stock proof timber fence design is proposed in order to be more sympathetic to the surrounding landscape character.

The site is located within the Thornton and Queensbury Landscape Character area where the landscape type is regarded as mixed upland pasture. The Council's Landscape Architect has advised that the proposed native planting species are acceptable. However, they have raised concerns that the landscape buffer to the site boundaries is not strong enough and that more tree planting should be provided in order to help mitigate the impact of the development on the surrounding landscape.

The submitted soft landscaping scheme includes the provision of native tree planting at ad hoc intervals along the south and west boundaries of the site, adjacent to the surrounding green belt.

Whilst the concerns of the Landscape Architect are noted in regard to the amount of planting proposed, it is considered that the existing site and the land to the south and west of it are not characterised by any significant tree cover. There are ad hoc trees located along field boundaries, but this is predominantly within the fields below Thorpe Road and Hughendon Walk. For this reason it is considered that the level of planting proposed along the boundaries of the site, consisting of native tree species and hedges is appropriate and comparable to the existing characteristics of the landscape. It is therefore considered that the proposed landscaping scheme would use plant species

which are appropriate to local character and conditions and the level of planting proposed is well related to the existing features of the landscape character area.

Notwithstanding the positive impact of the proposed landscaping scheme it is noted that the development site lies within the Thornton and Queensbury Landscape Character SPD (Volume 6) advises that in areas of mixed upland pasture, key areas of open landscape that separate the settlements should be conserved and urbanising elements should be resisted. For this reason it is accepted that the proposed development will harm the character of the landscape, contrary to the requirements of policy DS2 of the Core Strategy.

In respect of the harm incurred to the character of the landscape a viability statement has been submitted which demonstrates that the amount of development proposed is the minimum necessary in order to make the scheme viable. Therefore it is considered that the overall viability of the scheme and the other benefits of the development in terms of delivering new housing, enabling the restoration of important heritage assets and securing future uses for those assets are material considerations which indicate that the development is acceptable, notwithstanding the acknowledged harm that the development would cause to the landscape and conflict with policy DS2 of the Core Strategy.

Trees

The site does not contain any protected trees. The proposed category 'B' trees within influencing distance of the development are to be retained and would be sufficiently separated from the site to ensure that no adverse implications would be incurred.

Rights of Way

There is an existing public footpath adjacent to the west boundary of the development site. The footpath provides a link between Low Lane and Thornton Road and the route is heavily utilised by pupils of Beckfoot Thornton School. The proposal makes provision for a new footpath to be constructed along the southern boundary of the development site, providing a more direct link between the existing public footpath and Beckfoot Thornton School.

The proposed footpath link is fully supported by the Rights of Way Department subject to a planning condition to confirm details of the surfacing materials and future protection of the route. Subject to the aforementioned condition this aspect of the proposal is considered to accord with policy TR3 of the Core Strategy.

The Rights of Way Department have advised that the developer should also observe the standard requirements in relation to rights of way during the construction period of the development. This can be ensured through the imposition of a footnote.

Flood Risk and Drainage

Policy EN7 of the Core Strategy deals with Flood Risk and states that the Council will manage flood risk pro-actively. In assessing development proposals this will require that all sources of flooding are addressed, that proposals will only be acceptable where they do not increase flood risk elsewhere and that any need for improvements in

drainage infrastructure is taken into account. Development proposals will also be required to seek to minimise run-off and for Greenfield sites run off should be no greater than the existing Greenfield overall rates.

The applicant has submitted a drainage plan indicating that foul water drainage from the development will connect to the existing sewer on Thornton Road. It is intended for all surface water drainage to be directed to a below ground attenuation tank located in the paddock immediately below the development site. The submitted information indicates that the attenuation tank would have an outflow of 5 litres per second.

The Council's Drainage Unit (acting as Lead Local Flood Authority) have advised that they have no objection to the proposed development subject to the imposition of planning conditions requiring the submission of full details and calculations relating to the proposed means of foul and surface water drainage to be submitted and approved in writing by the Local Planning Authority. The surface water drainage proposals will be required to be based on drainage principles that promote water efficiency and water quality improvements through the use of SuDS and green infrastructure to reduce its effect on the water environment including a peak pass forward flow of 5 litres per second have been submitted. The developer will also be required to submit a Surface Water Drainage Management document and the developer will be required to manage the drainage infrastructure serving the development in accordance with the terms and conditions of the agreement across the lifetime of the development.

Subject to the aforementioned conditions the proposed development is not considered to result in any adverse drainage implications in accordance with the requirements of paragraph 103 of the NPPF and policy EN7 of the Core Strategy.

Highway and Pedestrian Safety

A Transport Assessment (TA) has been submitted which details the worst case vehicle trip generation scenario from the development, based on the nationally accepted TRICS database. The TA indicates that the development would generate 18 two way vehicle trips in the AM peak period and 19 two way trips in the PM peak period. This level of traffic is significantly below the 30 vehicles per hour threshold of traffic impact as set out in the Department for Transport's guidance on transport assessments. For this reason the level of traffic generated from the development is not considered to have a material impact on the highway network. The proposal is therefore considered to accord with policy TR1 of the Core Strategy and paragraph 32 of the NPPF.

The development would provide a minimum of 2 parking spaces per dwelling, as well as visitor spaces at a rate of 1 space per 5 dwellings. The proposed parking provision is in accordance with the requirements of policy TR2 and Appendix 4 of the Core Strategy.

The Highways Service has recommended the imposition of a suite of planning conditions. Specifically, conditions are required to ensure that the vehicular and pedestrian access and turning areas are provided before any part of the development is brought into use to a construction specification to be agreed in writing by the local planning authority. The off street car parking facilities will also be required to be laid out, hard surfaced, sealed and drained within the curtilage of the site, with gradients no steeper than 1 in 15.

Subject to the conditions recommended at the end of this report, it is concluded that the proposed means of access to the site is acceptable in highways terms, sufficient on-site parking provision has been made and that sufficient evidence has been submitted to demonstrate that the level of traffic which will be generated by the development will not have an adverse impact on the highway network. The proposal is therefore considered to accord with policies TR1 and TR2 of the Core Strategy and paragraph 32 of the NPPF.

Air Quality/ Sustainable Travel

Paragraph 35 of the NPPF confirms that developments should be located and designed where practical to:

- give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
- create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;
- incorporate facilities for charging plug-in and other ultra-low emission vehicles; and
- Consider the needs of people with disabilities by all modes of transport.

The Bradford MDC Low Emissions Strategy, published in August 2013, sets out a Development Control Air Quality Policy at Appendix 2 which identifies the criteria for the requirement of an Air Quality Assessment and specifies the level of mitigation expected to be provided for different categories of development.

This proposal is below the Department for Transport threshold criteria for a Transport Assessment and therefore no air quality assessment is required, but there is a need to consider whether the development will expose future occupiers to unacceptable levels of NO₂ and particulate matter.

