

Agenda for a meeting of the Regulatory and Appeals Committee to be held on Thursday, 28 September 2023 at 10.00 am in Council Chamber - City Hall, Bradford

Members of the Committee – Councillors

LABOUR	CONSERVATIVE	GREEN
Salam Shafiq Alipoor Mullaney	Brown Sullivan	Edwards

Alternates:

LABOUR	CONSERVATIVE	GREEN
Engel I Hussain S Hussain Lal	Pollard Glentworth	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 0930 in the Council Chamber on the day of the meeting.**
- Applicants, objectors, Ward Councillors and other interested persons are advised that the Committee may visit any of the sites that appear on this Agenda during the day of the meeting, without prior notification. The Committee will then reconvene in the meeting room after any visits in order to determine the matters concerned.
- At the discretion of the Chair, representatives of both the applicant(s) and objector(s) may be allowed to speak on a particular application for a maximum of five minutes in total.

From:

Asif Ibrahim

Director of Legal and Governance

Agenda Contact: Yusuf Patel

Phone: 07970 411923/07970 411623

E-Mail: yusuf.patel@bradford.gov.uk/jane.lythgow@bradford.gov.uk

To:

A. PROCEDURAL ITEMS

1. ALTERNATE MEMBERS (Standing Order 34)

The Director of Legal and Governance 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 must consider their interests, and act according to the following:*

Type of Interest	You must:
<i>Disclosable Pecuniary Interests</i>	<i>Disclose the interest; not participate in the discussion or vote; and leave the meeting <u>unless</u> you have a dispensation</i>
<i>Other Registrable Interests (Directly Related)</i> OR <i>Non-Registrable Interests (Directly Related)</i>	<i>Disclose the interest; speak on the item <u>only</u> if the public are also allowed to speak but otherwise not participate in the discussion or vote; and leave the meeting <u>unless</u> you have a dispensation</i>
<i>Other Registrable Interests (Affects)</i> OR <i>Non-Registrable Interests (Affects)</i>	<i>Disclose the interest; remain in the meeting, participate and vote <u>unless</u> the matter affects the financial interest or well-being</i>

(a) to a greater extent than it affects the financial interests of a majority of inhabitants of the affected ward, and

(b) a reasonable member of the public

knowing all the facts would believe that it would affect your view of the wider public interest; in which case speak on the item only if the public are also allowed to speak but otherwise not do not participate in the discussion or vote; and leave the meeting unless you have a dispensation.

- (2) *Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (3) *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.*
- (4) *Officers must disclose interests in accordance with Council Standing Order 44.*

3. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

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

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

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

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

(Yusuf Patel – 07970 411923 / Jane Lythgow 07970 411623)

B. BUSINESS ITEMS

4. MEMBERSHIP OF SUB-COMMITTEES

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

(Yusuf Patel – 07970 411923 / Jane Lythgow 07970 411623)

5. **LAND OFF BOLTON ROAD, SILSDEN - 22/01184/MAF**

1 - 34

The Assistant Director (Planning, Transportation & Highways) will submit a report (**Document “D”**) which reports a full planning application for the development of 138 residential dwellings with open space, associated landscaping and infrastructure works (including access to and within the site) off Bolton Road, Silsden.

Recommended –

That the application be approved subject to the completion of Section 106 Agreement to include affordable housing; the funding of highway improvements within Silsden town centre and at the Aire Valley Road; biodiversity gain, and conditions included in the report, Appendix 1.

(Hannah Lucitt – 07811503622)

6. **FULL PLANNING APPLICATION AT FORMER HMRC OFFICE, 2 RIVERSIDE ESTATE, SHIPLEY, BRADFORD BD98 8AA - 22/04182/MAF**

35 - 114

The Assistant Director (Planning, Transportation & Highways) will submit a report (**Document “E”**) which reports a full planning application for the demolition of the former HMRC office and the construction of a mixed use development comprising 289 residential dwellings and 722 square metres of flexible Class E (Commercial, Business and Service) floor space providing a work space hub and café at 2 Riverside Estate, Shipley, BD98 8AA

Recommended –

That the application be approved subject to the conditions included within Appendix 1 to Document “E” and the completion of a Section 106 Agreement.

(Hannah Lucitt – 07811503622)

7. **LAND AT SKIPTON ROAD, ILKLEY - 21/05075/MAF**

115 -
162

The report of the Assistant Director, Planning, Transportation & Highways, (**Document “F”**) asks Members to consider the recommendations for the determination of a full planning application for the development of 35 dwellings consisting of 12 pairs of semi-detached houses, two detached houses and one three storey block of 9 apartments on Land at Skipton Road, Ilkley.

Recommended –

That the application be approved subject to the conditions included within Appendix 1 to Document “F” and the completion of a Section 106 Agreement.

(Hannah Lucitt – 07811503622)

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Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 28th September 2023

D

Subject:

Development of 138 residential dwellings with open space, associated landscaping and infrastructure works (including access to and within the site) off Bolton Road, Silsden.

Summary statement:

A full assessment of the application, relevant planning policies and material planning considerations are included in Appendix 1.

The application site was formerly allocated as Safeguarded Land, under policy UR5 - Proposal Area K/UR5.19, in the RUDP. However, the principal policy, Policy UR5 was not saved as part of the RUDP and sites previously allocated as Safeguarded Land are no longer allocated by the Development Plan.

The principle of housing has been considered, accounting for the former Safeguarded Land allocation; biodiversity; design; highways and drainage matters. It is considered that the proposed residential development would be acceptable at this site, without prejudicing those matters. In addition, the proposal would increase the supply of housing, including affordable housing, within the District.

The application is recommended for approval subject to the completion of Section 106 Agreement to include affordable housing; the funding of highway improvements within Silsden town centre and at the Aire Valley Road; biodiversity gain, and conditions included in the report, Appendix 1.

Assistant Director (Planning,
Transportation & Highways)

Report Contact: Hannah Lucitt
Major Developments Manager
Phone: 07811503622

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

**Overview & Scrutiny Area:
Regeneration and Economy**

1. SUMMARY

The application is recommended for approval subject to the completion of a Section 106 and conditions included within Appendix 1.

2. BACKGROUND

The application is reported to Committee, following 724 objections and 6 letters of support being received. A Ward Councillor and the MP have objected 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 Local Planning Authority.

7 OTHER IMPLICATIONS

7.1 SUSTAINABILITY IMPLICATIONS

7.2 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 characteristics 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, it is not considered there are any issues in this regard, relevant to this application.

7.3 TACKLING THE CLIMATE EMERGENCY IMPLICATIONS

The application site is located c.800m from Silsden town centre, with various facilities and services available in the town centre. As such, it is not considered there would be any adverse implications on sustainability.

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. In this instance, subject to appropriate access control, boundary treatments, being implemented, it is not considered that there are grounds to conclude that the proposed development would create an unsafe or insecure environment or increase opportunities for crime, in accordance with Core Strategy Policy DS5.

7.5 GREENHOUSE GAS EMISSIONS IMPACTS

New development invariably results in the release of greenhouse gases associated

with construction operations and the activities of the future users of the site. Consideration should be given as to the likely traffic levels associated with development. Consideration should also be given as to whether the location of the proposed development is such that sustainable modes of travel would be best facilitated and future greenhouse gas emissions associated with the activities of building users minimised. Electric vehicle charging points would be provided to each house within the proposed development.

7.6 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.

7.7 TRADE UNION

None

7.8 WARD IMPLICATIONS

None

7.9 AREA COMMITTEE ACTION PLAN IMPLICATIONS

None

7.10 IMPLICATIONS FOR CHILDREN AND YOUNG PEOPLE

None

7.11 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, or refuse the application.

If the Committee decides that the application should be refused, the reason(s) for refusal would have to be given, based upon development plan policies or other material planning considerations.

10. RECOMMENDATION

This application is recommended for approval subject to completion of the Section 106 and conditions contained within the report.

11. APPENDICES

Appendix 1 - Report.

12. BACKGROUND DOCUMENTS

National Planning Policy Framework 2021

Replacement Unitary Development Plan 2005

Core Strategy 2017

Steeton with Eastburn & Silsden Neighbourhood Plan 2021

APPENDIX 1

Ward:

Craven

Recommendation:

That the Committee grant planning permission subject to a Section 106 Agreement and conditions. The Assistant Director Planning, Transportation and Highways be authorised to issue the grant of planning permission, upon completion of the Section 106 Agreement.

Application No.

22/01184/MAF

Type of application:

Full application for development of 138 residential dwellings with open space, associated landscaping and infrastructure works (including access to and within the site) at land off Bolton Road, Silsden.

Applicant:

Persimmon Homes (West Yorkshire) Limited

Agent:

Lichfields LLP

Site Description:

The application site is located on the north eastern edge of Silsden and consists of several agricultural fields separated by hedgerows, trees, dry stone walls and field boundaries. It covers an area of 5.93ha. It is bounded immediately to the north west by the A6034 Keighley Road and the north by Brown Bank Lane. To the west there are residential development and allotments at Bolton Road. There are other agricultural fields to east; with the recently occupied Silsden Primary School located to the south.

Background:

The Replacement Unitary Development Plan (RUDP) was adopted in October 2005. The application site was allocated in the RUDP as Safeguarded Land, identified as K/UR5.38 land west of Banklands Avenue. (Development for housing being an appropriate use for Safeguarded Land).

Since 2008, the Council has been preparing a Local Plan to replace the RUDP. Policies within adopted Local Plan documents have superseded some RUDP policies. As such Policy UR5 was not saved and consequently, the site is no longer part of a Safeguarded Land allocation.

The Council is currently working on producing the next stage of the Local Plan (Submission Draft Local Plan - Regulation 19) which is due for publication later this year. This plan will include updates to planning policies and allocated sites for housing, employment and other uses plus land designations for open space and other matters.

Under the proposed site allocations, site SI/2H Bolton Road Brown Bank Lane is allocated for 40 dwellings. This allocation forms the northern part of the application site, with the balance of the application site located to the south, comprising the former Safeguarded Land site.

Relevant Site History:

None

RUDP:

Allocation:

BANKLANDS AVENUE (WEST), SILSDEN. 8.51 ha. A greenfield site on the edge of the settlement. Developer contributions towards improved public transport links and recreation open space provision to redress local deficiencies would be required.

Core Strategy:

The current Development Plan for the area is comprised of the Replacement Unitary Development Plan (RUDP) (2005) and the adopted Core Strategy (2017).

There are a number of Core Strategy Policies to be considered in the determination of the application.

- P1- Presumption in Favour of Sustainable Development
- SC1- Overall Approach and Key Spatial Priorities
- SC4- Hierarchy of Settlements
- SC8- Protecting the South Pennine Moors and their Zone of Influence
- 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 Use of Previously Developed Land
- HO8- Housing Mix
- HO11- Affordable Housing
- EN2- Biodiversity and Geodiversity
- EN4- Landscape
- EN5- Trees and Woodland
- EN7- Flood Risk
- EN8- Environmental Protection
- DS1- Achieving Good Design
- DS3- Urban Character
- DS4- Streets and Movement
- DS5- Safe and Inclusive Places
- ID3- Developer Contributions

The emerging Local Plan is still at an early stage of preparation. Consultation on the Core Strategy Partial Review 'Preferred Options' was undertaken in July 2019. The Council has recently consulted on The Draft Bradford District Local Plan – Preferred Options (Regulation 18) and supporting documents from 8 February to 24 March 2021. These documents continue to be afforded “very limited weight” given their stage of preparation. In this context it is considered that full weight should continue to be afforded to the policies of the adopted Core Strategy (2017) and the RUDP (2005) in accordance with the degree of conformity with current national planning policy.

Steeton with Eastburn and Silsden Neighbourhood Development Plan (June 2021)

Under the provisions of the Localism Act 2011 (as amended) and the Neighbourhood Planning (General) Regulations 2012 (as amended), Silsden Town Council together with Steeton with Eastburn Parish Council, developed a joint Neighbourhood Development Plan (NDP) to help shape the future growth and development of their areas.

A referendum was held and 81% of those voting voted in favour of the NDP. The NDP was adopted on 7 June 2021.

National Planning Policy Framework (NPPF).

Para. 8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure; b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Para. 11. Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay; or d) 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.

Para.39 Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.

Para.40. Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. They cannot require that a

developer engages with them before submitting a planning application, but they should encourage take-up of any pre-application services they offer. They should also, where they think this would be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community and, where relevant, with statutory and non-statutory consultees, before submitting their applications.

Para. 41. The more issues that can be resolved at pre-application stage, including the need to deliver improvements in infrastructure and affordable housing, the greater the benefits. For their role in the planning system to be effective and positive, statutory planning consultees will need to take the same early, pro-active approach, and provide advice in a timely manner throughout the development process. This assists local planning authorities in issuing timely decisions, helping to ensure that applicants do not experience unnecessary delays and costs.

Para. 47. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

Para. 63. Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required²⁹, and expect it to be met on-site unless: a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and b) the agreed approach contributes to the objective of creating mixed and balanced communities.

Para.57 Planning obligations must only be sought where they meet all of the following tests a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development.

Para. 92. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages; b) 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 attractive, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

Para. 95 It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should: a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and b) work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted

Para. 104. Transport issues should be considered from the earliest stages of plan-making and development proposals, so that: a) the potential impacts of development on transport

networks can be addressed; b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated; c) opportunities to promote walking, cycling and public transport use are identified and pursued; d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.

Para. 111. 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.

Para. 113. All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

Para.124. Planning policies and decisions should support development that makes efficient use of land, taking into account: a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; b) local market conditions and viability; c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use; d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and e) the importance of securing well-designed, attractive and healthy places.

Para. 125. Area-based character assessments, design guides and codes and masterplans can be used to help ensure that land is used efficiently while also creating beautiful and sustainable places. Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances: a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;

Para. 128 To provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences. Design guides and codes provide a local framework for creating beautiful and distinctive places with a consistent and high quality standard of design. Their geographic coverage, level of detail and degree of prescription should be tailored to the circumstances and scale of change in each place, and should allow a suitable degree of variety.

Para.130. 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; 39 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 users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Para. 133 Local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. These include workshops to engage the local community, design advice and review arrangements, and assessment frameworks such as Building for a Healthy Life⁵¹. These are of most benefit if used as early as possible in the evolution of schemes, and are particularly important for significant projects such as large scale housing and mixed use developments. In assessing applications, local planning authorities should have regard to the outcome from these processes, including any recommendations made by design review panels.

Para. 154. New development should be planned for in ways that: a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.

Para. 167. When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment⁵⁵. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that: a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location; b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment; c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate; d) any residual risk can be safely managed; and e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Para. 169 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.

Para. 174 Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory

status or identified quality in the development plan); b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate; d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Para. 179 To protect and enhance biodiversity and geodiversity, plans should: a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity⁶¹; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation⁶²; and b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity

Para. 183. Planning policies and 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. 184. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

Publicity and Representations:

The application was advertised through site notices and in the local press. There have been 724 letters of objection and petition, including an objection from the MP and a Ward Councillor. There have been 6 letters of support.

Summary of Representations Received:

- Unsuitable access
- Lack of pedestrian access
- Drainage issues/flooding
- Loss of wildlife
- Lack of infrastructure/facilities
- Overshadowing/overlooking
- Loss of greenspace

Consultations:

Silsden Town Council

STC strongly object to this application.

Noise Assessment Page (3) was undertaken before Skipton properties site started work, and noise will increase.

The October 2021 Census didn't take into account any of the new developments not yet completed, so any projections of future pupil figures based on it will be a considerable underestimation.

Both secondary schools listed are in Keighley, when in fact Silsden pupils all have South Craven as their designated placement.

Executive Summary Air Quality Assessment in support of persimmon homes STC query why BMDC have not responded / investigated the claims in this report as it is clearly not impartial Silsden, which sits in a natural amphitheatre shaped valley which stops the pollution generated by traffic in the Town Centre from being blown away by the wind.

Table 11 shows wind predominantly from the west, with this development being on the hillside, and exposed to the wind it will blow the pollution from the construction work and eventually that caused by the development across into the school site, to the detriment of the pupils' health.

Silsden Proposed bypass Require confirmation the by-pass is still proposed as not showing on the latest manifestation of the local plan

None of the figures quoted equate to the actual delays occurring through Silsden when traffic regularly backs up down to the A629 and up beyond Brown banks Lane.

General comments

All of the infrastructure including that mentioned above is unable to cope with this increase in pressure on them, they include drainage both surface and foul water, electricity, gas, water supply.

Health services, the doctors' surgery is already having difficulty coping with the demand on it, the Dentist is unable to deal with anymore patients, the district nurses are stretch to breaking point with demand.

The site includes ancient tree and hedgerows that should be protected alongside the endangered species known to inhabit this area and the surrounding area.

Access and Egress from this site adds yet another dangerous entry way onto an already extremely busy Bolton Rd which will only get worse when the houses a few meters further up on the opposite are complete.

Highways

Revised site plans have now been received (Refs: Proposed Bolton Road Site Access Arrangements – 20142/GA/01 Rev. I; Proposed Hawber Cote Lane Site Access Arrangements (inc. S106 Southern Footway) – 20142/GA/02 Rev. B; and Overall Planning Layout – SIL-2021-001 Rev. U)

Whilst the proposal now overcome previous highways concerns Highways would point out one minor amendment that is required and this should preferably be addressed prior to this application being determined, although it would still be possible to do this at the Section 38 detail design stage if the applicant is agreeable.

The amendment required is that rather than providing an 'Overrun area for larger vehicles' at the bend on the one-way link road into the site from Hawber Cote Lane the actual width of the road should be widened to accommodate a refuse vehicle with the overrun strip being omitted.

The Silsden Eastern Bypass is shown in the RUDP maps and safeguarded by TM20 and K/TM20.1. The RUDP line shown on the RUDP maps is an indicative line and since the publication of the RUDP a Highways Improvement Line (HIL) has been agreed. The HIL is considered to be the agreed line of the bypass to the south.

The north section of the bypass was subject to HIL amendment at the Councils Executive Committee in December 2021, therefore the Silsden Eastern Bypass is still infrastructure intended to be brought forward and the HIL should be safeguarded.

Part of the proposed alignment of Silsden Eastern Bypass lies within land enclosed by the blue line boundary for the current application and given that the current alignment is only indicative, and could be subject to change, it would be prudent to include ALL the land within the blue line boundary as safeguarded land for the purposes of the bypass.

As part of this development proposal a southbound bus stop is to be provided along the site frontage on Bolton Road. The facilities proposed at the stop include a shelter and road markings. A new site access is also to be constructed on Bolton Road.

In order to carry out the works within the highway it is necessary to obtain separate Highway Authority approval of the specification and construction details and enter an agreement with Highways.

The applicant is advised to make early contact with Highway Development Control (email: Highway.Development@bradford.gov.uk) prior to submission of condition discharge details to discuss this requirement further.

In order to help mitigate against the likely impact of the proposed development and to contribute towards the delivery of off-site highway & pedestrian infrastructure improvements the applicant has agreed to provide the following contributions:

- £100,000 contribution towards the provision of a footbridge over the A629;
- £48,000 to carry out a review of the parking along Kirkgate (includes £8,000 for the promotion of a new TRO) and to deliver traffic calming measure through the town centre to manage traffic speeds; and
- £8,000 for the Council to promote a Traffic Regulation Order to manage parking at the southern end of the site on Hawber Cote Lane and the one-way link into the development.

Also in order for the Developer to deliver a footway along the southern side of the proposed one-way link into the site from Hawber Cote Lane the Council will be required to make available a strip of land, which currently lies outside of the site boundary (refer to plan ref: Proposed Hawber Cote Lane Site Access Arrangements (inc. S106 Southern Footway) – 20142/GA/02 Rev. B).

A suitably worded condition should preferably be included within the S106 Agreement to control this.

As part of the proposed development a storage tank is to be constructed at the southern end of the site and this would lie within 1 – 2m of highway to be adopted and would provide support to the highway.

The developer must go through the approval process and submit an Approval in Principle (AIP), design calculations to the current relevant standards, and drawings for approval by the Technical Approval Authority (TAA) (these requirements apply to all highway retaining walls and other highway structures as defined in the Highways Act whether adopted or not).

The site is likely to be developed in phases and in order to ensure the timely delivery of the one-way link into the site from Hawber Cote Lane the Developer will be required to provide details showing how the site will be developed/constructed and these shall be approved by Highways prior to any development starting on site.

Highways have no further objections to raise regarding this proposal (subject to the overrun area issue being addressed as set out above) and if the Council were minded to approve this application the following conditions would be appropriate

Trees

The additional arb information is noted and the arb impact assessment has been updated. The engineering issues within RPAs as previously highlighted will need to be dealt the under submission of details application for later approval.

Environmental Health (Pollution)

EH Pollution has considered the application and the supplied Preliminary Geo-Environmental Appraisal by Lithos.

The report indicates that the site is “essentially greenfield with the exception of the former reservoir and allotments where some made ground is anticipated and is it considered likely that some (probably minor) ground contamination will be present in shallow soils.”

The report concludes that “Whilst the site is considered suitable for its current and proposed use, the proposed change in use will require intrusive investigation.” And recommends “Chemical testing on soil samples to assess the significance of contamination” An assessment of the risk of hazardous gas migration is also recommended “after inspection of any made ground associated with the former reservoir.”

Environmental Health agrees with the recommendations presented in the Preliminary Geoenvironmental Appraisal by Lithos. and therefore recommends that conditions are included on the decision notice.

Under the provisions of the LES planning guidance all major 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.

Type 3 Mitigation

- Undertaking of an emission damage cost calculation and provision of additional site specific emission mitigation (or financial contributions towards type 3 mitigation) to a level which reflects the magnitude of the calculated damage costs.

Exposure Assessment

The Redmore Environmental Air Quality Assessment version 4184r4 concludes there are no current air quality exposure concerns at the proposed development site. This conclusion is accepted in full and no further exposure assessment work is required. The CAP team has no concerns regarding the potential for exposure to air pollution of potential new residents on this site.

Air Quality Impact Assessment

The Redmore Environmental Air Quality Assessment version 4184r4 contains a detailed air quality impact assessment detailing expected changes in air quality in the surrounding area during the construction and operational phases of the site. The modelling work undertaken to support this air quality impact assessment has been reviewed in detail by the CAP team. We are now satisfied that the 2019 baseline modelling work is representative of air quality conditions in Silsden and has taken into consideration other planned development in the locality.

