

Agenda for a meeting of the Regulatory and Appeals Committee to be held on Thursday, 16 December 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 14 December 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 14 December 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 18 November 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 is asked to agree the following changes:

Corporate Parenting Panel:

- (1) **That Councillor Duffy replace Councillor Thirkill as Chair of the Corporate Parenting Panel. (Councillor Thirkill to remain as a Member on the Panel).**
- (2) **That Councillor Alipoor replace Councillor Mohammed as the alternate Member on the Panel.**

(Yusuf Patel – 07970 411923)

6. LAND AT WESTMINSTER DRIVE, BRADFORD - 21/05245/MAF

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Previous references: Minutes 23 & 28 (2021/2022)

The Assistant Director Planning, Transportation & Highways will submit a report (**Document “P”**) which sets out a full application for the construction of a residential development on land at Westminster Drive, Bradford.

This application was previously considered by the Committee at its meeting held on 19 August and 23 September 2021 (Minute references see above).

Recommended –

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

(Hannah Lucitt – 01274 434605)

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Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 16th December 2021

P

Subject:

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

Summary statement:

A previous application under reference 20/05310/MAF was submitted to the Regulatory and Appeals Committee on the 23rd September 2021 where it was resolved to refuse the application on the grounds that insufficient information had been submitted with regard to the existence of natural springs within the application site in order to adequately mitigate against localised flooding. An appeal against the refusal has been submitted to the Planning Inspectorate and is on-going. This application has been submitted following that refusal with an updated Supplementary Flood Risk and Drainage Information supporting the application and responding to the previous reason for refusal.

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. There is no evidence of natural springs on the site and the Lead Local Flood Authority have not raised an objection to the proposal. 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: Hannah Lucitt
Phone: (01274) 434605
E-mail: hannah.lucitt@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

16th December 2021

Ward: Clayton

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:

21/05245/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 and 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.

Planning permission, under reference 20/05310/MAF, was refused on the 24th September 2021 on the grounds that “the Applicant has failed to provide sufficient information with regard to the existence of natural springs within the application site in order to adequately mitigate against localised flooding. As such the proposal is considered to be contrary to policy EN7 of the Core Strategy Development Plan Document together with paragraph 163 of the National Planning Policy Framework”. An appeal has been submitted to the Planning Inspectorate against the decision to refuse the application and is currently on-going (Ref: APP/W4705/W/21/3286290).

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:

GB1 New Building in the Green Belt

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 object to the re-application for development on land at Westminster Drive. The Parish Council are of the opinion that the issues raised at the prior application have not and will not change, neither has the developer attempted to amend or address the issues raised by residents, and other professional reports submitted by KCG.

Bradford Council Regulatory and Appeals committee voted to reject the first application because they believed this development would not and does not safeguard against flooding to homes and properties adjacent to the site and further into the valley. Evidence has been presented to uphold the concerns.

Clayton Parish Council agree that this application does not sufficiently address the real and current issues of flooding. The Parish Council support these residents in the objections registered.

There are further issues around traffic congestion and speed around Clayton. Doctors and access to healthcare professional services are issues for residents of Clayton, along with access to schools.

The Parish Council promote local children having access to local schools.

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 26th November 2021.

As a result of the publicity exercise 211 representations have been received objecting to the proposal including 2 from local Ward Councillors whilst 15 representations have been received in support of the proposal.

Summary of Representations Received:

Support:

- More houses would be great for the village

- There are 3 schools in the village that are not full
- Great for our local shops
- For a small village we have 2 doctor's surgery and 3 schools
- Clayton is a very sought after village to live in, new families will bring more business to the shops
- A lot of people would love to live here but there's never any available houses to buy or rent
- There are simply not enough houses to cope with an increasing population
- We need more decent and affordable homes so please encourage developers
- Should be encouraging more house building and not standing in the way of it
- Modern well insulated developments should be made an absolute priority if we're to have a sustainable future
- There are very few houses available at the moment and this development gives me hope of getting a house in the village and a future place at a local primary school
- This development would make clayton village thrive
- Houses are definitely needed clayton is a quiet village and the majority of businesses are struggling
- The local construction businesses would definitely benefit from this
- New houses mean new life into Clayton
- The previous new homes are lovely
- GP has expanded by merging
- It is unfair to deny housing that is in high demand in an area where it is sustainable
- There are enough school places in the area
- Doctors and dentists are stretched throughout the UK so 70 houses in this area not going to make any difference
- The whole of Clayton, at some point, were fields and the people objecting need to understand that the population is growing and with that there is more demand for housing
- There have been objections due to road traffic but the roads are safe and quiet enough and no accidents have been recorded or on record and no fatalities in the vicinity
- The problems raised regarding sewage, drainage are also addressed in the planning
- This land is just a random field that serves no purpose to anyone. However, if developed it will provide much needed custom to local businesses in the village and surrounding area
- We do need more homes in clayton as it's a very popular place and more people want to live in this area so let's build more houses as planned
- Our teens are ageing and there just are not enough homes for any of them to get on the property ladder
- Can't understand why local people are so against it, because they are most likely to be the ones who will end up buying one of the property for themselves or their children knowing how great is this village
- The properties on the adjacent Barratts development are beautiful and very well built

Objections:

Principle of development:

- Clayton is known for the nice green fields, why ruin it object to the destruction of Greenbelt
- The green belt fringes around Bradford are one of the few things that make Bradford habitable