In respect of mitigation measures the proposed residential development is required to provide Type 1 mitigation in the form of electric vehicle (EV) charging points for each dwelling. The developer has confirmed that EV charging points will be provided for each dwelling and this can be ensured by a planning condition in the event that planning permission is granted.

Subject to the aforementioned condition and adherence to the London Best Practice Guidance on the Control of Dust and Emissions from Construction and Demolition it is considered that the development will suitably promote the adoption of sustainable patterns of travel by future residents and facilitate the accessing of local facilities and services by modes of transport other than the private car in accordance with the provisions of paragraph 35 of the NPPF and policy EN8 of the Core Strategy.

Affordable Housing

In relation to the requirement for Affordable Housing policy HO11 requires the Council to work with partners to ensure that there is a sufficient supply of good quality affordable housing distributed throughout the District, particularly in areas of highest need. Section B of policy HO11 requires that, subject to viability the Council will negotiate for up to 20% affordable housing provision. In this instance that requirement

equates to 6 units to be provided on site and delivered at an affordable rent via a registered provider.

The proposal does not make provision for any affordable housing. In order to justify this position the applicant has submitted a Viability Statement which sets out the costs and value of the development and concludes that the provision of affordable Housing is not financially viable.

This report has been reviewed by the Council's Economic Development Service, who have confirmed that they consider it to robustly demonstrate both that the amount of development proposed (in the Green Belt) is required to make the development economically viable. This is based on the provision of 100% market housing. The position of the Economic Development Department is therefore aligned with the submitted Viability Statement and confirms that the provision of affordable housing in line with the requirements of policy HO11 would render the development unviable.

Therefore, notwithstanding the conflict of the proposal with Core Strategy policy HO11 it is considered that the absence of affordable housing provision is acceptable in relation to advice on scheme viability set out in paragraphs 178 to 181 of the NPPF.

Community Safety Implications:

Policy DS5 requires that development proposals are design to ensure a safe and secure environment and reduce opportunities for crime. The Police Architectural Liaison Officer has reviewed the submitted proposals and, whilst not objecting in principle to the proposed development, has raised certain concerns and points of detail in relation to matters including:

- The treatment to the west boundary should be a minimum of 1.8 metres;
- Rear plot dividers should have a minimum height of 1.5 metres;
- Access to the rear of plots should be restricted by 1.8 metre high gates positioned at the front of the building line;
- A 1.2 metre high fence or railing around the parking bays opposite plot 32 would prevent conflict with children utilising the new footpath;
- Seating should be removed from the area of public open space as it could encourage offenders to make use of the area for observing properties;
- Plots 6,7,12,13,20,21,24,25,28 and 31 require front bin storage with bins kept in a lockable store;
- Mail delivery arrangements;
- Door and window security standards;
- Installation of intruder alarms;
- Provision of external CCTV and lighting

Whilst being mindful of the need to provide a suitably crime resistant environment with well-defined and secure public and private spaces the Council must also balance other planning considerations including the imperative of facilitating connectivity to the surrounding built and natural environment and providing the recreational spaces necessary to promote healthy lifestyles and attractive, vibrant, socially interconnected developments.

In this regard it is considered that the proposed 1.5 metre high timber fencing and hedging to the west boundary of the site is sufficient to provide a robust boundary

feature which is visually appropriate whilst also providing defensible rear boundaries to the properties. It is not considered appropriate to require 1.8 metre high gates to be provided at the front of the building line owing to the harmful impact that this would have on the visual amenity of the street scene.

In relation to the provision of a 1.2 metre high fence or railing around the parking bays adjacent to plot 32 it is considered that this is not necessary as there is a minor change in land levels in this location and the footpath is separated from the parking bays by a 1.5 metre fence. As such there is no opportunity for conflict between footpath users and the parking bays.

The submitted hard landscaping scheme confirms that rear plot dividers would achieve the minimum required height of 1.5 metres.

It is not considered to be appropriate for the planning system to regulate all of the aspects of the development referred to by the Police Architectural Liaison Officer, such as the postal delivery system and the security standards of doors and windows, as these matters are not generally considered to be land use planning concerns.

The detailed design of other design elements referred to by the Architectural Liaison Officer, which are more typically controlled through the planning system, such as details of bin storage arrangements, can appropriately be made the subject of planning conditions allowing details to be agreed at a later stage and the determination of this application to focus on the main land use planning considerations.

It is considered that the development has generally been designed to reflect the principles of secure by design and that the spaces which would be created by the development would not be unacceptably insecure or susceptible to antisocial behaviour.

Subject to the reservation of details of bin storage arrangements by a planning condition it is considered that there are no grounds to conclude that the proposed development would create an unsafe or insecure environment and the proposal is considered to accord with policy DS5 of the Core Strategy.

Further Issues Raised by Representations

A number of other issues have been raised during the publicity exercise that have not been addressed in the earlier sections of this report. These issues, together with the response, are as follows:

-Increased insurance premiums for neighbouring resident as a result of increased flood risk. *The impact of development on insurance premiums is not a material planning consideration.*

-Impact of traffic passing near to listed buildings. *The development will facilitate the restoration of the listed buildings including ensuring their structural integrity. The proposed access road will be constructed to an adoptable standard and therefore passing vehicles are not considered to have an adverse impact on the listed buildings.*

-Loss of views from neighbouring houses. *The loss of a view is not a material planning consideration.*

-Vacant buildings or brownfield sites should be developed before green belt land. *The development site occupies a sustainable location and the proposal is for enabling development to secure the future of valuable heritage assets.*

-Local schools and doctors surgeries are already oversubscribed; the proposed new houses will make this situation worse. *The site is located within 'Residential Zone 4' and therefore a contribution towards off site infrastructure provision is not required.*

-The site plan incorrectly takes in the lower field. *The aspect of the lower field which is included within the plans is correctly included. This aspect of the proposal is to allow the provision of below ground surface water attenuation tanks.*

Equality Act 2010, Section 149:

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity accordance with the duty placed upon Local Authorities by Section 149 of the Equality Act 2010.

The context of the site, the development scheme proposed and the representations received have been reviewed to identify the potential for the determination of this application to disadvantage any individuals or groups of people with characteristics protected under the Equality Act 2010.

The outcome of this review is that there is not considered to be any sound reason to conclude that the proposed development would have a significantly detrimental impact on any groups of people or individuals with protected characteristics.

Reason for Granting Planning Permission

The proposal represents inappropriate development in the Green Belt, which is by definition harmful to the Green Belt, and should not be approved except in very special circumstances. Substantial weight has been given to the harm the proposed development would cause to the Green Belt by reason of its inappropriateness, the loss of openness as a consequence of the development and the development's conflict with the purposes of allocating land as Green Belt. However it is considered that the harm the development would cause to the Green Belt and the harm the development would cause to the character of the landscape and the setting of Leventhorpe Hall and North Barn, as a listed building, is clearly outweighed by other considerations, in respect of the provision of new housing on partly previously developed land, the delivery of works to sustain and enhance the significance of Leventhorpe Hall and North Barn.

