

Agenda for a meeting of the Regulatory and Appeals Committee to be held on Thursday, 19 August 2021 at 10.00 am in the Council Chamber, City Hall Bradford

Members of the Committee – Councillors

LABOUR	CONSERVATIVE	GREEN
Warburton Wainwright Lee Shafiq	Ali Brown	Edwards

Alternates:

LABOUR	CONSERVATIVE	GREEN
Godwin Hussain Lal Salam	K Green Sullivan	Love

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 Council Chamber on the day of the meeting.
- Anyone wishing to speak to any of the business items on the agenda either as a Ward Councillor, applicant/agent, in support of or objecting to an application must register to speak by emailing the Governance Officer yusuf.patel@bradford.gov.uk by midday on Tuesday 17 August 2021. Please provide a telephone contact number, together with the relevant application details and explaining who will be speaking. They will then be advised on how you can participate in the meeting. If you have not registered you may not be able to speak.
- If anyone wishes to submit any accompanying photographs/plans they should not exceed four and must also be submitted in writing by midday on Tuesday 17 August 2021 to the following Governance Officers: yusuf.patel@bradford.gov.uk
- Please note that any representations will be allowed 5 minutes only and this will have to be shared if there is more than a single speaker.
- On the day of the meeting you are encouraged to wear a suitable face covering (unless you are medically exempt) and adhere to social distancing. Staff will be at hand to advise accordingly.

From:

Parveen Akhtar
City Solicitor
Agenda Contact: Yusuf Patel
Phone: 07970 411923
E-Mail: yusuf.patel@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. MINUTES

Recommended –

That the minutes of the meeting held on 29 July 2021 be signed as a correct record.

(Yusuf Patel – 07970 411923)

4. **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.

(Yusuf Patel – 07970 411923)

B. BUSINESS ITEMS

5. **MEMBERSHIP OF SUB-COMMITTEES**

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

(Yusuf Patel – 07970 411923)

6. **LAND AT WESTMINSTER DRIVE, BRADFORD - 20/05310/MAF**

1 - 44

The Assistant Director (Planning, Transportation & Highways) will submit a report (**Document “G”**) which relates to a full application for the construction of a residential scheme of 69 dwellings of which 14 are to be provided as affordable dwellings. Access to the site will be taken directly from Westminster Drive.

Recommended –

That the application be approved, subject to the conditions set out in Appendix 1 to Document “G”.

(Mark Hutchinson - 01274 434741)

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Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 19th August 2021

G

Subject:

This is a full application for the construction of a residential development on land at Westminster Drive, Bradford.

Summary statement:

The proposal relates to the construction of a residential scheme of 69 dwellings of which 14 are to be provided as affordable dwellings. Access to the site will be taken directly from Westminster Drive.

The site is unallocated at present but was formerly allocated as a Safeguarded Site which accepted the principle of residential development on such sites. The layout of the development is such that it is not considered that it will have a significantly detrimental impact on the residential amenities of the occupiers of the adjacent residential dwellings whilst the design of the proposed dwellings is considered to be in keeping with the overall character of the area. The access to the site will be taken from Westminster Drive and the Highways Department have not raised any objection to this. The proposal will provide 14 affordable dwellings and this is in line with the policy guidance. There are not considered to be any significant issues in relation to the redevelopment of the site.

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.

Julian Jackson
Assistant Director (Planning,
Transportation & Highways)

Portfolio:
**Change Programme, Housing, Planning and
Transport**

Report Contact: Mark Hutchinson
Phone: (01274) 434741
E-mail:
mark.hutchinson@bradford.gov.uk

Overview & Scrutiny Area:
Regeneration and Economy

1. SUMMARY

This is a full application for the construction of a residential development on land at Westminster Drive, Bradford.

2. BACKGROUND

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

3. OTHER CONSIDERATIONS

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

4. FINANCIAL & RESOURCE APPRAISAL

The presentation of the proposal is subject to normal budgetary constraints.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

No implications.

6. LEGAL APPRAISAL

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

7. OTHER IMPLICATIONS

7.1 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.

7.2 SUSTAINABILITY IMPLICATIONS

No significant issues raised. The site is located within a sustainable location in that it is within walking distance of facilities including retail, employment and recreation facilities as well as having access to a bus service along The Avenue.

7.3 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 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 to be provided within the domestic curtilages of the dwellings (planning condition).

7.4 COMMUNITY SAFETY IMPLICATIONS

Core Strategy Policy DS5 states that development proposals should be designed to ensure a safe and secure environment and reduce the opportunities for crime. Building Regulations Approved Document Q relates to Secured by Design issues for the individual dwellings.

7.5 HUMAN RIGHTS ACT

Article 6 - 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.

7.6 TRADE UNION

None.

7.7 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.

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS

None.

7.9 IMPLICATIONS FOR CORPORATE PARENTING

None.

7.10 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

None.

8. NOT FOR PUBLICATION DOCUMENTS

None.

9. OPTIONS

The Committee can approve the application as per the recommendation contained within Appendix 1, or refuse the application.

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.

10. RECOMMENDATIONS

The application is recommended for approval, subject to the conditions included with Appendix 1.

11. APPENDICES

Appendix 1 Technical Report.

12. BACKGROUND DOCUMENTS

National Planning Policy Framework
Core Strategy
Replacement Unitary Development Plan

20/05310/MAF



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**Land at Westminster Drive,
Bradford**

29th July 2021

Ward: Wyke

Recommendation:

MEMBERS TO BE MINDFUL TO GRANT PLANNING PERMISSION SUBJECT TO A SECTION 106 LEGAL AGREEMENT.

AUTHORITY TO BE GIVEN TO THE ASSISTANT DIRECTOR PLANNING, TRANSPORTATION AND HIGHWAY TO ISSUE THE GRANT OF PLANNING PERMISSION UPON SATISFACTORY COMPLETION OF THE S106 AGREEMENT

Heads of Terms of the Legal Agreement are:

1) Affordable housing: The provision of 20% of the number of units (14 in number) as affordable housing.

Application Number:

20/05310/MAF

Type of Application/Proposal and Address:

This is a full application for the construction of a residential development on land at Westminster Drive, Bradford.

Applicant:

Mr Mark Jones (Barratt Homes)

Agent:

None

Site Description:

The site is located at the northern end of Westminster Drive and comprises an open area of land. To the east of the site is a new residential development whilst to the south of the site are existing dwellings on both Westminster Drive and Westminster Gardens. To the north and west of the site are open fields, Public footpaths run along the boundaries of the site.

Relevant Site History:

Outline planning permission under reference 79/04161/OUT for the construction of a residential development scheme was refused on the 15th August 1979.

Planning permission was granted for a residential development of 99 dwellings with associated works on land to the immediate east of the site on the 12th February 2018 under reference 17/05251/MAF.

Associated with the above planning permission was an application under reference 18/01745/MAF for the provision of off-site enabling works for the neighbouring residential development site (planning ref: 17/05251/MAF), standard Yorkshire Water pumping station to be installed and levels at south west edge of site graded to provide embankment to residential site on land to the rear of Delph Terrace/Holts Lane which was approved on the 20th July 2018.

Planning permission, under reference 18/01540/MAF, was granted on the 2nd April 2019 for the substitution of dwellings approved under reference 17/05251/MAF and associated works with the addition of 1 extra dwelling.

Planning permission was granted for the variation of condition 7 of planning permission 18/01540/MAF to allow the peak pumped foul water discharge to not exceed 5 litres per second on the 9th January 2020 under reference 19/02483/VOC.

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is 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 18 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 adoption of Allocations and Area Action Plan development plan documents. The site is unallocated within the RUDP having been previously allocated as Safeguarded Land. Accordingly, the following adopted saved RUDP and Core Strategy policies are applicable to this proposal.

Replacement Unitary Development Plan Policies:

None

Core Strategy 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
DS2 Working with the Landscape
DS3 Urban Character
DS4 Streets and Movement
DS5 Safe and Inclusive Places
ID2 Viability
ID3 Developer Contributions

Parish Council:

Clayton Parish Council has objected to the application for the following reasons:

1. The application is incomplete with pertinent details missing which fails to provide the council with sufficient information.
2. The displacement of local children accessing schools is a significant issue. Having children in multiple primary/secondary school is not acceptable.
3. A new more up to date traffic survey must be carried out. This one was done before the Spring Valley View development and before the nursing/care home currently being built of the Avenue.
4. The 20mph/traffic calming measures could re-direct traffic away from Clayton Lane/Park Lane to The Avenue which will already be under more pressure.
5. Local infrastructure is already overwhelmed adding 69 more houses will further exacerbate the problem.
6. Barratt's have failed to address concerns from the residents of Spring Valley View, who have in turn objected to the development.
7. Housing strategy - local housing strategy has not been applied to the plans of the application.
8. There are already problems with the drainage on the current Spring Valley View site. The plans for the new development are incomplete and there are major concerns to the neighbouring land/Low Lane for flooding/drainage problems. Hole bottom Beck to Low lane – there are major concerns about flooding.
9. Access/egress on to Westminster Drive poses a health and safety risk.
10. The type of homes planned do not meet the needs of local people. We need housing to down size to and have good access both outside and inside the properties to meet the needs of older residents. Which would release to the housing market family homes
11. The council wholly support the objections raised by local residents and the Keep Clayton Safe group.

Publicity and Number of Representations:

The application was publicised by press notice and neighbour notification letters. The expiry date for the publicity exercise was the 10th August 2021.

As a result of the publicity exercise 238 representations have been received objecting to the proposal including 2 from local Ward Councillors whilst 4 representations have been received in support of the proposal.