- Green belt land has been the saviour of our Mental Health throughout the duration of Covid lockdown and as such, many people have re-discovered local walkways and paths in the area surrounding Clayton
- There's plenty of brownfield sites around, utilise those
- With so many plans to convert city centre properties for accommodation and other brownfield sites available in the locality why would this development be seen as beneficial as a reason to approve the planning application
- It will continue the destruction of the green space in the West of Bradford
- The countryside to the West of Bradford is of exceptional character and beauty and is used by thousands of residents and visitors. It is a resource that Bradford should be proud of and be promoted better. The continued theft of chunks of this land for development is destroying this asset and should be avoided at all costs
- Well documented back in October 2005- the Replacement Unitary Development Plan for the Bradford District - Inspector's Report (ref 1) the infrastructure in Clayton is struggling and close to breaking point, and that the mentioned land this application is referring to now, should not be built on then so the big question is what has changed?
- This is another development that changes the whole openness aspect and further diminishes the area of green field in Bradford. Mental health is one of the NHS key priority's and widely acknowledged that being able to get out in open space for exercise, and relaxation is paramount for the population Health and Wellbeing, this in turn helps reduce the impact on the already stretched NHS
- Housing to meet local needs? Definitely not the people that currently work and live in Bradford that are trying to get on the housing ladder. On the 28th December there were 66 houses listed for sale in Clayton (Rightmove) 10 of these were ones still unsold on the previous Barratt estate. So it would seem that local need isn't being met and of course this will probably get worse in 2021 when the impact of the pandemic really hits people's jobs and livelihoods
- The question has to be asked as to whether there will be sufficient demand for houses at that price in consideration of the covid crisis' effect on the current economic environment
- 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 – it is totally material to this planning decision process
- Nothing has changed since the last application was determined and therefore this land should remain safeguarded for the time being
- 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 Developer is continually stressing the need for housing. However, a search on Rightmove today gives many results for the previous development still yet to be sold
- The number of units proposed is too high for the size of the site – the garden sizes need to be much bigger and therefore not as many houses
- The Government has recently announced plans to support brown field building and this would be a policy that all councils should adopt opposed to ripping up our green belt
- 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. This

is also a clearly highlighted requirement of the National Planning Policy Framework - February 2019 (NPPF). It also highlights that you should promote and support the development of under-utilised land and buildings first

- The 2020 edition of the Campaign to Protect Rural England's (CPRE) annual report on the status and potential of brownfield shows that there is already sufficient brownfield land, including a huge bulk with planning permissions in place, to meet the government targets for the duration of the current parliament
- A numbers driven approach, as business experience shows, will only drive poor decision making and put the wrong houses in the wrong places. The 2015 Government's Housing White Paper, 'fixing our broken housing market' published in February 2017 was also very clear. The focus for this was on building the right homes in the right places
- Recent studies have shown that downsizing is crucial to tackling the UK's skewed housing market. With 60 percent of surplus bedrooms 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 proposed development does not meet the need for those older residents who may look to downsize thus releasing larger properties on to the market
- This proposed development will not address the housing needs of Bradford families who need larger houses with more space and not in a position to pay for such. Thus, the affordable homes planned are both impractical and unattractive in this respect. It's interesting to note that the Affordable Housing Commission of 2020 also concluded that such developments as the ones proposed are clearly unaffordable to those on mid to lower incomes
- Concerns regarding the number of dwellings on such a small site. It really has nothing to do with affordable housing and everything to do with cramming as many houses as humanly possible on the allotted space to maximise profits
- Clayton is supposed to be a rural village, not a town, which is what it will be if all this housebuilding continues
- We don't need any more houses to be developed, certainly not ridiculously expensive ones that normal-waged people can't afford

Residential amenity:

- The targets for Bradford Air Quality will be increasingly difficult to achieve, even with the clear air charge
- The noise and dust had been going on the best part of 2 years and to be honest has ruined the enjoyment of our much loved home
- The noise and disturbance from the building of the estate is damaging both physically and mentally. Some people work nights and have no sleep when the builders with the constant noise and beeping work all day

Visual amenity:

- The effect on the countryside from the existing houses is not just an eyesore but has had a massive effect on the footpaths which now resemble a mud bath
- Concerns over the quality of the built environment demonstrated by Barratt Homes on the adjacent site
- 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 plans for that site were adjusted several times to pack in more housing and marginalise the affordable housing. This site is designed to much the same standard

- The sterility of the first phase of the current Barratt build is very sad to look at and is so aesthetically unappealing in terms of crammed together houses with no green, vegetation to be seen. That is not in keeping with the area

Highways:

- Traffic is horrendous
- New developments will bring more traffic to the village (which is already bad in peak hours)
- There have been safety problems with cars and horses being riding on the roads (but why should horse riders be put off using local roads?)
- There will be an additional 138 cars (approx.) going up the Drive which is a very narrow road and currently does not allow for cars to be parked opposite each other due to the narrowness. I feel that this will be dangerous to the area as there are lots of families living in the current houses and children play on the currently safe street
- There has been a nursing home built in the Avenue which has caused disruption and additional traffic and building further houses will only add to this
- High way safety risk- traffic on the Avenue massive issue now with increased cars going to the other estate and the new care home being built directly opposite Westminster Drive.
- It's a challenge being able to turn right out of both Westminster's as vision not always clear i.e. being able to see traffic coming down the Avenue, cricket season makes worse due to the parking
- Clayton is already gridlocked by road whatever area you have travelled from/going to and to add yet another new housing development will make this worse
- The dependency on cars and vans, will aggravate already crowded village roads, whose congestion during the rush hours is to be seen to be believed
- 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 and there is no bus route to Queensbury/Halifax and there is one bus route that goes directly into Bradford. Therefore, the only option is regular car journeys
- Planners should be looking at sites where it is possible for people to make greener decisions about transport
- 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. However, the report attached to the planning talks about people being able to walk 2km in the direction of Highgate Road, towards Queensbury. Again this is very misleading. As the crow flies it may be 2km, but the walk up there is up a very steep gradient, and generally left to runners wanting to increase their stamina and dog walkers. It is not viable for average people due to the steep hill
- Have the Footpaths/Right of Way team visited and acknowledged that they or the applicant have provided pedestrian signage at the proposed or the existing site that is being built? Whose responsibility is it to keep pedestrians safe?
- Have Highways provided a detailed response on why they think the situation is OK at the busy junction of The Avenue/Westminster Drive? Or even visited?