It is considered that, subject to the conditions recommended at the end of this report, the development will not result in unacceptable impacts upon the environment or the occupants of surrounding land in terms of visual amenity, residential amenity, highway and pedestrian safety, flood risk, ecological impacts or air quality. Although the proposal will harm the character of the landscape and the setting of Leventhorpe Hall and North Barn, this impact has been mitigated through the provision of a high quality development design and appropriate proposals to repair and restore the listed buildings and the residual harm the development would cause is not considered to be avoidable without rendering the development unviable.

The proposal is considered to accord with the relevant national planning policies set out in the NPPF and policies P1, SC1, SC4, SC9, TR1, TR2, TR3, HO5, HO6, HO8, HO9, EN3(C,D,E), EN5, EN7, EN8, DS1, DS3, DS4, DS5, ID2 and ID3 of the Local Plan excepting policies GB1, EN4, HO11 and in part EN3(C) with regard to conserving the setting of listed buildings.

Reason for Granting Listed Building Consent

The proposed works to repair and restore grade II* listed Leventhorpe Hall and grade II listed North Barn will sustain and enhance the significance of the listed buildings. The benefits of the proposed development to construct 26 dwellings are considered to outweigh the harm it would cause to the setting of Leventhorpe Hall and North Barn. It is accepted that, in order to realise the heritage (and other) benefits of the development, a viable development scheme must be provided for and that the applicant has demonstrated that the amount of development proposed is the minimum amount of enabling development required. After taking into account the intrinsic value of the heritage assets, the very significant weight which should be given to the conservation of the heritage assets and the substantial benefits which it is considered that the development would provide, it is concluded that the proposal is acceptable in heritage terms and consistent with the principles set out in Section 12 of the NPPF and policy EN3(C,D,E) of the Core Strategy, whilst sitting in partial conflict with policy EN3(C) with regard to conserving the setting of listed buildings.

Conditions of Planning Permission:

General

Three Year Time Limit

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).

Phasing

2. The development shall be carried out in accordance with the submitted phasing plan drawing reference No.101.SS.03.103 Rev A dated 08.12.2017, which illustrates that all works hereby approved to Leventhorpe Hall and North Barn shall be carried out in Phase 1; the construction of plots 5-14 shall form Phase 2 and the construction of plots 15-32 shall form Phase 3 of the development, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the phasing of the construction of the development provides for the completion of the works to the listed buildings in accordance with policy EN3 of the Core Strategy.

PD Rights Removed A-E

3. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no development falling within Classes 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: In the interests of visual amenity and the character of the heritage assets and to accord with Policies DS1, DS3 and EN3 of the Core Strategy Development Plan Document.

Land Contamination

Remediation Strategy

4. Unless otherwise agreed in writing with the Local Planning Authority, Prior to construction of the development a detailed remediation strategy, which includes the completed gas monitoring results and ground gas risk assessment and 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.

Remediation Verification

5. Unless otherwise agreed in writing with the Local Planning Authority, a remediation verification report, including where necessary quality control of imported soil materials and clean cover systems, 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 EN8 of the Local Plan for Bradford.

Material Importation

6. 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 EN8 of the Local Plan for Bradford.

Unexpected Contamination

7. 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 EN8 of the Local Plan for Bradford.

Highways

Construct means of access before occupation

8. Before any part of the development is brought into use, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced and sealed in accordance with the approved plan numbered 1702601 dated July 2017 and completed to a constructional specification approved in writing by the Local Planning Authority.

Reason: To ensure that a safe and suitable form of access is made available to serve the development in the interests of highway safety and to accord with Policies TR2 and DS4 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

Vehicle Turning Area

9. Before any part of the development is brought into use, the vehicle turning area shall be laid out, hard surfaced, sealed and drained within the site, in accordance with details shown on the approved plan numbered 1702601 and retained whilst ever the development is in use.

Reason: To ensure that a safe and suitable form of access is made available to serve the development in the interests of highway safety and to accord with Policies TR2 and DS4 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

Off Street Car parking

10. Before the development is brought into use, the off street car parking facility shall be laid out, hard surfaced, sealed and drained within the curtilage of the site in accordance with the approved drawings. The gradient shall be no steeper than 1 in 15 except where otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of amenity and highway safety, and in accordance with Policies TR2, DS4 and EN7 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

No Mud on Highway

11. The developer shall prevent any mud, dirt or debris being carried on to the adjoining highway as a result of the site construction works. Details of such preventive measures shall be submitted to and approved in writing by the Local Planning Authority before development commences and the measures so approved shall remain in place for the duration of construction works on the site unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to accord with policies DS4, and, DS5 of the Local Plan for Bradford.

Drainage

Surface Water Drainage Details

12. Notwithstanding the details contained in the supporting information, the drainage works shall not commence until full details and calculations of the

proposed means of disposal of surface water drainage, based on drainage principles that promote water efficiency and water quality improvements through the use of SuDS and green infrastructure to reduce its effect on the water environment including a peak pass forward flow of 5 litres per second, have been submitted to and approved by the local planning authority. The development shall thereafter only proceed in strict accordance with the approved drainage details.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal and to accord with policy EN7 of the Local Plan for Bradford

Surface Water Management Plan

13. The surface water drainage infrastructure serving the development shall be managed in strict accordance to the terms and agreements, over the lifetime of the development, as set out in a Surface Water Drainage Maintenance and Management document to be submitted to the Lead Local Flood Authority for approval.

Reason: In the interest of satisfactory drainage and to accord with policy EN7 of the Local Plan for Bradford.

Foul Water Drainage Details

14. Notwithstanding the details contained in the supporting information, the drainage works shall not commence until full details and calculations of the proposed means of disposal of foul water drainage, have been submitted to and approved by the local planning authority. The development shall thereafter only proceed in strict accordance with the approved drainage details.

Reason: In the interest of satisfactory drainage and to accord with policy EN7 of the Local Plan for Bradford.

Air Quality

Domestic Electric Vehicle Recharging Points

15. Unless otherwise agreed in writing with the Local Planning Authority, from the date of first occupation, every property on the site with dedicated parking shall be provided with access to a fully operation 3 pin socket on a dedicated 16A circuit, capable of providing a 'trickle' charge to an electric vehicle. Charging points should be provided via outdoor, weatherproof sockets within easy access of the parking areas or within dedicated garage space. All EV charging points shall be clearly marked with their purpose and drawn to the attention of new residents in their new home welcome pack/travel planning advice.

Reason: To facilitate the uptake and use of low emission vehicles by future occupants and reduce the emission impact of traffic arising from the development in line with the West Yorkshire Low Emission Strategy and the National Planning Policy Framework (NPPF).