Both the 2019 baseline modelling and more recent air quality monitoring data (obtained by the CBMDC CAP team during 2022) indicate that current concentrations of nitrogen dioxide on Bolton Road are below 30ug/m³ (the annual average health based objective is 40ug/m³).

Concentrations of pollutants by the proposed opening year of 2029 (with and without) the proposed development in place) have been calculated using worst case emission factors (which don't account for the expected further improvement in vehicle emission between 2019 and 2029 or expected improvement in background conditions). Even under this worst case scenario the maximum expected increases in pollutant concentrations at relevant receptor points due to the development are very small, 0.6µg/m³ for nitrogen dioxide and 0.12µg/m³ for PM₁₀. In all cases resultant pollutant concentrations are predicted to remain well within current health based objectives.

Damage cost calculation

At the request of the CAP team an emission damage cost calculation has now been undertaken for the proposal. This indicates an emission damage cost over the first 5 years of the development of approximately £39,936 (Redmore Environmental Air Quality Assessment version 4184r). The purpose of the damage cost calculation is to ensure that the type 3 mitigation applied to the site is proportional to the magnitude of additional emissions arising. The damage cost mitigation does not usually include type 1 and 2 emission mitigation (EV charging points, construction emission management plan and travel plan arrangements) as these are required as standard on major developments. Whilst these measures are not considered type 3 emission mitigation it is understood that the applicant has agreed to make a large off site financial contribution towards the cost of improving walking and cycling links over the A629 which will considerably exceed £39,936. They are also to provide cycle storage units at a cost of £77K. It is recommended that both these type 3 emission mitigation measures are conditioned to ensure emission damage costs from this site are adequately off set.

Public Rights of Way

The PROW Proposals plan identifies both the existing routes of the recorded public rights of way and the intended diversions with each path given a different colour.

As referred to in my previous comments any proposed changes to the footpath network will be subject to a separate application and public consultation process, which may attract objections from the public and require a public inquiry to resolve. No development affecting the routes of the footpaths should take place until a diversion/stopping up order has been successfully obtained.

Footpath 34 (Silsden) The Millennium Way

I note the latest revision of the proposals removes a suggested diversion of the footpath where it crossed the estate road. The path is to be retained on its existing route.

Public Footpath 44 (Silsden)

I note the latest revision has amended part of the alternative route proposed for this path. Instead of being entirely on footways parts of the route are now routed through green areas which is an improvement on the initial proposals and more in line with Circular 1/09.

Public Footpath 45 (Silsden)

The PROW Proposals show a diversion route mainly through areas of green space. The pinch point at the edge of plot 124 on the earlier version of the proposals appears to have been addressed.

The recorded footpaths will be crossed in various places by the estate roads, the developer should be required to provide new footpath signposts at each new crossing point.

If planning permission is granted, please ensure that the applicant is made aware of the need to adhere to the standard requirements outlined in my previous responses during the period of any works on site.

Biodiversity

We are satisfied with the response to our previous comment dated 04/09/2023 which were received by email which included adequate responses to our queries and the inclusion of additional hedgerow planting on and off site.

Lead Local Flood Authority

The LLFA do NOT have any objections to the proposed development, provided that flood risk/drainage conditions are included with any grant of planning permission.

Local Plans

The Council is currently in the process of preparing a new single Local Plan for Bradford District. This plan reflects recent changes to national policy, in particular the method for calculating housing need, as well as local priorities. The emerging plan will set out detailed policies and proposals (including site allocations) to support the growth and development of the District over its plan period.

The emerging Local Plan is still at an early stage of development, having reached the Preferred Options stage (Regulation 18) in February 2021 and was subject to community and stakeholder consultation between 8th February and 24th March 2021.

At this stage, the emerging Local Plan would only carry very limited weighting in decision making, as it is at an early stage of preparation. There are currently unresolved objections to the Plan's policies and allocations that will need to be addressed. In addition, it may be subject to change based on the outcomes of the most recent consultation stage as well as on-going work to develop the evidence base that will support it. This aligns with the approach taken within the NPPF.

Steeton with Eastburn and Silsden Neighbourhood Development Plan (June 2021)

Under the provisions of the Localism Act 2011 (as amended) and the Neighbourhood Planning (General) Regulations 2012 (as amended), Silsden Town Council together with Steeton with Eastburn Parish Council, developed a joint neighbourhood development plan

(NDP) to help shape the future growth and development of their areas. It was developed over a number years commencing in 2014 and subject to significant community/stakeholder engagement. An independent examination took place during 2020, following which the Examiner recommended that subject to a number of modifications, it met the Basic Conditions set out in law and should proceed to referendum.

A local referendum was held on the neighbourhood plan on the 6th May 2021 and of those who voted, 81.81% voted in favour. The neighbourhood plan was subsequently adopted by City of Bradford Metropolitan District Council on 7th June 2021 and now forms part of the District's development plan. As such it is relevant to this planning application.

The overall aim of the NDP is *“to promoted and protect a healthy and pleasant environment for those who live, work and play in the area, offering opportunities for employment, leisure, education, shopping and housing and improved connectivity. The plan will act as an advocate for the area and will ensure involvement in higher level decision-making processes.”*. The overall aim is supported by 10 Objectives, within which the NDP's policies are framed. The NDP policies that are relevant to this application include, but are not restricted to:

- SWES1: Housing Development with the Existing Urban Area of Steeton with Eastburn & Silsden;
- SWES2: Design of New Housing Development within the Steeton with Eastburn and Silsden Neighbourhood Plan Area.
- SWES3: Housing Density
- SWES7: Infrastructure for New Development

Silsden, together with five other settlements, is identified in the settlement hierarchy under Policy SC4 of the Core Strategy as a Local Growth Centre (LGC). These growth centres are considered to be the most sustainable local centres, and accessible to higher order settlements such as Bradford, Keighley and Ilkley.

Former Safeguarded Land

The application site is located on land previously identified in the Bradford Replacement Unitary Development Plan (2005), as safeguarded land under Policy UR5 (ref: K/UR5.38).

Safeguarded land is often characterised as land between the edge of the built up area and the Green Belt and is sometimes identified and designated in Local Plans to provide an additional reserve of land for development in the longer term beyond the end of the plan period. This in turn supports a long standing and key element of national planning policy which is to ensure the longevity of Green Belt boundaries.

RUDP Policy UR5 was originally saved as part of a direction schedule issued by the Secretary of State in September 2008. However, following the adoption of the Core Strategy an updated schedule indicated which RUDP policies had been superseded by the Core Strategy (and other DPDs) and which remain saved.

RUDP Policy UR5 was not saved (together with the land designations) but was considered superseded by Core Strategy DPD Policy SC7. However, although the two policies are not directly comparable (as Core Strategy Policy SC7 only deals with Green Belt and not safeguarded land), the application site is nonetheless located on land classified as 'former safeguarded land'.

With reference to the Core Strategy DPD, Policy HO2 details that strategic sources of housing supply include 'safeguarded land sites identified in the RUDP'. Under this policy, 'safeguarded land' is considered more 'within' the current plan housing supply rather than as a long term post plan land resource. At a strategic level, this policy position is intended to make best use of both unimplemented (former) RUDP housing allocations and safeguarded land under Policy HO2.

Children's Services

On the whole, based on the most recent census data, the above housing development is unlikely to cause significant concerns over where children of families coming to reside in the development might attend school.

However, a development of this size could be expected to attract approximately an additional 20 primary school children and 11 secondary school children; should these children be clustered in particular year groups, schools may need to make adjustments to accommodate them. Parents usually have an expectation that their children will be able to secure a school place at their local school and minimise the distance they need to travel; it is unlikely that this will be possible for all families moving here.

The following schools are within a reasonable distance of the proposed development:

Primary Schools: Silsden Primary School and Steeton Primary Schools

Secondary Schools: University Academy Keighley and The Holy Family Catholic School

October 2021 census data for the village primary school indicates vacancies in some year groups but not others. However, the neighbouring village school in Steeton has vacancies in most year groups, so it is likely that children moving to this proposed development could be accommodated in a local school.

Forecasts for the future Reception intakes for these schools suggest they are likely to be oversubscribed in 2023 but surplus places are likely to become available for the foreseeable future after that.

Census data for these secondary schools indicate there is some availability across all year groups.

Forecasts for the future Y7 intakes for these schools suggest they are likely to be oversubscribed for the next couple of years but surplus places may become available from 2025.

It is worth noting that many families living in this area choose to apply for schools across the border in North Yorkshire. Information relating to school places outside the Bradford District is not held.

Any District Community Infrastructure Levy (CIL), if granted to the Children's Services department, may be used to expand provision where required to accommodate any additional children.

Summary of Main Issues:

Principle of development

Housing Land Supply

Density

Design & Layout

Highways
Affordable Housing
Effect on residential amenity
Other Issues

Appraisal:

Principle of development

In 1998, the application site was removed from the Green Belt by the Bradford UDP and formed a wider area of 'safeguarded land' to the east of Silsden under Policy UR5. This remained the case when CBMDC adopted the RUDP in 2005, with the RUDP specifically identifying the application site as safeguarded land under Policy UR5 (site reference. K/UR5.38). In line with national planning policy at the time, the purpose of identifying safeguarded land was to meet longer term development needs.

Along with all other such land in the District, the application sites Safeguarded Land allocation under RUDP Policy UR5 was not saved and carried forward when the Core Strategy was adopted, 2017. As an Allocations DPD has not been progressed, the application site now comprises unallocated land outside the Green Belt and within Silsden defined settlement boundary. There are also no other planning or environmental designations covering the site.

Policy HO2 of the Core Strategy confirms that housing targets for Bradford District will be met by a number of sources. Specifically, this includes 'safeguarded land sites identified in the RUDP'. Given the application site's previous safeguarded land allocation, it is argued that the Core Strategy includes for Safeguarded Land to form part of the housing land supply.

In acknowledging that the application site is green field, the NPPF states that where there are no relevant development plan policies, planning permission should be granted unless:

- the application of policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

It is not considered that there any clear policy reasons to refuse the application, nor would there be any adverse impacts, that would outweigh the benefits of the proposed development, when measured against the NPPF.

It is not considered that there any clear policy reasons to refuse the application, nor would there be any adverse impacts, that would outweigh the benefits of the proposed development, when measured against the NPPF.

In the NDP, SWES1 new housing development will be supported on sites within the settlement boundary (see Policies Map) allocated in the Local Plan and other sites subject to conformity with other statutory policies including those in this Plan. The application site is located within the settlement boundary and the proposed development would accord with NDP.

In conclusion, the application site is within the settlement boundary of the NDP where housing development is supported.

It is considered that all planning and technical considerations have been addressed and, the application is supported in accordance with Paragraph 11c of the NPPF where for decision taking -.

c) approving development proposals that accord with an up-to-date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, 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 proposed⁷; 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.

In regard of para 11d of the NPPF, any adverse impacts associated with the proposed development would not significantly nor demonstrably outweigh the planning and public benefits that would be secured should planning permission be granted.

Housing Land Supply

Paragraph 59 of the NPPF stresses the need for Local Planning Authorities to significantly boost the supply of new housing. The adopted Core Strategy underscores this strong planning policy support for the delivery of new housing, emphasising that one of the key issues for the future development of the district is the need to house Bradford's growing population by delivering 42,100 new residential units by 2030.

Policy HO3 of the Core Strategy identifies the need to accommodate 3,400 dwellings within the South Pennine Towns and Villages up to 2030.

The Bradford Council Five Year Housing Land Statement (2018-2023) indicates that the 5-year deliverable supply currently stands at 2.06 years. Under these circumstances paragraph 11d of the Framework confirms that the relevant policies for the supply of housing should not be considered up-to-date and the 'tilted balance' is engaged.

In light of the record of persistent under-delivery and the chronic housing land supply shortfall relative to the requirements of the Framework, there is an urgent need to increase the supply of housing land in the District. The contribution that this development would make towards addressing both market housing and affordable housing need is therefore a significant benefit of the proposal and one which is afforded significant weight.

Density

Core Strategy Policy HO5 seeks to ensure that the best and most efficient use of land is made as part of new residential developments. This means delivering the most houses possible whilst taking into account the need to have a well-designed layout, reflecting the site's nature, its surroundings and the type/size of housing needed within the area. The policy requires development to achieve at least a minimum net density of 30 dwellings per hectare (dph). NDP Policy SWES3 adopts the same density requirement. The accompanying Design and Access Statements highlights the proposed development seeks to achieve different densities within two indicative characters – 35 to 40 dph and 30 to 35 dph.

Paragraph 5.3.88 of the Core Strategy also makes it clear that Policy HO5 is flexible and allows for the negotiation of either lower or higher housing yields.

Policy HO5 does include for provisions to be made in the policy to enable lower housing densities where: i) well designed layouts reflect the nature of the site and its surroundings; and ii) the type and sizes of housing needed in the area are provided.

i) The Planning Statement and Design and Access Statement set out in detail the iterative design process undertaken with Integreat Yorkshire prior to the submission of the planning application, which has ultimately resulted in a scheme of very high design and landscape quality to protect the setting of the site and the landscape character of the local area. To this end, we understand that there are no objections from your Landscape, Design and Conservation Team regarding the application.

ii) The policy note we provided you (dated 21 October 2022) sets out additional details on the differing housing type needs in Bradford District. As there has been no update to the 2019 SHMA since the policy note was issued, Paragraph 4.4 of the note remains relevant as it states:

“... the latest Strategic Housing Market Assessment (SHMA) (2019) identifies that the strongest need in Bradford District is for two and three-bedroom dwellings, whilst there is a continued need for one and four-bedroom dwellings. To help meet these needs, the proposed development comprises predominantly two, three and four-bedroom homes, with a small number of five-bedroom homes also proposed...”

Design

Prior to the submission of the planning application in 2022, the applicant undertook a Design Review with Integreat Plus. Through a number of workshops and meetings, the design review process, has resulted in a number of positive changes to the layout and design of the proposed development. The scheme has been subject to further design and layout amendments requested by statutory consultees eg. Highways and Landscape Teams, over the course of the application.

The design and layout of the proposed development has evolved positively. The proposed scheme would meet the priorities of the Homes and Neighbourhoods SPD and provide high quality housing.

Highways & Transportation

The application includes a Transport Assessment and Travel Plan, which have been considered as part of the determination of the planning application. The traffic surveys within the Transport Assessment (TA), which were undertaken during the Covid pandemic, have been increased to ensure that they are representative of post-Covid situation. Traffic from several local approved development sites (including the nearby Skipton Properties development) have been incorporated into the highway submission.

The Transport Assessment and subsequent Addendum report demonstrate that the existing local highway network can safely and adequately accommodate the traffic impact of the proposed development. Additionally, the applicant has agreed to make a financial contribution to deliver of improvements to the existing and post-development position, with traffic management and calming within Silsden.

The access on Bolton Road has been designed to meet highway standards including carriageway widths, footway/cycle provision and junction visibility. It has been demonstrated in the TA that the Bolton Road site access junction would operate safely, when all of the proposed dwellings are built.

The proposal includes for a secondary route, which extends from Hawber Cote Lane. Additionally, it is proposed to provide an extension to Hawber Cote Drive for a short distance into the site to provide a turning head within the application site. The extension of Hawber Cote Drive and provision of a turning head would provide a betterment for future occupiers of the development.

The existing bus service would be within a short and accessible walk of the proposed development, and it is proposed to improve the bus stop facilities on Bolton Road, to include a new bus shelter and footway widening. (The 62 bus service on Bolton Road provides regular services every 30 minutes throughout the day, connecting the application site with Silsden town centre, Steeton and Silsden railway station and other destinations beyond including Keighley and Ilkley).

Steeton and Silsden Station provides connections to numerous destinations and can be reached by foot within 30 minutes, bicycle within 10 minutes, bus within 10 to 15 minutes (using the no. 62 bus service) and car within 5 to 10 minutes. Site accessibility will be further enhanced by the Council's proposal to provide a footbridge over the A629 (for which the proposed development is contributing £100,000 in funding).

In summary, the development proposals comply with the Core Strategy which refers to a focus upon good walking and cycling links to public transport facilities. The proposed development provides good connections and accessibility by foot, cycle and public transport to a range of local services, facilities and employment opportunities. As such, it is in a sustainable location and is compliant with the NPPF which requires that people are given "*a genuine choice of transport modes*" and that "*significant development should be focused on locations which are or can be made sustainable*".

The RUDP includes a proposal for Silsden Eastern Bypass (K/TM20.1). This was carried forward from the 1998 Adopted UDP and is shown on the RUDP proposals map, forming part of RUDP Policy TM20 (Transport and Highway Improvements). This policy was partly replaced by Core Strategy Policy TR7, in relation to broad investment priorities but not in relation to schemes which are saved until adoption of the Local Plan. Therefore, at this stage, the intended line of the Silsden Eastern Bypass remains part of the Development Plan, until such time that the new Local Plan is adopted.

Affordable housing

Core Strategy Policy HO11 seeks to ensure that there is a sufficient supply of good quality affordable housing across the District. Given the potential number of dwellings (more than 15), affordable housing would be required as part any future development on this site. The policy seeks up to 20% of the homes provided to be affordable (subject to viability). It is noted that paragraph 6.44 of the supporting Planning Statement that is intended to provide a total of 28 affordable homes within the proposed development. It outlines that there will be a mix of tenures and that the affordable units would be mixed with other units across the site. It is noted that affordable housing is clustered in parts of the site including a concentration to the south of the scheme. The location of affordable units would be subject to agreement with the registered provider.

Effect on Residential Amenity.

Policy DS5 requires that the design of the development should ensure that amenity of existing or prospective residents is not compromised. The distances between the existing houses and the proposed development indicates that the required separation distances would be achieved.

It is not considered therefore, that the distance between existing properties and proposed properties would result in any adverse impact on privacy, or overshadowing of residents.

Other Issues Raised in Representations

Impact on highway

The application site is located c.800m from Silsden town centre and is located off the principal highway, Bolton Road, connecting Silsden with the A629 and A65.

A Transport Assessment has been submitted and considered by Highways Development Control. Traffic generated by the proposed development has been assessed and it is not believed that there would be any adverse impact on the highway network, as a result of increased traffic. The applicant will make contributions towards highway improvements within Silsden town centre – TRO for traffic calming to manage traffic speeds and review of parking on Kirkgate; and a contribution towards the planned pedestrian/cycle bridge over the Aire Valley Road, A629.

In terms of highways safety, the provision of a pedestrian/cycle bridge over the A629 would provide a far safer route across the A629 to the major benefit of pedestrian and cyclists travelling from the rail station and Steeton.

Impact on biodiversity

Whilst bats have been recorded in the local area, there was no conclusive evidence of any protected species on the site or the surrounding areas, which would be adversely affected by the proposed development, subject to the mitigation proposed. The provision of bat roosting and bird nesting features within the site would result in increased use of the site by some species. Accordingly, there would be no adverse impact on biodiversity as a result of the proposed development.

Lack of school places/GP places

In considering the planning application, Children's Services has confirmed that the development could be accommodated in terms of primary and secondary school places.

As with any planning application for residential development, there would be subsequent pressures on local services and infrastructure. In terms of NHS services eg. GP', this is a matter for the NHS, not the Council and it would be for the NHS to plan for any increased demands on its services.

Options:

The Committee can approve the application as recommended or refuse the application. If the application is refused, reasons for refusal would have to be provided.

Community Safety Implications:

None

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.

Not for publication documents:

None

Reason for Granting Planning Permission:

The development of formerly allocated safeguarded land for residential development is considered appropriate, providing the opportunity for sustainable development within Silsden. The effects of the proposal on the highways network, biodiversity of the site itself, the surrounding locality; and neighbouring residential properties have been assessed and are considered acceptable. As such the proposal would meet policies

SC8- Protecting the South Pennine Moors and their Zone of Influence

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 Use of Previously Developed Land

HO8- Housing Mix

HO11- Affordable Housing

EN2- Biodiversity and Geodiversity

EN4- Landscape

EN5- Trees and Woodland

EN7- Flood Risk

EN8- Environmental Protection

DS1- Achieving Good Design

DS3- Urban Character

DS4- Streets and Movement

DS5- Safe and Inclusive Places

ID3- Developer Contributions

Section 106:

Planning Obligations

A Section 106 has been prepared to include the following -

- The provision of 28 affordable homes comprising 21 no. dwellings categorised as affordable housing and 7 no. dwellings categorised as 'First Homes'.
- The provision and management of public open space within the application site.
- A financial contribution of £100,000 to the Council to assist with the provision of a new pedestrian/cycling bridge across the A629 and/or improving links to Steeton and Silsden railway station and National Cycle Network Route 69 along the Leeds Liverpool Canal towpath.
- A financial contribution of £52,585 to the Council towards the management and monitoring of the South Pennine Moors SPA in accordance with the South Pennine Moors SPA/SAC Planning Framework SPD.
- A financial contribution of £20,460 to the Council towards the provision of measures to encourage the use of sustainable travel modes by the residents of the proposed dwellings.
- A series of financial contributions to the Council towards assisting with a number of traffic management and calming works within Silsden.
- A financial contribution to ensure the implementation and review of an ecological enhancement scheme.

- The submission and completion of a footpath works scheme, in relation to the provision of a 2.0m footway along the Bolton Road Site frontage which will connect with the existing footway.
- The provision of a footpath to the south of the Hawber Cote Lane access into the site should the Council require it in the future.

Conditions of Approval:

Construction work shall only be carried out between the hours of 0730 and 1800 on Mondays to Fridays, 0730 and 1300 on Saturdays and at no time on Sundays, Bank or Public Holidays, unless specifically agreed otherwise in writing by the Local Planning Authority.

Reason: To protect the amenity of the occupants of nearby dwellings.

Before the date of first occupation every dwelling on the site shall be provided with access to a purpose built EV charging point with Mode 3 Type 2 capability. 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: -

- o 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
- o 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).
- o 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 operational.
- o Charging points installed shall be retained thereafter.
- o 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).

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 Flood Risk Assessment and Drainage Strategy, Report: 5142/FRA01 (rev C), dated: 30.03.22. The maximum surface water discharge rate, off-site, shall not exceed 12.3 litres per second, ie 8.8 L/s to the watercourse and 3.5L/s to the public sewer. 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.

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.