Summary of Representations Received:

Support:

- Need more affordable developments like this
- The new builds will be good for the clayton community
- The houses are lovely and good quality which is what we need

Objections:

Principle of development:

- Residents of the adjacent development were told by Barratts that the site was landlocked meaning no-one could build there
- Clayton is overpopulated
- There are plenty of other greenbelts in Bradford to build on which have less implications on people's lives
- No additional houses are needed
- Go build on brownfield rather than putting Starbucks, shops and McDonald's there
- I find it astonishing that more green land is being taken in order to provide housing when there are other places to build such as the Grattan site in Lidget Green. This site lays empty whilst the green land which is ultimately more desirable is snapped up for development
- CRPE has recently campaigned successfully to persuade the government to backtrack and to focus more on building homes we need on brown sites instead of taking more and more of our countryside
- The community of Clayton has seen no benefit from the current development off Westminster and far from seeing any benefit has been aesthetically damaged beyond repair by the cheap looking materials and poor layout of the current Westminster development
- The last few months have shown that we need green open spaces, for our mental health and wellbeing. We need to be able to go for walks, breath the fresh air, relax, and enjoy the open spaces. I am sure there are plenty of other places that need these houses
- It seems that the council and developers want to build on anything that's 'Green' why not look at other options
- The wilful neglect of the council to allow another development which is clearly not welcomed by the local people of Clayton we are supposed to live a democratic society please listen to local objection
- The houses on the first phase of the development have not completely sold yet so this proves the demand is not there
- Why not knock down council estates instead for these affordable houses
- Villages are becoming more like towns. Once we have lost our villages we cannot revert them back
- In this most difficult of years the need for open spaces and green fields has become more apparent for the well-being and mental health of all of us and especially for children
- Why is the question not being asked about what type of housing would be needed for the current population of Bradford and at what price can people afford?
- The current market doesn't reflect these houses are needed, yes there is a shortage of affordable housing but if the Spring valley development is anything to go by, then affordable housing it certainly isn't
- The site is well used by residents of Clayton and visitors to the area and is considered a local beauty spot

- When the landowner applied, several years ago for the land to be removed from green belt, the Planning Inspector approved this but made clear in her report that it could not be used for housing as Clayton's infrastructure could not support any more housing. Despite this, permission was granted for 100 houses on the adjoining field, in direct defiance of their own Inspector's recommendations and the Government's National Planning Policy Framework which states that brownfield sites, of which there are numerous in Bradford, must be prioritised over green space
- Westminster Drive has always been in a semi-rural location which will be lost if this build goes ahead
- In October 2005 the Replacement Unitary Development Plan for the Bradford District - Inspector's Report recognised that substantial housing development has taken place in Clayton in recent years and parts of the local highway network were now at capacity at certain times of the day. These matters were sufficient for the conclusion to be reached that the site (the field at the top of Westminster Drive in the application) should not be allocated for immediate development. Over the past twelve years there has been further house building in Clayton and the surrounding areas which have further exacerbated the local highway network issues and the wider infrastructure challenges remain the same. Therefore, nothing has changed and the land should remain as safeguarded, at a minimum, or be put back in to 'greenbelt'
- The Housing Strategy for Bradford District 2020- 2030 makes it clear that the council's approach to delivery is to maximise brownfield regeneration opportunities, an area which the strategy openly states house builders have not been active
- Downsizing is crucial to tackling the UK's skewed housing market according to a study by the Centre for the Study of Financial Innovation - 'Too Little, Too Late? Housing for an ageing population'. It shows that 60 percent of surplus bedrooms lie in households inhabited by the over 65s. A more efficient use of the existing housing stock would reduce pressure to just build more as a solution to the housing shortage. This development in no way addresses that issue and goes completely against the strategy's overriding principle of 'homes for all' and 'wide choice of options to be made available
- Has the pandemic changed the housing supply equation for Bradford? Working from home and shopping online have hollowed the city centre, with offices and shops empty and unused. Could our struggling High Streets and business zones be repurposed as residential neighbourhoods?
- The application suggests that these houses are needed now. Market conditions would clearly show this is not the case
- Everyone is entitled to green space and we need more of it, not less
- New affordable houses surrounded by trees and grassland should be the norm in Bradford, whatever the pressure of government targets for house numbers and from house builders who can charge more for houses on green fields and increase their profit margins
- There are no proposals for parks or any other green areas just constant building works
- There can be no justification for inflicting further housing on the already struggling area
- Housing density exceeds the housing density of Victorian slum clearances in the 70s and 80s
- Knowingly building social housing in the full knowledge it will be refused by social housing landlords due to poor quality build, size and development density is profiteering and has already been illustrated in the neighbouring development

- The land for the proposed development is a Historical Community Asset, where generations of local people and visitors have enjoyed decades, indeed centuries, of recreational activities, such as walking, running, horse-riding, hay making, sledging, feeding animals and watching their young being born, in surroundings which are most conducive to good health and well being
- Clayton, rightly so, still enjoys its village status, a reason people often give for choosing Clayton as a place to live. Therefore, supporting those who do much to contribute to making it the village it is, including local businesses, farmers and those with small holdings, is also of paramount importance in terms of building sustainable local communities
- A development of 72 affordable houses in Denholme was recently given the go ahead, where all of the houses are intended for people who currently live in the London area. I have not been able to verify this from the planning documentation but if this is the case we surely must have more than enough Brownfield land to meet our local needs if we can give it away to other areas of the country

Residential amenity:

- Loss of privacy to the neighbouring properties
- Loss of views from existing properties
- A 2 metre high fence between properties is not sufficient to reduce overlooking
- Loss of light to the existing properties making them very dark
- The construction phase of the development will impact on existing residents through increased traffic and noise, dust etc.
- Existing residents will live next door to a building site for another 2 years
- Impact on air quality through increase in car fumes
- if planning is approved for the Westminster Drive site then this will be one of three major constructions sites within a short radius (est. 250 Metres) of a number of houses. There is no recognition or risk assessment of the impact this will have on residents or Clayton village. The level of disturbance, construction traffic volume and impact on highway safety will be very significant and exacerbated by this proposed plan

Visual amenity:

- Visual impact of the development from wider views across the valley
- Ugly cheap looking houses that don't fit in the area
- Bradford has an ambition to ensure that new housing creates popular neighbourhoods with high standards of quality and design. The existing development by Barratts has to be one of the worst designs in the area with long terraces to the edge more reminiscent of Victorian mill cottages than 21st century design
- The layout of this site looks better at present it will no doubt be adapted to match the standards of its neighbour

Highways:

- The road network cannot cope with any additional traffic
- Westminster Drive is a small cul-de-sac which is quite narrow and cannot accommodate additional traffic as there is no room for passing traffic due to the narrowness of the road

- Traffic at key times is an issue especially around the roundabout in the village
- The traffic survey was from 2017 when the Westminster Avenue site was mooted and hardly gives consideration to the impact of the cricket club parking and the traffic into and out of the new care home on The Avenue without as a minimum 69 extra cars leaving the proposed development. Giving CoVid as a reason for not conducting a traffic survey is poor, proper consideration should be given.
- The traffic now is so fast and a lot busier when trying to cross the road – there needs to be a 20 mile speed limit
- The proposal will impact on the footpaths
- Barratt's were instructed last time that the dry stone walls should be retained and footpaths remain or improved around the Westminster Cres site. In fact, we have been left with ugly mismatched walls, lumps of concrete and debris left on paths causing tripping hazards and part of the footpath has been left so steep that it would be difficult to walk up by someone infirm
- The top of Westminster Avenue is an old well-marked footpath, now it is like stepping out over the A1 with busy traffic and not one warning sign
- Clayton is a rat run for traffic cutting down from Thornton and Queensbury
- Maybe the council would like to get up here and see for themselves these roads, and the issues occurring in Clayton
- Guidance says that a proposed site has to incorporate greener, cleaner, less polluting, less congested forms of transport. Basically what that means is that there should not be a reliance on cars and if it can be shown that there would be a reliance on cars, because of the absence of alternatives, then the planning as it stands does not meet this test
- The report in support of the planning talks of the opportunities for residents to use cycles and buses as alternative forms of transport – Clayton is not cycle friendly and there are virtually no cyclists in Clayton. Clayton is not flat and definitely not safe for cyclists. There are no designated cycle lanes or road suitable for cycling in this manner
- There is no bus route to Queensbury/Halifax and therefore the only option is regular car journeys. The bus as has previously been mentioned is only useful if someone works in Bradford city centre. The consequence is that every household in the proposed estate will have to use cars, adding to the pollution that the city is already suffering thus the proposal is in clear breach of the guidance which says that new developments should be in places where sustainable green transport can be used
- The walking option for travel is again false and flawed. It says there is a 2k walking catchment area that means that residents of the new site would be able to get to a range of places, thus alleviating the use of cars. This is partially true. Residents would be able to walk to village amenities from the proposed site in a generally safe and physically easy manner
- Inadequate road width to accommodate parking space and safe access, for emergency vehicles and deliveries to homes on the new proposed development
- There are two entry points from Westminster Gardens that access directly on to Westminster Drive. The top junction would be a major concern particularly if the road speed of vehicles from the Spring Valley View on to Westminster Avenue down to the Avenue are anything to go by
- The application suggests the current road width is considered acceptable for the scale of proposed development. The road when vehicles are parked on Westminster Drive makes it nigh on impossible for two cars to pass each other near the point of entry to the planned development. This would also create major access issues for emergency vehicles

- Clayton has become so congested and busy resulting in accidents on Clayton road which is the direct route to Bradford city centre. Speed camera vans are a regular site now
- I would like you people who sit behind a desk and make crucial decisions to come and spend some time and see what impact you have on people's lives. When there is a cricket match on through summer months' people who live on Westminster drive can't even park outside their own homes due to cars being left overnight. We have even had parking issues with parking on Westminster gardens to the point all householders were issued a letter from the police stating we had to leave a double pram width on the pavement or we could receive a caution. so what would happen if the top 2 houses on Westminster drive were to leave this double pram width on the pavement you wouldn't be able to get for instance a fire engine, large vehicle onto the proposed site
- The 636 Bus service is limited and unreliable
- The plans do not consider the safety of pedestrians and walkers
- The plans give no indication of where household waste bins areas will be situated along the extended road therefore bins will be left on the public footpaths for pedestrians, wheelchairs and those with other disabilities to have to step into the road to negotiate round them
- The development plan does not make clear how any damage to the road and grass verges will be made after any proposed building is complete
- The proposed development appears to do little to nothing to encourage sustainable transport
- New housing should be high quality, address the climate emergency and should prioritise pedestrians

Drainage:

- Building on the site will cause flooding problems to the adjacent properties
- Existing properties on the adjacent site are flooding due to inadequate drainage systems
- Localised flooding on Holts Lane is frequent
- Impact on the water table caused by the adjacent development
- As a pumping station had to be built to cope with sewage problems when the first 100 houses were built how will the sewage system possibly cope with a further 69 house?
- Rainwater is constantly pouring off the hills and clogging up public rights of way and collecting on roads around the pre-existing development. Further upset to the natural drainage system will prove to be problematic
- It is proposed that excess water will be diverted to the Beck! Barratts were forced to pull out of developing a site at Fairweather Green because of the effect this would have had on increasing the flow of the beck which runs adjacent to already existing houses, increasing the threat of flooding, which already takes place
- Both the developer and the planning officer have denied the existence of springs on the current site
- Water runs all down these fields including the current application one down to bottom road low lane which floods
- Current residents have had issues with toilet pipes blocking up and having to get Thomas Crompton out to empty sewage pipes and take away. Shocking from this builder who claims they are 5 star