Construction Environmental Management Plan

16. Prior to commencement of the development a Construction Environmental Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation, construction and demolition phases of

the development shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must be prepared with due regard to the guidance set out in the IAQM Guidance on the Control of Dust and Emissions from Construction and Demolition and include a site specific dust risk assessment and mitigation plan. All works on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect amenity and health of surrounding residents in line with the Council's Low Emission Strategy and the National Planning Policy Framework (NPPF) as possible.

Landscaping

Landscaping Scheme Implementation

17. In the first planting season following the completion of the development or as may otherwise be agreed in writing by the Local Planning Authority, landscaping and new tree planting shall be implemented at the site in accordance with the approved Landscape Proposals drawings MR17-004/101 Rev B and MR17-004/102 Rev B dated 29.11.2017.

Any trees or plants comprising the approved landscaping becoming diseased or dying or which are removed or damaged within the first 5 years after the completion of planting shall be removed immediately after the disease/death and a replacement tree or planting 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 planting.

Reason: In the interests of visual amenity and to accord Policies EN5, DS2 and DS3 of the Local Plan Core Strategy.

Landscape Maintenance

18. Prior to occupation of any part of the development, a schedule of landscape maintenance for a minimum period of 25 years shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include a plan to define all communal hard and soft landscaped areas to be maintained under the maintenance regime, an outline of maintenance works to be undertaken and the frequency of those work, together with details of responsibilities for implementing the maintenance regime by a Management Company or other agency. It shall provide email, postal address and telephone contact details of such a company or agency. Landscape maintenance of the identified areas shall subsequently be carried out in accordance with the approved schedule for the period agreed.

Reason: To ensure effective future maintenance of the landscaped areas in the interests of visual amenity and to accord with Policies DS2, DS3 and DS 5 of the Local Plan Core Strategy.

Heritage Related Conditions

Archaeological and Architectural recording

19. No development shall take place until the developer has secured the implementation of a programme of archaeological and architectural recording of the

interior and exterior of all of the buildings in accordance with a written scheme of investigation which has first been submitted to, and approved in writing by the Local Planning Authority.

Reason: It is essential to facilitate an appropriate archaeological evaluation before any work commences on site because such work might cause the irretrievable loss or destruction of such archaeological and heritage evidence. To accord with Policy EN3 of the Core Strategy Development Plan Document.

Archaeological Watching Brief

20. No development shall take place until the developer has secured the implementation of a programme of archaeological investigation and recording of the site in accordance with details which have first been submitted to, and approved in writing by the Local Planning Authority. The scheme of archaeological investigation and recording shall comprise of an archaeological watching brief and shall include measures whereby the developer shall undertake to notify the Local Planning Authority of the commencement of development and permit and facilitate access to the site by an archaeologist nominated by, or on behalf of, the Local Planning Authority to observe and record any archaeological remains uncovered during excavation work.

Reason : It is essential to facilitate an appropriate archaeological evaluation before any work commences on site because such work might lose, destroy or disturb such archaeological and heritage evidence. To accord with Policy EN3 of the Core Strategy Development Plan Document.

Conditions of Listed Building Consent:

General

Time Limit 3 Years

1. The works 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 18 of the Planning (Listed Buildings Conservation Areas) Act 1990 (as amended).

Hard Surfacing Samples

2. Prior to the commencement of any hard landscaping works samples of the materials to be used for the site access, driveways, parking areas and parking to domestic curtilages shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and visual amenity of the area and to accord with policies DS1, DS3 and EN3 of the Core Strategy.

Boundary Treatments

3. Notwithstanding the details provided on the submitted plans details of the design, height and materials of boundary treatments to the plot curtilages and any retaining walls within the site shall be submitted to and approved in writing by the Local Planning Authority. The boundary details so approved shall then be provided in full prior to the first occupation of the development and shall thereafter be retained as long as the development subsists.

Reason: In the interests of amenity and privacy and to accord with Policies DS2, DS3, DS5 and EN3 of the Local Plan Core Strategy.

Leventhorpe Hall

Masonry/Pointing Sample

4. Before any external works are undertaken to Leventhorpe Hall a sample panel of the masonry and pointing to be used for any areas of rebuilding shall be made available for inspection on site and approved in writing by the local planning authority.

Reason: In the interests of the character and visual amenity of the area and to accord with policy EN3 of the Core Strategy.

Masonry Repairs

5. Before any works comprising replacement of masonry components or indent repairs are undertaken to Leventhorpe Hall a method statement detailing the techniques and tools to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved method.

Reason: To safeguard the special architectural and historic interest of the building and accord with policy EN3 of the Core Strategy.

Window/Door Details

6. Prior to their installation details of the windows including sections and profiles, and method statements for the repairs of the entrance doors shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and so retained.

Reason: In the interests of the character and visual amenity of the area and to accord with policy EN3 of the Core Strategy.

Rainwater Goods (All)

7. Prior to their installation, details of the materials, sectional profile and colour of all new gutters, rainwater downpipes and any other external plumbing shall be submitted to, and approved in writing by the Local Planning Authority. These items shall then only be installed in accordance with the approved details and these shall be retained thereafter.

Reason: In the interests of visual amenity and the character of the heritage asset and to accord with Policies DS1, DS3 and EN3 of the Core Strategy Development Plan Document.

Architectural Components

8. Construction works to the east elevation of Leventhorpe Hall shall not begin until scale drawings showing the detailing of the following architectural components have been submitted to and approved in writing by the Local Planning Authority, namely: the fenestration at upper levels, on both inner and outer leaves of the walls. The construction works shall thereafter be carried out in accordance with the approved details and so retained.

In the interests of visual amenity and the character of the heritage asset and to accord with Policies DS1, DS3 and EN3 of the Core Strategy Development Plan Document.

Floor Timber Repairs

9. Before any work is undertaken to the floors of Leventhorpe Hall a full survey of the existing ground and first floors, addressing individual members and including floor beams and joists, together with an understanding of what boarding can be retained and the specification for all repairs and replacement timbers shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details and so retained

Reason: To safeguard the special architectural and historic interest of the building and accord with policy EN3 of the Core Strategy.

Roof Timber Repairs

10. Before any work is undertaken to the roof of Leventhorpe Hall a full survey of the existing roof timbers shall be undertaken and a schedule of repairs, including a method statement for implementation, shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details and so retained

Reason: To safeguard the special architectural and historic interest of the building and accord with policy EN3 of the Core Strategy.

Internal Works

11. Prior to the commencement of any internal works to Leventhorpe Hall schedules for the finishes of all internal spaces shall be submitted to and approved in writing by the Local Planning Authority. These will include the intended finishes for walls, ceilings and floors, with joinery specifications for doors, architraves, skirtings, and identification of what existing features are to be retained as well as details of any necessary repairs.

Reason: To safeguard the special architectural and historic interest of the building and accord with policy EN3 of the Core Strategy.

North Barn

Roof Timber Repairs

12. Before any work is undertaken to the roof of the north barn a full survey of the existing roof timbers shall be undertaken and a schedule of repairs, including a method statement for implementation, shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details and so retained.