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 EN7: Flood Risk and EN8: Environmental Protection of the adopted Core Strategy.

Before any development works commence on site, full details of the phasing of the construction of the development including the intended timetable for implementation of the means of access, car parking and servicing arrangements shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved.

Reason: To ensure that a suitable form of access, parking and servicing facilities are made available at an appropriate stage throughout the course of the construction works, in the interests of amenity and highway safety, and in accordance with Policy TR2 and Appendix 4 of the Core Strategy Development Plan Document.

Before any part or phase of the development is brought into use, the proposed means of access serving that part or phase of the site shall be laid out and constructed to binder course level in accordance with details to be submitted and approved in writing by the LPA; or completed to such other construction specification as has first been approved in writing by the Local Planning Authority. As and when a phase or the whole development is completed, the final road surfacing and the street lighting and drainage infrastructure relating to that phase of the development shall be laid out and the highway drainage and street lighting relevant to that phase shall be installed.

Reason: To ensure that a safe and suitable form of access is made available to serve the development in the interests of highway safety and to accord with Policy DS4 of the Core Strategy Development Plan Document and Paragraph 32 of the National Planning Policy Framework.

Before any part of the development is brought into use, the visibility splays shall be laid out and there shall be no obstruction to visibility exceeding 900mm in height within the splays so formed above the road level of the adjacent highway.

Reason: To ensure that the site is connected to existing street and path networks, public transport and places and that a safe and suitable form of access is made available to serve the development in accordance with Policy DS4 of the Core Strategy Development Plan Document and Paragraph 32 of the National Planning Policy Framework.

Before the development is brought into use, the associated off street car parking facility shall be laid out, hard surfaced and drained within the curtilage of the site in accordance

with the approved drawings. The gradient shall be no steeper than 1 in 15 except where otherwise approved in writing by the Local Planning Authority.

Reason: To support the effective regulation of car parking provision serving the development, in the interests of amenity and highway safety, and in accordance with Policy TR2 and Appendix 4 of the Core Strategy Development Plan Document.

Prior to construction of the development the Phase 2 site investigation and risk assessment must be completed in accordance with the approved site investigation scheme contained within the supplied Preliminary Geo-Environmental Appraisal by Lithos. A written report, including a remedial options appraisal scheme, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy EN8 of the Local Plan for Bradford.

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

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy EN8 of the Local Plan for Bradford.

A remediation verification report, including where necessary quality control of imported soil materials and clean cover systems, prepared in accordance with the approved remediation strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of each phase of the development (if phased) or prior to the completion of the development.

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy EN8 of the Local Plan for Bradford.

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

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy EN8 of the Local Plan for Bradford.

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 approved methodology shall be complied with in implementing the development.

Reason: To ensure that all materials brought to the site are acceptable, to ensure that contamination/pollution is not brought into the development site and to comply with policy EN8 of the Local Plan for Bradford.

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

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.

No piped discharge of surface or foul water shall take place from the development until details of a scheme for foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The scheme so approved shall thereafter be implemented prior to the commencement of the development.

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.

Before any development works commence on site, full details, including all necessary calculations of those temporary and permanent works affecting the stability of the highway boundary along the proposed one-way link into the site from Hawber Cote Lane shall be submitted to and approved in writing by the Local Planning Authority. The measures so approved shall be carried out in accordance with a programme of works to be approved in writing by the Local Planning Authority.

The applicant is advised to make early contact with Highway Structures (email: Highway.Structures2@bradford.gov.uk) prior to starting any works on site.

Reason: Agreement of effective measures for highway stability must be approved before work begins to avoid harm to the safety of users of the adjoining highway network and ensure that a safe and suitable form of access is made available to serve the development in accordance with Policy DS4 of the Core Strategy Development Plan Document and Paragraph 32 of the National Planning Framework.

Notwithstanding the provision of Class A, Part 4 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any subsequent legislation, the development hereby permitted shall not be begun until a Construction Plan specifying proposals for the management of construction site access and the layout of construction site facilities 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 position and width of the contractor's means of access to the site including measures to deal with surface water drainage;
- ii) intended hours of construction work, including any works of demolition;
- iii) intended hours of delivery of materials;
- iv) location of materials storage compounds, loading/unloading areas and areas for construction vehicles to turn within the site;
- v) car parking areas for construction workers, sales staff and customers;
- vi) a wheel cleaning facility or other comparable measures to prevent site vehicles bringing mud, debris or dirt onto a highway adjoining the development site;
- 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: In order to safeguard the amenity of neighbouring occupiers and the safety of road users it is essential that the detail of these facilities is satisfactorily resolved before

any work begins. To accord with Policies DS5, DS9, TR2 and DS4 of the Core Strategy Development Plan Document.

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

Reason: In the interests of amenity and highway safety, and in accordance with Policies DS4 and DS5 of the Core Strategy Development Plan Document.

The development shall not begin, nor shall there be any demolition, site preparation or groundworks, nor shall any materials or machinery be brought on to the site, nor any works carried out to any trees until the tree protection fencing and other tree protection measures are installed in strict accordance with an arboricultural method statement or tree protection plan to BS5837:2012 to be approved in writing by the Local Planning Authority.

The development shall not begin until the Local Planning Authority has inspected and given its written approval confirming that the agreed tree protection measures are in place in accordance with the submitted details.

Reason: To ensure that trees are adequately protected prior to development activity beginning on the site which would otherwise harm trees to the detriment of visual amenity. To accord with Policy EN5 of the Bradford Local Plan Core Strategy.

The approved and agreed tree protection measures shall remain in place, and shall not be moved, removed or altered for the duration of the development without the written consent of the Local Planning Authority. There shall also be no excavations, engineering or landscaping work, service runs, or installations, and no materials will be stored within any construction exclusion zones or root protection areas without the written consent of the Local Planning Authority.

Reason: To ensure that trees are adequately protected during development activity on the site which would otherwise harm trees to the detriment of visual amenity. To accord with Policy EN5 of the Bradford Local Plan Core Strategy.

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.

The existing wall(s) along the boundary of the site shall be retained during and after completion of the development and those parts of the boundary wall that are damaged or removed shall be made good using materials of similar appearance, and to a similar coursing to the remaining wall, prior to the first occupation of the development hereby permitted.

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

In the first planting season following the completion of the development, or in accordance with an alternative timetable for implementation that has been agreed in writing by the Local

Planning Authority, the landscaping proposals forming part of the approved plans schedule shall be implemented in accordance with the submitted specifications and details.

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

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

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

Landscape maintenance of the identified areas shall subsequently be carried out in accordance with the approved schedule for the period agreed.

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

No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall put in place measures to retain and protect the 0.27 Biodiversity Habitat Units (modified grassland to be enhanced) and 4.53 Biodiversity Hedgerow Units (to be retained or enhanced) as discussed in Technical Note: LPA Response - Updated Biodiversity Metric Calculation and Outline Management Plan for Offsite Compensation (Ref: 1387.02_TN_JL_V4 Date: 28/03/2023, James Longley MCIEEM, Baker Consultants) and calculated in the associated Natural England Metric v3.1 (dated 03/09/2023, James Longley) and include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones" including Tree Protection Zones for retained trees and hedges.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: to ensure the protection of existing biodiversity features in accordance with Core Strategy Policy EN2, the NPPF, and BS 42020:2013.

A Biodiversity Gain Plan (BGP) shall be submitted to, and be approved in writing by, the local planning authority prior to commencement of the development. The Plan shall deliver a minimum of 18.15 Habitat Units and 9.54 Hedgerow Units on land identified in Technical Note: LPA Response - Updated Biodiversity Metric Calculation and Outline Management Plan for Offsite Compensation (Ref: 1387.02_TN_JL_V4 Date: 03/09/2023, James Longley MCIEEM, Baker Consultants) and calculated in the associated Natural England Metric v3.1 (dated 28/02/2023, James Longley) and include the following.

- a. Description and evaluation of features to be managed and enhanced
- b. Extent and location/area of proposed habitats and Biodiversity Units on scaled maps and plans
- c. Ecological trends and constraints on site that might influence management.
- d. Aims and objectives of management to include Target Biodiversity Units and Condition Criteria.
- e. Appropriate management options for achieving aims and objectives.
- f. An annual work programme (to cover an initial 5-year period)
- g. Details of the specialist ecological management body or organisation responsible for implementation of the Plan
- h. The BGP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.
- i. For each of the first 5 years of the Plan, a progress report sent to the LPA reporting on progress of the annual work programme and confirmation of required Actions for the next 12-month period
- j. The Plan will be reviewed and updated every 5 years and implemented in perpetuity.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the BGP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: to ensure the long-term protection and enhancement of biodiversity in accordance with Core Strategy Policy EN2, NPPF and BS 42020:2013.

Prior to occupation of the first dwelling a Biodiversity Monitoring Programme & Monitoring Report carried out by an appropriately qualified ecological consultant shall be submitted to and agreed by the LPA. It shall include the first Monitoring Report, to take place after full implementation of approved landscaping and habitat creation establishment works, and specify the frequency and timing of subsequent Monitoring Reports to cover a minimum 30-year period to be submitted to the LPA. The Monitoring Report will include the following:

- a. Confirmation of the number of Biodiversity Units present based on a survey at an appropriate time of year and how this compares to the 0.27 Biodiversity Habitat Units (modified grassland to be enhanced) and 4.53 Biodiversity Hedgerow Units (to be retained and enhanced) as described in Technical Note: LPA Response - Updated Biodiversity Metric Calculation and Outline Management Plan for Offsite Compensation (Ref: 1387.02_TN_JL_V4 Date: 28/03/2023, James Longley MCIEEM, Baker Consultants) and calculated in the associated Natural England Metric v3.1 (dated 03/09/2023, James Longley)

- b. Where the Target Condition is not yet met provide an assessment of time to Target Condition for each habitat and any changes to management that are required
- c. How the monitoring is funded and the specialist ecological body responsible
- d. Confirmation by photographs that all integral bird nesting and bat roosting features are in place as approved

Subsequent Monitoring Reports will be submitted to the LPA in years 1, 2, 3, 4, 5, 10, 15, 20, 25 and 30 and where remedial measures or changes in management are required these will be addressed in the subsequent Biodiversity Gain Plan annual work programmes.

Reason: to ensure Biodiversity Units are delivered as agreed in the approved Biodiversity Gain Plan for perpetuity.

Prior to occupation, a “lighting design strategy for biodiversity” for the whole development shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: In order to protect sensitive ecological features such as foraging bats and breeding birds from adverse indirect effects of lighting no habitat of value for these (and other) groups ensuring retained and created habitats maintain a high functional value for species.

Prior to occupation a Biodiversity Welcome Pack for new residents should be written and agreed with the LPA. The Biodiversity Welcome Pack should comprise a document which details the landscaping of the development and how this has been designed and managed for benefits for biodiversity. The welcome pack should discuss why the on-site BNG habitats are important with reference to the Council’s and national government’s aim to halt biodiversity loss. The welcome pack should discuss the bird species recorded on site as well as the valuable hedgerow habitats which are to be retained and enhanced. The Welcome Pack should also highlight the importance of gardens and gardening to species from pollinators to bats, birds and other mammals in residential areas and provide advice for gardening for wildlife.

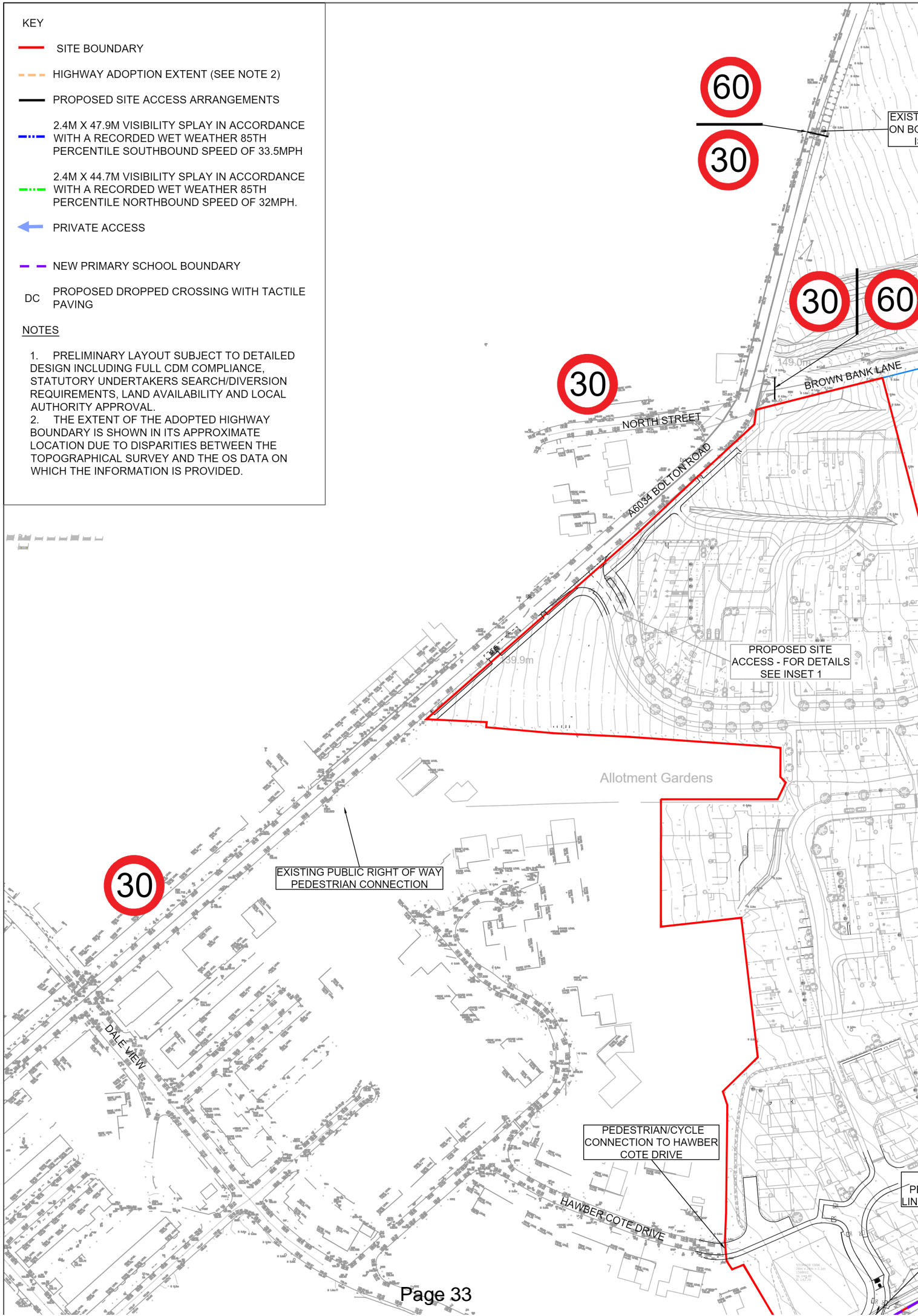
Reason: In order to encourage retention of vegetated gardens and encourage further enhancement of those gardens for wildlife. The aim being to secure biodiversity gains provided by domestic gardens in the long term.

KEY

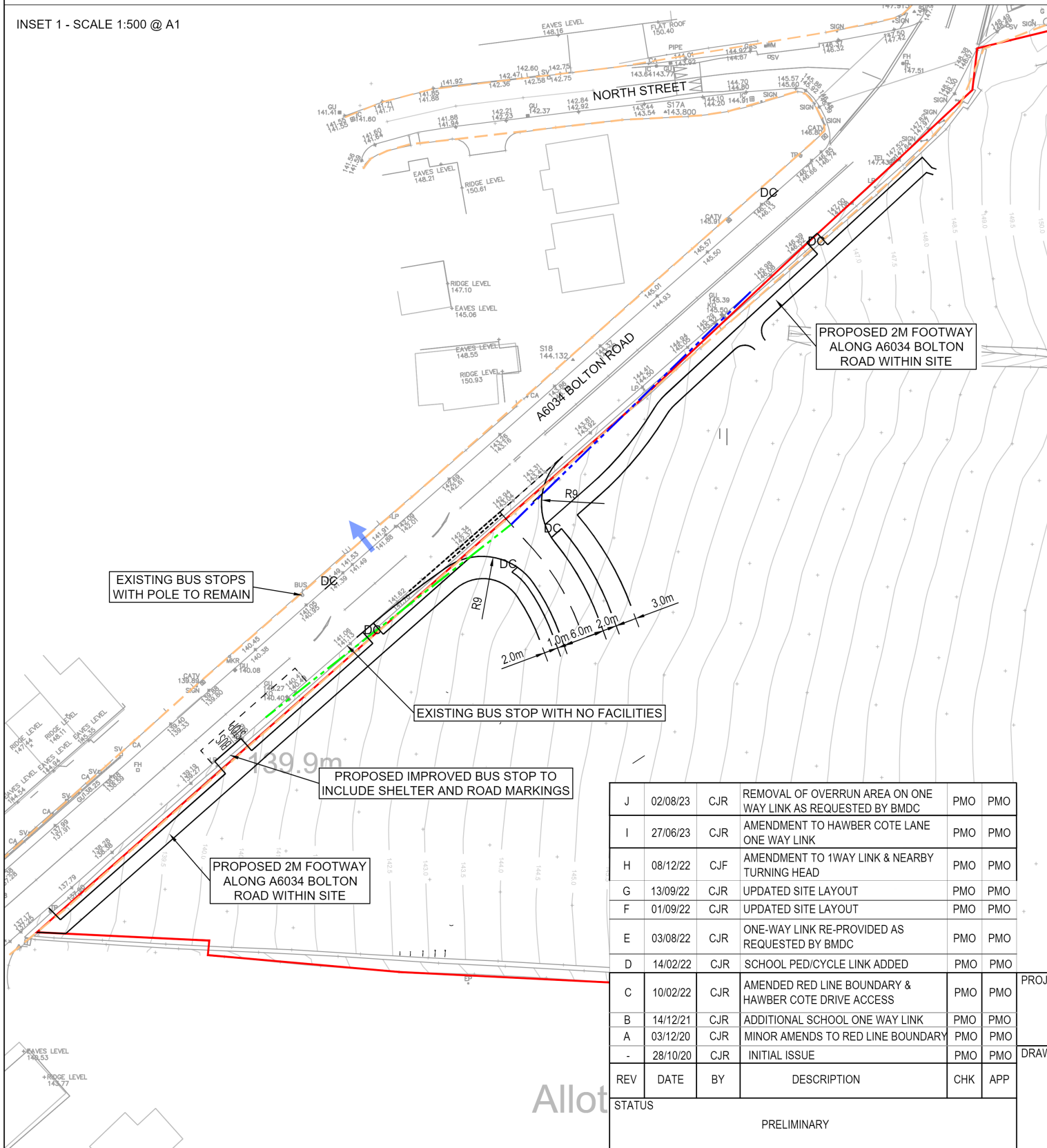
- SITE BOUNDARY
- - - HIGHWAY ADOPTION EXTENT (SEE NOTE 2)
- PROPOSED SITE ACCESS ARRANGEMENTS
- · - · - 2.4M X 47.9M VISIBILITY SPLAY IN ACCORDANCE WITH A RECORDED WET WEATHER 85TH PERCENTILE SOUTHBOUND SPEED OF 33.5MPH
- · - · - 2.4M X 44.7M VISIBILITY SPLAY IN ACCORDANCE WITH A RECORDED WET WEATHER 85TH PERCENTILE NORTHBOUND SPEED OF 32MPH.
- ← PRIVATE ACCESS
- NEW PRIMARY SCHOOL BOUNDARY
- DC PROPOSED DROPPED CROSSING WITH TACTILE PAVING

NOTES

1. PRELIMINARY LAYOUT SUBJECT TO DETAILED DESIGN INCLUDING FULL CDM COMPLIANCE, STATUTORY UNDERTAKERS SEARCH/DIVERSION REQUIREMENTS, LAND AVAILABILITY AND LOCAL AUTHORITY APPROVAL.
2. THE EXTENT OF THE ADOPTED HIGHWAY BOUNDARY IS SHOWN IN ITS APPROXIMATE LOCATION DUE TO DISPARITIES BETWEEN THE TOPOGRAPHICAL SURVEY AND THE OS DATA ON WHICH THE INFORMATION IS PROVIDED.



INSET 1 - SCALE 1:500 @ A1



J	02/08/23	CJR	REMOVAL OF OVERRUN AREA ON ONE WAY LINK AS REQUESTED BY BMDC	PMO	PMO
I	27/06/23	CJR	AMENDMENT TO HAWBER COTE LANE ONE WAY LINK	PMO	PMO
H	08/12/22	CJF	AMENDMENT TO 1WAY LINK & NEARBY TURNING HEAD	PMO	PMO
G	13/09/22	CJR	UPDATED SITE LAYOUT	PMO	PMO
F	01/09/22	CJR	UPDATED SITE LAYOUT	PMO	PMO
E	03/08/22	CJR	ONE-WAY LINK RE-PROVIDED AS REQUESTED BY BMDC	PMO	PMO
D	14/02/22	CJR	SCHOOL PED/CYCLE LINK ADDED	PMO	PMO
C	10/02/22	CJR	AMENDED RED LINE BOUNDARY & HAWBER COTE DRIVE ACCESS	PMO	PMO
B	14/12/21	CJR	ADDITIONAL SCHOOL ONE WAY LINK	PMO	PMO
A	03/12/20	CJR	MINOR AMENDS TO RED LINE BOUNDARY	PMO	PMO
-	28/10/20	CJR	INITIAL ISSUE	PMO	PMO
REV	DATE	BY	DESCRIPTION	CHK	APP

STATUS: PRELIMINARY



Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held On 28th September 2023

E

Subject:

A full planning application for the proposed demolition of the former HMRC office and the construction of a mixed-use development comprising 289 residential dwellings and 722 square metres of flexible Class E (Commercial, Business and Service) floorspace providing a workspace hub and café at 2 Riverside Estate, Shipley, BD98 8AA.

Summary statement:

The loss of the existing office space has been robustly justified as it is no longer suitable in terms of its location, accessibility, relationship with neighbouring land uses and market significance. The proposal would re-develop a sustainably located brownfield site with high quality and much needed new housing and complimentary commercial uses, making a valuable contribution towards addressing the under supply and under delivery of housing in the district. The principle of development is considered to be acceptable.