- 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 and wheelchairs to negotiate round
- The 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 number of residents using the path to access this green space has increased significantly
- It should also be noted that this proposal will have a major effect on the Bronte Way long distance footpath. The vistas and views that the regular walkers stop to take in from this field will be further diminished and in reality, totally destroyed

Drainage:

- There is already an increased risk of flooding due to the houses that have already been built off Westminster Drive, if any more houses are built then the flooding could be disastrous
- The gardens on the recently constructed Barratts development adjacent to the site have recently flooded
- The area of Clayton is prone to flooding and standing water
- Diverting water will cause problems elsewhere in Clayton and surrounding areas, including Leventhorpe area and Bradford Beck route
- The current sewage is struggling to cope with phase 1 in high demand
- This area also acts as a flood plain and stops further flooding to the Middlebrook Estate in Fairweather Green
- The amount of water that is already coming off of the current development on to Falls Farm land is already causing issues
- Climate change and extreme weather phenomena must be taken into account
- The development has raised the ground level which is now causing the water to run away at a man-made level NOT naturally and as you can see from the videos directly through walls and Barratts are directly tipping their water from the development on to adjacent property & land
- If the development does go ahead can we get some kind of flood defence/help to be put around Falls Farm perimeter as why should we have to find money, we haven't got to protect our property from their developments
- The applicant claims that the water will be released at a slower rate than the undeveloped land would, it is then to be piped directly to the beck meaning that in flash flood events the water will hit the beck much sooner than is currently the case. This will have a significant impact on the peak flow rate of the beck. These becks are already the subject of regular extensive flooding and these proposals risk making this problem worse
- The original Barratt development has already demonstrated the problems with water management at this location
- The community are already suffering and dealing with the consequences of the water runoff from the Spring Valley View development
- The new proposed development by Barratts will lead to more flooding (which has yet to be rectified from the previous build)
- Residents in our local area have very little confidence in the council's use of attenuation tanks in planning as these are only as good as the modelling used, which is certainly not taking sufficient account of changing climate where we are seeing "1 in 100 year events" on a regular (3 to 5 year) basis. Also what provision is made to ensure that these are properly managed and maintained?

- The OeC's report comments on the flooding on Fern Avenue and indicates it was due to a land drain which had not been finished which is appalling. Is it not the case this could also be related to ground water flooding as in other areas of the village such as the farms and Low Lane which have experienced flooding? Flooding is causing devastation to some people lives in our village and further down the valley. It is a reality not a myth
- Why is the proposed surface water pipe going down to Hole Bottom Beck going to be discharged onto another landowner's field? It seems totally unfair to shift the problem onto the owner's land and potentially cause flooding down the valley
- Whilst Barratts in the report blame the sewage problems experienced on the people living in the Spring Valley View it concerns me that this could happen again on the new development
- The water from the higher ground will find a way to reach the surface and breakout on the flood zone area of Low Lane (by the public footpath along the river at the bottom of Clayton Beck and Middle Beck)
- There have always been many natural springs in the proposed area
- Against this housing development due to the affects and consequences of building where there are springs
- The recent report by the OeC on the risk of flooding indicates springs are unlikely on the proposed land. This is inconclusive and not evidence. Indeed, not all springs are mapped. The visit by the OeC took place on the 6th October and whilst I acknowledge there had been rain the land had been dry due a warm and dry September which needed to be taken into consideration. Yet the OeC have based their assumptions there are no springs on this one day. This report seems to be based on probability rather than facts in relation to the visit
- If water springs have been found, diverting them will only pass the problem elsewhere so shouldn't occur
- We have a high water-table with many underground springs (one has surfaced in my cellar!)
- There are springs in Clayton, as many a resident will talk about, one or two are on old maps but on making enquiries about the springs I was informed it's impossible to map them all, and there will be many more in Clayton
- Water may only show when we have heavy rain or the ground may never really dry out but I was informed that just because we can't always see it or it's not mapped don't assume they don't exist
- Why do householders have to bear the burden of the flooding?
- Additional to this is water runs all down these fields including the current application one (lots of pictures available) down to bottom road (Low Lane) which floods. Water sits in field next to the road and also further on low lane flooded from the beck, the water has come from the current application down into the beck which in turn had flooded the road
- The beck frequently floods and in turn the impact is felt further down at Middlebrooks/Fairweather green, we know these people are claiming flood grants from the council, another waste of money that could be avoided if the planning department did a thorough job of scrutinising the plans
- How can the developer be certain that they can contain this water run- off and prevent the flooding?
- What is going to be the impact of further climate change that we are already subject to and is only going to get worse
- The 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

- The updated flood risks presented in the documents do not provide assurance that there will not be detriment to adjoining areas as required
- Even if we stop all housing development in the area, there is still a considerable amount of defence we need against floods, but instead of installing flood defences, these ridiculous applications are being submitted
- Barratt Homes should invest in flood defences, instead of building houses, if they want to help the community
- Nobody from Barratt Homes will be living in this flood risk area, nor will they pay up if my house is flooded
- Flooding in the wider area was once in five year event, but now every time it rains for more than two days, the stream at Middlebrook is prone to overflowing into the adjacent properties. This problem has been compounded by other housing developments (Allerton/Pitty Beck)
- My home insurance has increased by 100% since the previous year! I am very angry, as I am not responsible for this, but the housing developers, who, instead of being held accountable, are making millions in profits and we the residents suffer as a consequence
- Can Barratts guarantee they can "contain" the water run-off and it will not add to the volume of water already flooding into the Beck
- Footpaths flood in the bad weather and Barratts do not take any responsibility for the excess water coming from the development
- Planning law states that development must not take place if there's a risk of it causing flooding elsewhere. Surely that's enough for this application to be refused
- 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
- The test reports show that groundwater was encountered in a number of areas across the proposed site which further indicates that there is likely to be water movement through the site. The reports themselves highlight the limitations of the work undertaken and that ground conditions can change
- It's also interesting to note that the reports suggest that there are no springs recorded on or within close proximity to the site. Springs identified are down slope and in excess of 200M away. Yet water flows from the foot of Hanging Falls (South - West of the site) all year round and I would suggest this is in close proximity. Indeed, after periods of heavy rainfall further such outflows occur even closer to the proposed site
- Have the Drainage team walked the fields in question and Low Lane where it has flooded in November 2021. Has the council checked on the other refusal of planning permission to build at Middlebrook, Fairweather Green due to the floods?
- It was evident that repeated assumptions had been made to those outlined in the FRA for the Spring Valley View development, for example, "There is no obvious positive drainage system on site, although land drainage may be present. Surface water run-off would clearly discharge in a northerly direction"
- 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 diversion of surface water produced by this development has caused flooding in adjacent fields, not only damaging farmland (I believe pictures have been emailed)

but eventually contributing to an increased peak flow rate in the local water course. A watercourse with a history of flooding adjacent properties/land on its route into the city of Bradford