Reason: To safeguard the special architectural and historic interest of the building and accord with policy EN3 of the Core Strategy.

Pointing

13. Before any external alterations are undertaken to the north barn details of the method, composition and colour of the pointing shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the pointing details so approved.

Reason: In the interests of visual amenity and the character of the heritage asset and to accord with Policies DS1, DS3 and EN3 of the Core Strategy Development Plan Document.

Window Details

14. Prior to their installation details of the timber windows, doors, rooflights and retention of the main cart doors including sections shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and so retained.

Reason: In the interests of the character and visual amenity of the area and to accord with policy EN3 of the Core Strategy.

Method Statement: First Floor Installation

15. Prior to the insertion of the first floor in the north barn a method statement shall be submitted detailing how the first floor level and subdivisions within the body of the barn will interface with the existing fabric of the building.

To safeguard the special architectural and historic interest of the building and accord with policy EN3 of the Core Strategy.

Vents and Flues

16. Details of any external vents or flues to be installed in the north barn shall be submitted to and approved in writing by the local planning authority prior to installation.

Reason: In the interests of the character and visual amenity of the area and to accord with policy EN3 of the Core Strategy.

East Barn

Recording Specification

17. Prior to the commencement of any material work to the fabric of the east barn, a comprehensive record of the remaining components of the building including any historic timbers shall be made in accordance with a specification to be agreed in writing by the local planning authority. This shall include details of arrangements for depositing any significant timbers with a suitable permanent custodian.

Reason: To allow appropriate historic evaluation before any demolition work commences on site because such work might lose, destroy or disturb such heritage evidence. To accord with Policy EN3 of the Core Strategy Development Plan Document.

Replacement East Barn

Masonry/Pointing Sample

18. Before construction of plots 5,6,7 and 8 begins a sample of the walling and roofing materials and a sample panel of the masonry and pointing shall be made available for inspection on site.

Reason: In the interests of the character and visual amenity of the area and to accord with policy EN3 of the Core Strategy

Window and Door Details

19. Prior to their installation details of the windows and doors including sections shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and so retained.

Reason: In the interests of the character and visual amenity of the area and to accord with policy EN3 of the Core Strategy.

Windows Inset 120mm

20. The windows of plots 5,6,7 and 8 hereby approved shall be inset by a minimum of 120 millimetres from the face of the wall in the manner traditional to the area and thereafter retained.

Reason: In the interests of the character and visual amenity of the area and to accord with policy EN3 of the Core Strategy.

New Dwellings: Plots 11-32

Walling, Roofing and Pointing

20. Before the construction of plots 11-32 begins a sample of the walling and roofing materials and a sample panel of the walling and pointing shall be made available for inspection on site.

Reason: To assist the selection of appropriate materials in the interests of visual amenity and to accord with policy EN3 of the Core Strategy.

Window Inset

21. The windows of plots 11-14 shall be inset by a minimum of 120 millimetres from the face of the wall in the manner traditional to the area and thereafter retained.

Reason: In the interests of the character and visual amenity of the area and to accord with policy EN3 of the Core Strategy.

Eaves Detail

22. Before the construction of plots 11-32 begins details of the construction of the eaves shall be submitted to and agreed in writing by the local planning authority.

Reason: In the interests of the character and visual amenity of the area and to accord with policy EN3 of the Core Strategy.



Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 8 February 2018

AH

Subject:

Planning application 17/02284/FUL for the use of land in the Green Belt for the expansion of caravan storage at Coppice Cottage Lee Lane Wilsden Bradford BD16 1UB.

Summary statement:

The committee is asked to consider a full planning application for the use of open land at Coppice Cottage for the expansion of an existing caravan storage business. The land is in the Green Belt as defined on the RUDP Proposals Map.

A number of representations of support have been received, but the application is opposed by Wilsden Parish Council.

A full assessment of the application against all relevant Development Plan policies, the National Planning Policy Framework and other material planning considerations is included in the report at Appendix 1. Taking development plan policies and other relevant material considerations into account it is recommended that Planning Permission is granted for the reasons and subject to the planning conditions set out in the report at Appendix 1.

Julian Jackson
Assistant Director (Planning,
Transportation & Highways)
Report Contact: John Eyles
Major Development Manager
Phone: (01274) 434380
E-mail: john.eyles@bradford.gov.uk

Portfolio:
Regeneration, Planning and Transport

Overview & Scrutiny Area:
Regeneration and Economy



1. SUMMARY

The Regulatory and Appeals Committee is asked to consider the recommendations for the determination of this planning application as set out in the report of the Assistant Director (Planning, Transportation and Highways) - Technical Report at Appendix 1. It is recommended that planning permission be granted, subject to those conditions recommended at the end of the Technical Report.

The Committee should note that the officer recommendation for approval has been endorsed by the Keighley/ShIPLEY Area Planning Panel which considered the application at its meeting of 10 January 2018 and referred determination of the departure application to the Committee. The Panel also endorsed application of the recommended planning conditions.

Previously, the approvals of applications 04/02927/COU and (subsequently) 13/03740/FUL have also accepted that whilst a caravan storage use was normally regarded as inappropriate in the Green Belt, in this case the nature of the use and the fact that the site was so well screened that the degree of harm to openness was not significant. Similarly, although this new proposal will expand the size of the storage area, it would also be screened by the existing planting which has now matured, and additional planting is proposed to reinforce the already established screening. The caravans will not permanently alter the landscape or form the same permanent reduction in openness compared with, say a residential development. It is felt that whilst the proposal is a form of inappropriate development in the Green Belt, in this case, the degree of harm to openness and the conflict with the purposes of the green belt is relatively modest.

Weight has also been given to the agent's arguments that the proposal is a natural extension of the existing area of caravan storage and that the increase in the storage capacity is required to allow the established business to continue to meet high demand. A ward councillor supports the application as the expansion of the business will prevent the applicant and his family from having to find secondary employment. Weight is given to this factor and the economic strand of the NPPF, including that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development and diversification of agricultural and other land-based rural businesses.

As such it is considered that there are demonstrated very special circumstances which outweigh what is a modest departure from green belt policy that will not result in any significant harm to openness or the purposes of the green belt.

2. BACKGROUND

Attached at Appendix 1 is a copy of the Technical Report of the Assistant Director (Planning, Transportation and Highways). This identifies the material considerations relevant to the consideration of the application.

3. OTHER CONSIDERATIONS

All considerations material to the determination of this planning application are set out in the Technical Report at Appendix 1.

4. OPTIONS

If the Committee proposes to follow the recommendation to grant planning permission then the Assistant Director (Planning, Transportation and Highways) can be authorised to issue a Decision Notice granting conditional planning permission for the proposed development. The Committee may also opt to grant planning permission subject to additional conditions, or conditions which differ from those recommended, provided these meet the tests for planning conditions.

In the event that the committee decides to grant planning permission, it would not be necessary to refer the application to the Government Office because no strategic issues or policy conflicts are raised by the localised impact of this proposal.