- Before this application is even considered for planning there needs to be considerable information /reports available about the water /drainage/sewage etc., as it wasn't rectified last time
- The Flood and Drainage reports attached to this application are incomplete and do not address several major areas of concern
- The developer has yet to evidence and secure access to the land below the proposed site to lay a pipe line to drain surface water into Hole Beck Bottom from the site
- Theoretical modelling might suggest one thing, but the adjoining Spring Valley View site built by Barratts has clearly demonstrated that the reality is very different and therefore gives me no confidence whatsoever in what is proposed in this application
- As stated in the NPPF, an urban creep assessment is required to ensure flooding is contained to the site and does not have an effect on third parties
- Attenuation is only a partial solution for the surface water. If water has to be released into Hole Bottom Beck, especially after a prolonged period of heavy rain it will exacerbate flooding downstream
- Before this application is even considered for planning all the final drainage plans, including topographical and impact assessments should be made available for in-depth review by Clayton residents and external specialists that we may wish to employ
- The submitted Flood Risk Assessment is considered unsatisfactory and incomplete and does not comply with the requirements outlined in the Local Authority SUDS Officer Association for Sustainable Drainage: Practice Guidance. It fails to fully address the issues of surface water flood risk and overland flow from the phase 1 development Spring Valley View on the proposal to pipe surface water to Hole Bottom Beck
- Post development of Spring Valley View has led to an increase in surface water discharge from the Low-Risk Flood Route this has caused substantial damage to the farm road ways, flooded the outside stables and flooded by riding arena
- Severe rainfall events due to climate change mean that flood risk is increasing, the speed of the excess water flowing off Spring Valley View is faster due to urbanisation
- The development from a green field site to a residential development have meant that when the rain fall is severe the surface water drainage on Spring Valley View is in-capable of handling the high volume of water and the water is running down my fields cause flooding of Low Lane. This means that sending the surface water from the Westminster Drive Development is not a suitable option
- The drainage consultant and the Local Flood Authority have failed to take into account the quantity of water that flows onto Low Lane from the Westminster Avenue Development - Spring Valley View when there are storm conditions
- Concerns regarding the impact of the proposal on the adjacent properties, one particular farm (Springwell Farm) having already been affected by the development on Westminster Avenue through having to raise the floor levels of their outbuildings
- Due to the outdated, combined sewer system running beneath the village of Clayton (consisting of relatively small pipes), an attenuation tank has been proposed to prevent any further storm water discharging into Claytons main sewer - a drainage system which is running at maximum capacity. The tank displayed in the Drainage Feasibility Layout shows the collected storm water being discharged into Hole Bottom Beck (local water course) rather than connecting to the main sewer system. This not only identifies the immense strain on local drainage infrastructure but presents a lack of consideration for other parties

- The disposing of the surface water into Hole Bottom Beck will cause a welfare issue for the cattle grazing in the fields off Low Lane because the gate is used to access the field to load/unload and feed the cattle
- These houses if built will create more flooding of Middlebrook View, Middlebrook Crescent and Middlebrook Walk

Biodiversity:

- There is lots of wildlife in the fields which will be affected by the development
- Any unbuilt on land has benefits for wildlife, in terms of insects, food and shelter
- Bats do live and feed in the area. If you know anything about bats, they feed on airborne insects.... Insects that live in all vegetation including pasture
- Barratts have attached a couple of bat boxes to the outside of two houses on the first build which is applauded but there is no point doing that unless the bats who might take up home in the bat boxes have something to feed on
- There is nothing in Barratts plans to improve the biodiversity of the area with anything meaningful. Why not build a pond in the middle of the estate (yes they would lose the profits from one house)?
- The skylarks once resident on the adjoining site were disrupted at the beginning of the breeding season. Many other birds, flora and fauna will be displaced disrupted again
- Conserving and protecting the natural environment is another key pillar of the NPPF. Protecting existing environmental conditions is also a main element of the local authority strategy
- The Ecological Appraisal clearly states that the site does not contain or form any part of any obvious potential wildlife corridors nor is it linked to special protection areas and the other four local wildlife sites mentioned in the report. I would beg to differ as we regularly see Deer and Fox moving across the area
- It is also disappointing to note that the appraisal highlights that the site is unlikely to be of any significant value to any local bat populations. Yet we know, particularly during the summer months, that they frequent the back gardens overlooking the site and thus use the field
- The appraisal also lists a number of caveats which further diminishes its level of reliability and that the assessment requires subjective judgements. Therefore, it should be ignored and as a bare minimum I would strongly advocate a full ecological study be undertaken at the right time of year over an appropriate time period - weeks not days, day and night so the planning team can fully understand the real ecological importance of the area

Other issues:

- Loss of view for the existing occupiers of neighbouring properties
- There are health and safety issues associated with the adjacent site
- The development will impact on the values of the adjacent properties
- The schools/nurseries are full
- The local doctors/dentists are oversubscribed
- Impact on people's health through the increase in traffic
- There is a lack of affordable housing in the village, the houses already built are too expensive as will the planned houses
- The concept of affordable housing is also laughable the majority of the houses exceed an average mortgage on Bradford average salary. Neither have all the Westminster Avenue properties sold after all this time suggesting that they are in fact unaffordable

- Palms have been greased though so it'll happen like last time
- Listed walls were destroyed on the adjacent site
- Problems exist with the Barratt houses on the adjacent site and have not been resolved
- There are health and safety issues associated with the adjacent site
- It is a statutory duty to make decisions on behalf of Bradford residents, you are employed by the taxpayers so please perform this role carefully, and wisely
- The timing of the planning. At this time there is no possibility of getting together as a community to discuss the issues raised. Not everyone is able to express their views via the internet or in writing, but feeling is very strong and I know they would support a community meeting and prefer to discuss in person. As an absolute minimum, this planning should be put on hold until the affected Clayton community have had fair and equal opportunity to be able to discuss and decide the course of action they would like to take
- This application as with the previous application granted on the next door site, is inadequate and incomplete and does not address or answer major issues associated to the site development and surrounding area
- The plans do not recognise at all the changing world in which we now work. Many more people, including myself, work from home, and will continue to do so for the foreseeable future. How will we continue to operate efficiently and effectively when the level of disturbance from groundwork and construction will be very high. If we have to find temporary accommodation for the development period who will pick - up the tab for the costs - the individuals or the organisations they work for which are already under significant financial pressures?
- Other than supporting the builders by keeping them in their jobs during these difficult times, there are simply no benefits to this illogical proposal
- The promise of a Public Open Space recreation/exercise area at the far end of the site is misleading, as it is to be next to another longstanding footpath and field? Another concern is why the need for 2 field size gated accesses at this area when it will only allow access for dog owners to let dogs off the lead in a closed area where children may be playing? According to one of the Council consultees, the developer has duty to maintain this for 25 years. How often would this be done? This area is tucked away in a distant area where there is scope for anti-social behaviour immediately behind houses, i.e. traveller camps, bonfires etc.
- Concerns about the impact on Clayton Conservation Area
- All involved in any way in the Planning Application process at Bradford Council, must therefore treat these objections and the individuals concerned with the respect they deserve
- The proposed changes, this application would bring about, would serve only to have a severe detrimental effect on addressing these health challenges and therefore, on the basis of this seriously important information and the demographic make-up of the local population
- Many new homes are still unsold on the existing site after two years and more are currently being built in Clayton and neighbouring communities including Queensbury and Allerton
- it is not affordable housing. Considering the selling prices of the 99 houses that are already under construction by Barratt Homes on Westminster Avenue, the current selling price of a two bedroom house starts at £169,995 whereas the average price of a two bedroom house in Clayton is less than £100,000. These inflated prices mean that the proposed new houses will not be affordable to local people

- There are several Grade II listed buildings within the valley directly below the proposed development. It would be detrimental and significantly harmful to the character and nature of these historical buildings by having a housing development in proximity
- An approval in this matter would be yet another example of the planning authority favouring developers over the interests of local residents

Consultations:

Yorkshire Water – No objection to the proposal subject to the imposition of appropriate conditions relating to the disposal of foul and surface water

Lead Local Flood Authority – No objection to the principle of the development subject to the imposition of appropriate conditions relation to the disposal of both foul and surface water

Highways – No objection to the proposal subject to the imposition of conditions

Rights of Way – No objection to the proposal

West Yorkshire Combined Authority – No objection to the principle of the development but to improve the sustainability of the site it is suggested that the Developer provides a Real Time Information Display at the closest bus stop (No. 21347) to the site (at a cost of £10,000) together with the provision of (bus only) Residential MetroCards for the future occupiers of the development (at a cost of £28.132.50p)

Landscape Design Unit – No objection to the principle of the development but suggests the inclusion of additional tree planting within the rear gardens of the dwellings. It is also suggested that the area of open space within the site does seem quite small and is primarily to be used as an underground attenuation area.

Biodiversity – Unable to support the application as the layout doesn't provide for a net gain in biodiversity in line with the requirements of the Core Strategy and National Planning Policy Framework. This issue is considered in detail in section 9 of this report below.

Environmental Health (Land Contamination) – No objection to the principle of the development subject to the imposition of conditions relating to the submission of a remediation strategy and remediation verification, the discovery of unexpected contamination, and, materials importation

Environmental Health (Air Quality) – No objection to the proposal subject to the imposition of conditions requiring the provision of electric vehicle charging points for each dwelling with an off-street parking space together with the submission of a dust risk assessment and construction dust management plan

West Yorkshire Police – No objection to the principle of the development but comments are made on specific aspects of the development including footpaths, boundary treatments, gated access, front bin storage, surveillance of parking, public open space, doors and windows, and, intruder alarms

Education and Learning – Based on the most recent census data, the proposed housing development may cause some concerns on where children of families coming

to reside in the development might attend school, depending on the ages. At primary school level there are small numbers of places available in every year group, although no single school has spaces throughout the whole school. Forecasts indicate that in future years there should be sufficient reception places to accommodate the relatively low number of additional children who may come to live in this development. At secondary sector level there are small numbers of places available in every year group in Beckfoot Thornton and Queensbury Academy, although Dixons Allerton is full in almost every year group. Forecasts indicate that in future years there are very few surplus places in year 7 however it should be possible to accommodate the relatively low number of additional children who may come to live in this development.