- No evidence has been provided to give any sort of confidence that this new development will not contribute to future flooding
- A limit of 5l/s has been put on the flow entering Clayton's combined sewer system for both the proposed development and the existing Spring Valley View Development. This is a 0.5l/s increase from the original 4.5l/s allowed to discharge into the main sewer. This not only reinforces the idea that Claytons main combined sewer system is under severe stress, but has also led me to believe the Spring Valley View development drainage network is struggling to cope with the current demand
- Discharging excess foul water (wastewater that cannot enter the main sewer system) into the pumping station adjacent to Spring Valley View development will only increase the frequency in which it needs to be emptied. Increased vehicle use leads to increased carbon emissions and disruption to residents. An unsustainable solution and one that should be reconsidered
- The drainage problems that have occurred with the first Barrett build on the next-door site. They got it wrong!!. The evidence is there in that they had to build a sewage pump at the bottom of the hill. How on earth will it cope if the usage is doubled
- Residents in the local area have very little confidence in the council's use of attenuation tanks in planning as these are only as good as the modelling used, which is certainly not taking sufficient account of changing climate where we are seeing "1 in 100 year events" on a regular (3 to 5 year) basis. Also, what provision is made to ensure that these are properly managed and maintained?

Biodiversity:

- We are losing a precious wildlife habitat. Currently we see sparrow hawks, kingfishers, butterflies and meadows full of flowers but with more housing these will disappear
- The information about bats in the report is incorrect
- Why not build a pond in the middle of the estate (yes they would lose the profits from one house)? How wonderful would that be in terms of actually doing something positive and making a difference both the wild life and residents
- Why not have areas where trees are planted in and amongst the houses? They may say that the residents could plant trees, but their gardens are too small for trees!
- The ecological report was undertaken on one day in July. Having lived directly opposite this field for over 15 years and as a keen bird watcher I can testify this report significantly downplays the role this and the adjoining fields have in supporting a wide range of bird and other wildlife
- 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 and recent roadkill / accidents on Low Lane supports this
- The appraisal also lists a number of caveats which further diminishes its level of reliability and that the assessment requires subjective judgements

Other issues:

- The council needs to stop bowing to corporate greed
- Current residents in the area are struggling for GPS, school and dentists

- Further development of residential properties will put further strain on the resources of the village
- The plans have already been declined once with no support from the village
- If this is planning application is changed on appeal, then an inquiry must be undertaken as I sense corruption is at hand
- Since the Co-Op left Clayton there is no supermarket & the choice of independent shops in the village is limited
- Residents on the adjacent development were told when we moved in the field was actually land locked, which was a big factor in why they moved in, however, this was clearly a lie just to get us to buy we can't get our houses finished and they are still planning on building more
- The houses Barratt marketed at Westminster Avenue as affordable are well beyond the reach of average earnings in Bradford and minimal as a percentage of total properties built. The argument of affordable family homes is not a reality with prices in excess of £200,000 on average
- I would suggest to Bradford council to take some time, stop trying to tick the target box, stop being persuaded by greedy builders but listen to people, investigate and review and come up with some firmer conclusions and arguments for the decisions you make
- 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
- Public transport links are poor, the last bus from the city centre is 21:48 leaving a reliance on private vehicles
- Aware of the value of the land in hard currency. But there is no hard currency available to upgrade the: infrastructure, roads, paving and bridleways (Brontë Way is a named and protected right of way, which cannot be extinguished) or for our schools, doctors, support services which are within Clayton and Queensbury and Thornton
- It is all well and good to say that these houses have the potential to use local services and shops; but with the recent closure of Charlie's Cafe and Bar this potential has not been realised. People's shopping habits have changed with a 75% increase in Internet Deliveries for food (Dept. of Culture white paper) with a 25% increase in transaction for retail and restaurants. (E.U online Growth)
- All Barratt and any other property developer are interested in is profit. They are not interested in the environment or any knock on effects like flooding, traffic congestion, overcrowded schools and GP surgeries
- There is nothing more in these plans (even with so much more information) that gives us any more confidence that this development should go ahead
- The proposed development has already been rejected by the panel and is being brought again largely unchanged
- Areas with more accessible green space are associated with better mental and physical health
- I find it very difficult to believe that both the applicant and the council have found such a quick turnaround to bring the application to the table again. Surely all the relevant departments at both the applicant and the council have not followed up all the concerns, their further investigations and consultations. It seems that a "nod of the head" has been suffice so that they don't have to do much work

Consultations:

Lead Local Flood Authority – Consideration has been given to the updated Supplementary Flood Risk and Drainage Information report submitted in support of the application and it is considered to be a fair and accurate assessment of ground water flood risks. The likelihood of springs emerging within the application site is considered

to be very low/negligible. As such no objection is raised to the proposal subject to the imposition of appropriate conditions relation to the disposal of both foul and surface water drainage

Highways – No objection is raised to the principle of the development subject to the imposition of appropriate conditions relating to, amongst other things, the means of access and the provision of off-street parking. They are seeking the provision of a raised plateau at the entrance to the site to slow traffic entering the site

Rights of Way – No objection to the principle of the development in relation to its impact on the public rights of way that abut the site and are satisfied with the proposed improved to these public footpaths together with the provision of signage at the junction with Westminster Drive

Biodiversity – No objection to the principle of the development but suggest that details of the avoidance, mitigation and compensation measures should be identified and assessed and resulting changes to effects significance detailed. Details of avoidance mitigation measures during construction should be clearly set out in a Construction Environmental Management Plan (CEMP). A Biodiversity Enhancement and Management Plan (BEMP), detailing how the 10% BNG will be achieved. The BEMP should include details of a monitoring and management programme which will ensure successful on-going establishment of habitats for a no less than 30 years.