If the Committee decide that planning permission should be refused, reasons for refusal will have to be given based upon development plan policies or other material planning considerations.

5. FINANCIAL & RESOURCE APPRAISAL

There would be no apparent financial or resource implications arising from the exercise of normal statutory decision making powers. No requirements have been identified for any off-site infrastructure improvements which would be necessary to make the development acceptable.

6. RISK MANAGEMENT & GOVERNANCE ISSUES

Not applicable.

7. LEGAL APPRAISAL

Both options set out above are within the Council's powers as the Local Planning Authority under the provisions of the Town and Country Planning Act 1990).

8. OTHER IMPLICATIONS

8.1 EQUALITY & DIVERSITY

In writing this report, due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups, in accordance with the duty placed upon Local Authorities by Section 149 of the Equality Act 2010.

The context of the site, the nature of the development proposed and the representations that have been made have been reviewed to identify the potential for the determination of this application to disadvantage any individuals or groups of people with characteristics protected under the Equality Act 2010. There are not any sound reasons to conclude that the development would have a significantly detrimental impact on any groups of people or individuals with protected characteristics.

Likewise, if planning permission were to be refused by the Committee, it is not considered that this would unfairly disadvantage any groups or individuals with protected characteristics. Full details of the process of public consultation and a summary of the comments which have been made by members of the public are set out in the report attached at Appendix 1.

8.2 SUSTAINABILITY IMPLICATIONS

The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are three dimensions to Sustainable Development, comprising:

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

In terms of Local policies designed to shape a sustainable pattern of development within the District, the Strategic Core Policies of the Local Plan set out the overall approach and key spatial priorities for planning in the District. Key overarching sustainability criteria for the location of new development within the District are set by Policies SC01 – SC09.

The development will result in some community benefits, by providing for the secure and affordable storage of caravans in an unobtrusive location. The demand for such a service is apparent by the level of support for the proposal. The impact of the development upon the environment is considered to be moderate in terms of the setting of the site in the landscape due to established screening by mature woodland and more recent shelter belt planting and bunding.

Overall it is therefore considered that the proposal represents sustainable development consistent with the sustainability principles set out in the National Planning Policy Framework, the Local Plan Core Strategy and those policies of the Replacement Unitary Development Plan which are still saved.

8.3 GREENHOUSE GAS EMISSIONS IMPACTS

The development of new buildings will invariably result in the release of additional greenhouse gases associated with the activities of future users. However greenhouse gas emissions can be minimised through the concentration of development in locations where the need for transportation by private car is minimised, through energy efficient approaches to construction and insulation and through the provision of micro renewables and facilities to stimulate the uptake of low emission vehicles.

In this case the proposed development site is located close to the urban area, and the settlements of Wilsden, Cottingley and Bingley. Cars already visit the site to deliver and collect caravans stored on the previously approved storage areas. Trips are likely to be infrequent and caravans will remain in situ for long periods particularly during the winter months.

8.4 COMMUNITY SAFETY IMPLICATIONS

Policy SC09 and Thematic Policy DS5 of the Core Strategy aim to create safe and inclusive places. Development proposals should be designed to ensure a safe and secure environment and reduce the opportunities for crime.

It is considered that the development has generally been designed to reflect the principles of secured by design and that the space for caravan storage which would be created by the development would not be unacceptably insecure or susceptible to antisocial behaviour.

8.5 HUMAN RIGHTS ACT

The Council must seek to balance the rights of applicants to make beneficial use of their property with the rights of nearby residents to quiet enjoyment of their land; together with any overriding need to restrict such rights in the overall public interest. In this case there is no reason to conclude that that either granting or refusing planning permission will deprive anyone of their rights under the Human Rights Act.

8.6 TRADE UNION

There are no implications for Trades Unions relevant to this application.

8.7 WARD IMPLICATIONS

The proposal site is within the Bingley Rural Ward. Ward Councillors, the Parish Council and local residents have been made aware of the application through the normal mechanisms and given opportunity to submit written representations. In response to this publicity representations of support have been received. In addition there is an objection from the Parish Council. Comments in support have been submitted by a Ward Councillor. The Technical Report at Appendix 1 summarises the material planning issues raised by the public, and Parish Council representations. The appraisal also gives full consideration to the material planning effects of the development on residents in the Ward.

9. NOT FOR PUBLICATION DOCUMENTS

None

10. RECOMMENDATIONS

To Grant Planning Permission subject to the conditions recommended at the end of the Technical Report at Appendix 1.