Sport and Leisure – No objection to the principle of the development although it is considered that the development of 69 new residential units will have a moderate impact on the surrounding facilities but a financial contribution will be sought from the CIL funds to help mitigate these impacts. 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

Summary of Main Issues:

1. Principle of development
2. Visual amenity
3. Residential amenity
4. Highway safety
5. Drainage
6. Trees
7. Secured by design
8. Contaminated land
9. Biodiversity issues
10. Affordable housing
11. Air Quality
12. Community Infrastructure Levy
13. Other issues

Appraisal:

The proposal relates to the construction of a residential development scheme comprising 69 dwellings. There will be a mix of private sale (55) and affordable (14) dwellings as well as mix of dwelling sizes including 2 bed (13), 3 bed (30) and 4 bed (26). Vehicular access to the site will be taken directly from Westminster Drive.

1. Principle of development

Paragraph 7 of the National Planning Policy Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. Paragraph 8 goes on to state that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways and these include identifying and co-ordinating the provision of infrastructure (economic objective)

and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being (social objective), and, to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy (environmental objective).

Paragraph 11 of the National Planning Policy Framework states that development proposals should be determined in accordance with an up-to-date development plan without delay. It goes on to state in section (d) that “where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

(i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

(ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.

Policy HO5 of the Core Strategy states that in order to meet both the objectives of delivering housing growth and managing that growth in a sustainable way developers will be expected to make the best and most efficient use of land. Densities should normally achieve at least a minimum density of 30 dwellings per hectare although higher densities would be possible in areas well served by public transport.

Policy HO8 of the Core Strategy states that the Council will ensure that a mix and balance of housing is provided to meet the needs of the District's growing and diverse population. All large sites will be expected to incorporate a mix of housing types, sizes, prices and tenures and the mix should be based on both market demand and evidence of local need within the District's SHMA.

Policy DS1 states that development proposals should contribute to achieving good design and high quality places through, amongst other things, taking a comprehensive approach to redevelopment in order to avoid piecemeal development which would compromise wider opportunities and the proper planning of the area.

The site is now unallocated having previously been allocated as a Safeguarded Site (Ref: BW/UR5.7 Land at Westminster Drive, Clayton, Bradford) within the Replacement Unitary Development Plan. The policy intention of these allocations was to safeguard the sites for longer term development for housing or employment purposes and the policy did not allow redevelopment of the sites for purposes that would prevent their long term development for the uses identified. Policy UR5 (Safeguarded Land) of the Replacement Unitary Development Plan has now been superseded by policy SC7 of the Core Strategy and the Safeguarded Sites were not saved.

A number of objections have been received suggesting that the Green Belt should not be built on. It must be stressed that the site is not located within the Green Belt as defined within the Replacement Unitary Development Plan. As stated above the site is currently unallocated having previously been allocated as a Safeguarded Site.

An important consideration with regards the principle of residential development is whether the Council has a 5 year housing land supply. The Council cannot currently demonstrate a five year supply of deliverable housing sites and therefore there is a need to take into account the presumption in favour of sustainable development in paragraph 11(d) of the NPPF as a consideration in favour of the proposals. As such, therefore, in the absence of relevant up to date development plan policies, the balance is tilted in favour of sustainable development and granting planning permission except where the benefits are 'significantly and demonstrably' outweighed by the adverse impacts or where specific policies in the National Planning Policy Framework indicate otherwise.

Policy HO8 requires there to be a mix of housing types, sizes, prices and tenures within the development. The layout of the development comprises detached dwellings, semi-detached dwellings and terraced (3 dwellings) together with a mix of sizes including 2 bed (13), 3 bed (30) and 4 bed (26). There is also a mix of tenure type with the site broken down into private sale (55) and affordable (14) dwellings. As such it is considered that the proposal complies with the requirements of policy HO8.

The site measures 1.72 hectares in size and proposes 69 dwellings. This equates to a density of 40 dwellings per hectare which is above the 30 dwellings per hectare minimum density required under policy HO5. In relation to making the most efficient use of the site the proposal is considered to be acceptable.

Overall therefore it is considered that the development of the application site with a residential development scheme accords with the principles of sustainable development articulated through the National Planning Policy Framework and the policies contained within the Core Strategy and that the amount of development proposed would make an efficient use of the land without compromising design imperatives. The principle of residential development is considered acceptable subject to the detailed consideration in the following sections of this report.

2. Visual amenity

The National Planning Policy Framework states in paragraph 124 that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 127 states that planning policies and decisions should ensure that developments:

- a) 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;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 130 states 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, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

Policy DS1 of the Core Strategy states that planning decisions should contribute to achieving good design and high quality places through, amongst other things, taking a holistic, collaborative approach to design putting the quality of the place first, and, taking a comprehensive approach to redevelopment in order to avoid piecemeal development which would compromise wider opportunities and the proper planning of the area.

Policy DS2 of the Core Strategy states that development proposals should take advantage of existing features, integrate development into wider landscape and create new quality spaces. Wherever possible designs should, amongst other things, retain existing landscape and ecological features and integrate them within developments as positive assets, work with the landscape to reduce the environmental impact of the development, and, ensure that new landscape features and open spaces have a clear function, are visually attractive and fit for purpose, and have appropriate management and maintenance arrangements in place.

Policy HO9 of the Core Strategy states that new housing should be of high quality and achieve good design, should be accessible and easily adaptable to support the changing needs of families and individuals over their lifetime and provide private outdoor space for homes.

The application site is located in an area where existing residential development abuts both the north eastern and south eastern boundaries. The remaining land abutting the site comprises open fields. The dwellings that abut the site and in its immediate locality are generally 2 storeys in height and in the form of detached, semi-detached and terraced dwellings. The principle materials used in their constructed are natural stone and render/pebble dashing on the elevations.

The layout of the development is such that it comprises a mix of detached, semi-detached and terraced (3 dwellings) dwellings that will be either 2 or 2½ storeys in height. A main access road runs through the centre of the site with a small number of cul-de-sacs leading off it. The layout is similar to the housing scheme to the immediate east of the site which has been constructed by the same Developer. The materials to be used include stone to the elevations of the units and either brown or grey roof tiles.

The site is located on the edge of Clayton and is therefore subject to views into it from the wider area. The Landscape Design Unit suggest that the site is located in an area of medium sensitivity which can be characterised by landscape or features of moderately (locally) valued characteristics reasonably tolerant of change. The elevated views of Queensbury identify the site within the Clayton settlement and it's clear that the development will be visible especially so on the South West boundary. The development will also be visible from Thornton and Allerton as it sits on the ridge line and elevated plateau. Smaller 2 storey properties have been placed on the perimeter edge 2.5 storey properties placed centrally to try mitigate impact of the development. The Landscape Design Unit suggest that it would be beneficial to include some additional tree planting in rear gardens to further reduce impact on surround properties and soften the proposed 1.8m close boarded timber fencing. Proposed shrub planting is acceptable and will if unchecked provide informal hedging with enhanced privacy and benefits to wildlife.

Whilst the inclusion of trees within gardens can look attractive and soften the impact of the development there are no controls over them and they can be easily removed by the occupiers of the dwellings. Whilst the gardens are of a decent size the planting of trees within them can soon reduce the amount of useable space and this further adds to the pressure for their removal.

Overall it is considered that the layout of the development and the designs of the proposed dwellings are considered acceptable and will be not be visually detrimental to the character and appearance of either the streetscene or the wider locality. As such there is no objection to the proposal on visual amenity grounds and the proposal accords with policies DS1 and DS2 of the Core Strategy.

3. Residential amenity

Policy DS5 of the Core Strategy states that development proposals should make a positive contribution to people's lives through high quality, inclusive design by, amongst other things, not harming the amenity of existing or prospective users and residents.

The site is bounded to the south (Westminster Drive and Westminster Gardens) and to the east (Fern Avenue) by existing residential development. The relationships of the existing dwellings to the proposed dwellings include main elevation to main elevation, gable end to main elevation, and, gable end to gable end. It is important that the required separation distances are achieved in order to protect the residential amenities of the occupiers of the existing dwellings.

To the south of the application site are dwellings that front onto both Westminster Drive and Westminster Gardens. The relationships between the proposed dwellings and the existing dwellings on Westminster Drive are main elevation to gable end and gable end to gable end with a minimum separation distance of 14½ metres. This distance is considered to be acceptable.

There are a number of dwellings located on Westminster Gardens whose rear elevations back onto the application site. The rear gardens of these properties are separated from the application site by a public footpath that runs along the rear boundary. The relationships between the proposed and existing dwellings is main elevation to main elevation with the minimum separation distance being 19 metres (plot

7 to 41a Westminster Gardens) but mostly in excess of 25 metres. These distances are considered to be acceptable.

To the east of the site is a new residential development that has dwellings whose rear elevations back onto the application site. There is a slight difference in the land levels with the proposed dwellings being sited at a slightly higher level than the existing dwellings. The relationship between the dwellings is principally main elevation to main elevation with separation distances in excess of 18 metres which is considered to be acceptable. There is one relationship of gable end to rear elevation with a separation distance of 15 metres which is again considered to be acceptable.

Overall therefore, it is considered that the site is capable of accommodating a layout for the development which will minimise the potential impact on the residential amenities of the occupiers of the existing dwellings that abut the site and the proposal therefore satisfies the requirements of policy DS5 of the Core Strategy.

4. Highway safety

Paragraph 102 states transport issues should be considered from the earliest stages of development proposals such that, amongst other things, the potential impacts of development on transport networks can be addressed, and, opportunities to promote walking, cycling and public transport use are identified and pursued.

Paragraph 109 of the National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. It goes on to state in paragraph 110 that applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

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.

The proposed development is accessed via Westminster Drive with the internal road layout comprising a T-shaped road with a small number of cul-de-sacs leading off it. The dwellings have off-street parking spaces with there also being a number of visitor

spaces located throughout the development. Public footpaths run along the boundaries of the site and there are pedestrian links to these from the internal road layout.

The Applicant has submitted a Transport Assessment in support of the proposal and this has been considered by the Highways Department.