A less than substantial degree of harm would be incurred to the Saltaire World Heritage Site and Saltaire Conservation Area, and this would be outweighed by the public benefits of the development in terms of providing much needed new housing, removing a detractor building, improving views into the World Heritage site, providing new publically accessible greenspaces and enabling new opportunities for appreciating surrounding heritage assets. The development would not result in any adverse implications for the setting of Saltaire Mills, Victoria Works, Roberts Park, 5,6 and 7 Jane Hills, Leeds Liverpool Canal Conservation Area, or Baildon Green Conservation Area.

The development would provide 5 affordable housing units which falls below the 58 units required by policy HO11 of the Core Strategy. However, a Viability Assessment Report has been provided, and independently reviewed by the Valuation Office Agency, which confirms that because of the abnormal costs associated with developing the site a policy compliant level off affordable housing provision is not viable. The reduced level of affordable housing provision is therefore considered to be justified having taken account of scheme viability.

The development presents no significant adverse impacts with regard to landscape character, design, density, housing mix, housing quality, residential amenity, flood risk, drainage, air quality, land quality, nuisance, highway and pedestrian safety, trees, biodiversity, rights of way or community safety.

A full assessment of the application against all relevant planning policies and material planning considerations is included at Appendix 1. Through the attachment of the proposed conditions and a Section 106 Legal Agreement to secure affordable housing, a contribution of £108,551.29 towards offsetting recreational impacts on the South Pennine Moors SPA/SAC and the management arrangements for estates roads, car parking areas, drainage infrastructure and public open spaces the proposal is considered to be acceptable, and it is recommended that planning permission is granted.

EQUALITY & DIVERSITY:

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

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

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

Richard Hollinson
Assistant Director (Planning,
Transportation & Highways)

Portfolio:

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

Report Contact Hannah Lucitt
Major Development Manager
Phone: 07811503622
E-mail: hannah.lucitt@bradford.gov.uk

Overview & Scrutiny Area:

Regeneration and Economy

1. SUMMARY

The Regulatory and Appeals Committee are asked to consider the recommendations for the determination of planning application reference 22/04182/MAF made by the Assistant Director (Planning, Transportation and Highways) as set out in the Technical Report at Appendix 1.

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 the Officer's Report at Appendix 1.

4. FINANCIAL & RESOURCE APPRAISAL

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

5. RISK MANAGEMENT & GOVERNANCE ISSUES

Nonrelevant to this application.

6. LEGAL APPRAISAL

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

7. OTHER IMPLICATIONS

All considerations material to the determination of the application are set out in the technical report at Appendix 1.

7.1 SUSTAINABILITY IMPLICATIONS

The application is supported by a detailed Sustainability Strategy. The development will minimise energy and CO2 emissions through the use of passive design measures and the use of energy efficient equipment. The use of potable water in sanitary applications will be minimised using low water use fixtures and fittings. The development will be designed and constructed to conserve resources, increase efficiency and use sustainably sourced materials. The development will incorporate sustainable drainage features through the use of, permeable paving, sediment sumps/catch pits and swales. Construction waste will be minimised with the implementation of a Resource Management Plan. The development will minimise air pollution by incorporating an all-electric building strategy and light pollution will be minimised through the appropriate selection and location of external lighting. Finally, health and wellbeing has been considered as an integral part of the design process with consideration of light and noise levels, natural ventilation and access to on-site greenspaces. No adverse sustainability implications are therefore foreseen.

The development meets the sustainability criteria outlined in relevant national and local planning policies. Namely, the National Planning Policy Framework (2023), The Core Strategy Development Plan Document (2017), The Homes and Neighbourhoods Design Guide (2020) and the Sustainable Design Guide (2006) Supplementary Planning Documents.

7.2 TACKLING THE CLIMATE EMERGENCY IMPLICATIONS

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

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

To encourage alternative means of transport Electric Vehicle (EV) charging points will be secured by a planning condition at a rate of 1 per residential unit, for units with allocated parking, in line with the Type 1 Mitigation requirements set out in the Bradford Low Emission Strategy. A Travel Plan will also be implemented to promote walking, cycling and public transport use in the vicinity of the site. A Travel Plan Coordinator will be appointed, and an annual monitoring report will be submitted to the council for review. If the monitoring report shows that the target mode shares have not been achieved information shall be submitted detailing what further measures will be taken to assist with achieving the stated targets. The Travel Plan will continue as a formal process for 5 years after first occupation of the development and its implementation will be secured by a planning condition.

7.3 COMMUNITY SAFETY IMPLICATIONS

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

7.4 HUMAN RIGHTS ACT

Article 6- the right to a fair and public hearing. The Council must ensure that it has taken into account the views of all those who have an interest in, or whom may be affected by the proposal.

7.5 TRADE UNION

There are no Trade Union implications arising from the proposal.

7.6 WARD IMPLICATIONS

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

7.7 IMPLICATIONS FOR CHILDREN AND YOUNG PEOPLE

None.

7.8 ISSUES ARISING FROM PRIVACY IMPACT ASSESSMENT

None.

8. NOT FOR PUBLICATION DOCUMENTS

None.

9. OPTIONS

The Committee can approve the application as per the recommendation contained in the main report or refuse the application.

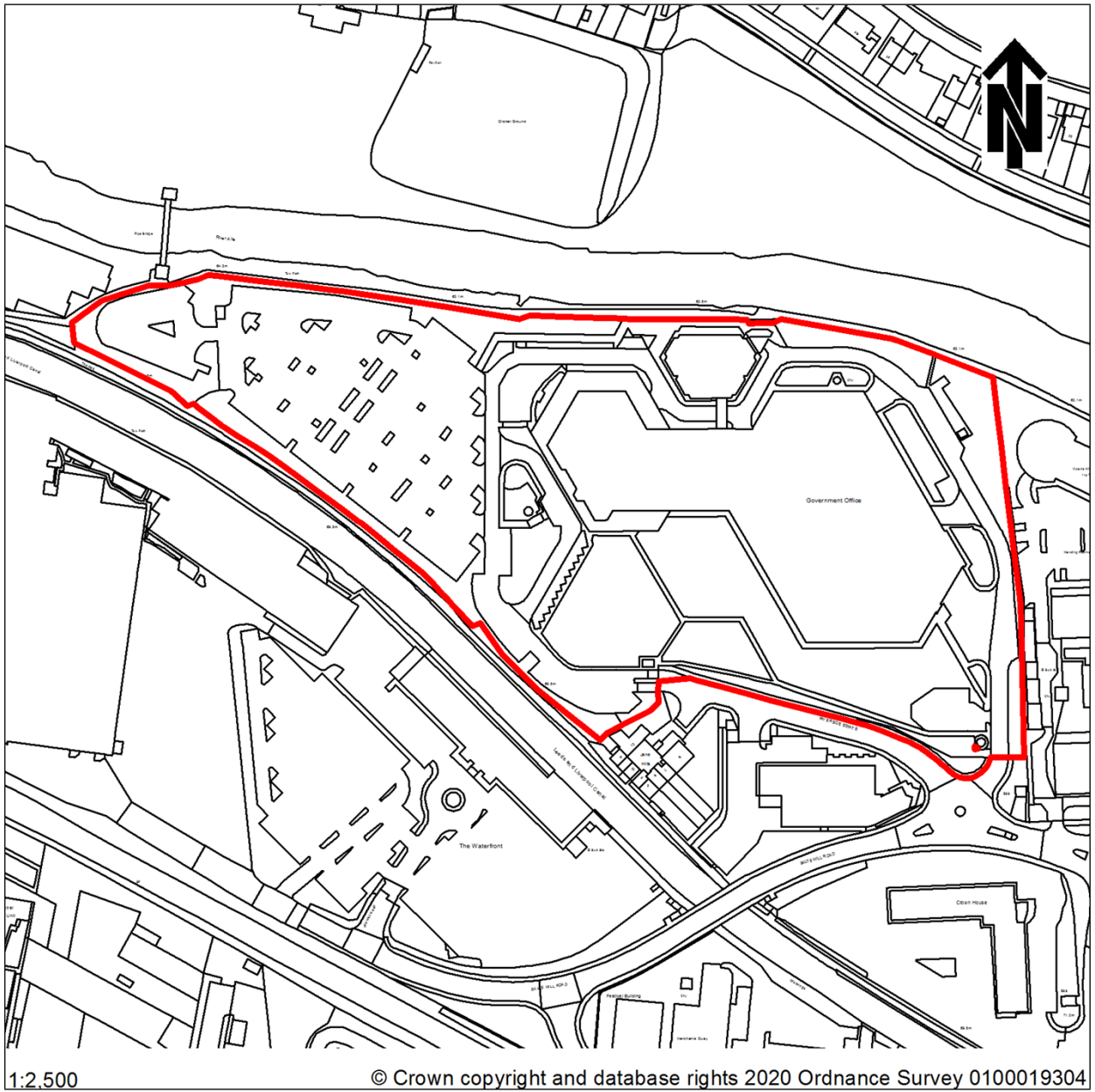
If the Committee decide that planning permission should be refused, the reason(s) for refusal will need to be given based upon development plan policies and/or other material planning considerations.

10. RECOMMENDATIONS

The application is recommended for approval, subject to the conditions included with Appendix 1 and the completion of a Section 106 Agreement.

11. APPENDICES

Appendix 1: Technical Report



Former HMRC Office
2 Riverside Estate
Shipley
West Yorkshire
BD98 8AA

Appendix 1

Ward:
ShIPLEY

Recommendation:

That the Committee grant planning permission subject to a S106 Agreement and with conditions as listed in this report and that the Assistant Director Planning Transportation & Highways be authorised to exercise delegated powers to issue the grant of permission on completion of the S106 Agreement.

Application Number:
22/04182/MAF

Type of Application/Proposal and Address:

A full planning application for the demolition of the former HMRC office and the construction of a mixed-use development comprising 289 residential dwellings and 722 square metres of flexible Class E (Commercial, Business and Service) floorspace providing a work space hub and café.

Applicant:
Artisan Real Estate Ltd

Agent:
Mr Joe Flanagan (ID Planning)

Site Description:

The site is located on the Riverside Estate to the north-west of Shipley and approximately 4 miles from Bradford city centre.

The site currently comprises a large vacant office building with a floorspace of approximately 1.1 hectares (ha), with landscaping, car parking and circulation space giving a total site area of 4.8ha. The building complex consists of a main building of conjoined hexagonal shapes, at two different heights, extending to seven storeys including basement and lower ground floor. On the northern edge of the site, between the main building and the river, is a welfare block which provides recreation spaces including two squash courts, a lounge and bar. The western aspect of the site consists of a large hard surfaced car park and amenity landscaping with an area of approximately 1.2ha.

The River Aire and a riverside public footpath lie on the northern boundary of the site and are separated from the site by 2m high railings and concrete walling. A large section of the southern boundary is adjacent to the Leeds Liverpool Canal towpath and this boundary is secured by 2m high railings and a mature tree line. The eastern boundary separates the site from the Victoria Mills complex with a 3m wide buffer strip of shrubs and trees.

The western corner of the site is located within the Saltaire World Heritage Site and the remainder of the site is within the Saltaire World Heritage Site Buffer Zone. There are three conservation areas situated within 500m of the site, comprising the Saltaire, Leeds-Liverpool Canal and Baildon Green Conservation Areas. The majority of nearby

Site address - page 7

heritage assets are located within the core of the world heritage site, with the exception of 5, 6 and 7 Jane Hills (Grade II Listed Buildings) to the south of the site and the Victoria Mills complex (Grade II Listed Buildings) to the east.

Relevant Site History:

22/00881/SCR-Screening opinion preparatory to Full Planning Application for a mixed-use development consisting of 350 residential dwellings, circa 700sqm of managed office space, 1000sqm of small scale flexible commercial units-EIA not required.

21/04846/PMJ-Mixed-use redevelopment including circa 330 dwellings and flexible commercial space-30.11.2021.

Further historic applications relate to minor alterations and the installation of additional plant to the HMRC office building.

The National Planning Policy Framework 2023 (NPPF):

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

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

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

The Local Plan for Bradford:

The Core Strategy for Bradford was adopted on 18th July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. The site is not allocated for any specific land-use in the RUDP, although it does fall within the boundary of the Shipley/Saltaire Corridor mixed-use area (S/UR7.1). The western part of the site is within the limits of the Saltaire Conservation Area and the UNESCO World Heritage Site of Saltaire, with the remaining part of the site within

the World Heritage Site Buffer Zone. The Airedale Landscape Character Area also washes over the site. Accordingly, the following adopted saved RUDP and Core Strategy policies are applicable to this proposal.

Replacement Unitary Development Plan Policies:

UR7A-Mixed Use Areas-Shipley/Saltaire Corridor mixed-use area (S/UR7.1)

Core Strategy Policies:

P1- Presumption in Favour of Sustainable Development
SC1- Overall Approach and Key Spatial Priorities
SC2-Climate Change and Resource Use
SC3-Working Together to make Great Places
SC4- Hierarchy of Settlements
SC5- Location of Development
SC6- Green Infrastructure
SC8-Protecting the South Pennine Moors and their Zone of Influence
SC9- Making Great Places
BD1- The Regional City of Bradford including Shipley and Lower Baildon
EC4- Sustainable Economic Growth
EC5-City, Town, District and Local Centres
TR1- Travel Reduction and Modal Shift
TR2- Parking Policy
TR3- Public Transport, Cycling and Walking
TR4-Transport and Tourism
TR5- Improving Connectivity and Accessibility
HO1-Scale of Housing Required
HO2- Strategic Sources of Supply
HO3-Distribution of Housing Requirement
HO5- Density of Housing Schemes
HO6-Maximising Use of Previously Developed Land
HO8- Housing Mix
HO9- Housing Quality
HO11- Affordable Housing
EN1-Open Space and Recreation Provision
EN2- Biodiversity and Geodiversity
EN3- Historic Environment
EN4- Landscape
EN5- Trees and Woodland
EN6-Energy
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
ID7-Community Involvement

Emerging Local Plan

The Emerging Local Plan is still within its early stages of development, having reached the Preferred Options stage (Regulation 18) in February 2021 and was subject to community and stakeholder consultation between 8th February and 24th March 2021.

The application site is identified as one of the preferred allocations for residential development in Shipley (ref SH9/H) in the emerging plan. However, in line with paragraph 48 of the National Planning Policy Framework, given that the plan is still within the early stages of preparation and there are a number of outstanding, unresolved objections to the proposed allocation, only very limited weight can be afforded to the plan in decision making.

In this context, it is considered that full weight should continue to be afforded to the policies of the adopted Core Strategy (2017) and the RUDP (2005) in accordance with the degree of conformity with current national planning policy.

Supplementary Planning Documents

Saltaire World Heritage Site Management Plan (2014)

Homes and Neighbourhoods - A Guide to Designing in Bradford (2020)

Landscape Character Assessment Supplementary Planning Document- Volume 1 Airedale (2008)

Planning for Crime Prevention (2007)

Planning Obligations (2007)

South Pennine Moors SPA/SAC Planning Framework (2022)

Sustainable Design Guide (2006)

Shipley Town Council:

Shipley Town Council notes and agrees with the changes made to Block N, which have addressed previous concerns on visual impact on the Saltaire World Heritage Site. Shipley Town Council is still unclear if rooftop solar is included in the development. In line with Shipley Town Councils declaration of a climate emergency, it expects to see all new developments incorporate renewable energy. Shipley Town Council remain fully supportive of its previous comment, that there should be 20% affordable housing on the site.

Having considered the comments from the Highways Department Shipley Town Council would like to suggest that consideration is given to making Victoria Road one way to cope with increased volumes of traffic. Shipley Town Councils previous comment regarding road names to reflect the current diversity of Shipley still stand.

Publicity and Number of Representations:

The application was publicised by press notice, site notice and neighbour notification letters. The expiry date for the submission of comments was 16th December 2022.

Twenty representations were received in connection with the application consisting of fourteen objections and six letters of support.

Summary of Representations Received:

The following objections were received:

Block N is overbearing and will have a negative impact on heritage assets

Block N will harm key views from Coach Road

Taller buildings should be sited nearer Victoria Mill

The aerial view from Coach Road is not the same as the view of persons on Coach Road

The demolition of the building will cause noise and disruption

The current residents only spaces serving Jane Hills will need to have the hours extended to 24 hours a day 7 days a week.

Suitable access should be retained for residents of Jane Hills

Permit parking should be provided for the 8 homes at Jane Hills

The driveway of 8 Jane Hills will have restricted visibility

Access will be limited to and from 8 Jane Hills

The use of bronze roofs/red brick walls will clash with the buildings in the World Heritage Site.

The development will block natural light to the adjacent Mason's Mill.

Increased traffic and congestion

The height of the development will impact on the Victoria Mills Complex

Increased pollution

The development will harm riverside habitats and wildlife

The buildings do not reflect the character of the surrounding area

Increased flooding and surface water run-off

The development does not reflect the existing character of Saltaire

Appropriate boundary separation is needed between the development and 12 Jane Hills.

The access road is covered in soil

Block N would be within the World Heritage Site boundary and it is not sympathetic in terms it's height, shape, materials or massing.

The schemes presented at the public consultation were a fait accompli.

The design has not been adapted following public feedback.

Views of the development from the surrounding area need to be considered.

The development should incorporate Yorkshire stone.

New open spaces should be appropriately managed in terms of anti-social behaviour

The following letters of support were received:

The scheme looks excellent and is in keeping with the locality

The Council should be pro-active in improving provision doctors, dentists and schools

The development will increase the amount of family housing in the area

The development will be a modern take on Saltaire Village

The development will revitalise the site and bring additional revenue to Shipley

The development would remove an existing eyesore

General Comments

The development should provide an appropriate level of affordable housing
Residents of the development should be protected from flooding.
It should be clarified it solar PV is to be provided.
How will parking be controlled within the development.
The houses should be sold freehold not leasehold
How will existing train services cope
The canal footpath should be lit to ensure safe access
Cycling infrastructure requires improvement in the Shipley area.

Consultations:

Historic England

The proposals represent an opportunity to redevelop a brownfield site in a sustainable location to provide housing, but also have the potential to impact upon the Saltaire World Heritage Site, the Saltaire Conservation Area, the Leeds Liverpool Canal Conservation Area and several listed buildings, including the Grade II* listed Main Block at Saltaire Mills.

The character of the application site is currently negative as a result of the hard surfacing, security infrastructure and security fencing. The proposals would remediate this, introduce green space and enhance access across the site. The scale and form of the development also means it would have a limited impact on the Outstanding Universal Value of the World Heritage Site and the significance of the surrounding heritage assets.

Considering the minimal harm, the proposals would cause, and the enhancements that would be provided through the removal of the former HMRC building and increase in green space, Historic England does not wish to object to the proposals. We recommend this harm is weighed against the public benefits of the scheme, in line with paragraph 202 of the National Planning Policy Framework and bearing in mind the statutory duties of sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

We recommend that your authority ensures that the proposed enhancements to the site such as increased tree planting, removal of the existing security fencing and additional green space would be firmly secured as part of any redevelopment of the site.

Design and Conservation (Saltaire World Heritage Site Officer)

Paragraph 207 of the NPPF states that 'Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance'. Paragraph 206 of the NPPF states that 'Local planning authorities should look for opportunities for new development within Conservation Area and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably'. In this case the removal of the larger HMRC 'detractor' building and replacement with lower level development while retaining trees on the boundary and creating a riverside park is considered to outweigh the less than substantial harm to setting and View 21.

The effect of the proposed development on the attributes of the Outstanding Universal Value are considered to be as follows;

1. Model village ensemble will not be affected.
2. Urban and industrial plan will not be affected.
3. Architectural design quality and uniformity of the original ensemble will not be affected. The new design is contemporary so will not be confused with original buildings, and on balance the scale, materials colour palette, design, form, landscaping of development within the setting is considered acceptable compared to the existing dominant HMRC structures, classed as a 'detractor' which will be removed.
4. Rural valley location and setting – see Appendix 7 Setting Survey – there will be a beneficial impact on Views 4, 6 (critical), 20 (critical), 22, 23 (important), neutral impact on View 7.2 and minor impact on View 21 (important) until landscaping matures.
5. Communal function of village will be enhanced.

In accordance with the UNESCO guidance, the low level of impact on the views towards Salts Mill and the rural setting is considered to be negligible. In accordance with the NPPF Paragraph 202, it is considered that the less than substantial harm to the setting of the World Heritage Site should be weighed against the public benefits of securing optimal viable use by sustainable development on this brownfield site close to amenities. Mitigation measures of tree retention and tree planting minimize the concerns to an acceptable level. There are major positive impacts of removal of the 'detractor' features of the HMRC structures. The authenticity and integrity of the World Heritage Site would be maintained.

Conditions or appropriate Management Plans are requested to ensure that tree retention and tree planting is secured to ensure Policy EN3 of the Local Plan for Bradford and Paragraphs 199, 200, 202, 206 and 207 the NPPF are complied with to protect the Outstanding Universal Value of Saltaire World Heritage Site and the setting of the site and Buffer Zone.

Environment Agency

No objections are raised subject to subject to conditions. The following detailed comments are provided:

Flood Risk

The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the development is carried out in accordance with the submitted Flood Risk Assessment ((titled "Land at Former HMRC Office, Shipley, Flood Risk Assessment", reference "128708/G/W/R01", revision 4, dated 15/02/2023, compiled by Fairhurst) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 65.58 metres Above Ordnance Datum.
- Level for level, volume for volume compensatory storage shall be in place prior to construction of the development platform and shall be maintained for the lifetime of the development as per sections 5.1 and 5.7.

The above mitigation measures should be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the

lifetime of the development.

The Flood Risk Assessment document should be listed as an approved document on the decision notice. The decision notice should also include informative advice relating to Environmental Permit requirements, Flood Resistance and Resilience Measures and Flood Warning systems.

It is noted that the area designated for compensatory storage includes landscaping and tree planting. The applicant should ensure that any landscaping and/or tree planting does not impact on the volumes of compensatory storage required to ensure the development does not increase flood risk to others.

Drainage

The developer's proposals for dealing with surface water drainage during the construction phase are acceptable.

The LLFA is satisfied that the developers proposed surface water drainage scheme will adequately mitigate the risk of flooding from pluvial and surface water sources.