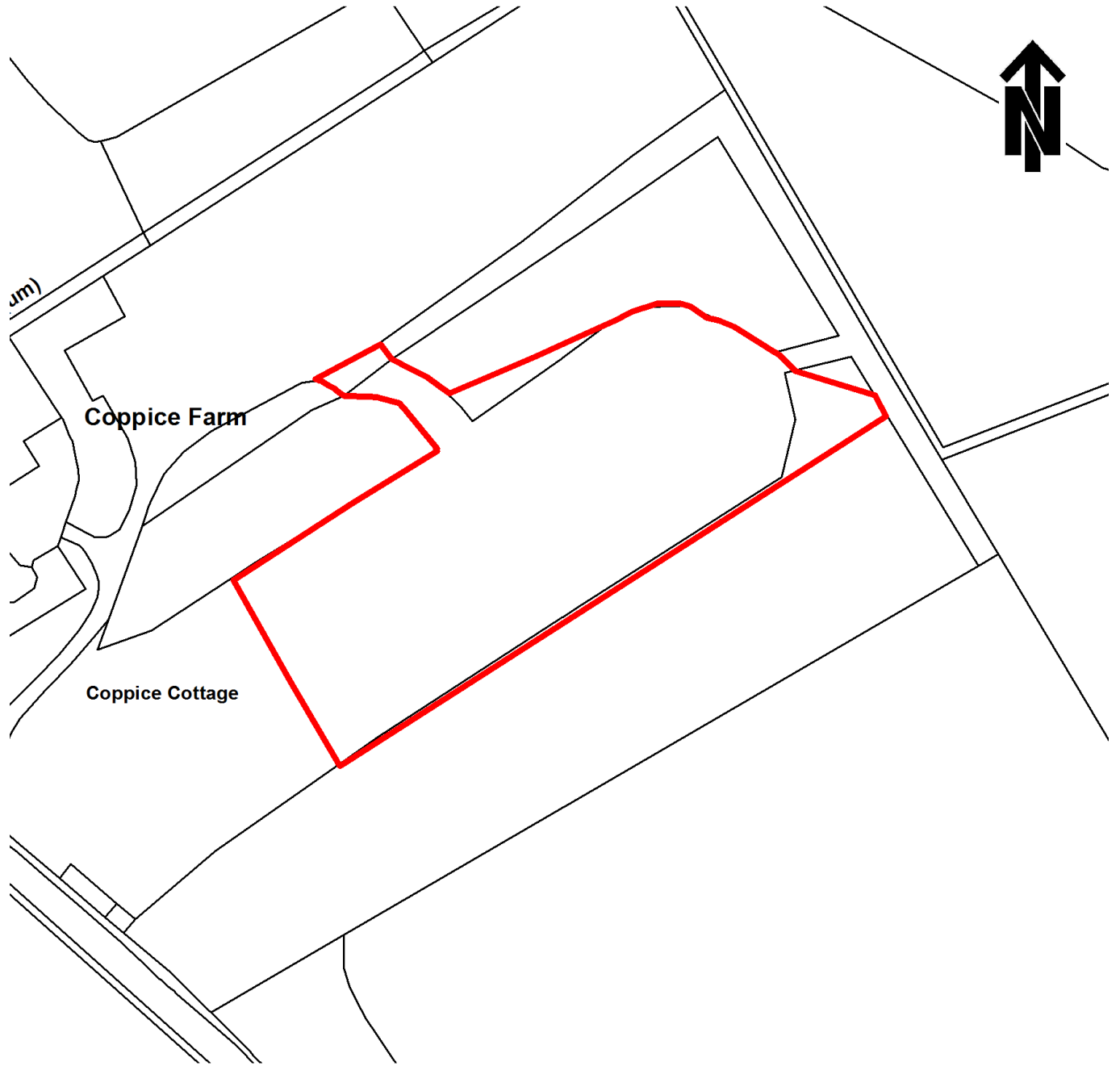
11. APPENDICES

Appendix 1: Technical Report

12. BACKGROUND DOCUMENTS

- Replacement Unitary Development Plan for the Bradford District
- Bradford Local Plan Core Strategy Development Plan Document
- National Planning Policy Framework
- Application File 17/02284/FUL

17/02284/FUL



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**Coppice Cottage
Lee Lane
Wilsden
Bradford BD16 1UB**

8 February 2018

Ward: BINGLEY RURAL
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
17/02284/FUL

Type of Application/Proposal and Address:
Full application for change of use of land for expansion of caravan storage – Land at Coppice Cottage, Lee Lane, Wilsden, Bradford, BD16 1UB.

Applicant:
Mr Kurt Kunz

Agent:
AV Architects

Site Description:
Lee Lane leads through Green Belt countryside between Cottingley and Wilsden, and Coppice Cottage is a stone built house set back from the road alongside a range of large functional farm sheds. An unmade access leads into the farm site from the adopted land and behind the farm buildings is an established area of caravan storage. Some belts of tree planting have been planted around an area of open land to the south east of the access and these are protected by a Tree (Woodland) Preservation Order. An existing horse exercise arena also exists between these shelter belts. The applicant is seeking to expand the permitted caravan storage onto the land between the shelter belts, the horse exercise arena and the more extensive woodland to the north east of the site, which is part of the Cottingley Wood Estate.

Relevant Site History:
13/03740/FUL: Extension of existing caravan storage area. Granted 05.11.2013.

13/01910/FUL: Change of use from agricultural land to form an extension of existing caravan storage area. Refused: 16.07. 2013.

04/02927/COU: Change of use from agricultural land to land to be used for open storage of private caravans. Granted 8.11.2004.

93/01927/COU: Change of use of part of field to storage of caravans Lee Lane Cottingley Bingley. Refused: 21.10.1993

The National Planning Policy Framework (NPPF):

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

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;

- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

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

Replacement Unitary Development Plan (RUDP):

Allocation

Green Belt.

Core Strategy

The Core Strategy for Bradford was adopted on 18 July 2017 and so policies contained within it now carry significant weight. Some of the policies contained within the RUDP, however, are saved until adoption of the Allocations Development Plan Document/Area Action Plan Development Plan Documents.

Proposals and Policies

SC7 – Green Belt

EN2 – Biodiversity and Geodiversity

EN4 – Landscape

EN5 – Trees and Woodland

DS2 – Working with the landscape

EC2 - Supporting Business and Job Creation

Parish Council:

Wilsden Parish Council does not support this application due to it being an incursion into the green belt; lack of tree survey; concerns regarding the height of the lamps (floodlights).

Should Officers be minded to approve this application, Wilsden Parish Council requests that it goes to the Area Planning Panel for determination.

Publicity and Number of Representations:

Advertised as a departure from the Development Plan.

44 representations in support have been received, including Ward Councillor support.

Summary of Representations Received:

Support for the application is because there is a demand in our area for decent secure caravan storage in the area.

Ward Councillor supports the applicant.

1. The development will allow the applicant and his family to expand the business meaning that they would no longer need to find secondary employment.
2. Extensive boundary planting and the natural screen provided by the adjacent woodland mean that the visual impact is minimal.
3. There remains a significant shortage of affordable caravan storage in Bradford.

4. The development makes no permanent development as existing support facilities (office, etc.) will be used.

In the event of the officer recommendation being to refuse permission, the Ward Councillor asks that the application is referred to planning panel for decision.

Consultations:

Highways Development Control: No objections to raise.

Rights of Way Officer: Public footpath 37 (Bingley) abuts the north west boundary of the site but provided the standard requirements are observed to ensure no obstruction of this footpath, would have no comments to make the proposals.

Trees Team: see appraisal.

Summary of Main Issues:

Inappropriate development in the Green Belt.

Whether there are very special circumstances that outweigh the degree of harm to openness and the purposes of the Green belt.

Impact on trees and landscape character.

Highway issues.

Appraisal:

Background

This application relates to the use of land at this farm for the expansion of an existing caravan storage business. The site is part of the Green Belt.

The applicant's established caravan storage business began following an approval granted by Area Planning Panel in 2004 for a limited area immediately behind the farm sheds. This was subsequently expanded north eastwards under a permission granted in 2013 which allowed the applicant to store a total of 125 caravans on the land. Before 2013 only 90 were stored at the site.

The original permission granted under application 04/02927/COU required that a planted bund be installed along the south east edge of the original area of storage. Prior to this, other shelter belts had been introduced to the farm. Another belt of trees has been planted along the south east boundary. The two belts of trees have begun to become well established, so the application land is now well screened from public view along the north west and south east boundaries, and by the more mature woodland to the north east. The applicant also points out that the new storage site would be served by the same vehicular access as the existing storage area so there is no need to add any new engineering operations or buildings.

Further details of perimeter fencing, and the proposed surfacing of the land with permeable hardcore are specified on the plans and the agent says these have been designed to minimise the visual and environmental impact of the new proposal.

Green Belt Policy

The site is part of the designated Green Belt defined by the RUDP Proposals Map. Caravan storage is not specifically listed as one of the exceptions to Green Belt policy by the National Planning Policy Framework, or by Policy GB1 of the RUDP or by Policy

SC7 of the Core Strategy. Compared with agricultural use, caravan storage will clearly have an impact on openness, which is an essential characteristic of the Green Belt.

The NPPF says that, as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The approval of applications 04/02927/COU and (subsequently) 13/03740/FUL accepted that whilst a caravan storage use was normally regarded as inappropriate in the Green Belt, in this case the site was so well screened that this use would not be harmful to openness.