A significant number of objections have been received regarding the impact the proposal will have on the surrounding highway network. In response the Highways Department have considered the capacity of the Westminster Drive/The Avenue junction and it shows that the junction will operate with significant reserve capacity with additional development traffic in both Am and Pm peak hours for future year scenarios. *The Highways Department have also considered the impact on a short section of single-lane road on Town End Road to its roundabout junction with The Avenue/Bradford Road/Green End and the queueing traffic at peak times.* It is accepted that at peak times traffic does queue back to the roundabout and sometimes beyond however, the development only represents an increase of 7 and 3 vehicles towards Town End Road during the AM and PM peak hours respectively; and the total with the ongoing Westminster Avenue development is only 17 and 8 vehicles. The total two-way traffic at the roundabout generated by the two developments is 104 vehicles in the Am peak hour and a similar level in the Pm peak hour. Considering that the total two-way traffic observed at the roundabout in 2017 was 1495 vehicles in the Am peak hour and 1675 vehicles in the Pm peak hour, the level of traffic at the roundabout generated by the developments is less than 10% and would be subsumed within daily traffic variations. As such it is considered that the traffic likely to be generated by the proposal will not have a significantly detrimental impact on the surrounding highway network.

A public footpath runs along the south eastern boundary of the site and currently passes along the end of Westminster Drive. Due to Westminster Drive being extended into the application site the existing public footpath will have to cross the access road. This mirrors the situation on the adjacent site where the footpath crosses Westminster Avenue and there is some evidence of vehicles speeding into the site. The Applicant is proposing to provide dropped kerbs where the public footpath crosses the road and the crossing will be signed in both directions at the junction to warn traffic of the pedestrian footpath.

The internal layout is similar to the adjacent residential development. Westminster Drive is extended into the site as a traditional estate road with footways to both sides for approximately 80 metres. A network of shared surface streets and private drives branches off this. The site layout would encourage low traffic speeds and give priority to pedestrians and cycle movements as the roads appear to be designed to ensure that traffic speeds are kept below 20 mph without the need for additional traffic calming.

The Highways Department are satisfied that the layout of the development is acceptable in terms of design and the level of parking proposed and that the traffic likely to be generated by it can be accommodated within the surrounding highway network without it being detrimental to highway safety.

The Rights of Way Officer has stated that three public footpaths cross and abut the site, these being public footpath 174 Bradford West abuts the northern side of the site, public footpath 170 Bradford West crosses the southern side of the site and public footpath 169 Bradford West crosses the western side of the site.

With regards to public footpath 170 Bradford West there initially was concern in relation to the safety of the pedestrian using it when crossing Westminster Drive but the proposals put forward by the Applicant in terms of signage and dropped kerbs have alleviated these concerns.

With regards to public footpath 169 Bradford West the Rights of Way Officer is pleased to see the footpath accommodated within the development with it being at a minimum width of 2 metres. The landscape masterplan shows this path to be surfaced, this should be with a crushed limestone mix on a geotextile membrane.

The West Yorkshire Combined Authority have not raised an objection to the principle of the development. The site is located within the recommended 400 metres to the nearest bus route that operates on The Avenue (636/637) which operates at a 15 minute frequency. The bus availability for the site is therefore considered to be acceptable. To encourage the use of public transport it is recommended that the Developer should provide a Real Time Information display at the nearest bus stop to the development (No. 21347) at a cost of £10,000. To further encourage the use of sustainable transport as a realistic alternative to the car, the developer should look towards funding a package of sustainable travel measures. This could include discounted MetroCards (Residential MetroCard Scheme) for all or part of the site which would equate to a cost of £28.132.50p.

As an alternative to the provision of Residential MetroCards the Council do now seek the provision of Electric Vehicle Charging Points within the curtilage of each dwelling that has an off-street parking space and these are normally secured via a condition attached to a planning permission. It is considered that the provision of electric vehicle charging points represents a betterment of the scheme as the charging points are in situ permanently rather than, for example, the Residential MetroCard Scheme which is only for 1 year and there being no guarantee the users will renew them at the end of that period. As such it is recommended that the provision of the Real Time Information Display and the Residential MetroCard Scheme not be sought in this instance.

Overall therefore, there is no objection to the proposal on highway grounds and it is considered that the proposal satisfies the requirements of policies TR1 and D4 of the Core Strategy.

5. Drainage

Paragraph 163 of the National Planning Policy Framework states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Paragraph 165 states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

- a) take account of advice from the lead local flood authority;
- b) have appropriate proposed minimum operational standards;
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- d) where possible, provide multifunctional benefits.

Policy EN7 of the Core Strategy states that the Council will manage flood risk pro-actively which policy EN8 states that proposals for development will only be acceptable

provided there is no adverse impact on water bodies and groundwater resources, in terms of their quantity, quality and the important ecological features they support.

In relation to the disposal of surface water it is intended to connect to an existing water course (to the north of the site) whilst in relation to the disposal of foul sewage it is proposed to connect to the mains sewer. A Flood Risk Assessment has been submitted in support of the application and has been considered by both Yorkshire Water and the Lead Local Flood Authority.

Neither Yorkshire Water nor the Lead Local Flood Authority have objected to the drainage proposals subject to the imposition of appropriate conditions relating to the submission of the details to show the separate systems of foul and surface water drainage.

Overall therefore, subject to the imposition of the conditions requested, there is no objection to the proposal on drainage grounds and the proposal satisfies the requirements of policies EN7 and EN8 of the Core Strategy.

6. Trees

Paragraph 175 (c) of the National Planning Policy Framework states that, when considering planning applications, Local Planning Authorities should consider that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁵⁸ and a suitable compensation strategy exists.

Policy EN5 of the Core Strategy states that the Council will seek to preserve and enhance the contribution that trees and areas of woodland cover make to the character of the district.

There are no trees of any significance on the site and therefore there is no objection to the proposal on the grounds of the loss of the trees within the site. As part of the proposal there will be a number of new trees planting throughout the site thus providing some degree of tree coverage and screening of the development.

Overall it is considered that the proposal satisfies the requirements of policy EN5 of the Core Strategy.

7. Secured by Design

Paragraph 91 of the National Planning Policy Framework states that Planning decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

Policy DS5 of the Core Strategy states that development proposals should make a positive contribution to people's lives through high quality, inclusive design. In particular, they should, amongst other things, be designed to ensure a safe and secure environment and reduce the opportunities for crime.

The West Yorkshire Police Architectural Liaison Officer has not objected to the principle of the development but have raised concerns regarding specific aspects of the layout and these are as follows:

Footpaths: There are existing footpaths shown around the perimeter of the site which provide access onto the remaining greening green field. The site plan behind plots 38 to 66 shows access around the rear of the properties. This access route should be removed. As there is high rear fencing proposed in this location this reduces any surveillance and creates a secluded unlit footpath which has the potential to create ASB problems. The route should be removed and look to interlock gardens to prevent access via this point – *the inclusion of this footpath will provide an additional link to the footpath network surrounding the site and that to the immediate east. It is considered that there would be sufficient natural surveillance of it due to the number of dwellings on both sites that have their rear elevations overlooking it.*

Boundary treatments: The proposed boundary treatments, all are acceptable except for the 1800mm high privacy panels and 1200mm high fencing for rear plot dividers. The plot dividers are too low, so if any stranger or potential offender were able to access a garden they are able to jump over the row of garden fences – *an amended plan has subsequently been submitted that has increased the height of the plot dividers 10 1800mm close boarded timber fence in line with the Police requirements*

The boundary shown to the rear of plots 1 to 7 and 38 to 69 shows a 900mm high stone wall with an 1800mm high fencing placed on the top. The concern is that the fixed posts will be cemented into the residents garden, the panels will be fixed to the post which sits flush with the post line, however this will allow the top section of the wall to be accessible which provides a step up/climbing aid to gain access over the fence and into one of the rear gardens – *the drystone wall is to be retained as a feature and will allow the timber fence to be set back slightly from the public footpath thus reducing its dominance for users of the footpath. It mirrors what has happened on the adjacent site and is considered to be acceptable*

Gated access: Each plot shows their own gated lockable access to secure rear gardens, where gates are set back along the rear building line where shared pathways are included, for example plots 10/11, 12/13, 18/19, 44/45, 58/59, 61/62, 63/64 there should be an 1800mm high shared lockable gate placed along the front building line, which prevents strangers accessing beyond this point. Plots 21, 22, 25 and 32 show rear gated access to the rear of the garden which is not supported, however I appreciate that this is in close proximity to the garages/parking areas. If gates are located in these areas, there should be a key operated lock on these gates which can be locked from both sides which adds additional security – *an amended plan has been submitted that shows the majority of properties have lockable gates located close to the front elevations of the properties. There are still some instances, such as plots 25 and 32, whereby there exists a gate in the boundary treatment located adjacent to the parking space. If these gates were to be removed it would encourage the resident to park on the highway in close proximity to the entrance doors thus being detrimental to highway safety. It will be the responsibility of the Developer of the future occupier of the dwelling as to what locking device they have on the gate as this cannot be secured through the planning system*

Front bin storage: Plots 9, 36, 57, 60 and 65 are inner plots that will require front bin storage. Bins should be stored in a lockable container/bin store to create a tidy street

appearance – *An amended plan has since been submitted which has changed some of the house types such that the inner plots are not only plots 9 and 36. The submission of details of the bin storage for these dwellings can be secured through a condition on a planning permission.*

Surveillance of parking: Parking is shown on plot which is positive to see. Where parking is located to the side or rear of the properties there should be a small side non opening window in the kitchen or lounge that can increase surveillance. This should be applied to plots 2, 5, 26, 15 (which can overlook plot 16), 28, 30, 38 (can overlook 39), Plot 40 (which can overlook plot 41), and plot 69 – *the inclusion of side windows does not always guarantee that there will be natural surveillance of the car parking spaces. At night, for example, the windows may have curtains that are drawn and this will then negate the purpose of the side window for surveillance of the parking spaces. The dwellings should also not be relying on surveillance of the parking spaces by the occupiers of adjacent dwellings. It is considered more appropriate to have natural surveillance from public vantage points such as the footpaths and it is considered that the layout of the development is such that this happens.*

Public open space: There should be a good management plan of green spaces to ensure that these are maintained and kept tidy – *the submission of a management plan for the maintenance and management of all the open areas outside the domestic curtilages will be secured through a condition on a planning permission.*

Doors and windows: Doors and windows should comply with building regulations. Any doors which include euro cylinder locks should be 3 star rated locks to standards TS007, STS 217 or Sold Secured Diamond which provides more resistance to crimes relating to lock snapping – *the standards of doors and windows is now covered by Building Regulations Approved Document Q – Security in Dwellings.*

Intruder alarms: Installing an intruder alarm within each plot can allow residents to alarm properties when unoccupied which provides a crime deterrent and peace of mind for residents. Suitable standards are to BS EN 50131 or PD6662 (wired alarm system) or BS 6799 (wire free alarm system) – *whether an intruder alarm is installed within the individual dwellings is up to the Developer as this is outside the remit of the planning system. It is advisable that one is installed to increase the level of security for the dwellings and their occupiers.*

Overall there is no objection to the proposal will regards to the provision of a safe and secure environment for the future residents and the proposal therefore satisfies the requirements of policy DS5 of the Core Strategy.