The following comments are with reference to the developers Flood Risk Assessment,

The report states that the risk of fluvial flooding (from the River Aire) will be mitigated as follows:

The flood levels for a 1 in 100 year + 23% climate change event at the site range from 64.98mAOD in the west to 64.26 mAOD in the east. To mitigate the risk of fluvial flooding, finished floor levels should be set at a minimum level of 65.58 mAOD to provide 600mm freeboard above the 1 in 100 years + climate change flood level.

The proposed development will encroach on a small area of the 1 in 100 year + 23% climate change flood extent, comprising an area of 119 m², with a maximum depth of 0.2 m. An area of 3695 m² is available within the site layout to provide compensatory storage outside of the 1 in 100 year + 23% climate change flood extent, which will enable level-for-level and volume-for-volume compensatory storage to be provided.

Given that the River Aire is a Main River the Environment Agency will need to confirm that the proposed flood mitigation measures are sufficient and acceptable.

Planning conditions are required to secure the submission of a foul and surface water drainage scheme to be designed in accordance with the principles outlined in the Drainage Strategy Report. A condition requiring the submission of a maintenance plan for the surface water drainage system is also required.

Yorkshire Water

A water supply can be provided under the terms of the Water Industry Act 1991. No objections are raised subject to planning conditions requiring the site to be drained using separate systems for foul and surface water drainage; no piped discharge of surface water to take place until works to provide a satisfactory outfall have been completed and no building or other obstruction to be located over or within 3 metres of the centre line of the public sewer.

Biodiversity

Net Gain

Overall we consider the application to be acceptable in relation to biodiversity and likely to contribute positively to the river habitat, hedgerow habitat, area habitats and overall the biodiversity of the district. We would like to see a native hedgerow mix across at least some of the hedges, currently the BNG assessment indicates the hedges will be non-native ornamental hedges.

Ecological Impact Assessment

The EclA responds to our previous comments and assess the value of the ecological features and the likely impacts appropriately. With the additional discussion provided in the response document, we are satisfied that impacts have been identified and characterised appropriately and adequate mitigation has been recommended where necessary. Along with the habitat enhancements detailed in landscape plans and the BNG assessment, the proposed species enhancement; hedgehog highway, integral bat and swift bricks at the numbers stated in 5.3 of the Ecological Impact Assessment (Delta-Simons February 2023, Project No: 22-0114.01), the scheme will supply improvements to the site biodiversity.

Habitat Regulations Assessment

We agree with the findings of the Habitat Regulations Assessment. We will require confirmation that a contribution of £108,551.29 has been made to Bradford MDC's strategic mitigation, or a Unilateral Undertaking agreeing a payment schedule of this sum has been agreed and signed prior to granting of permission.

Planning conditions are required in order to secure details of a Construction Environmental Management Plan for Biodiversity, a Biodiversity Gain Plan and arrangements for Biodiversity Monitoring and Reporting.

Natural England

No objections are raised subject to securing appropriate mitigation.

The development site falls within the 'zone of influence; (ZOI) for the South Pennine Special Area of Conservation (SAC) and Special Protection Area (SPA). It is anticipated that the new residential development is likely to have a significant effect upon the qualifying features of the European Site due to the risk of increased recreational pressure that could be caused by the development. On this basis the development will require an appropriate assessment.

Your authority has measures in place to manage these potential impacts in the form of a strategic solution. It is advised that this solution will be reliable and effective in preventing adverse effects on the integrity of those European Site(s) falling within the ZOI from recreational impacts associated with this residential development.

N.B The Strategic solution referenced is the payment of a sum of £108,551.29 to offset recreational pressure in line with the requirements of the South Pennine Moors SPA SAC Planning Framework Supplementary Planning Document.

Highways

A Transport Assessment (TA) and Framework Travel Plan (FTP) have been submitted with the application. The TA is accepted in terms of the development's traffic generation and impact on the highway network.

The internal highway layout is not designed to current adoptable standards. It is understood that the access roads will remain private and therefore the developer will need to enter into a S106 agreement that will satisfy us a management company is in place for future maintenance.

The narrow street widths may make it difficult for two large vehicles to pass. Whilst this would be likely to be an infrequent occurrence, it should be considered further as it has implications for pedestrian safety. Passing places may need to be provided in suitable locations.

Inter visibility at all vehicular/pedestrian conflict points such as at junctions with Community Street and access to undercroft parking areas should be assessed and confirmed on the site plan.

The gradients of access ramps into the undercroft car parks should be confirmed.

Any on street parking bays with trees at the end should be 7m in length.

The Local Plan car parking standard is 1.5 spaces average for the development which equates to 433 spaces for the proposed 289 dwellings. The level of car parking proposed is 352 parking spaces for the whole development including the commercial element. Although the proposed level of car parking is less than that required by the parking standards, it is acceptable as the site is situated in a sustainable location close to major transport facilities and a network of pedestrian and cycling routes.

The proposed car parking arrangements are to provide one parking space per residential unit with 271 spaces at undercroft level and 17 on street. The remaining 64 parking spaces are to be located on street for use by visitors to the residential and commercial elements of the development.

A concern was raised regarding the proportion of undercroft car parking and how its use will be enforced given that on-street parking is more convenient. It has been confirmed that under croft car parking has been utilised in order to deliver a high quality place and public realm which is not dominated by car parking. It has also been confirmed that a management presence will be retained, to ensure parking by all users of the site is used correctly and does not affect operation of the internal network.

The location of permit car parking spaces to serve residents of Jane Hills should be clarified. The demarcation between the adopted highways and the internal access road should also be clarified.

The development will also provide a total of 473 cycle parking spaces, as follows: 2 secure cycle parking spaces per dwelling house equating to 288 spaces; 140 secure cycle parking spaces will be provided for the apartments, this equates to just less than 1 space per apartment; 15 secure cycle parking spaces for staff based at the proposed commercial element of the development; and 30 parking spaces within the wider public realm for visitors to the residential and commercial elements of the development. I consider that this is a satisfactory level of cycle parking provision which is in accordance with cycle parking standards.

The site should be designated as a 20mph zone and appropriate signage should be

provided at the entrances and within the site.

Transport Planning

The method of vehicle access management will need to allow cyclists through.

The proposed method of discouraging private vehicle use through locating car storage further away from front doors is welcomed. As such resident parking on-street should be avoided. The applicant should clarify how on-street parking will be charged.

The development is poorly located with respect to the bus network. However, officers may take a view that proximity to public transport hubs (Saltaire and Shipley railway stations, Shipley bus station) within 800m is sufficient.

The developer should look to provide 6 car club spaces across the across the development.

There are only 140 cycle parking spaces in cycle store rooms for the apartments. Cycle parking standards requires 1 secure stand per unit. As there are 145 apartments there should be 145 secure stands. Therefore, 5 further stands need to be provided for the apartments. A total of 289 stands for visitors associated with the residential development should be provided to be in accordance with cycle parking standards. Therefore, the developer should look to provide additional cycle stands for public use across the site without impacting on the walkability and amenity value of the site as a result of too much street furniture. These need to be located across the site in locations with natural surveillance.

The proposed cycle parking provision for staff associated with the commercial uses is in accordance with cycle parking standards.

Travel Plan

The Travel Plan targets should include a greater mode share by sustainable modes. We would like to see a 10%-point reduction in the car mode share i.e. car driver mode share reduced from 50% to 40% with associated increase in sustainable modes.

The Travel Plan does not state what further measures they will take if the mode share targets are not met. This needs to be included in the Travel Plan.

Canal and River Trust

The main issues relevant to the Trust are as follows:

- a) The impact on the structural integrity of the Leeds and Liverpool Canal Embankment;
- b) The impact of the development on the character and appearance of the Leeds and Liverpool Canal Corridor and setting of the Saltaire World Heritage Site;
- c) Measures to accommodate additional pedestrian use on the Canal Towpath caused by the development;
- d) Measures to reduce the risk of pollution towards the canal during construction works; and
- e) Measures to protect and enhance biodiversity associated with the neighbouring canal corridor.

Based on the information available it is advised that suitably worded conditions and a legal agreement are necessary to address these matters.

Conditions are required for the submission of a Construction Management Plan to ensure that the stability of the land adjacent to the canal is not impacted. A further condition is required to ensure provision of soft landscaping and that the landscaped areas close to the canal include native species. A Dust Management Plan should be required to limit the risk of pollution towards the water environment of the canal.

It is confirmed that funding for improvements to the canal towpath is not required from this development as funding has already been secured by CART from elsewhere.

West Yorkshire Police

The development should be covered by a lighting and CCTV strategy for external areas and for the underground car parking areas.

All points of access and egress should achieve the appropriate minimum security standards.

On street car parking provision should benefit from natural surveillance from the residential units.

Suitable hours of use and management arrangements should be put in place for the Community Hub and Café.

The boundary treatments utilised across the site should afford units with a suitable level of defensible space.

There should be a management and maintenance plan for the green spaces to ensure that these remain tidy and maintained in the coming years.

Clean Air Team

These comments are based on information provided in the Delta Simons Ltd Air Quality Assessment (22-0114.03) submitted with the application and the subsequent Delta Simons Air Quality Technical Note provided on 29th November 2022. The latter was provided in response to queries raised by the Clean Air Plan team about traffic and emission factor assumptions made in the air quality assessment. These queries have now been fully addressed by Delta Simons Ltd. air quality.

The Delta Simons Ltd Air Quality Assessment (22-0114.03) provides predicted pollutant concentrations at the proposed development site with and without the development in place. All predicted concentrations are well within current health based standards as expected for a site located away from the major road network. There are no concerns about future exposure of residents to air pollutants on this site.

The Delta Simons Ltd Air Quality Assessment (22-0114.03) contains a detailed air quality impact assessment detailing expected changes in air quality in the surrounding area during the operational phases of the proposed development. The report concludes:

'The Proposed Development is expected to result in a negligible impact associated with the operational phase traffic on nearby receptors and based on the extent of population exposure to the predicted impacts, the residual effects are considered to be not significant'

The Clean Air Plan team have reviewed the assumptions and methodologies used within the air quality impact assessment. A number of queries were initially raised with Delta Simons regarding the modelling inputs and assumptions but these were fully addressed in the subsequent Air Quality Technical Note and the results of the air quality impact assessment are now accepted in full.

Although the proposal will give rise to some pollutant increases on surrounding roads these are not expected to result in additional exceedances of current air quality objectives or have an unacceptable detrimental impact on the aims and objectives of the Bradford CAZ. The assessment provides a worst case scenario in that it has taken no account of the expected reduction in pollutant concentrations expected on the surrounding road network as a result of the Bradford CAZ implementation in September 2022.

To minimise the overall emission impact of the scheme the following emission mitigation measures are required.

-EV Charging provision

-Control of demolition and construction dust emissions

-Low emission travel plan.

The addition of car club spaces is particularly welcomed. It is recommended that this parking space is EV enabled to allow the use of electric car club vehicles hence maximising emission savings.

It is recommended that planning conditions are put in place to ensure the travel plan as presented is delivered in full and effectively monitored.

Subject to Type 1 and 2 emission mitigation being provided the Clean Air Plan team have no objection to this proposal.

Environmental Health Nuisance

The Acoustic Report (reference 22-0114-02) addresses all pertinent noise issues relating to this application. No objections are therefore raised.

Working hours should be limited to the following

- Monday to Friday 7.30 a.m. to 6 p.m.
- Saturday 8.00 a.m. to 1 p.m.
- Sundays, Public/Bank Holidays No working.

Environmental Health Land Contamination

Environmental Health has considered the application and the supplied Geo-Environmental and Geotechnical Interpretative Report by Fairhurst dated March 2021.

No objections are raised and it is recommended that a condition is imposed for the verification of remediation including where necessary quality control of imported soil materials and clean cover systems in accordance with the approved remediation strategy. A further condition is required in order to ensure that any unexpected contamination is dealt with appropriately.

CIL

The Former HMRC Office proposal is a CIL liable use and is within CIL zone 3 which has a current CIL liability of £20 per sqm plus indexation.

It is noted that the proposal includes the demolition of the former HMRC building and that the lawful use has been claimed.

Upon checking records available, it is confirmed that lawful use has taken place and as such the floor space to be demolished has been credited against the proposed floor space which results in the CIL liability being reduced to nil/£0.00.

If planning permission is then granted, a CIL Liability Notice will be issued shortly after the decision notice and will confirm the liability as nil/£0.00. The CIL will be marked as discharged once the Liability Notice has been issued and no further CIL forms will need to be submitted by the applicant prior to works commencing on the development.

Trees

The important tree elements are the linear tree population to the northern side of the Leeds/Liverpool Canal towpath (T23 to G7 inclusive), the trees/vegetation and woodland along the River Aire (T7 to G7) and two groups of trees which are important existing focal points at the “head” of Riverside Estate (G17, T32 & T33). The three trees comprising of G4 are fine examples of the species and are located near the boundary – their retention along with the above would be expected.

There are groups of trees scattered throughout, with some groups being arboriculturally worthy of retention, but their locations are less visually important so it would be anticipated that they could be lost with appropriate mitigation.

Updated sections have been provided in order to illustrate the relationship of the development with the canal side trees along the southern boundary of the site. The information demonstrates that there would be no building foundations or changes in land level within root protection zones. The Trees Officer has confirmed that subject to imposing conditions requiring the submission of an Arboricultural Method Statement and Tree Protection Plan concerns regarding the retention of trees along the southern site boundary are alleviated. Tree removals elsewhere across the site are accepted subject to the carrying out of a comprehensive landscaping scheme for the new development.

Economic Development

The property is one of the largest offices in the district, comprising about 35,000 sq m of accommodation, but it was built to meet a very specific Government requirement, without this requirement it is highly unlikely the site would have been developed for a single office occupier. Since then demand for such large office properties, even in city centres, has diminished and in areas such as Saltaire is now non-existent, there is no market from occupiers requiring a large older property in a secondary location.

The former computer/printing centre has been vacant for many years and despite extensive marketing it has never secured a long term tenant. Lack of demand is also evidenced by the fact that the recent open market sale of the property did not attract a bid from developers with plans to redevelop the whole or even parts of the property.

It is generally accepted there is a lack of commercial development land in Shipley and redevelopment for other commercial uses has been considered. As the site is located within the Saltaire World Heritage site any commercial redevelopment would require a high quality solution and respect the adjacent residential units in Victoria Mills - a converted woollen mill and new build development - and the new care home which is close to completion.

An estate of steel clad portal framed industrial units such as those at Baildon Business Park would be deemed an unsuitable development for the area which has changed from an industrial/manufacturing/commercial zone to residential over the years. With no demand for significant office/business park development the commercial opportunities are therefore very limited.

In 2019 the Council undertook a study of a number of areas of the district, now known as Business Development Zones (BDZ). One area of study was the River Aire corridor of Shipley including the former HMRC site. The consultants looked at HMRC building and potential for future redevelopment and came up with options to do a basic refurbishment and offer it for short term lets, or redevelop to provide hotel etc.

Whilst not adopted planning policy the conclusion in the report on the potential future of the property was as follows:

“This site is likely to attract interest as a residential opportunity, however, that will have negative implications for employment land supply. The development of the site fully for housing should be resisted, although it is accepted that a proportion of housing could form part of a mixed use scheme that may include the part retention of existing buildings as well as new development. (4.79 Ha).”

The applicant has considered this and whilst the redevelopment requires demolition of the whole of the property to deliver a predominantly a residential scheme the application includes some commercial uses such as café/bar and a hub for small businesses. Some of the properties are also being designed as live/work units which provide accommodation for working from home. The demolition of the whole of the building enables significant flood alleviation works to be undertaken which will manage flooding on site and also reduce flooding further downstream.

The applicant has approached hotel operators and crèche providers, but the developers and operators have come to the conclusion that there is not enough demand in the market for these uses, so they cannot be provided at this stage.

The negative impact of the loss of employment land highlighted in the BDZ report is now not considered a significant concern. Since the BDZ report was written a proposal for a commercial development to redevelop part of the Yorkshire Water Esholt estate as a new business park has been through the planning process.

Redevelopment at Esholt has outline permission (subject to s106 agreement) and will bring to the market about 40 hectares of brownfield land for up to 100,000 sq m of commercial development and is the principal site for promotion to occupiers wishing to be based in the area. Based on employment land uptake over many years once brought to market Esholt will supply land for commercial development for the foreseeable future.

As the applicant identifies there is demand for housing in the Saltaire area and redevelopment of a very large brownfield site should be a priority. The type and size of units has been refined to provide properties larger than those in Saltaire village which will provide 'move on' opportunities for residents that wish to stay within the very local area, rather than move to larger properties in Shipley, Baildon, Bingley etc.

The site is also very sustainable, being within walking distance of public transport, both rail and buses, will have direct towpath access for pedestrians and cyclists and Shipley town centre is a short distance away.

The proposed redevelopment of a substantial brownfield site in a very sustainable location for modern housing and some commercial accommodation, which will provide improvements to manage flood water and also open up an underused riverside walk for residents and public use is to be welcomed.

Parks and Greenspaces

The proposed development will have a significant impact on the surrounding facilities and a financial contribution will be sought from CIL funds to help mitigate these impacts.

Education

A development of this size is likely to attract a significant number of additional children requiring school places in the area. Current methodology estimates an additional 27 primary school children and 15 secondary school children.

Any District Community Infrastructure Levy (CIL), if granted to the Children's Services department, may be used to expand provision where possible to accommodate any additional children.

Landscape Architect

The development presents a valuable opportunity to enhance the setting of the World Heritage Site by removing significant visual detractors and replacing these with a more harmonious development.

The reduction in height of building N has removed the most significant visual issue with the original proposal. By reducing the building height from 7 to 4 stories the building will sit below the upper floors of Salts Mill allowing views of it from key locations. This is demonstrated by the revised visuals provided as part of the LVIA. The new proposal would now step up to Salts Mill rather than competing with or blocking views of it.

The use of contemporary architecture to create a high density development that reflects the pattern of terraced housing in the World Heritage Site is to be commended.

The introduction of stone to elevations adjacent to the canal is very welcome. This will harmonise well with adjacent listed buildings and break up the buff brick and bronze cladding.

The proportion of bronze cladding has been reduced with additional buff brick and some stone used on building elevations. The balance looks to be far better. I would expect the mix of colours and materials to break up the mass of the proposed buildings and blend well with adjacent stone buildings. This would reduce the visual impact of the development from neighbouring open spaces and the wider landscape.

The proposed open spaces look to be well thought out and would provide a high quality setting for the development.

Whilst some tree removals are unavoidable but this should be minimised wherever possible. Replacements trees should be planted where trees are removed. Any gaps created in boundary planting to the canal and river could have a significant visual impact and as such any such gaps should be addressed through new tree planting. Retained trees should be protected from damage through tree protection measures and the use of no dig construction methods.

Proposed links to existing path networks are excellent and will provide sustainable connections to the wider area. Paths to and along the riverside and the canal towpath are particularly valuable. However, in making these links every effort should be made to avoid removing trees and where this is not possible replacements planted to retain screening and enhance landscape character.

Site boundaries are particularly important in terms of visual impact and landscape character. Heritage features such as stone walls should be retained and repaired. Intrusive elements such as modern fencing should be removed and replaced with more suitable boundary treatments.

Summary of Main Issues:

- Principle
- Density
- Housing Mix
- Design
- Housing Quality
- Residential Amenity
- Community Safety
- Impact on heritage assets
- Landscape Character
- Trees
- Biodiversity
- Highways
- Rights of Way
- Drainage
- Land contamination
- Air Quality
- Nuisance
- Community Engagement
- Further Issues Raised by Representations
- Planning Obligations
- Community Infrastructure Levy

Appraisal:

Principle

Employment

The site is not allocated for any specific land-use in the Council's adopted Replacement Unitary Development Plan, although it does fall within the boundary of the Shipley/Saltaire Corridor mixed-use area.

Saved RUDP Policy UR7A relates to development within mixed-use areas and with reference to this Shipley/Saltaire mixed-use area, it regards the area to the west of Otley Road primarily as an employment location. It identifies that residential and commercial uses could sit alongside appropriate "B1" (now Class E as defined by the Uses Classes Regulations 2020) uses to widen the mix of developments taking advantage of the riverside frontage.

The proposed development would be primarily residential delivering 289 dwellings alongside 722 square metres of flexible Class E (Commercial, Business and Service) floorspace providing a workspace hub and café. Although the development would include some commercial floorspace it would be less than the existing provision.

Policy EC4 of the Core Strategy relates to sustainable economic growth and it advises that planning permission will be refused for alternative development of land and buildings currently or last in use for business purposes unless it can be demonstrated to the Council that the site is no longer suitable for such use in terms of:

1. Location
2. Accessibility
3. Adjacent land uses
4. Environmental Impacts
5. Market significance-where it can be shown that the site has been continuously marketed for employment uses at local land values for a period of at least 2 years.

The submitted Planning Statement identifies that the site is not attractive for large scale office use because it is not located within a city centre or close to a motorway junction. The surrounding land uses are also identified as wholly residential with the exception of the Ortho Care office and manufacturing building and the Regus office building which is said to have extensive vacancies. Finally, the impact of the Coronavirus pandemic is said to have enormously diminished the need for large scale office space. The existing office building was marketed for sale but there was no interest in acquiring the site for its current office use.

The Council's Economic Development Department have reviewed the submission and confirmed that the demand for large office properties, even in city centres, has diminished and in areas such as Saltaire it is non-existent. There is no market from occupiers requiring a large older property in a secondary location. Lack of demand is also evidenced in the fact that the recent open market sale did not attract a bid from developers with plans to re-use the whole or even parts of the existing property. In respect of alternative commercial uses, they have noted that an estate of steel-clad portal framed industrial units is unlikely to be considered appropriate in proximity to sensitive heritage assets and that over the years the area has changed from an industrial/manufacturing/commercial zone to residential. With no demand for significant office or business park development the opportunities for commercial use are very limited.

In 2019 the Council carried out a study of a number of areas of the district, now known as Business Development Zones (BDZ). One area of study was the River Aire corridor

of Shipley and it included the application site. The study looked at the HMRC building and potential for future redevelopment and came up with options to do a basic refurbishment and offer it for short term lets or redevelop it to provide a hotel. The report concluded as follows:

“The site is likely to attract interest as a residential opportunity, however, that will have negative implications for employment land supply. The development of the site fully for housing should be resisted, although it is accepted that a proportion of housing could form part of a mixed-use scheme that may include the part retention of existing buildings as well as new development”

The applicant has approached hotel operators and crèche providers, but the developers and operators have reached the conclusion that there is not currently sufficient demand in the market for these uses.