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 subsequent remediation verification report, the discovery of unexpected contamination, and, the process for materials importation

Environmental Health (Air Quality) – No objection to the principle of the development subject to the imposition of appropriate conditions relation to the submission of a construction dust management plan and the securing of electric vehicle charging points for the dwellings

West Yorkshire Police – No objection to the proposal but comments are made on specific aspects of the proposal including boundary treatments, bin storage, rear accesses, parking spaces, and, security measures

Education and Learning – Current census data for these primary schools indicate that there are places available in every year group, although no single school in the village 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. Depending on the ages of the children who come to reside in this housing development, they should be able to access a primary school within reasonable distance, but not necessarily in the village. Current census data indicates that there are places available in most year groups at Trinity Academy Bradford. No local school has Year 7 vacancies and Dixons Allerton and Beckfoot Thornton are full in all or almost all year groups. 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. Depending on the ages of the children who come to reside in this housing development, they should be able to access a school within a reasonable distance.

Sport and Leisure – The proposed development will have a moderate impact on the surrounding facilities and 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 whilst the area of the site where the dwellings and associated infrastructure will be built comprises a green field it 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 1.96 hectares in size and proposes 69 dwellings. This equates to a density of 35 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.

Policy GB1 states that except in very special circumstances, planning permission will not be given within the Green Belt as defined on the Proposals Map for development for purposes other than:

- 1) Agriculture and forestry, essential facilities for outdoor sport and outdoor recreation, cemeteries, or,
- 2) For other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it.

The Applicant proposes to discharge surface water by connecting to an existing water course which is located to the north of the main site. The land to the north of the site, through which the connecting pipes will run, is located within the Green Belt. However, the works involved in connecting the surface water drainage system to the existing watercourse will involve laying pipes underground and this will not have an impact on the openness of the Green Belt.

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 construction 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 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 about 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.

The Highways Department have stated that there were no highway grounds for refusal of the previous application (20/05310/MAF) and as this current submission is substantially the same to the previous proposal there is still no highways objection.

Notwithstanding the above, there have been some complaints of speeding traffic at the site entrance of Barratt's neighbouring site which is accessed off Westminster Avenue. This also affects a public footpath crossing the site entrance. The situation is similar at this site. When the previous application was presented to the Regulatory and Appeals Committee on the 23rd September 2021 the possibility of the inclusion of a raised speed plateau to be provided at the site entrance to slow traffic was raised. This would serve the purpose of not only slowing the speed of the traffic entering the site but also affording further protection to the users of the footpath which runs along the south eastern boundary of the site. The Highways Department have considered this and have agreed that one should be looked at being provided at the site entrance with appropriate signing to inform motorists of the footpath and to give priority to pedestrians and cyclists.

In looking at the layout of both the existing dwellings on Westminster Drive and the application site there are driveways very close to the point of access into the site. By constructing a raised plateau at the entrance it could impact on the existing and proposed driveways. It is acknowledged that some form of traffic calming is required at the entrance and as such a condition is recommended that various methods of traffic calming are looked at by the Applicant and details submitted to the Local Planning Authority with the most appropriate measures then being implemented.

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. As stated earlier in this section of the report a condition is recommended that appropriate traffic calming measures be looked at for the entrance to the site to further slow vehicles when entering the site and make it safer for pedestrians.

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 south eastern side of the site and public footpath 169 Bradford West crosses the eastern 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 been consulted on the planning application but have not commented. In relation to the previously refused application (20/05310/MAF) they did not raise an objection to the principle of the development. They did state that 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.

A previous planning application for the same proposal under reference 20/05310/MAF was presented to the Regulatory and Appeals Committee on the 23rd September 2021 where it was refused planning permission on the grounds that “The Applicant has failed to provide sufficient information with regard to the existence of natural springs within the application site in order to adequately mitigate against localised flooding. As such the proposal is considered to be contrary to policy EN7 of the Core Strategy Development Plan Document together with paragraph 163 of the National Planning Policy Framework”. In response to this refusal reason the Applicant has submitted an updated Supplementary Flood Risk and Drainage Information.

As part of this document reference is made to correspondence from the Lead Local Flood Authority in October 2021 that confirms there are no recordings of natural springs on or within close proximity of the site. A plan included in the document shows the location of the springs within the local catchment and the closest ones are in excess of 200 metres away from the site and are also downslope. A walkover site visit was undertaken by the Applicant in October 2021 after a period of heavy rainfall and the report confirms that “no springs were evident, neither was evidence of above ground surface water flow paths that would have indicated the presence of spring outfall”. Finally, the report states that Groundtech Consulting, who undertook the intrusive ground investigation on the site, have looked at the likelihood of springs on the site and they have confirmed that “the likelihood of a spring on site is considered unlikely due to the elevated position of the site in conjunction with the surrounding area and geological parameters of the underlying soils. The existing topography and flood routing plan clearly shows that there is little land above the site that would contribute to the presence of natural springs”.

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 the Lead Local Flood Authority. Yorkshire Water have been consulted on the application but have not submitted any comments. However, they did not raise an objection to the previous application and as there are no significant changes to the proposal under this application it is unlikely that they would raise any objection.

In relation to Flood Risk Assessments there are 2 key points to consider, namely that they have to be proportionate to the scale and risks associated with the development taking account of the vulnerability of the users and that it needs to demonstrate that the development is not at significant risk of flooding (or else can be made safe) and that it will not increase flood risk elsewhere. In assessing the Flood Risk Assessment submitted with the application the Lead Local Flood Authority consider that it passes both these tests.