8. Contaminated land

Paragraph 178 of the National Planning Policy Framework states that decisions should ensure that:

a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);

b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.

Paragraph 179 states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

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 Geoenvironmental Appraisal Report has been submitted in support of the application and indicates that historically the site was “undeveloped on the earliest available map date 1852 and has remained as a field to the present day”.

The intrusive investigation detailed in the report revealed that “Made Ground has been encountered across the site to a maximum depth of 0.55 metres below ground level consisting of topsoil”. As part of the investigation a total of 20 soil samples were submitted for chemical analysis and the results were compared to relevant generic assessment criteria within the context of a residential end use. The analysis identified “a single elevated concentration of lead” within the Made Ground topsoil in the eastern corner of the site which “may be associated with fertiliser or lead shot”. The report states that the contaminated topsoil can be stockpiled separately and removed from the site as the levels of lead will not allow it to be reused in proposed gardens/soft landscaping. An outline remediation strategy was presented in the report.

The report concludes “the risk to human health is considered low subject to the topsoil material being stripped as part of the enabling works”.

Having fully considered the report the Environmental Health Department have not raised an objection subject to the imposition of appropriate conditions relating to the submission of a Remediation Strategy and Remediation Verification together with the discovery of unexpected contamination and materials importation. The requirement for the Remediation Verification Report will ensure that the site has been adequately remediation to ensure it is safe for the future occupiers of the development and that the contaminated top soil has been removed from the site.

Overall there is no objection to the proposal with regards to ground conditions and it is considered that the proposal satisfies the requirements of policy EN8 of the Core Strategy.

9. Biodiversity

Paragraph 175 of the National Planning Policy Framework states that when determining planning applications, development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

Policy EN2 of the Core Strategy states that proposals, in relation to their impact on habitats and species outside designated sites, should be assessed against the following criteria:

1. The potential for adverse impact on important/priority habitats that occur outside designated sites
2. The potential for adverse impact on species of international, national and local importance
3. The extent to which appropriate measures to mitigate any potentially harmful impacts can be identified and carried out
4. As a last resort, the extent to which appropriate measures to compensate any potentially harmful impacts can be identified and carried out.

The Policy also states that proposals should contribute positively towards the overall enhancement of the District's biodiversity resource. They should seek to protect and enhance species of local, national and international importance and to reverse the decline in these species.

An Ecological Appraisal and Biodiversity Net Gain Assessment have been submitted in support of the application and have been considered by the Councils Biodiversity Officer. The Biodiversity Officer suggests that the information submitted is considered to be of good quality but it clearly states that the proposals don't meet the requirements of Policy EN2 of the Core Strategy and therefore the net gain requirements of the National Planning Policy Framework. There is very little mitigation or enhancements proposed and most of it is the suburban mosaic habitat, which is gardens and which most authorities are not now accepting as appropriate as the gardens can be destroyed by the new owners.

Within the site there is a small area of public open space being created adjacent to the northern boundary of the site and this will include some additional planting. There will be a number of garden trees scattered throughout the development. Landscape plans have been submitted in relation to the planting within the curtilages of the dwellings.

In trying to gauge what level of biodiversity enhancements to incorporate within a development a number of matters need to be taken into consideration. One of these is the density of the development in that the policy requirement is a minimum of 30 dwellings per hectare. In providing less than this figure the development would not be making the most efficient use of the site and it would therefore be contrary to both local and national policy guidance. If large areas of open space to provide an appropriate habitat are to be provided within a development this would also reduce the developable area thus reducing the density of development. The site is in a location where to the north and west are vast areas of open countryside which will obviously be high value in terms of biodiversity and therefore the immediate area is not short in potential habitat provision.

Consideration also needs to be given to surrounding developments, in particular the new development adjacent to the north east boundary of the site which was granted planning permission in February 2018. This site forms part of the previously allocated Safeguarded Site and is being developed by the same Applicant. This particular development did not contain any areas of open space and relied solely on the domestic curtilages and boundary treatment to provide the biodiversity enhancements. The

development under consideration as part of this application does provide a greater degree of biodiversity enhancements.

It is important to stress that policy EN2 of the Core Strategy talks about “enhancement” of biodiversity but doesn’t specifically ask for net gain. The idea of net gain hadn’t been introduced at the time the Core Strategy was adopted. Net gain is referenced in the Local Plan review but as this document hasn’t been adopted it carries very little weight. The NPPF does refer to net gain but is more of a “should seek net gain” rather than a “must seek net-gain”. Net gain will only become mandatory when the Environment Act goes through Parliament.

Whilst it is acknowledged that the proposal doesn’t provide a significant net gain on what is currently on the application site there is no statutory requirement for the development to achieve net gain, it is desirable rather than compulsory. The proposal has to be assessed against a number of issues including paragraph 11 of the National Planning Policy Framework which states that planning permission should be granted for sustainable developments except where the benefits are ‘significantly and demonstrably’ outweighed by the adverse impacts or where specific policies in the National Planning Policy Framework indicate otherwise. It is not considered that a refusal reason based solely on the lack of an ecological net gain could be sustained at appeal.

As such, whilst the proposal doesn’t fully comply with policy EN2 of the Core Strategy, it is considered that, on balance, the benefits of the scheme in providing a residential development that will contribute to the Councils significant shortfall in their 5 year land supply outweigh the adverse ecological impacts of the development.

10. Affordable housing

Policy HO11 of the Core Strategy states the Council will ensure that there is a sufficient supply of good quality affordable housing distributed throughout the District and, subject to viability, will negotiate up to 20% in towns, suburbs and villages.

The site is located in an area where the affordable housing requirement is 20% of the number of units to be provided to a Registered Provider. In this instance the requirement is 14 dwellings and the Applicant has agreed to this provision. The affordable housing provision would be secured through a Section 106 Legal Agreement.

Subject to the satisfactory completion of the Section 106 Legal Agreement to secure the provision of 2 affordable housing units there is no objection to the proposal and it is considered that it complies with the requirements of policy HO11 of the Core Strategy.

11. Air Quality

Policy EN8 of the Core Strategy states that "in liaison with partner organisations, the Council will take a proactive approach to maintaining and improving air quality within the District in line with National Air Quality Standards, the European Union limit values and the principles of best practice. Through a range of actions, it will seek to secure a reduction in emissions from sources which contribute to poor air quality".

On the basis of 69 dwellings being proposed the scheme constitutes a medium development for the purpose of the Bradford Low Emission Strategy (adopted November 2013), addendum to the Bradford Air Quality Action Plan (March 2013) and the West Yorkshire Low Emission Planning Guidance (adopted December 2016). Under the provisions of the Low Emission Strategy planning guidance all medium developments are required to provide Type 1 emission mitigation as follows:

Type 1 Mitigation:

- Provision of electric vehicle recharging facilities at the rates set out in the LES planning guidance
- Adherence to IAQM / London Best Practice Guidance on the Control of Dust and Emissions from Construction and Demolition during all demolition, site preparation and construction activities at the site.

Type 2 Mitigation:

- Provision of a low emission travel plan to discourage the use of high emission vehicles and facilitate the uptake of low emission vehicles.

Whilst some proposals may also be required to submit an exposure assessment where the development has the potential to increase human exposure to poor air quality the Environmental Health Officer has confirmed that in this instance an exposure assessment is not required as there are no air quality exposure concerns at this location.

In relation to Type 1 Mitigation measures there will be a requirement for every proposed new dwelling with dedicated off road parking and/or a garage to be provided with a purpose built electric charging point. A plan has been submitted to show the location of these electric vehicle charging points with them mainly being located on the dwellings or garages, or where the parking is remote from the dwelling, they will be located on the parking space. The provision of these electric vehicle charging points and the type to be installed will be secured through a planning condition.

Medium developments are required to adhere to Best Practice Guidance on the Control of Dust and Emissions from Construction and Demolition (as issued by IAQM) during all demolition, site preparation and construction activities. As such the Environmental Health Officer has stated that prior to any construction works commencing on the site a dust risk assessment and construction dust management plan need to be prepared and submitted for approval.

A travel plan has been submitted with the application which includes a section relating to sustainable car use. It includes commentary relating to car sharing and car clubs and states that the "TPC (Travel Plan Coordinator) will promote EVs (Electric Vehicles) through the communication channels identified, making residents aware of the benefits and any incentives which may be available to help people make the switch". There is no mention within the travel plan of the intention to provide electric vehicle charging facilities at the new homes or how information on how to use these charging points will be communicated to the new occupants. However, as previously stated, a separate plan has been submitted which identifies the location of the electric vehicle charging points to serve the individual dwellings and these will be secured through a planning condition.

Overall there is no objection to the proposal in relation to air quality subject to the imposition of the appropriate conditions regarding the provision of electric vehicle charging points and the submission of a Construction Dust Management Plan. It is not considered that the proposal will significantly impact on the air quality in the locality and it satisfies the requirements of policy EN8 of the Core Strategy.

12. Community Infrastructure Levy (CIL)

The application site is located within CIL zone 4 which has a liability of £0 per square metre of newly developed floor spaces.