In respect of the negative impact of the loss of employment land highlighted by the BDZ report the Economic Development Department have indicated that this is now not considered to be a significant concern. Since the BDZ report was written a resolution to grant planning permission, subject to completion of a Section 106 Agreement, has been reached which would provide 100,000m² of employment floorspace as part of the redevelopment of the Yorkshire Water Esholt estate. This will be the principal site of commercial occupiers wishing to be based in the area and based on historic employment land uptake it is likely to supply land for commercial development for the foreseeable future.

In conclusion it has been demonstrated that the existing large scale office building is no longer suitable in terms of its location, accessibility, relationship with neighbouring land uses and market significance. Furthermore, the focus for employment floorspace in this part of the District is now considered to be located elsewhere.

Accordingly, the proposal is considered to accord with the requirements of policy EC4 of the Core Strategy. The proposal would accord with the requirements of policy UR7A in terms of providing a mixed-use scheme including residential units and commercial floorspace. Whilst the amount of commercial floorspace is less than the level anticipated by policy UR7A it is justified in terms of the change in site circumstances and market conditions since the policy was formulated.

Housing

The site is located in Shipley ward and is comprised of previously developed land. Strategic Core Policy SC5 of the Core Strategy identifies that the first priority for the location of development is previously developed land and buildings within the City of Bradford. This is reiterated in Core Strategy policy HO6 which emphasises the need to achieve the maximum possible overall proportion of housing development on previously developed land. The proposed development is therefore considered to accord with policies SC5 and HO6 of the Core Strategy in respect of the location of development and the re-use of previously developed land.

Paragraph 60 of the National Planning Policy Framework (“NPPF”) stresses the need for Local Planning Authorities to significantly boost the supply of new housing. The adopted Core Strategy underscores this strong planning policy support for the delivery of new housing, emphasising that one of the key issues for the future development of

the district is the need to house Bradford's growing population by delivering 42,100 new residential units by 2030.

Policy HO3 of the Core Strategy sets out the distribution of new housing development and it targets the largest proportion of units (27,750) towards The Regional City of Bradford, which includes a need to provide 750 new homes in Shipley.

Paragraph 74 of the NPPF states that Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. Where there has been a record of persistent under-delivery of housing the local planning authority should identify an additional 20%.

Bradford Council cannot currently demonstrate a five-year supply of housing land and has recently failed the Housing Delivery Test. The Bradford Council Five Year Housing Land Statement (2018-2023) indicates that there is a substantial shortfall in housing land relative to the aforementioned requirements with a current supply of 2.08 years. Under these circumstances paragraph 11d of the NPPF confirms that the relevant policies for the supply of housing should not be considered up-to-date and that in such circumstances permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.

In light of the record of persistent under-delivery and the housing land supply shortfall relative to the requirements of the NPPF, there is an urgent need to increase the supply of housing land in the District. This proposal would provide a substantial amount of much needed new housing in a sustainable location and on a previously developed site. The principle of development is therefore considered to be acceptable.

In addition to the above it should be noted that the site is identified as a preferred option for housing allocation in Shipley (ref SH9/H) within in the Emerging Local Plan, with an indicative capacity of 266 dwellings. However, in line with paragraph 48 of the NPPF, given that the plan is still within the early stages of preparation, only very limited weight can be afforded to the emerging plan in decision making. This is however an indicator of the Council's strategic aspiration for the site as a source of housing supply within Shipley.

Density

The proposal is for a development of 289 dwellings on a site area of 4.8 hectares.

Policy HO5 of the Core Strategy advises that developments should usually achieve a density of 30 dwellings per hectare, whilst taking account of the need to arrive at a well-designed layout which reflects the nature of the site and its surroundings and given the type and size of housing needed in the area. Higher densities will be possible in areas that are well served by public transport and/or close to the City Centre and Principal Town Centres. The proposal would provide 289 units on a site with a total area of 4.8 hectares yielding 60 dwellings per hectare. The density of the development is comparable to other nearby residential accommodation, and it would make efficient use of brownfield land in a sustainable location. The development is therefore considered to

accord with the requirements of policy HO5 of the Core Strategy and paragraph 124 of the framework.

Housing Mix

Policy HO8 of the Core Strategy seeks to ensure that a mix and balance of housing is provided to meet the needs of the district's growing and diverse population. The policy identifies that there is a need for all types and sizes of housing however delivering more family housing and increasing the supply of high-quality flats, particularly in city and town centres and accessible locations, are identified as strategic priorities.

A total of 289 dwellings are proposed consisting of 144 houses and 145 apartments.

Within the provision of 144 houses, there will be;

1x 1 bed house
33x 2 bed house
48x 3 bed house
62x 4 bed house

Within the provision of 145 apartments, there will be;

44x 1 bed apartments
76x 2 bed apartments
2x 3 bed apartments
11x 2 bed penthouse apartments
12x 3 bed penthouse apartments

The overall mix of 289 residential dwelling will be;

1 bed x 45 (16%)
2 bed x 120 (42%)
3 bed x 62 (21%)
4 bed x 62 (21%)

The proposed scheme mix is considered to make a substantial contribution towards the supply of family housing and high quality apartments in a sustainable location in accordance with the requirements of policy HO8 of the Core Strategy.

Design

The development would provide 289 residential dwellings and 722 square metres of commercial floorspace laid out around a network of new streets located to the east and west of a central greenspace and plaza. A riverside park would span the entire width of the site from east to west along the northern boundary.

To the east of the central green three new streets would be formed in a north-south orientation perpendicular to the course of the river Aire. These streets (Wainwright Lane, Moulson Lane and Hills Lane) are intersected at approximately half way along their length by a pedestrian street (Community Street) which runs east to west from the eastern end of the scheme upto the central green.

To the west of the central green two new streets (Hogg Court and Brook Croft) would be formed in a south-west to north-east orientation approximately perpendicular with the Leeds Liverpool Canal.

The proposed town houses would be predominantly two storeys in height with three storey units forming the ends of the rows. The units would be primarily constructed of buff brick beneath grey slate pitched roofs with bronze and grey detailing. The units would be approximately 9 metres in height with the rows stepping up at regular intervals from north to south. The three storey units at the end of the rows would be approximately 12 metres in height and would be constructed of a matching palate of materials.

The buildings at the eastern end of the site would be of a larger scale with Block E consisting of three storey townhouses bookended by four and five storey apartment buildings. The elevations of these buildings would be constructed primarily of buff brickwork with some areas of hessian coloured cladding panels.

Block F would be the tallest building at the eastern end of the site and would be a part four, part seven and part eight storey building rising to a height of 23 metres. The elevation treatments would consist predominantly of buff brickwork to the lower storeys with hessian cladding panels and warm bronze cladding utilised for feature details and for the treatment of the upper storeys. Block F would be arranged around a podium park contained on three sides by the apartments and houses.

Block B would be located at the south-east corner of the central park and it would form a landmark building within the site containing the workspace hub at the ground floor and apartments to the upper floors. The southern half of the building would be five storeys in height with four storeys of buff brickwork and the fifth storey constructed of warm bronze cladding with pitched roofs extending to a height of 18 metres. The northern half of the building would be four storeys in height with buff brickwork construction for the first three storeys and the fourth storey constructed of bronze cladding panels.

Block A would be visible on arrival into the development from Riverside Estate as well as from the newly formed pedestrian connection with the canal towpath and in views across the proposed plaza. Block A would consist of a short length of two storey dwellings, nearest to the existing Jane Hills properties before transitioning into three and four storey apartment buildings the latter of which would contain a ground floor coffee shop. The buildings would be constructed of buff brickwork and bronze cladding panels with areas of slate roofing.

Block N is located at the westernmost tip of the site within the boundary of the World Heritage Site. The building rises by one storey in height along its length from east to west. The eastern part of the building would be constructed with a single storey of stone cladding and two storeys of bronze cladding with a maximum height of 9 metres. The western end of the building narrows to a round nose and has a maximum height of 13 metres, with three storeys of stone cladding and a recessed fourth storey constructed of bronze cladding.

The proposed palette of construction materials is considered to be acceptable. The use of natural stone at the western tip of the site alongside a buff colour palate of other materials across the site is considered to ensure that the development sits

appropriately within its heritage setting whilst also conveying a contemporary aesthetic. A planning condition will be imposed requiring the approval of samples of all walling and roofing materials.

The layout is considered to provide an appropriate response to the site and its surroundings. The high density and compact terraced streets are reflective of the nearby model village whilst the development blocks are of high quality contemporary design ensuring that the development reads as a distinct and separate entity. Landmark and gateway buildings have been used effectively at key locations across the site to provide visual interest and focal points. The layout is unified by a permeable network of streets and by high quality greenspaces and public spaces throughout the site. Scale has been used effectively to ensure that the development would be predominantly of a domestic two and three storey scale, framed by taller buildings at the eastern and western ends of the site, stepping up towards the heights of buildings beyond the site boundaries.

In conclusion the development is considered to be of high quality in terms of design and placing making. It would create a strong sense of place and would be appropriate to the surrounding context in terms of layout, scale, design, details, and construction materials. The development would include a permeable network of streets connecting to the existing street and path networks which would be well overlooked and convenient for people to understand and move around. Finally, the development would include new landscape features and open spaces which would be visually attractive and functional with appropriate maintenance and management arrangements.

The development is therefore considered to accord with the requirements of policies DS1, DS2, DS3 and DS4 of the Core Strategy and the Homes and Neighbourhoods: A Guide to Designing in Bradford Supplementary Planning Document.

Housing Quality

Policy HO9 requires that all new housing developments should be high quality and achieve good design. The Council's Homes and Neighbourhoods Design Guide Supplementary Planning Document provides detailed guidance on how this can be achieved.

The policy requires the council to encourage and support new residential development to achieve high sustainable design and construction standards. The proposed development is supported by a detailed Sustainability Statement which demonstrates that sustainability has been embedded within the design process from the inception of the scheme.

The development will minimise energy and CO2 emissions through the use of passive design measures and the use of energy efficient equipment such as Air Source Heat Pumps for all houses and zero fossil fuel use across the site. The use of potable water in sanitary applications will be minimised through low water use fixtures and fittings. The development will be designed and constructed to conserve resources, increase efficiency and use sustainably sourced materials. The development will incorporate sustainable drainage features through the use of permeable paving, sediment sumps/catch pits and swales. Construction waste will be minimised with the implementation of a Resource Management Plan. The development will minimise air

pollution by incorporating an all-electric building strategy and light pollution will be minimised through the appropriate selection and location of external lighting.

Policy HO9 advises that new development should provide private outdoor space for homes, unless site constraints make this clearly unfeasible and/or unviable. The development includes provision of dedicated outdoor amenity space with a combination of private gardens, communal gardens, terraces and balconies serving the majority of properties. In some instances, smaller apartment units do not benefit from dedicated outdoor amenity space. However, the site includes extensive open space within the 'central green' and the riverside parkland areas as well as a pocket park providing high quality outdoor space for use by residents. The level of amenity space provision is therefore considered to be acceptable across the development.

Policy HO9 requires that new homes should be well laid out internally, provide suitable space standards and achieve adequate levels of daylight. There is also a need to provide adequate storage for bins, recycling and bicycles, with the facilities located or designed in a way that is convenient for residents and supports the quality of the street scene.

In respect of floorspace the proposed units would meet or exceed the sizes required by the Nationally Described Space Standards.

A detailed Daylight and Sunlight Assessment has been undertaken which demonstrates that the development has been designed to optimise daylight levels within the dwellings and apartments and allow high levels of sunlight availability to the private gardens and public spaces.

A Refuse Management Strategy has been provided which details the arrangements for bin storage and collection. The strategy includes two approaches to refuse storage consisting of local storage and communal storage. Each house will have its own private refuse store for general waste at the rear of the building. The communal garden spaces then have recycling hubs at each end where communal recycling facilities are provided. The apartment blocks will be served by centralised stores which will house general waste and recycling facilities. The refuse for commercial spaces will be stored within dedicated storage areas. The Refuse Management Strategy includes a plan identifying all refuse storage and collection points. The plan demonstrates that the carry distances are acceptable, and the collection locations are accessible by a refuse vehicle.

In terms of cycle storage all dwellings benefit from dedicated storage areas within the rear garden and apartment blocks and commercial buildings are served by readily accessible storage areas to the fronts of the buildings.

A total of 508 cycle parking spaces are proposed consisting of 288 in garden/garage stores to serve dwellings, 145 in cycle store rooms to serve apartments, 15 within the commercial buildings for shared use and 60 on street spaces for short stay use

In conclusion the proposed development would meet the design standards required by policy HO9 of the Core Strategy and The Council's Homes and Neighbourhoods Design Guide Supplementary Planning Document.

Residential Amenity

Policy DS5 of the Core Strategy requires that development proposals should not harm the amenity of prospective users and residents. Layouts must ensure that the siting of homes provides adequate privacy. Development proposals must also ensure that houses do not impact negatively on existing nearby properties with respect to light, outlook and scale.

Typical separation distances for maintaining adequate levels of privacy are 21 metres from window to window and 10.5 metres from window to curtilage boundary. However, achieving typical separation distances can be limiting and the Homes and Neighbourhoods Design Guidance encourages that the issue is addressed by considering housing layout and building design with creativity and innovation.

The development seeks to create a high density scheme with an urban grain reflective of Saltaire. Accordingly, street widths between front elevations vary from 11.5 metres to 15.5 metres and rear elevations are separated by private gardens and communal gardens at distances of between 14 metres to 19 metres. At first floor levels balconies and terraces are utilised to ensure that habitable room windows are set back from the building line and where necessary windows are off-set to ensure that there is no direct overlooking of neighbouring windows or garden areas. In instances where street widths are narrower, such as 'Community Street', the elevations are designed to include secondary windows with vertical proportions ensuring that rooms benefit from additional light without compromising privacy. The layout and design are therefore considered to appropriately mitigate any significant overlooking and ensure that future residents would benefit from a sufficient level of amenity.

In terms of the relationship of the development with the habitable room windows and amenity spaces of existing neighbouring dwellings there are three areas for consideration. Firstly, the relationship of proposed Block A with properties at Jane Hills, secondly the relationship of Blocks E and F with the adjacent apartments to the east and finally the relationship of Block N with the apartments to the west.

Block A would be sufficiently separated and appropriately orientated to ensure that the units would not overlook the amenity areas or habitable room windows of the Jane Hills properties. A Daylight and Sunlight Assessment has been carried out which confirms that the development would not result in a loss of daylight to the habitable room windows, or sunlight to the amenity areas of the Jane Hills Properties.

Block E would be separated from the adjacent Masons Mill and New Mill by a minimum distance of 30 metres and a maximum of 38.5 metres. The separation distances are therefore sufficient to ensure that no overlooking would occur. The separation and orientation of Block E would also ensure that there would be no overbearing or overshadowing implications for the neighbouring residential buildings to the east.

Block F would be separated from Masons Mill by a minimum distance of 24.5 metres and a maximum of 29 metres. The south-east corner of Block F would be separated from Masons Mill by a distance of 23.5 metres. The separation distances are sufficient to ensure that no adverse overlooking would occur. The separation and orientation of Block F would also ensure that there would be no overbearing or overshadowing implications for the neighbouring residential buildings to the east.

Block N would be substantially separated from the east elevation of Riverside Court by a large intervening car parking serving the neighbouring development. The separation

distance is sufficient to ensure that there would be no adverse overlooking, overbearing or overshadowing.

The development includes commercial floorspace in the form of a coffee shop within Block A and a works space Hub within Block B. The commercial uses are compatible with the proposed residential development and neighbouring residential properties and subject to a planning condition limiting the hours of operation no adverse residential amenity implications are foreseen.

In conclusion the development would not adversely impact the residential amenity of existing neighbouring residents or prospective users and residents. The development is considered to accord with the requirements of policy DS5 of the Core Strategy.

Community Safety

Policy DS5 requires that development proposals are designed to ensure a safe and secure environment and reduce opportunities for crime.

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

It is considered that the development has been designed to incorporate Secure-by-Design principles and that the dwellings and spaces created would not be unacceptably insecure or susceptible to anti-social behaviour or criminal activity.

The matters raised by the Police Architectural Liaison Officer in respect of the postal delivery system, access control arrangements, CCTV coverage and the security standards of doors and windows are noted. However, it is not appropriate for the planning system to regulate these aspects of the development as they are not generally considered to be land use planning concerns.

It is considered that there are no grounds to conclude that the proposed development would create an unsafe or unsecure environment and the proposal is considered to accord with policy DS5 of the Core Strategy.

Impact on Heritage Assets

The site occupies a particularly sensitive location in relation to heritage assets. The western tip of the site is located within the UNESCO World Heritage Site of Saltaire and the Saltaire Conservation Area. The remainder of the site is located within the World Heritage Site Buffer Zone. A large extent of the southern boundary is adjacent to the boundary of the Leeds Liverpool Canal Conservation Area. The Baildon Green Conservation Area is located approximately 350 metres to the north-east of the site.

The site is within the immediate setting of the Grade II* listed Salts Mill and Grade II listed New Mill to the west. Further west is the Grade I listed Congregational Church and Grade II Registered Roberts Park and Garden. To the south-west lies the main core of the model village of Saltaire which consists of a well-preserved stone built model village of Grade II listed terraced houses and associated buildings.

Immediately east of the site lies the Grade II listed Victoria Mills complex where the mill buildings have been converted for residential use.

To the immediate south of the site there are a collection of Grade II Listed cottages at 5,6 and 7 Jane Hills.

The site itself does not contain any listed buildings and the existing buildings within the site were granted a certificate of immunity from listing by Historic England in August 2021.

Saltaire World Heritage Site

The western tip of the site is located within the boundary of the Saltaire World Heritage Site with the remainder of the land located within the Saltaire World Heritage Site Buffer Zone.

Policy EN3 of the Core Strategy requires the Council to proactively preserve, protect and enhance the character, appearance, archaeological and historic value and significance of the District's designated and undesignated heritage assets and their settings.

In relation to the Saltaire World Heritage Site this will be achieved by:

Ensuring the protection, management and enhancement of the Outstanding Universal Value (OUV) of the Saltaire World Heritage Site through the implementation of the Saltaire World Heritage Site Management Plan and associated documents, and;

Requiring development proposals within the boundary of Saltaire World Heritage Site Saltaire or within its Buffer Zone to demonstrate that they will conserve those elements which contribute towards its OUV, including its setting and key views.

The Outstanding Universal Values and attributes of Saltaire are set out in detail in the Saltaire World Heritage Site Management Plan and can be summarised as follows:

1. Model village ensemble-textile mills, public buildings, houses and facilities
2. Urban and industrial plan.
3. Architectural design quality and uniformity
4. Rural valley location and setting.
5. Communal Function of Village.

The aim is to ensure the OUV of the World Heritage Site is protected, to ensure developments are appropriate and detrimental impacts are minimised within the Site, the Buffer Zone, the site's immediate setting, gateways, and approaches.

The proposals would facilitate the redevelopment of a sustainably located brownfield site opening up public access into and through the site providing new opportunities for appreciating the nearby World Heritage Site. The development would therefore accord with the requirements of paragraph 206 of the NPPF in terms of assisting with better revealing the significance of heritage assets.

The overall scale, design, form and materials of the development are considered to be appropriate to the setting of the World Heritage Site. The development takes inspiration

from the urban plan of Saltaire in terms of its density and compactness, but the buildings are of a contemporary design, allowing the original legibility of the form and design of the World Heritage Site to be distinguished and understood as a unique and separate settlement. A variety of unit types and sizes are proposed across the site providing visual interest and this would be unified by a limited palette of construction materials, green spaces and an extensive landscaping scheme.

In order to assess the impact of the development on the World Heritage Site and its Buffer Zone it is necessary to consider how the development would alter the key views within and towards the World Heritage Site. The Saltaire World Heritage Site Management Plan details the relevant views. The submission has been supported by a Landscape and Visual Impact Assessment which considers the impact of the development from the relevant viewpoints.

The submission is supported by a Heritage Impact Assessment and a Landscape and Visual Impact Assessment which consider and address how the proposed development is appropriate to the OUV's of the World Heritage Site.

The following considerations are made in respect of key views from and across the World Heritage Site:

The development will not be visible from most viewpoints within the World Heritage site. The scale of the development is such that it will have a positive impact on views from Roberts Park (Viewpoints 4 and 6) as a result of the removal of the HMRC building and chimney. The introduction of an extensively landscaped riverside park along the northern edge of the site will have a beneficial impact on views from Roberts Park once the landscaping matures.

The greatest impact on a viewpoint within the World Heritage Site would be experienced in the view looking eastwards from the Leeds Liverpool Canal towpath (Viewpoint 7.2). This is categorised as an important view within the management plan. The mills create an industrial character with Idle Hill and Wrose Hill forming the backdrop to the view. The views along the canal towpath are aesthetic and illustrate the World Heritage Sites rural valley location and setting and the quality and uniformity of its architecture. The view also provides evidence of how the canal was integrated into the urban and industrial plan of the village. Updated visualisations have been provided to demonstrate the impact of the development in this location. The visualisations are based on winter tree cover and they therefore represent the worst case scenario. The reduction in the height of Block N to four storeys ensures that the development would not protrude above the tree line and that it would only be visible in filtered views through the tree line. The proposed development will be closer to and partly within the World Heritage Site but it will be of a smaller scale than the existing HMRC buildings. The development is therefore considered to have a neutral impact on views eastwards along the canal.

The development is considered to have a similar impact on the approach into the World Heritage Site from the east along the canal towpath. This approach is identified within the setting survey of the Saltaire World Heritage Site Management Plan as a 'critical' historically related feature and it forms a 'Critical Approach' within an important gateway to the World Heritage Site. The site is located within Zone G in the Setting Survey and this area encompasses the majority of the Eastern Gateway to the site and contains a number of key approaches, of which the canal towpath is one. The area is noted as

having been in continual redevelopment since the 1970's which has imbued a modern character dominated by business uses, including the HMRC and Waterfront Buildings, and residential uses within the converted Victoria Mills Complex.

The development would introduce new buildings which would be closer to the World Heritage Site than the existing HMRC buildings. Whilst the western end of the development site is currently free from buildings it is comprised of hard surfaced car parking enclosed by railings. Accordingly, this aspect of the site does not provide a historic or green setting for the approach into the World Heritage Site along the canal towpath and its impact is currently negative.