Similarly, although this new proposal will expand the size of the storage area, it would be also be screened by the existing planting which has now matured, and additional planting is proposed to reinforce the already established screening. The caravans will not permanently alter the landscape or form the same permanent reduction in openness compared with, say a residential development. It is felt that whilst the proposal is a form of inappropriate development in the Green Belt, in this case, the land is so well screened that the degree of harm to openness and the conflict with the purposes of the green belt is relatively modest.

The agent argues that the proposal is a natural extension of the existing area of caravan storage and that the increase in the storage capacity is required to allow the business to continue to meet high demand. Weight is given to this factor in accordance with the economic strand of the NPPF. The Framework also says that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should: support the sustainable growth and expansion of all types of business and enterprise in rural areas, and promote the development and diversification of agricultural and other land-based rural businesses.

Wilsden Parish Council supported the 2013 application for expansion but it is acknowledged that the Parish Council objects to the latest application.

Whilst, the caravan storage use would have an impact on openness, the representations received in support indicate a demand for this type of facility, and the representation from a Ward Councillor shows support for the applicant's efforts to diversify and improve the viability of the existing business.

On balance, and subject to the suggested conditions to control the use and require robust protection of existing trees and ecologically appropriate enhancements to the existing screen planting, it is considered that the application should be supported.

Impact on Trees

Initially, the Council's Tree Officer expressed concern regarding the effects of the proposed use and creation of the hardcore surface for the storage area on the enclosing shelter belt planting which is subject to a tree preservation order. No tree

survey has been submitted with the application and there is no indication of proposals for tree protection. The Parish Council has referred to this omission.

However, it is now evident that no incursions into the shelter belts are intended. The new storage area would be created in the space between the encircling belts of trees and the age of the trees is such that they should be able to withstand the proposed works. The Tree Officer is satisfied that details of the position and specification of tree protection fencing and details of new planting, including additional woodland planting to the front of the site, can be reserved by planning conditions as set out below. These would ensure continuity of the tree cover and enhancement of the quality of the existing planting with benefits for local amenity and, potentially, ecology.

Impact on Landscape Character

The existing planting is such that it is difficult to view the area of caravan storage from public vantage points. Even from public footpath 37 (Bingley), the existing storage is not an especially prominent feature. The applicant proposes to plant additional trees along site perimeters and on the earth bund to further reinforce existing screening. The boundary to Lee Lane will require additional planting and some of the existing trees in the shelter belts are ecologically inappropriate species such as *Leylandii*. These should be removed and replaced with native tree and under storey species such as hawthorn and holly.

Subject to the suggested conditions requiring protection of existing trees and new planting, the proposed expansion of caravan storage should not impact significantly on the character of the landscape.

Floodlights

The submission refers to 5 new floodlights being installed along the south east boundary of the site mounted on 10 metre high poles. The floodlight poles themselves are unlikely to be noticed outside the site, but to safeguard local amenity, the character of this landscape and protect wildlife, it is suggested that fuller details of the intensity direction and duration of these lights be reserved by planning condition.

Highway issues

The Council's Highway Officer advises that the proposal would be unlikely to lead to a significant increase in traffic on Lee Lane and it is noted that the additional storage land would utilise the existing access with space within the site likely to cater for any additional parking and turning. The proposed floodlights would be located well inside the site and so would not affect users of Lee Lane. In view of this there are no highway objections to raise about the proposed development.

Community Safety Implications:

The site will be managed to provide secure storage.

Equality Act 2010, Section 149:

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that that any issues with regard thereto are raised in relation to consideration of this application.

Reason for Granting Planning Permission:

The proposed use would form an encroachment of inappropriate development in the Green Belt. However, in this instance, the effects would be modest given that the proposal expands an established caravan storage use; does not involve permanent building work; and the site is very well screened by established planting that can be supplemented and improved by new planting proposals. The objective of enhancing the established business and meeting demand for this facility are, in this instance, considered to amount to very special circumstances outweighing the limited harm to openness. Enhancement of existing planting is likely to achieve improvements to landscape character and ecology. Weight is given to the applicant's requirement to improve the viability of the existing business, and is supported by the economic strand of the National Planning Policy Framework. On balance, the proposal is considered to accord with Policies EN2, EN4, EN5, DS2 and SC7 of the Core Strategy Development Plan Document.

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. In the first planting season following the completion of the development, or as may otherwise be agreed in writing by the Local Planning Authority, landscaping and new tree planting shall be implemented at the site in accordance with detailed landscape proposals that shall first be submitted to and approved in writing by the Local Planning Authority.

The landscaping proposals shall comprise only native tree and under storey plant species and shall be devised to supplement and enhance existing shelter belt planting at the site and include new planting towards the Long Lee Lane frontage of the land.

The landscaping proposals shall show the following details:

- i) Position of all trees to be retained on the site, including any trees planted subject to requirements of previous consents to fell;
- ii) Details of proposed new trees and details of new under storey planting areas - including the extent of such areas and the numbers of trees and shrubs in each position with size of stock, species and variety;
- iii) Details of any re-graded contours and details of changes in level required for purposes of landscaping within the site.

The landscaping scheme so approved shall be implemented during the first available planting season following the completion of the development hereby approved and in accordance with the approved details.

Any trees or plants comprising the approved landscaping becoming diseased or dying or which are removed or damaged within the first 5 years after the completion of planting shall be removed immediately after the disease/death and

a replacement tree or planting 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 planting.

Reason: In the interests of visual amenity and bio diversity and to ensure continuity of tree cover at the site, to accord Policies EN2, EN5, EN4 and DS2 of the Local Plan Core Strategy Development Plan Document.

3. The development shall not begin until tree protection fencing and other tree protection measures have been installed around trees to be retained on or adjoining the site. These measures shall be in strict accordance with an Arboricultural Method Statement or Tree Protection Plan prepared in accordance with recommendations in BS5837:2012, details of which shall be submitted to and approved in writing by the Local Planning Authority before any site preparation or ground works are begun, and before any materials or machinery are brought on to the site.

The Local Planning Authority shall be informed when the tree protection fencing and other tree protection measures have been installed at the site and shall have given its written confirmation that the measures are acceptable before development proceeds.

Reason: To ensure that trees are adequately protected prior to development activity beginning on the site in the interests of amenity and to accord with Policy EN5 of the Core Strategy Development Plan Document.

4. Notwithstanding what is shown on the approved plans, no floodlights shall be installed on the land until details of the intensity, orientation and phasing/timing of such lighting have been submitted to, and approved in writing by the Local Planning Authority. The floodlighting fixtures installed shall then accord with the approved details.

Reason: To ensure that the floodlights will satisfactorily safeguard amenity and minimise adverse impacts on ecological interests that may be found to exist on the site or in the vicinity and to accord with Policies EN4 and EN2 of the Core Strategy Development Plan Document.

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