13. 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:

Loss of view for the existing occupiers of neighbouring properties – *the impact of the loss of views for the occupiers of any neighbouring residential properties is not a material planning consideration*

The development will impact on the values of the adjacent properties – *the impact a development will have on the monetary values of any neighbouring residential properties is not a material planning consideration*

The schools/nurseries are full – *Education Services have commented that there are a small number of spaces at both primary and secondary school level. Should there be a need for the schools to expand money will be available through the Community Infrastructure Levy (CIL)*

The local doctors/dentists are oversubscribed – *the issues of doctors/dentists being full is not a material planning consideration and they will generally respond to demand in regard to providing additional spaces. With regard to the educational infrastructure monies will be available through the Community Infrastructure Levy (CIL) which can be used towards expanding schools*

Impact on people's health through the increase in traffic – *the Environmental Health Officer has stated that there are no air quality exposure concerns at this location*

There is a lack of affordable housing in the village, the houses already built are too expensive as will the planned houses – *the scheme will be provided a number of affordable housing units that will be policy compliant with the requirements of the Core Strategy. These affordable units will be secured through a Section 106 Legal Agreement*

The concept of affordable housing is also laughable the majority of the houses exceed an average mortgage on Bradford average salary. Neither have all the Westminster Avenue properties sold after all this time suggesting that they are in fact unaffordable – *there is a requirement to provide 20% of the number of units as affordable housing and this will be secured through the provision of a Section 106 Legal Agreement. The units will fall within the definition of affordable housing as included within the National Planning Policy Framework*

Palms have been greased though so it'll happen like last time – *no evidence has been submitted to back up this accusation. The application has been dealt with by professional officers who have standards to adhere to through their membership of the Institute*

Listed walls were destroyed on the adjacent site – *there are no listed walls adjacent to the development*

Problems exist with the Barratt houses on the adjacent site and have not been resolved – *this relates to the adjacent site and is not a material planning consideration in relation to the assessment of this application*

There are health and safety issues associated with the adjacent site – *this relates to the adjacent site and is not a material planning consideration in relation to the assessment of this application*

It is a statutory duty to make decisions on behalf of Bradford residents, you are employed by the taxpayers so please perform this role carefully, and wisely – *the proposal has been assessed against local (Core Strategy/Replacement Unitary Development Plan) and National (National Planning Policy Framework) policy guidance and has been subject to a statutory consultation exercise*

The timing of the planning. At this time there is no possibility of getting together as a community to discuss the issues raised. Not everyone is able to express their views via the internet or in writing, but feeling is very strong and I know they would support a community meeting and prefer to discuss in person. As an absolute minimum, this planning should be put on hold until the affected Clayton community have had fair and equal opportunity to be able to discuss and decide the course of action they would like to take – *it is unfortunate that the application has been submitted during a time when the Nation has been affected by Covid which has restricted the ability of the local residents to gather to discuss the application. However, the application has been publicised in the normal manner that the Council does for all applications including press notice, site notice and neighbour notification letters and that sufficient opportunity has been offered to the local residents to comment on the proposal*

This application as with the previous application granted on the next door site, is inadequate and incomplete and does not address or answer major issues associated to the site development and surrounding area – *the applicant has provided sufficient information to allow a proper assessment to be undertaken by the relevant statutory consultees and for a reasoned recommendation to be made*

The plans do not recognise at all the changing world in which we now work. Many more people, including myself, work from home, and will continue to do so for the foreseeable future. How will we continue to operate efficiently and effectively when the level of disturbance from groundwork and construction will be very high. If we have to find temporary accommodation for the development period who will pick - up the tab for the costs - the individuals or the organisations they work for which are already under significant financial pressures? – *it is acknowledged that there will be some disturbance to the local residents during the construction phase of the development with the main disturbance occurring during the site preparation works and the laying of the*

foundations. Measures will be in place to try and minimise the potential impact on the residents

Other than supporting the builders by keeping them in their jobs during these difficult times, there are simply no benefits to this illogical proposal – *there is a statutory requirement for the Council to have a 5 year supply of deliverable housing land and currently it is significantly below that figure. Whilst there may be houses within the village and neighbouring areas that are unsold this is not a justification for the refusing the application*

The promise of a Public Open Space recreation/exercise area at the far end of the site is misleading, as it is to be next to another longstanding footpath and field? Another concern is why the need for 2 field size gated accesses at this area when it will only allow access for dog owners to let dogs off the lead in a closed area where children may be playing? According to one of the Council consultees, the developer has duty to maintain this for 25 years. How often would this be done? This area is tucked away in a distant area where there is scope for anti-social behaviour immediately behind houses, i.e. traveller camps, bonfires etc. – *the inclusion of the public open space is to provide a green area for the residents to use. It is considered that it is well overlooked by the neighbouring properties and is unlikely to suffer from anti-social behaviour. The inclusion of the gates is to improve the permeability of the site and allow the residents to have easier access to the surrounding network of footpaths. The maintenance of the open space will be secured through a condition which requires the Developer to submit a maintenance plan for its future maintenance and management*

Concerns about the impact on Clayton Conservation Area – *the site is sufficiently far enough away from the Clayton Conservation Area so as not to impact upon it*

All involved in any way in the Planning Application process at Bradford Council, must therefore treat these objections and the individuals concerned with the respect they deserve – *the comments received as part of the publicity exercise have been considered in a fair and appropriate manner and have been addressed in this report*

The proposed changes, this application would bring about, would serve only to have a severe detrimental effect on addressing these health challenges and therefore, on the basis of this seriously important information and the demographic make-up of the local population – *the public footpaths that run along the boundaries of the site will still be available for use allowing the local residents to walk along them. The field is a private field and not a public open space. Its redevelopment will not impact on the level of or provision of recreational facilities within the immediate area*

Many new homes are still unsold on the existing site after two years and more are currently being built in Clayton and neighbouring communities including Queensbury and Allerton – *there is a statutory requirement for the Council to have a 5 year supply of deliverable housing land and currently it is significantly below that figure. Whilst there may be houses within the village and neighbouring areas that are unsold this is not a justification for the refusing the application*

It is not affordable housing. Considering the selling prices of the 99 houses that are already under construction by Barratt Homes on Westminster Avenue, the current selling price of a two bedroom house starts at £169,995 whereas the average price of a two bedroom house in Clayton is less than £100,000. These inflated prices mean that

the proposed new houses will not be affordable to local people – *the whole site is not considered to be classed as “affordable housing”. There is a requirement to provide 20% of the number of units as affordable housing and this will be secured through the provision of a Section 106 Legal Agreement. The units will fall within the definition of affordable housing as included within the National Planning Policy Framework*

There are several Grade II listed buildings within the valley directly below the proposed development. It would be detrimental and significantly harmful to the character and nature of these historical buildings by having a housing development in proximity – *the site is sufficiently far enough away from any listed buildings so as not to have an adverse impact on their setting*

An approval in this matter would be yet another example of the planning authority favouring developers over the interests of local residents – *the proposal has been assessed against the relevant local and national planning policy guidance and a decision has been made following a thorough assessment against that guidance*

Community Safety Implications:

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

Equality Act 2010, Section 149:

Section 149 of the Equality Act 2010 states that the Council must, in the exercise of its functions “have due regard to the need to eliminate conduct that this 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.

Reason for Granting Planning Permission:

The scheme provides a residential development on an unallocated site. The layout of the proposal is acceptable and presents no concerns with regard to visual or residential amenity and highway safety. The proposal is considered acceptable and, with the proposed Section 106 Legal Agreement securing the affordable housing, and the attached conditions, satisfies the requirements of policies P1, SC1, SC4, SC7, SC9, TR1, TR2, TR3, HO5, HO6, HO8, HO9, HO11, EN2, EN3, EN5, EN7, EN8, DS1, DS2, DS3, DS4, DS5, ID2, and, ID3 of the Local Plan for Bradford, and, the relevant paragraphs of the National Planning Policy Framework.

Conditions of Approval:

1. Time limit

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. Approved plans

The development hereby approved shall only be carried out in accordance with the following plans:

Drawing number 2013-SS-01 B showing the Streetscenes AA and received by the Local Planning Authority on the 20th November 2020;
Drawing number 2013-SS-02 B showing the Streetscenes BB and received by the Local Planning Authority on the 20th November 2020;
Drawing number 2013-SI-01 Rev B showing the Location Plan and received by the Local Planning Authority on the 21st April 2021;
Drawing number 2013-SI-04 P showing the Site Layout Plan and received by the Local Planning Authority on the 20th November 2020;
Drawing number R/2146/10 showing the Landscape Detail 1 and received by the Local Planning Authority on the 20th November 2020;
Drawing number R/2146/9 showing the Landscape Detail 2 and received by the Local Planning Authority on the 20th November 2020;
Drawing number R/2146/8 showing the Landscape Detail 3 and received by the Local Planning Authority on the 20th November 2020;
Drawing number R/2146/7A showing the Landscape Plan and received by the Local Planning Authority on the 20th November 2020;
Drawing number A(5-)06 showing the 1.8 metre Fence & Stone Wall and received by the Local Planning Authority on the 3rd December 2020;
Drawing number SK02 Rev B showing the Drainage Feasibility Layout and received by the Local Planning Authority on the 1st March 2021;
Drawing number 1797-101B showing the Visibility Drawing and received by the Local Planning Authority on the 10th May 2021;
Drawing number 1797-102B showing the Vehicle Tracking Drawing and received by the Local Planning Authority on the 10th May 2021;
Drawing number 2013-SI-03 Rev J showing the Enclosures Plan and received by the Local Planning Authority on the 20th April 2021;
Drawing showing the 2013-SI-02 Rev H showing the Planning Layout and received by the Local Planning Authority on the 20th April 2021;
Drawing number 2013-HT-DE-01A showing the Denford House Type and received by the Local Planning Authority on the 10th May 2020;
Drawing number 2013-HT-EL-01A showing the Ellerton House Type and received by the Local Planning Authority on the 10th May 2020;
Drawing number 2013-HT-EL-02A showing the Ellerton House Type and received by the Local Planning Authority on the 10th May 2020;
Drawing number 2013-HT-EL-03 showing the Ellerton House Type and received by the Local Planning Authority on the 10th May 2020;
Drawing number 2013-HT-MA-01 showing the Maidstone House Type and received by the Local Planning Authority on the 10th May 2020;
Drawing number 2013-HT-MA-02 showing the Maidstone House Type and received by the Local Planning Authority on the 10th May 2020;
Drawing number 2013-HT-MO-01 showing the Moresby House Type and received by the Local Planning Authority on the 10th May 2020;
Drawing number 2013-HT-MO-02 showing the Moresby House Type and received by the Local Planning Authority on the 10th May 2020;
Drawing number 2013-HT-KI-01 showing the Kingsville House Type and received by the Local Planning Authority on the 10th May 2020;
Drawing number 2013-HT-WI-01 showing the Windermere House Type and received by the Local Planning Authority on the 10th May 2020;

Drawing number 2013-HT-HA-01 showing the Halton House Type and received by the Local Planning Authority on the 10th May 2020;
Drawing number 2013-HT-RA-01 showing the Radleigh House Type and received by the Local Planning Authority on the 10th May 2020;
Drawing number 2013-HT-AL-01 showing the Alderney House Type and received by the Local Planning Authority on the 10th May 2020;
Drawing number 2013-GA-01 showing the Single Garage and received by the Local Planning Authority on the 10th May 2020; and
Drawing number 2013-GA-02 showing the Double Garage and received by the Local Planning Authority on the 10th May 2020.