Whilst the new buildings would be constructed on what is currently an open area they would not be inappropriate or discordant as the eastern gateway into the World Heritage Site has a modern character comprised of business and residential uses. The tree screening extending along the southern boundary of the site would also assist with filtering views of the development from the canal and on the approach into the World Heritage Site. Subject to the retention of the tree screening along the southern boundary the impact of the development on the approach into the World Heritage site from the east is considered to be acceptable.

The following considerations are made in respect of key views towards the World Heritage Site:

In terms of key distant views into the World Heritage Site there are three distinct groupings of viewpoints. Firstly, views from the north into the World Heritage Site from the steeply rising ground of Baildon Hill and Hope Hill (Viewpoints 16-18). Secondly, views from the north east from Baildon Green, Baildon Bank and Coach Road (views 19-21), and finally views from the south east from Idle Hill, Wrose Hill and Gaisby Hill (views 22-24).

The views from Baildon Hill (16-18) are of unparalleled quality and the World Heritage site's rural valley location and the distinctive grid plan of residential streets are immediately evident. The scale of the proposed buildings and their siting mean that the development would not encroach on or compete with views of the World Heritage site from this location. In the longer term, the maturing of trees and landscaping within the riverside park, central green and streets of the development will increase screening and allow the development to intermingle with the existing tree canopies within the views.

The views from Baildon Green (19), Baildon Bank (20) and Coach Road (21) provide an appreciation of Saltaire's river valley location and setting as well as the architectural quality and uniformity of the model village ensemble. The mill complex forms a strong component in each of the views. The development would be almost entirely obscured in views from Baildon Green by existing vegetation and buildings. Where the new development would be visible it would be of an appropriate scale and it would not unduly encroach within the view. All views from Baildon Bank would be either partially or entirely obscured by the existing vegetation on Baildon Bank and on the banks of the River Aire. In this view the removal of the HMRC building and the introduction of a development of an appropriate scale and massing would have a positive effect.

The view from Coach Road provides an appreciation of Saltaire within a landscaped setting. The floodplain and playing fields to the north of the River Aire are a key component of the view. Salts Mill and New mill rise above the trees lining the river and

the towers of Victoria Hall and the United Reformed Church are also visible. The proposal would introduce development closer to the World Heritage site than is currently the case. However, the development would be largely screened by existing tree cover with further screening provided as the proposed landscaping scheme matures. The reduction in the height of Block N from 7 storeys to 4 storeys has ensured that it would not be highly visible above the tree line and that it would remain subservient to the more prominent Salts Mill buildings. A small portion of the upper part of the 4th storey ridgeline of Block N would be visible above the tree line but this would diminish over time with the maturing of landscaping. The muted bronze roofing material would also assist with blending the roofscape into the landscaping in the longer term.

In views from Idle Hill (22) the demolition of the HMRC buildings and the introduction of development of a more appropriate form and scale will allow for the a re-ordering of the view with the development framed by Salts Mill to the west and Victoria Mill to the east. The proposed landscaping scheme will assist with assimilating the development further into the surroundings in the long term. The development is considered to have a minor beneficial impact on the World Heritage Site and its buffer zone from this vantage point.

The view looking north west from Wrose Hill (23) is largely obscured by existing buildings on the valley floor. However, the taller components of the World Heritage site consisting of Salts Mill chimney, the United Reformed Church, New Mill and Victoria Hall are all distinguishable. The development would be of an appropriate form and scale which would amalgamate with existing buildings within the canal corridor to the east of the World Heritage Site. It would not obscure views of any of the taller structures that are currently visible within the World Heritage Site. The development is considered to have a neutral impact on the World Heritage Site and its buffer zone from this vantage point.

Similarly, the views from Gaisby Hill (24) are largely obscured by intervening buildings on the valley floor. The larger buildings of Salts Mill, Salts Mill, New Mill, Victoria Hall and the United Reformed Church are visible in the view and would not be obscured by the proposed development. The development would restore balance across the valley with the removal of the HMRC buildings and the introduction of buildings of a more appropriate form and scale. The development is considered to have a minor beneficial impact on the World Heritage Site and its buffer zone from this vantage point.

Turning to the impact of the development on the OUV of the World Heritage Site it is necessary to consider the impact on each of the individual attributes underpinning the OUV designation. In this regard it is considered that the *Model Village Ensemble* and the *Urban and Industrial Plan* form of Saltaire will be unaffected. The *Architectural Design Quality and Uniformity* of the ensemble will also be unaffected.

In respect of the *Rural Valley Location and Setting* the site is not identified as a 'rural backdrop' in the World Heritage Site Management Plan but it does allow views out to the rural backdrop identified on Wrose and Idle Hill. The development would be sited behind a retained tree line and it would not encroach into the aforementioned views. The introduction of new development closer to the existing built form of Saltaire would result in a very low level of harm to the World Heritage Site in terms of how the location of Saltaire in a rural valley setting was a key part of Titus Salt's approach to planning the settlement. However, it is also acknowledged that there would be an increase in green space at the western end of the site which would be an improvement on the existing hard surfaced car park. Historic England and The Saltaire World Heritage

Officer have reviewed this aspect of the development and confirmed that there would be a very low level of harm falling within the category of 'less than substantial'.

The development is considered to enhance the *Communal Function* of the village by introducing a high quality sustainable residential development into the nearby area with new residents likely to make use of businesses and community groups within the World Heritage Site.

Paragraph 206 of the NPPF requires Local Planning Authorities to look for new opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset should be treated favourably.

A review has been carried out of the effect of the proposed development on the attributes forming the Outstanding Universal Value of Saltaire and it is concluded that the development would not affect the model village ensemble, urban and industrial plan or architectural design quality of the village. There would be a beneficial impact on the appreciation of the site within its rural valley location and setting from a number of key vantage points with only a very low level of harm incurred as a result of introducing new development closer to the World Heritage Site than exists at present. Finally, the communal function of the world heritage site would be enhanced through the introduction of new residential development the occupants of which would contribute towards businesses and community groups within the World Heritage Site.

The very low level of harm incurred to the rural valley setting of the World Heritage Site is considered to be in the category of 'less than substantial harm' and in accordance with paragraph 202 of the NPPF this harm should be weighed against the public benefits of the proposal. The development would provide a substantial amount of much needed new housing in the context of a lack of a five-year housing land supply and under delivery with associated economic benefits arising from the construction of the development and occupation of the dwellings. The proposal will result in public benefits by removing a detractor building and improving views into the World Heritage site from a number of key vantage points. The development would also provide new publically accessible greenspaces and enhanced permeability across the site enabling new opportunities for appreciating surrounding heritage assets.

The mitigation and enhancement brought about by the landscaping scheme, tree retention and the use of high-quality materials will be ensured by planning conditions as requested by both Historic England and the Saltaire World Heritage Site Officer. Subject to imposing the aforementioned conditions the authenticity and integrity of the World Heritage Site would be maintained and the development would accord with the requirements of policy EN3 of the Core Strategy and paragraphs 199, 200, 202 and 206 of the NPPF.

Saltaire Conservation Area

The boundary of the Saltaire Conservation Area is largely the same as the boundary of the World Heritage Site, other than on the eastern side of Saltaire where it extends further to include features and spaces that contribute to the special architectural and historic interest of the village. An assessment has been carried out of the impact of the development on the Saltaire Conservation Area and in particular the features and spaces that extend beyond the World Heritage Site Boundary. The same conclusions

are reached in respect of the very low level of harm arising to the valley setting and the public benefits which would be brought about as a result of the development. Consequently, the development is not considered to unduly harm the character of the Saltaire Conservation Area and the development would accord with the requirements of policy EN3 of the Core Strategy and paragraphs 199, 200, 202 and 206 of the NPPF.

Saltaire Mills

The Saltaire Mills complex consists of three Grade II* listed assets and a Grade II listed asset.

The Grade II* elements are the Main Block, Entrance Block and Mill Chimney and the Grade II listed element is the North Block (New Mill) and its Chimney. The Grade II* assets are located south west of the development site on the opposite side of the Leeds Liverpool Canal. The Grade II listed building and chimney are located on the same side of the canal and to the east of the site.

As the mill complex is an intrinsic component of the World Heritage Site the impact of the development on its setting is best understood through consideration of how any views into the World Heritage Site containing the mill buildings would be affected.

The Saltaire World Heritage Site Management Plan details the most important viewpoints within and towards the World Heritage Site. The submission is supported by a Landscape and Visual Impact Assessment and accompanying visualisations which utilise the viewpoints from the management plan in order to consider the impact of the development.

In relation to the Saltaire Mill complex the relevant views are from the north from the steeply rising ground of Baildon Hill and Hope Hill (viewpoints 16-18), from the north-east from Baildon Green Baildon Bank and Coach Road (views 19-21) and from the south-east from Idle Hill, Wrose Hill and Gaisby Hill (22-24).

In views from Baildon Hill and Hope Hill the foreground consists predominantly of farmland and open pasture, with the World Heritage Site visible beyond the ridgeline with its characteristic grid layout distinguishing it from later urban development. Principal buildings including Salts Mill and its chimney can be seen. The development would be predominantly two and three storeys in height at the western end of the site, with the exception of the four storey Block N. The scale of the new development and its separation from the Salts Mill complex would ensure that it would not compete with or detract from views of the mill buildings and chimney.

In views from Baildon Green Salts Mills can be seen rising above the trees at the western edge of open ground. From this vantage point views of the development would be almost entirely obscured by existing vegetation and buildings on Milner Road, Lower Green and Green Lane. Whilst the upper section of the roofline of Block N would be perceptible within the view it would be observed against the backdrop of the ridgeline of an existing warehouse building and it would not encroach within the views of the mill complex.

The view looking south from Baildon Bank provides an elevated panorama which includes all of the development site and the entirety of the Salts Mill complex. From this vantage point all views of the scheme would be partially or substantially obscured by vegetation on Baildon Bank or on the riverbank of the River Aire. The scale of this view

would be reordered as a result of the removal of the HMRC building and the introduction of a development which would be more appropriate in scale and complimentary to the urban grain of the surroundings. Consequently, the development is not considered to detract from the setting of the Salts Mill complex.

In views from Coach Road the foreground is formed by playing fields. Salts Mill and New Mill rise above the mid-ground which is formed by the River Aire and the trees along its embankments.

Block N would be closest to the Salts Mill complex with a separation distance of approximately 80 metres. A small portion of its roofline would be visible above the trees in views from Coach Road. However, Block N would appear lower and subservient to the mill buildings and the top two storeys of Salts mill will remain visible above the tree line as is currently the case. The use of a warm bronze roofing material with a none shiny or reflective finish would assist with assimilating any visible elements of the roof into the view appropriately. Accordingly, the development would not harm the setting of the listed mill complex when viewed from this vantage point.

The view from Idle Hill looking west towards Saltaire includes Salts Mill Chimney which is identifiable as the tallest structure within the valley and the scale of the Salts Mill complex can be appreciated at long distance. The removal of the HMRC building would better reveal the significance of the second and third storeys of the old engine room of the Salts Mill building which would be visible above the upper storeys of Block F of the proposed development. The scheme would introduce a finer grain of development which would allow for a better appreciation of Salts Mills as forming the western end of the building assemblage in the centre of the valley view. The development is considered to have a beneficial impact on the setting of Salts Mill from this vantage point.

The view north-west from Wrose Hill also includes Salts Mill Chimney which is identifiable as the tallest structure in the valley. Views of the Salts Mill complex are largely obscured by existing buildings on the valley floor. The development would not impact views of the mill chimney and the scheme would be amalgamated with existing buildings within the canal corridor. The development is considered to have a neutral impact on the setting of Salts Mill from this vantage point.

The view from Gaisby Lane is formed by open space in the foreground. Shipley dominates the mid ground and obscures most of the village buildings. However, the larger structures including Salts Mill are visible from this vantage point. The removal of the HMRC building and the introduction of a development of appropriate scale would have a beneficial impact in terms of removing the substantial discordant features and creating a more balanced view allowing for a better appreciation of Salts Mill and Victoria Mills. The development is considered to have a minor beneficial impact on the setting of the Salts Mill complex from this vantage point.

In conclusion the scheme would remove existing detractor features from the setting of the mill complex and introduce a development of an appropriate form and scale resulting in beneficial impacts from some of the key vantage points. From the remaining vantage points the development would have a neutral impact on the setting of the mill buildings. The development is therefore considered to have an acceptable impact on the setting of the Grade II* and Grade II Listed assets comprising the Salts Mill complex

and the development accords with the requirements of policy EN3 of the Core Strategy and paragraphs 199 and 200 of the Framework.

Leeds Liverpool Canal Conservation Area

The Leeds and Liverpool Canal Conservation Area boundary is located adjacent to the southern boundary of the site. The development would include the demolition of the existing HMRC buildings and chimney and the removal of the extensive hard surfaced car parking and 330 metres of railings adjacent to the canal towpath. The demolition of the buildings and the removal of the aforementioned elements is considered to have a positive impact on the setting of the conservation area.

The proposal would introduce new development into the setting of the conservation area on land that is currently open. However, the setting of the canal in this location and extending eastwards towards Shipley is characterised by modern business uses and the existing car park and security fencing do not make a positive contribution to its appearance.

The development would be predominantly two storeys in height adjacent to the conservation area boundary, with the exception of the landmark 'fairburn' and 'Ives' buildings which would be four storeys in height. The scale and form of development would not be inappropriate, and it would be in keeping with existing developments within the setting of the Leeds Liverpool Canal Conservation Area between Saltaire and Shipley.

The southern boundary of the site is defined by a mature tree line which filters views into the site and makes a positive contribution towards the setting of the conservation area. The tree line would be retained with the exception of the removal of a small number of trees to provide a pedestrian connection between the site and the canal towpath. The level of tree removal would be extremely limited, and the overall integrity of the tree group would not be compromised. Accordingly, this aspect of the development would not adversely harm the setting of the conservation area.

The landscaping proposals include the repair and rebuilding of an extensive natural stone boundary wall along the southern boundary of the site adjacent to the canal towpath. Subject to the approval of a sample of the material this is considered to have a positive impact on the setting of the conservation area.

In conclusion, subject to ensuring that the tree line along the southern boundary of the site is adequately protected and the imposing of planning conditions requiring the approval of construction materials the proposed development would not have a detrimental impact on the setting of the Leeds Liverpool Canal Conservation Area. This aspect of the proposal accords with policy EN3 of the Core Strategy and paragraphs 199 and 206 of the NPPF.

Victoria Works

The Victoria Works complex consists of three Grade II listed heritage assets located immediately to the east of the site. The assets comprise the Victoria Works Main Blocks North West and South and the associated works chimney.

The north and south blocks are substantial multi-storey buildings constructed of stone with natural slate roofs. The chimney is located between the aforementioned blocks and it is a substantial octagonal structure also constructed of stone. The mill buildings

have been converted for residential use and new apartment blocks have been introduced to the north between the mill buildings and the River Aire.

The height of the mill buildings and chimney mean that the setting of the complex is relatively extensive. The buildings form part of the historic skyline and views are achievable from north of the river and from elevated vantage points further north and south of the site. The complex is a particularly prominent feature in short range views from Salts Mill Road. In the majority of views, the buildings are viewed in the context of more recent development.

The HMRC buildings significantly detract from the setting of Victoria Works on account of their scale and unsympathetic construction materials. The removal of the buildings would therefore have a positive impact on the setting of Victoria Works from all of the key surrounding vantage points.

Blocks E and F would be the nearest aspects of the new development to the Victoria Works Buildings and they would be constructed predominantly of buff brickwork. The buff brick would complement the stonework of the neighbouring listed buildings whilst ensuring the buildings would be read as separate entities.

Block F would be a part four, part 7 and part 8 storey building and would be 23 metres at its highest point. It would be 4 metres lower than the tallest part of the current HMRC building, 2 metres lower than the main blocks of the Victoria Mills complex and 7 metres lower than the modern round apartment block to the north of Victoria Works. Block E would comprise of three storey townhouses bookended by four and five storey apartment units.

The scale of Block F would be commensurate with the buildings within the Victoria Works complex and it would not detract from or obscure key views of the listed assets. Block E would be entirely subservient to the Victoria Works buildings and it would not detract from their setting.

The development would enable public access across the site where it does not currently exist. This is considered to have a beneficial impact in terms of opening up new opportunities for the public to appreciate the Victoria Works assets.

In conclusion the development is not considered to have an adverse impact on the setting of the three Grade II listed assets comprising the Victoria Works complex and the development accords with the requirements of policy EN3 of the Core Strategy and paragraphs 199 and 200 of the NPPF.

5,6 and 7 Jane Hills

5, 6 and 7 Jane Hills are a row Grade II listed two storey stone-built properties which form part of a horseshoe shaped enclave of residential properties positioned between the Leeds Liverpool canal and the development site. The south-west gabled elevation of the row faces onto the canal towpath. To the south-east lies the gardens of the properties and the development site is located to the northwest separated by a parking area and the Riverside Estate Road. The setting of the buildings primarily relates to the canal where the buildings are visible from the towpath and from the bridge over Salts Mill Road.

The buildings date from 1796 meaning they pre-date the construction of Saltaire. They are one of the few remnants of the earlier landscape prior to its industrialisation. The domestic nature of the buildings is in contrast with the surroundings and the juxtaposition adds to the interest of the buildings.

The development site is located to the north of 5,6 and 7 Jane Hills and whilst the HMRC buildings do not obscure views towards Jane Hills they are a dominant feature which distracts the viewer's attention from the appreciation of the heritage assets. In this regard the existing HMRC buildings are harmful to the setting of 5,6 and 7 Jane Hills.

The proposed development would facilitate the removal of the HMRC buildings which would have a beneficial impact on the setting of 5, 6, and 7 Jane Hills. The new development would introduce buildings of a more appropriate scale and siting. The nearest element of Block A would be located to the west of Jane Hills and it would be of a domestic two storey height. The taller three and four storey elements of Block A would be located further to the west as would the four and five storey elements of Block B. The removal of the security railings from the southern boundary of the development site and the rebuilding of the historic stone boundary walling is considered to provide a minor beneficial impact on the setting of Jane Hills.

The new development would be adequately separated from Jane Hills and it would allow for the relationship of the buildings with the canal to be more readily appreciated without substantial buildings encroaching within the backdrop. In conclusion the proposed development would not have a detrimental impact on the setting of 5,6 and 7 Jane Hills and it would accord with the requirements of policy EN8 of the Core Strategy and paragraph 199 and 200 of the NPPF.

Baildon Green Conservation Area

The Baildon Green Conservation Area is located 340m north of the site and covers the surviving elements of a historic hamlet and the open spaces separating it from more modern residential development to the south. There are views across Airedale from within the conservation which include views of Saltaire. The key viewpoint towards Saltaire is identified at View 19 of the Saltaire World Heritage Site Management Plan.

The view is described as an important view across the areas of open space to the south and west of Baildon Green providing good views towards Salts Mill. Saltaire's housing and the tower of Victoria Hall are also visible.

In this location views of the scheme would be almost entirely obscured by existing vegetation and buildings on Milner Road, Lower Green and Green Lane. A small number of the upper roofscapes of the development would be visible from within the conservation area but these elements would be barely perceptible.

Accordingly, the proposed development is not considered to detract from the setting of the Baildon Green Conservation Area. This aspect of the proposal accords with policy EN3 of the Core Strategy and paragraphs 199 and 206 of the NPPF.

Landscape Character

Policy EN4 of the Core Strategy requires development proposals to make a positive contribution towards the conservation, management and enhancement of the diversity of landscapes within the district.

At the District wide level, the site is located within the Airedale Landscape Character Area. At the local level the site lies within the Airedale Industrial Corridor.

The Airedale Industrial Corridor comprises two locations. Area 1 the eastern extent of the Airedale character area centred around Shipley; and Area 2 centred around the Beechcliffe area of Keighley. Both areas are exclusively within the valley floor and consist mainly of mixed industrial and commercial developments.

The application site is unique within the landscape area as it straddles the boundary of the Saltaire World Heritage Site. As such the sensitivity of the site is higher than many of the other developed areas on the valley floor. The proximity of the Leeds and Liverpool Canal and adjacent conservation areas further increases the sensitivity of the site to new development.

The HMRC building is a visual detractor and its removal and replacement with a scheme of appropriate form and scale is considered to be beneficial to the landscape character of the area. The construction materials, boundary treatments and landscaping scheme will be key to ensuring that the development assimilates with and enhances the surrounding area and the delivery of the aforementioned elements of the scheme will be ensured by planning conditions.

Subject to the aforementioned conditions the development is considered to make a positive impact on the Airedale Landscape Character Area and it accords with policy EN3 of the Core Strategy.

Trees

Policy EN5 of the Core Strategy requires the Council to preserve and enhance the contribution that trees and areas of woodland cover make to the character of the District. In making decisions on planning applications, trees that contribute towards, the character of the settlement or its setting and the amenity of the built-up area, valued landscapes, or wildlife habitats, will be protected.

The site contains 49 trees comprised of 42 individual trees and 7 tree groups. There are no tree preservation orders in place within the site. The western tip of the site is within the Saltaire Conservation Area and the trees in this area are protected by this designation. The substantial tree line along the southern boundary of the site is adjacent to the Leeds Liverpool Canal Conservation Area but not within it.

A limited amount of tree removal is proposed from the linear belt to allow for a pedestrian connection to be formed with the canal towpath. Tree removal in this location would be minimal and it would not compromise the overall amenity value of the tree line. In this location site sections indicate that land levels would remain as existing and that the construction of the adjacent road and buildings would occur outside of root protection zones. A planning condition will be imposed in order to secure an Arboricultural Method Statement detailing the construction methods to be used in proximity to retained trees. A further condition will be imposed requiring the submission

and Tree Protection Plan to ensure that retained trees are adequately protected throughout development.

Tree removal across the remainder of the site is limited to what is necessary to facilitate the development and the losses are in discreet locations where the trees make a lesser contribution to the amenity of the surrounding area. Whilst tree removal is regrettable it is necessary to facilitate a development with an appropriate layout and density. Furthermore, the losses incurred would be far outweighed by the amenity value of the extensive areas of greenspace and replacement planting which would be introduced as a result of the development. The implementation of the landscaping scheme will be secured by a planning condition.