The Lead Local Flood Authority have not 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:

Boundary treatments: The proposed boundary treatments are acceptable, as are the 1800mm high lockable gates.

Bin storage: Plot numbers 9 and 36 require front bin storage as these inner plots have no means to access the rear garden from the front of the dwellings. If bins can be screened in a wooden bin store this creates a tidy street appearance – *a condition is recommended that will secure the submission of the proposed bin storage details*

Rear access: To the rear of plot numbers 38 to 65 there appears to be a means of access. It is unclear whether this is deemed a public right of way or just left open for access? It causes concern as any persons can wander to the rear of the garden where surveillance is reduced. The fences should either be interlocked to prevent access – *the route is a footpath and appropriate boundary treatment has been incorporated within the development to provide an adequate level of security to the rear gardens of the proposed dwellings*

Parking spaces: In relation to plot numbers 68/69 there appears to be two parking spaces at the rear of the gardens. The spaces are close to the site entrance so any vehicles trying to reverse would have to take care due to limited sight lines due to the location. Ideally it would have been better to lose plot 69 and include tandem parking which is easier for residents to drive in and out – *the Highways Department have not raised any concern in relation to the dimensions of the highway and are satisfied that vehicles can adequately manoeuvre within the confines of the highway*

The plots which are shown on the corners, for example plots 2, 15, 32, 49 53, 69 should include shrub planting around the front boundary which prevents any vehicles from parking on this area, which can reduce visibility – *the areas referred to form part of the private garden area and it is unlikely that cars would park on there. Again the Highways Department have not raised any concerns with regards to this issue*

Security measures: It is recommended that the following security measures should be included within the individual plots:

- Low energy lights above all access doors, garage doors such as photo electric cell or dusk until dawn lights with warm white led bulbs. Fittings and wiring should be vandal resistant.
- Fitting an intruder alarm within each plot will increase security and also provides a good selling feature for any new resident. Suitable standards are to BS EN 50131 or PD6662 (wired alarm system) or B6799 (wire free alarm system)
- Doors and windows will comply with building regulations. Any doors which are to include euro cylinder locks should include 3 star rated locks to standard TS007, STS 217 or Sold Secure Diamond which provide better resistance against lock snap attacks. This can be obtained by either;
 - Installing a 3 star rated lock to TS007, STS 217, Sold Secured Diamond Standard (this would our preferred option).
 - Alternatively installing a TS007 1 star rated euro cylinder lock accompanied by TS007 2 star rated security door handle or security escutcheon hardware will meet the 3 star rating.

– *Approved Document Q: Security – Dwellings will address the issue of security of the dwellings as this is outside the control of the planning system*

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 0.55m bgl consisting of topsoil”. A number of soil samples from the site have been subjected to chemical testing and 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”. With regards to this the report states that “the extent of the contamination should firstly be delineated by carrying out further testing of topsoil in the vicinity of TP11. Once delineated more accurately the contaminated topsoil can be stockpiled separately and removed off site as the levels of lead will not allow it to be reused in proposed gardens/soft landscaping”.

Ground gas monitoring was ongoing when the report was issued with further monitoring scheduled. The report states “A full gas risk assessment will be carried out on completion of the gas monitoring programme based on a representative dataset.”

Overall the report concludes that “the risk is 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 remediated 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.

A Preliminary Ecological Appraisal Report (PEAR) has been submitted and is considered to be comprehensive. The Biodiversity Officer has, however, stated that for a development of this size a full Ecological Impact Assessment (EclA) would be required. This should include avoidance, mitigation and compensation measures should be identified and assessed and resulting changes to effects significance detailed. The significance of any residual adverse or beneficial effects should be discussed. Details of avoidance mitigation measures during construction should be clearly set out in a Construction Environmental Management Plan (CEMP).

The Biodiversity Officer has stated that the application site is within the 7km of the South Pennine Moors SPA and SAC and therefore lies within the Zone C buffer of the South Pennine Moors. Policy SC8 of Bradford's Core Strategy states that for residential developments within Zone C of the SPA and SAC Policy SC8 states:

"In Zone C, in respect of residential developments that result in a net increase of one or more dwellings, it will be considered how recreational pressure on the SPA or SAC, that such development might cause, will be effectively mitigated. The mitigation may be:

- i. such that the developer elects to offer, either on-site and / or deliverable outside the boundary of the development site, such as the provision of accessible natural greenspace and/or other appropriate measures; or
- ii. in the form of a financial contribution from the developer to:
 1. The provision of additional natural greenspace and appropriate facilities to deflect pressure from moorland habitats and the long-term maintenance and management of that greenspace.
 2. The implementation of access management measures, which may include further provision of wardens, in order to reduce the impact of visitors
 3. A programme of habitat management and manipulation and subsequent monitoring and review of measures.”

Information is required showing how the increased recreational pressure on the SPA/SAC arising from the development is to be mitigated. This can be through a combination of onsite and off-site measures such as:

- On-site accessible green space to absorb recreational pressure and deflect away from SPA/SAC. Accepted quantum is generally 8ha per 1000 residents.
- Provision of on-site access routes which link through and to the development and join existing local rights of way/access networks – particularly those which form local circular routes and/or lead away from the SPA/SAC
- Contributions for off-site measures such as: improvements to nearby routes (as above), provision of public information (at access points to SPA/SAC), contribution towards wardening of the SPA/SAC to influence visitor behaviour etc.

It is recommended that the above information is provided in the format of Habitat Regulations Appropriate Assessment Report, referencing Policy SC8 and the agreed approach to mitigation of recreational impacts, should this be through on-site provision or a financial contribution made to the City of Bradford MDC.

In terms of onsite improvements, the Applicant will improve the existing rights of way that abut the site which will improve the access to the surrounding countryside for the local residents. The Biodiversity Officer has not identified an off-site location that could benefit from a financial contribution and therefore one cannot be secured.