Reason: For the avoidance of doubt as to the terms under which this planning permission has been granted since amended plans have been received.

3. Vehicular/pedestrian access

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

Reason: To ensure that a suitable form of access is made available to serve the development in the interests of highway safety and to accord with Policies DS4 and DS5 of the Core Strategy Development Plan Document.

4. Off-street car parking

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.

Reason: In the interests of highway safety and to accord with Policy TR2 of the Core Strategy Development Plan Document.

5. No mud on highway

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.

Reason: In the interests of highway safety and to accord with policies DS4, and, DS5 of the Core Strategy Development Plan Document.

6. Wheel washing facilities

Before any development commences on site, full details of arrangements for wheel cleaning of construction vehicles and equipment, including the location of such a facility in relation to the highway and arrangements for disposal of contaminated surface water shall be submitted to and approved in writing by the Local Planning Authority. The details and measures so approved shall be installed, maintained in good operational condition and used for wheel cleaning whilst ever construction or delivery vehicles are leaving the site.

Reason: To prevent mud being taken on to the public highway in the interests of highway safety and to accord with policies DS4, and, DS5 of the Core Strategy Development Plan Document.

[Reason for pre-commencement condition: It is necessary to secure agreement of contractor's wheel cleaning facilities before commencement of the development in the interests of the highway safety and to accord with Policies DS4, and, DS5 of the Core Strategy Development Plan Document]

7. Construction Plan

Notwithstanding the provision of Class A, Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, 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 contractor's means of access to the site including measures to deal with surface water drainage;
- ii) hours of construction work, including any works of demolition;
- iii) hours of delivery of materials;
- iv) location of site management offices and/or sales office;
- v) location of materials storage compounds, loading/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 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 as approved shall be implemented before the development hereby permitted is begun and shall be kept in place, operated and adhered to at all times until the development is completed. In addition, no vehicles involved in the construction of the development shall enter or leave the site of the development except via the temporary road access comprised within the approved construction plan.

Reason: To ensure the provision of proper site construction facilities on the interests of highway safety and amenity of the surrounding environment and its occupants and to accord with policies TR1, TR3, DS4, and, DS5 of the Core Strategy Development Plan Document.

[Reason for pre-commencement condition: It is necessary to secure agreement of contractor's on-site facilities before commencement of the development in the interests of the highway safety and to accord with Policies TR1, TR3, DS4, and, DS5 of the Core Strategy Development Plan Document]

8. Retention of garages

Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) and section 55(2)(d) of the Town and Country Planning 1990 the integral garages within the dwelling(s) hereby permitted shall remain available for the purposes of garaging and no subsequent alterations to convert these garages to primary residential accommodation addition shall be carried out without the express written permission of the Local Planning Authority.

Reason: To ensure these facilities remain for parking purposes, in the interests of amenity and highway safety and to accord with Policies TR2, DS4 and DS5 of the Core Strategy Development Plan Document.

9. Gates

Any gates to be constructed as part of the development shall not open over the highway.

Reason: In the interests of highway safety and to accord with Policy TR2 of the Core Strategy Development Plan Document.

10. Separate systems foul and surface water

The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interest of satisfactory and sustainable drainage and to accord with Policies DS5, EN7 and EN8 of the Core Strategy Development Plan Document.

11. Disposal of foul water drainage

No development shall take place until details of the proposed means of disposal of foul water drainage for the whole site, including details of any balancing works, off-site works and phasing of the necessary infrastructure, have been submitted to and approved by the Local Planning Authority. Furthermore, unless otherwise approved in writing by the Local Planning Authority, no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: In the interest of satisfactory and sustainable drainage and to accord with Policies DS5, EN7 and EN8 of the Core Strategy Development Plan Document.

[Reason for pre-commencement condition: It is necessary to secure agreement of effective drainage measures before commencement, 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]

12. Scheme for foul and surface water drainage

The development shall not begin until details of a scheme for foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be designed in accordance with the principles outlined in the Drainage Feasibility Layout Drawing No. 106.012 SK02 – B. The maximum surface water discharge rate, off-site, shall not exceed 4.5 litres per second. The scheme so approved shall thereafter be implemented in accordance with the approved 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.

[Reason for pre-commencement condition: It is necessary to secure agreement of effective drainage measures before commencement, 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]

13. Maintenance Plan for surface water drainage

The development shall not begin until a Maintenance Plan for the surface water drainage scheme has been submitted to and approved in writing by the Lead Local Flood Authority. Once built, the drainage scheme shall be maintained thereafter, in accordance with the approved Plan.

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.

[Reason for pre-commencement condition: It is necessary to secure agreement of the maintenance provisions for the drainage system, before commencement, 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]

14. Electric vehicle charging points

Before the date of first occupation of each dwelling on the site, that dwelling shall be provided with access to a purpose built fully operational EV charging point. The charging points shall be provided in accordance with a scheme submitted to and approved in writing by the Local Planning Authority.

The scheme shall meet at least the following minimum standard for numbers and power output:-

- A Standard Electric Vehicle Charging point (of a minimum output of 16A/3.5kW) with Mode 3 type 2 capability provided at every residential unit that has a dedicated parking space and/or garage
- One Standard Electric Vehicle Charging Point (of a minimum output of 16A/3.5kW) with Mode 3 type 2 capability for every 10 unallocated residential parking spaces (not including visitor spaces).
- Buildings and parking spaces that are to be provided with charging points shall not be brought into use until the charging points are installed and fully operational.
- Charging points installed shall be retained thereafter.
- Information about the provision of the EV charging point and how to use it should be included in the new home welcome pack.

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 council's Low Emission Strategy, policy EN8 of the Core Strategy Development Plan Document and National Planning Policy Framework (NPPF).

15. Construction dust management plan

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

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)

[Reason for pre-commencement condition: It is necessary to secure agreement of the contractor's on-site dust management proposals before commencement of the development in the interests of protecting the amenities of the local residents and to accord with Council's Low Emission Strategy and the National Planning Policy Framework (NPPF)]

16. Remediation strategy

Prior to construction of the development, a detailed remediation strategy, which includes a completed ground gas risk assessment and removes the unacceptable risks from contamination identified within the agreed Phase 2 site investigation report, shall be submitted to and approved in writing by the Local Planning Authority. The remediation strategy must include proposals for verification of remedial works including ground gas protection measures. Where necessary, the strategy shall include proposals for phasing of works and verification. The strategy shall be implemented as approved.

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy EN8 of the Core Strategy Development Plan Document.

[Reason for pre-commencement condition: It is necessary to secure the strategy for remediation of the site before commencement of the development in the interests of ensuring the site is clear of contamination and protecting the amenities of the future residents and to accord with policy EN8 of the Core Strategy Development Plan Document]

17. Remediation verification

A remediation verification report, including where necessary ground gas protection measures and the 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 Core Strategy Development Plan Document.

18. 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 Core Strategy Development Plan Document.

19. 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. The methodology shall be implemented as approved.

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 Core Strategy Development Plan Document.

20. Materials

Before development above damp proof course commences on site, arrangements shall be made with the Local Planning Authority for the inspection of all external facing and roofing materials to be used in the development hereby permitted. The samples shall then be approved in writing by the Local Planning Authority and the development constructed in accordance with the approved details.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies DS1 and DS3 of the Core Strategy Development Plan Document.

21. Landscaping scheme

Within 6 months of the development hereby permitted commencing on site a detailed landscaping scheme shall be submitted for the area located in the northern section of the site shall be submitted to and agreed in writing by the Local Planning Authority. The landscaping scheme shall be implemented in full accordance with the approved details prior to the occupation of 75% of the number of dwellings.

Reason: In the interests of visual amenity and to accord with policy DS1 of the Core Strategy Development Plan Document.

22. Maintenance of open space

Before development above damp proof course commences on site, a Management and Maintenance Agreement shall be submitted in relation to the future maintenance of the areas of open space that are located outside the residential curtilages. The Agreement once approved in writing by the Local Planning Authority the development and the requirements of the Management and Maintenance Agreement shall be carried out in full accordance with the approved details.

Reason: To ensure effective future maintenance of the landscaped areas in the interests of visual amenity and to accord with Policies DS2, DS3 and DS5 of the Core Strategy Development Plan Document.

23. Bin storage details for Plots 9 and 36

Before development above damp proof course commences on plots 9 and 36, details of the proposed bin stores for these plots shall be submitted to and approved in writing by the Local Planning Authority. The approved bin stores shall then be implemented in full prior to the first occupation of these dwellings.

Reason: In the interests of visual amenity and to accord with policy DS1 of the Core Strategy Development Plan Document.

24. Signage of footpaths

Prior to the first occupation of the development details of the proposed signage on public footpath 170 Bradford West at its junction with Westminster Drive shall be submitted to and approved in writing by the Local Planning Authority together with a timetable for the installation of the signage. The development shall then be carried out in full accordance with the approved details.

Reason: In the interests of pedestrian and highway safety and to accord with Policy TR2 of the Core Strategy Development Plan Document.

Informatives:

1) EV charging condition informative:

- A standard electric vehicle charging point is one which is capable of providing a continuous supply of at least 16A (3.5kW). A 32A (7kW) is likely to be more future-proof.
- Standard charging points for single residential properties should have Mode 3 type 2 capability and meet the requirements specified in the latest version of “Minimum technical specification - Electric Vehicle Homecharge Scheme (EVHS)” by the Office for Low Emission Vehicles.
<https://www.gov.uk/government/publications/electric-vehicle-homecharge-scheme-minimum-technical-specification>
- Units that provide Mode 1 and/or Mode 2 charging only will not be acceptable.
- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity.
- The installation must comply with all applicable electrical requirements in force at the time of installation.
- It is the responsibility of the developer to ensure that the provision of EV charging is adequately incorporated into the design of the development such that there are no health and safety matters arising from trailing cables in public areas. If necessary cables may need to be placed beneath footpath areas and brought back to the surface nearer the parking areas.