With regards to Biodiversity Net Gain (BNG) the Biodiversity Officer has stated that a 10% net gain for biodiversity for a development of this kind should be achieved. A Biodiversity Enhancement and Management Plan (BEMP), detailing how the 10% BNG will be achieved. The BEMP should include details of a monitoring and management programme which will ensure successful on-going establishment of habitats for a no less than 30 years.

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”.

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. The scheme is almost identical to that submitted under reference 20/05310/MAF and whilst this application was refused planning permission it was not refused on the grounds of there being insufficient biodiversity improvements and therefore it would be very difficult to justify a reason for refusal of the current application on those grounds.

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 the scheme comprising the construction of 69 dwellings, the Air Quality Officer states that 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.

In addition, some applications are required to submit an exposure assessment where the development has the potential to increase human exposure to poor air quality. In this case the Air Quality Officer has stated that there are currently no air quality exposure concerns at the proposed location and therefore an air quality exposure assessment is not required.

Type 1 Mitigation requirements:

1) Electric vehicle charging provision – Every proposed new dwelling with dedicated off road parking and/or a garage should be provided with a purpose built electric vehicle charging point. The Applicant has shown on the submitted drawings that an electric vehicle charging point will be provided for every property but there is no mention of the type of charging facility that will be provided for each property. As such a condition is recommended that will ensure an appropriate type of charging point is provided which meets current standards.

2) Control of construction emissions – 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. Any construction works on the site will require a dust risk assessment and construction dust management plan be prepared and submitted to the local authority for approval. This will be secured through an appropriately worded condition.

Type 2 Mitigation requirements:

1) Low Emission Travel Plan – 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 “TPC will promote EVs 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, a separate condition is recommended that will secure the provision of an electric vehicle charging point for each dwelling.

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:

The council needs to stop bowing to corporate greed – the application is being assessed in accordance with local and national planning policy guidance

Current residents in the area are struggling for GPs, school and dentists – 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

Further development of residential properties will put further strain on the resources of the village – see above response

The plans have already been declined once with no support from the village – the Applicant is entitled to resubmit an application following a refusal and in this case additional information has been submitted to address the previous reason for refusal

If this is planning application is changed on appeal, then an inquiry must be undertaken as I sense corruption is at hand – the Applicant is entitled to submit an appeal to the

Planning Inspectorate following a refused application and this will then be determined by an independent Inspector appointed by the Planning Inspectorate

Since the Co-Op left Clayton there is no supermarket & the choice of independent shops in the village is limited – *the construction of new dwellings will bring increased demand for local facilities and may encourage new shops to open*

Residents on the adjacent development were told when we moved in the field was actually land locked, which was a big factor in why they moved in, however, this was clearly a lie just to get us to buy we can't get our houses finished and they are still planning on building more – *what the local residents may or may not have been told about the site is not a material consideration to the determination of this application*

The houses Barratt marketed at Westminster Avenue as affordable are well beyond the reach of average earnings in Bradford and minimal as a percentage of total properties built. The argument of affordable family homes is not a reality with prices in excess of £200,000 on average – *the dwellings on the adjacent development that have been classed as affordable dwellings comply with the definition of affordable housing as contained in Annex 2 of the National Planning Policy Framework*

I would suggest to Bradford council to take some time, stop trying to tick the target box, stop being persuaded by greedy builders but listen to people, investigate and review and come up with some firmer conclusions and arguments for the decisions you make – *the application is being assessed in accordance with local and national planning policy guidance*

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 application is being assessed in accordance with local and national planning policy guidance*

Transport links are poor, the last bus from the city centre is 21:48 leaving a reliance on private vehicles – *the bus service throughout the day from Bradford Interchange to Clayton (and from Clayton to Bradford Interchange) run on a half hourly basis from 07.08 (from Bradford Interchange) and from 06.35 (from Clayton) until 18.08 and 18.35 respectively. As such at peak times the bus frequency is considered acceptable. As with all bus services the frequency does become less frequent outside the main business hours*

Aware of the value of the land in hard currency. But there is no hard currency available to upgrade the: infrastructure, roads, paving and bridleways (Brontë Way is a named and protected right of way, which cannot be extinguished) or for our schools, doctors, support services which are within Clayton and Queensbury and Thornton – *the value of the land and any profit made by the Applicant have no significance in relation to assessing the planning application. Moneys are available through CIL to contribute towards major infrastructure improvements and it is up to the Council as to how these monies are distributed*

It is all well and good to say that these houses have the potential to use local services and shops; but with the recent closure of Charlie's Cafe and Bar this potential has not been realised. People's shopping habits have changed with a 75% increase in Internet Deliveries for food (Dept. of Culture white paper) with a 25% increase in transaction for retail and restaurants. (E.U online Growth) – *the shopping habits of the population have changed in the last few years and this is not just specific to Clayton but nationally. The*

existing residents of Clayton are obviously not supporting local businesses if they are closing. The influx of new residents through new developments may help support the existing businesses but this cannot be guaranteed

All Barratt and any other property developer are interested in is profit. They are not interested in the environment or any knock on effects like flooding, traffic congestion, overcrowded schools and GP surgeries – *the value of the land and any profit made by the Applicant have no significance in relation to assessing the planning application*

There is nothing more in these plans (even with so much more information) that gives us any more confidence that this development should go ahead – *additional information has been submitted to try and address the reason for refusal of the previous application (20/05310/MAF) and this is addressed in Section 5 (Drainage) of this report*

The proposed development has already been rejected by the panel and is being brought again largely unchanged – *additional information has been submitted to try and address the reason for refusal of the previous application (20/05310/MAF) and this is addressed in Section 5 (Drainage) of this report. The previous application was only refused on one ground and as such the scheme is largely unchanged with only that one reason being addressed*

Areas with more accessible green space are associated with better mental and physical health – *the proposed development will not impact on the residents' ability to access areas of green space, the existing footpaths around the site will be retained*

I find it very difficult to believe that both the applicant and the council have found such a quick turnaround to bring the application to the table again. Surely all the relevant departments at both the applicant and the council have not followed up all the concerns, their further investigations and consultations. It seems that a "nod of the head" has been suffice so that they don't have to do much work – *the previous application was only refused on one ground and as such the scheme is largely unchanged with additional information only being submitted to address the one reason for refusal*

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 policy GB1 of the Replacement Unitary Development Plan, and, 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 Rev C showing the Street Scene A-A and received by the Local Planning Authority on the 14th October 2021;
Drawing number 2013-SS-02 Rev C showing the Street Scene B-B and received by the Local Planning Authority on the 14th October 2021;
Drawing number 2013-51-01-Rev B showing the Location Plan and received by the Local Planning Authority on the 14th October 2021;
Drawing number 2013-SI-01 Rev Q showing the Site Layout Plan and received by the Local Planning Authority on the 14th October 2021;
Drawing number R/2146/7B showing the Landscape Masterplan and received by the Local Planning Authority on the 14th October 2021;
Drawing number 2013-S1-03-Rev K showing the Enclosures Plan and received by the Local Planning Authority on the 14th October 2021;
Drawing showing the 2013-51-02-Rev J showing the Planning Layout and received by the Local Planning Authority on the 14th October 2021;
Drawing number 03 Rev C showing the Section 104 Layout and received by the Local Planning Authority on the 14th October 2021;
Drawing number 2013-HT-DE-01A showing the Denford House Type and received by the Local Planning Authority on the 14th October 2021;
Drawing number 2013-HT-EL-01A showing the Ellerton House Type and received by the Local Planning Authority on the 14th October 2021;
Drawing number 2013-HT-EL-02A showing the Ellerton House Type and received by the Local Planning Authority on the 14th October 2021;
Drawing number 2013-HT-EL-03A showing the Ellerton House Type and received by the Local Planning Authority on the 14th October 2021;
Drawing number 2013-HT-MA-01A showing the Maidstone House Type and received by the Local Planning Authority on the 14th October 2021;
Drawing number 2013-HT-MA-02A showing the Maidstone House Type and received by the Local Planning Authority on the 14th October 2021;
Drawing number 2013-HT-MO-01A showing the Moresby House Type and received by the Local Planning Authority on the 14th October 2021;
Drawing number 2013-HT-MO-02 showing the Moresby House Type and received by the Local Planning Authority on the 14th October 2021;
Drawing number 2013-HT-KI-01A showing the Kingsville House Type and received by the Local Planning Authority on the 14th October 2021;
Drawing number 2013-HT-WI-01 showing the Windermere House Type and received by the Local Planning Authority on the 14th October 2021;

Drawing number 2013-HT-HA-01A showing the Halton House Type and received by the Local Planning Authority on the 14th October 2021;
Drawing number 2013-HT-RA-01 showing the Radleigh House Type and received by the Local Planning Authority on the 14th October 2021;
Drawing number 2013-HT-AL-01 showing the Alderney House Type and received by the Local Planning Authority on the 14th October 2021;
Drawing number 2013-GA-01 showing the Single Garage and received by the Local Planning Authority on the 14th October 2021; and
Drawing number 2013-GA-02 showing the Double Garage and received by the Local Planning Authority on the 14th October 2021.

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. Traffic calming at entrance to the site

Before development above damp proof course commences on site, details of the proposed traffic calming measures to be provided at the entrance to the site off Westminster Drive shall be submitted to and approved in writing by the Local Planning Authority together with a timetable for its installation. The development shall then be carried out in full accordance with the approved details.

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

11. 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.

12. Temporary Drainage Strategy

The development should not begin until a temporary drainage strategy outlining the drainage arrangements for different construction phases of the project has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only proceed in strict accordance with the approved temporary drainage strategy.

Reason: To ensure an appropriate drainage strategy for the construction phases of the approved development, and the prevention of surface water and sediment run-off into adjacent watercourses, in line with policies EN7 and EN8 of the Core Strategy Development Plan Document.

13. 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]

14. 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]

15. 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]

16. Electric vehicle charging points

Before the date of first occupation, every dwelling on the site 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 Bradford Local Plan and National Planning Policy Framework (NPPF).

17. 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 unless otherwise agreed in writing by the Local Planning Authority.

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

[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)]

18. 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]

19. 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.

20. 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.

21. 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.

22. 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.

23. 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.

24. 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.

25. 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.

26. 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 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.

27. Boundary treatment

Before development above damp proof course commences, details of the boundary treatment to the site, including the existing drystone wall and any associated fencing, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be completed in accordance with the approved details prior to the completion of the development.

Reason: In the interests of amenity and privacy and to accord with Policies DS2, DS3 and DS5 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.

2) Construction and maintenance activities in or near water

Construction and maintenance activities in or near water have the potential to cause serious pollution or impact on the bed and banks of surface waters and on the quality and quantity of the water. Surface waters include rivers, streams/burns, dry ditches, lakes/lochs, loughs, reservoirs, ponds, canals, estuaries and coastal waters. It is advised that the applicant seeks specialist advice on how to manage the risk of pollution and comply with the law when planning construction, maintenance or other works in, near or over surface waters. This may include but is not restricted to managing silt, concrete and cement, oils and chemicals, maintaining structures over watercourses, waste management and responding to pollution incidents. Causing pollution of a watercourse may result in committing a criminal offence.

3) Letter box positioning

The positioning and design of letter/mail boxes within the doors serving the dwellings should be in accordance with British Standard EN13724 mailboxes and letter boxes to ensure that they are positioned at a suitably accessible height and accessible to postal delivery workers.

4) Ground contamination

The applicant should have regard to:

- YALPAG (formerly YAHPAC) 'Technical Guidance for Developers, Landowners and Consultants. Development on Land Affected by Contamination'
- YALPAG 'Verification Requirements for Cover Systems' if remediation or quality control of imported soil materials is required, and
- YALPAG (2016) guidance on 'Verification Requirements for Gas Protection Systems' if gas protection is necessary.

Current editions of these documents are available on the Bradford MDC website

<https://www.bradford.gov.uk/planning-and-building-control/planning-applications/planning-application-forms/>