Subject to the imposing of the aforementioned conditions the proposed development would retain those trees which are healthy and of clear public amenity value and sufficient replacement planting would be provided to offset tree removal required as a result of the development. The proposals are therefore considered to accord with the requirements of policy EN5 of the Core Strategy.

Biodiversity

The site is not specifically designated for its biodiversity value. However, it is within 6km of the South Pennine Moors Special Area of Conservation (SAC) and Special Protection Area (SPA) which is also a national statutory designated site, being a Site of Special Scientific Interest (SSSI). The site is also within 5m of the Leeds Liverpool Canal Local Wildlife Site (LWS) and 120m from Fairbank Wood LWS.

The submission is supported by a Preliminary Ecological Appraisal, Ecological Impact Assessment and a Biodiversity Net Gain Assessment. The information has been reviewed by the Council's Biodiversity Officer who has confirmed that the information assesses the value of the ecological features and the likely impacts appropriately and that adequate mitigation has been recommended where necessary.

The habitat enhancements detailed within the landscaping plans and quantified within the BNG assessment along with species enhancements consisting of hedgehog highways and integral bat and swift bricks will result in improvements to the biodiversity value of the site. The Biodiversity Net Gain Assessment confirms that the development will result in a 37% increase in habitat units, 177% increase in hedgerow units and 45% increase in river units. The delivery of net gains will be secured by a planning condition along with a requirement for a programme of monitoring and reporting to be carried out to ensure that the enhancement works remain in situ in perpetuity.

To ensure that existing biodiversity features are adequately protected during demolition and construction a planning condition will be imposed requiring the submission of a Construction Environmental Management Plan addressing Biodiversity.

The development will introduce new residential properties within 7km of the South Pennine Moors SPA/SAC boundary. A Habitat Regulations Assessment has been carried out and it identifies that there would be likely significant effects arising from the development because of increased recreational pressure on the protected area. The South Pennine Moors SPA/SAC Planning Framework Supplementary Planning Document sets out the necessary mitigation requirements for the recreational impacts of new development and it requires a financial contribution of £375.61 per residential

unit. A financial contribution of £108,551.29 is therefore required, and the developer has confirmed that they will enter into a Section 106 Agreement to secure the necessary payment.

It is considered that subject to the aforementioned conditions and the developer entering into a section 106 agreement to secure mitigation of recreational impacts the development would not result in any adverse biodiversity implications for habitats and species in designated or undesignated sites and the development would deliver substantial net gains for biodiversity. Accordingly, the development is considered to accord with the requirements of policies EN2 and SC8 of the Core Strategy and paragraph 180 of the NPPF and the SPA/SAC Planning Framework Supplementary Planning Document.

Highways

Paragraph 110 of the framework requires that in assessing planning applications it should be ensured that:

- appropriate opportunities to promote sustainable transport modes can be, or have been, taken up, given the type of development and its location;
- safe and suitable access can be achieved to the site for all users;
- the design of streets, parking areas and other transport elements reflects current national guidance;
- any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 111 of the Framework makes clear 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.

At the local level the objectives of the framework are reflected in the Transport and Movement policies of the adopted Core Strategy. Specifically, policy TR1 sets out how development decisions will aim reduce the demand for travel, encourage and facilitate the use of sustainable travel modes, limit traffic growth, reduce congestion and improve journey time reliability. 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. Policy TR3 seeks to improve public transport, walking and cycle infrastructure. Finally, policy TR4 requires that Areas of tourist, cultural and heritage significance should not be adversely affected by the impact of transport, in particular additional trips arising from development.

Capacity and Congestion

A Transport Assessment (TA) has been provided which considers the changes in traffic flows associated with the proposed development. The document concludes that traffic flows can be satisfactorily accommodated by the existing highway network and that when compared with the existing scenario queues are either reduced with the development in place, or increased by a limited amount which would be negligible in terms of the operation of the wider highway network.

The Highways Development Control Department have reviewed the submitted TA and confirmed that they agree with its findings in terms of traffic generation and the impact on the highway network.

In conclusion the development is not considered to have a significant impact on the surrounding highway network in terms of capacity or congestion.

Access and Internal Layout

Vehicular access from the wider highway network will be achieved from Riverside Estate. A planning condition will be imposed requiring a Speed Limit order to be implemented limiting traffic speeds to 20 miles per hour on Riverside Estate and subject to this condition the points of access are considered to achieve an acceptable level of visibility.

The internal highway layout is comprised of a network of new streets with an access road loop linking back to two new junctions to be provided on Riverside Estate. This arrangement will serve blocks B-J, with blocks K, L and M served by the 'Fearnley Boulevard' spur road and Block E served by 'New Mill Lane' which will make use of an existing point of access onto the Salts Mill Road Roundabout.

The proposed highway design seeks to create attractive streets and areas of public realm, whilst reinforcing low traffic speeds through shared surfacing, road width and geometry. The approach is one that prioritises pedestrians and cyclists whilst still allowing necessary access for vehicles.

The majority of the internal streets will incorporate vehicle running areas of 4.1 metres, which is the minimum width necessary for two cars to pass carefully at slow speed.

A small number of streets within the site are fully prioritised for pedestrians with vehicle running areas of 3.7 metres designed to discourage use of the streets by non-residents and general access traffic.

All streets benefit from multi-functional passing and servicing areas at regular intervals with inter-visibility allowing cars to pass occasional larger vehicles (e.g. refuse collection, delivery vans) at slow speed.

The submission includes swept path analysis which confirms that refuse vehicles and fire appliances can safely and efficiently access and manoeuvre throughout the site.

The Highways Development Control Department have reviewed the layout and have advised that some modern cars are of a width which would not allow two cars to pass within the narrower streets without one over-riding the footway. However, this would be an infrequent occurrence and the layout provides places where larger vehicles can pass. Specifically, on all streets running north-south. It is therefore considered that the highway layout includes adequate provision of passing places and pedestrian safety would not be compromised by vehicles over-riding the footway.

A request was made to ensure that inter-visibility between pedestrians and vehicles is adequate across the site. Community Street (as the east-west route) is intended for pedestrian use only. Vehicles will be accommodated on the north-south streets of Hills Lane, Wainwright Lane and Moulson Lane. The crossing points on community street are comprised of open shared surfaced areas, which are unencumbered by street

furniture. Accordingly, intervisibility in these locations is considered to be sufficient to ensure that pedestrian safety would not be compromised.

The layout achieves 2.4m x 25m visibility splays at all junctions throughout the site. The visibility splays are based on vehicle speeds of 20mph. However, given that the highway layout has been designed to encourage lower vehicle speeds the assessed splays represents a worst-case scenario.

The internal highway layout is considered to successfully provide a permeable network of streets which priorities pedestrians and cyclists over vehicles. The necessary vehicle access is still accommodated but with the highway layout and geometry designed to ensure that vehicle speeds are naturally limited. Vehicle speeds will be limited to 20mph and signage will be erected to enforce this. The layout is considered to provide safe and suitable access for all users.

Parking

Policy TR2 and Appendix 4 of the Core Strategy set out the Council's requirements for vehicle and cycle parking. In respect of vehicle parking there is a requirement for the provision of an average of 1.5 spaces per unit across the development. In respect of cycle parking there is a requirement for 1 long stay and 1 short stay stand per residential unit

The development of 289 units would yield a requirement for a total of 433 vehicle parking spaces. The proposal is for the provision of 352 car parking spaces for the entirety of the development including the commercial floorspace.

The proposed car parking arrangements would provide one space per residential unit with 271 spaces at undercroft level and 81 on street. The proposed level of car parking provision would fall marginally below the level required by the parking standards. However, the site is considered to occupy a sustainable location with nearby access to rail and bus services as well as a network of pedestrian and cycling routes. Accordingly, the level of car parking provision is considered to be acceptable in this instance. Furthermore, it is evident that a design led approach to car parking provision has been taken ensuring that it is well integrated within the overall layout so that it supports the street scene and creates a safe and pleasant environment.

In addition to the above car parking provision 3 on street 'car club' spaces are to be provided on Riverside Estate at the primary entrance to the development. These spaces are a positive inclusion as they will serve to reduce the need for private car ownership and car parking spaces whilst allowing users to have occasional access to a vehicle.

Jane Hills consists of an enclave of 8 properties accessed from Riverside Estate and it is located at the main vehicular entrance to the development site. At present the dwellings benefit from 8 permit parking spaces. The proposed layout includes provision of 8 permit parking spaces for use by the residents of Jane Hills and the level of provision is therefore considered to be acceptable. The permit car parking space provision will be secured by a planning condition requiring the existing TRO on Riverside Estate to be amended.

A total of 508 cycle parking spaces are proposed consisting of 288 in garden/garage stores to serve dwellings, 145 in cycle store rooms to serve apartments, 15 within the

commercial buildings for shared use and 60 on street spaces for short stay use. The level of cycle parking provision is considered to be sufficient to serve residents and visitors whilst also ensuring that the public realm is not dominated by cycle parking infrastructure.

Maintenance and Management Arrangements

The estate roads will not be offered for adoption and their maintenance and management will be the responsibility of a Residential Management Company. The submitted Development Management Company Planning Guidance Document details that the streets, pavements and carriageways will be constructed to an appropriate standard and that inspections will be carried out on a bi-annual basis, with residents also able to report any emergency damages directly to enable an immediate remedy.

In terms of car parking, residents will be allocated a space within the nearest undercroft car park and the plot deed plan will identify the bay assigned to the dwelling. On street car parking will be managed for use by visitors to the residential and commercial elements of the development. The monitoring and enforcing of the visitor and short stay parking arrangements will be the responsibility of the management company.

The responsibilities of the residential management company will be secured as part of the Section 106 Agreement. Subject to completion of the agreement it is considered that the development would benefit from sufficient highway maintenance and management arrangements.

Travel Plan

The submitted Travel Plan seeks to promote sustainable travel to and from the site by implementing the following Travel Plan Measures:

- Travel Plan Coordinator made available to promote transport advice to residents. Travel information pack provided to prospective new residents.
- Provision of legible walking and cycle routes within the site and links onto local walking and cycling routes.
- Provision of adequate levels of cycle parking.
- Provision of cycle maintenance stand / repair facilities.
- Provision of e-bike charging points
- Provision of appropriate levels of parking (including disabled and motorcycle spaces).
- Provision of Electric Vehicle Charging Points.
- Allocation of 3 car parking spaces for use by a Car Club operator
- Promotion of EVs and local charging points
- Promotion of WY carshare scheme.

By implementing the above measures the plan seeks to reduce the mode share of journeys by car travel to 40%, with 20% of journeys made by train and 19% on foot.

The effectiveness of the Travel Plan will be monitored through annual travel surveys compiled by an appointed Travel Plan Coordinator. An annual monitoring report assessing the effectiveness of the travel plan will be submitted to the council for review. In the event that the monitoring report shows that the target mode shares have not been achieved information shall be submitted detailing what further measures will be taken to assist with achieving the stated targets.

The Travel Plan will continue as a formal process for 5 years after first occupation of the development and its implementation will be secured by a planning condition. Subject to the aforementioned condition the Travel Plan is considered to encourage and facilitate the use of sustainable travel modes, limit traffic growth and reduce congestion in accordance with the requirements of policies TR1 and TR3 of the Core Strategy.

Rights of Way

Policy TR3 of the Core Strategy requires that through planning decisions the Council will improve public transport, walking and cycling infrastructure. This is to be achieved by requiring the layout of new development to encourage walking and cycling by taking opportunities to connect to the existing street and path network, local facilities and public transport in obvious and direct ways and requiring that new development creates attractive places that encourage walking and cycling by providing a permeable network of routes that are well overlooked, and which balance the needs of all users by treating highways as streets rather than as roads.

ShIPLEY Public Footpath 1 runs along the northern boundary of the site, adjacent to the River Aire. This route is also promoted as the Aire Sculpture Trail. The Leeds-Liverpool canal towpath abuts the southern edge of the site and is used as a National Cycle route, forms part of the Dales Way recreational link path, and is promoted as one of the Council's self-guided walks.

It is proposed to carry out improvement works to ShIPLEY Public Footpath 1 and for it to be incorporated into an extensive riverside park spanning the width of the site from its boundary with the adjacent Victoria Mills complex upto the point at which the footpath meets with the towpath of the Leeds Liverpool Canal. A Grampian condition will be imposed in order to secure full details of the footpath improvement works including the surface treatment, width, gradient, lighting and incorporation of the Aire Sculpture Trail. Subject to approval of the necessary details it is considered that the development will facilitate improvements to the footpath and its setting.

The development involves works which will require the temporary diversion or closure of ShIPLEY Public Footpath 1. A temporary diversion or closure order must be obtained and this will be subject to advertisement the cost of which will be borne by the applicant. A footnote will be imposed on the decision notice alerting the developer of the need to obtain the necessary diversion or closure order.

A pedestrian connection is proposed midway along the southern boundary of the site in order to form a connection between the proposed canal side square and the Leeds Liverpool Canal towpath. The connection is welcomed as it will ensure that the development will link with the canal towpath in a logical and convenient location where pedestrian access can then be achieved throughout the development site. The creation of the access point to the canal towpath will require an agreement from the Canal and River Trust estates section in their capacity as landowner. A footnote will be imposed advising the developer to make contact with the Canal and River Trust's Estates section to ensure that any relevant consent is obtained.

The site layout provides a permeable network of routes where pedestrians are prioritised and links are made with the existing footpath network in obvious and direct ways.

In conclusion the development is considered to provide a permeable network of routes across the site whilst also connecting with the existing footpath network in obvious and direct ways. The development is therefore considered to accord with the requirements of policy TR3 of the Core Strategy.

Drainage

Paragraph 167 of the NPPF advises that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site specific flood risk assessment. Development should only be allowed in areas at risk of flooding where in light of this assessment it can be demonstrated that:

- within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- the development is appropriately flood resistant and resilient;
- it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- any residual risk can be safely managed; and
- safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Paragraph 169 of the Framework sets out the importance of the use of sustainable drainage systems for Major developments and requires that the systems used should take account of advice from the lead local flood authority; have appropriate proposed minimum operational standards; have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and where possible, provide multifunctional benefits

At the local level the objectives of the framework are reflected in policy EN7 of the Core Strategy which states that the Council will manage flood risk pro-actively. In assessing development proposals this will require that all sources of flooding are addressed, that proposals will only be acceptable where they do not increase flood risk elsewhere and that any need for improvements in drainage infrastructure is taken into account.

Flood Risk

The application is supported by a detailed Flood Risk Assessment. The document details that the risk from fluvial flooding will be mitigated as follows:

The flood levels for a 1 in 100 year + 23% climate change event at the site range from 64.98 mAOD in the west to 64.26 mAOD in the east. To mitigate the risk of fluvial flooding, finished floor levels should be set at a minimum level of 65.58 mAOD to provide 600mm freeboard above the 1 in 100 year + climate change flood level. The proposed development will encroach on a small area of the 1 in 100 year + 23% climate change flood extent, comprising an area of 119 m², with a maximum depth of 0.2 m. An area of 3695 m² is available within the site layout to provide compensatory storage outside of the 1 in 100 year + 23% climate change flood extent, which will enable level-for-level and volume-for-volume compensatory storage to be provided.

The Environment Agency have reviewed the submitted information and confirmed that the development is acceptable subject to a condition requiring that the development is carried out in accordance with the mitigation measures contained within the Flood Risk Assessment. Specifically, that finished floor levels shall be set no lower than 65.58 metres Above Ordnance Datum and that level for level, volume for volume compensatory storage shall be in place prior to the construction of the development platform and shall be retained and maintained for the lifetime of the development.

Subject to the aforementioned condition the proposed development is considered to be sufficiently resistant and resilient in respect of fluvial flood risk.

Foul and Surface Water Drainage

The submitted Drainage Strategy report provides details of the proposed foul and surface water drainage arrangements.

In respect of foul water drainage, a Yorkshire Water (YW) foul sewer crosses the site from south to north and a YW combined sewer runs adjacent to the site on the northern boundary parallel to the River Aire. It is proposed that the development will connect into the existing YW sewer system.

In respect of surface water drainage, the site will be served by a number of distinct surface water systems. Surface water will be collected by linear drains, gullies and downpipes, tree pits, permeable paving and green roofs. Surface water will be conveyed to swales, pipes and subterranean geo-cellular tanks before controlled release to the River Aire.

The LLFA and YW have reviewed the submitted information and confirmed that the proposals outlined in the Drainage Strategy Report are acceptable. A planning condition shall be imposed requiring the submission of details of the finalised foul and surface water drainage arrangements which shall be designed in accordance with the principles outlined in the Drainage Strategy Report. Further conditions shall be imposed to ensure that the development is drained on separate systems; that no piped discharge will take place until works to provide a satisfactory outfall have been completed; and, no building or other obstruction shall be located over or within 3 metres either side of the centreline of the public sewer. Finally, a condition shall be imposed requiring the submission of a Maintenance Plan for the surface water drainage scheme to ensure its long term maintenance.

The proposed development is considered to be appropriately flood resistant and flood resilient. Through the imposing of the suggested planning conditions the development will be served by acceptable drainage infrastructure based on SuDS principles and suitable maintenance arrangements will be put in place to ensure an acceptable standard of operation for the lifetime of the development. The development is therefore considered to accord with the requirements of policy EN7 of the Core Strategy and paragraphs 167 and 169 of the NPPF.

Land Contamination

Paragraph 183 of the NPPF requires that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. 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 any application should ensure that adequate site investigation information, prepared by a competent person, is available to inform these assessments.

At the local level Core Strategy policy EN8 (B) requires that proposals for development of land which may be contaminated or unstable must incorporate appropriate investigation into the quality of the land. Where there is evidence of contamination or instability, remedial measures must be identified to ensure that the development will not pose a risk to human health, public safety, and the environment.

The submission includes a Geo-Environmental and Geotechnical Interpretive Report. The information confirms that no specific gas mitigation measures are necessary for this site. The recommendations made for site remediation include the removal of fuel tanks, pumps, pipework and interceptors from the northeast corner of the site and the breaking out of ground to a minimum of 1.5m below the proposed ground level. A minimum 300mm of clean over is to be incorporated into landscaped areas to provide a suitable rooting zone for planting. A methodology for the quality control of imported materials and proposals for the verification of the remedial works are also included within the submitted reports.

The submission has been reviewed by the Environmental Health Department and the development is considered to be acceptable subject to a condition requiring the submission of a remediation verification report prior to the occupation of each phase of the development. A further condition is required detailing the procedure to be followed in the event that any unexpected contamination is encountered during construction.

It is considered that subject to the aforementioned conditions the development will not pose a risk to human health, public safety, or the environment. The proposal is therefore considered to accord with policy EN8 of the Core Strategy and paragraph 183 of the NPPF.

Air Quality

Paragraph 186 of the Framework requires that new development should take the opportunity to improve air quality or mitigate any impacts, such as through traffic and travel management, and green infrastructure provision and enhancement. Planning Decision should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

At the local level Core Strategy policy EN8 requires the Council to take a proactive approach to maintaining and improving air quality in the district in line with both National Air Quality Standards, the European Union limit values and the principles of best practice. Development proposals that have the potential to adversely impact on air quality will be required to incorporate measures to mitigate or offset their emissions and impacts, in accordance with the Low Emission Strategy for Bradford and associated guidance documents.

The application is supported by a detailed Air Quality Assessment and a subsequent Technical Note.

The development is classified as 'medium' for the purposes of the Bradford Low Emission Strategy. This classification is based on the fact that the development is not

expected to increase traffic flow by more than 5% on any road which is currently carrying 10,000 trips per day and that no other 'major' criteria are triggered. The submitted Technical Note provides predicted changes in Annual average daily traffic flow data to support this position.

Exposure Assessment

The submitted Air Quality Assessment provides predicted pollutant concentrations at the development site with and without the development in place. The Clean Air Plan Team have reviewed the submitted information and confirmed that all predicted concentrations are well within current health based standards as expected for a site located away from the major road network and that there are no concerns in respect of future exposure of residents to air pollutants at the site.

Air Quality Impact Assessment

The Air Quality Assessment details the expected changes in air quality in the area surrounding the site during the operational phases of the development. The report concludes that the development is expected to result in *"a negligible impact associated with the operational phase traffic and based on the extent of population exposure to the predicted impacts."*

The Clean Air Plan Team have reviewed the submitted information. A number of queries were initially raised regarding the modelling inputs and assumptions but these were fully addressed in the subsequent Air Quality Technical Note. Accordingly, the Clean Air Plan Team have confirmed that the results of the Air Quality Impact Assessment are accepted in full.

The proposal will give rise to some pollutant increases on surrounding roads however these will not result in additional exceedances of current air quality objectives or have an unacceptable detrimental impact on the aims and objectives of the Bradford Clean Air Zone. It should also be noted that the submitted assessment provides the worst case scenario as it does not take account of the expected reduction in pollutant concentrations expected as a result of the implementation of the CAZ in September 2022.

Mitigation Requirements

The development is required to provide Type 1 mitigation in the form of electric vehicle charging infrastructure for every new dwelling with associated parking and through the provision of a site-specific Construction Dust Management Plan. The aforementioned requirements will be secured by suitably worded planning conditions.

Low Emission Travel Plan

The submitted Travel Plan sets out options for walking, cycling and public transport use in the vicinity of the site and how these will be improved to serve the proposed development. A number of the measures included will assist with mitigating the air quality impact of the development. Specifically, cycling and walking will be promoted by the creation of pedestrian and cycle routes throughout the scheme; provision of secure cycle parking provision of cycle maintenance and repair facilities and the provision of e-bike charging. The use of public transport will be promoted and car club spaces will be provided to reduce the need for private car ownership. A planning condition will be imposed to ensure that the measures detailed in the Travel Plan are fully implemented and monitored.

Subject to the provision of Type 1 and Type 2 mitigation, as detailed, the development is not considered to give rise to any unacceptable implications for air quality in accordance with the requirements of policy EN8 of the Core Strategy and the NPPF.

Nuisance

Paragraph 185 of the NPPF requires planning decisions to mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and quality of life. At the local level Core Strategy policy EN8 requires development proposals to identify potential nuisance issues (including noise, vibration, odour, light and dust) arising from the nature of the proposal and address impacts on that development from existing land uses.

A Noise Impact Assessment has been provided which considers the ambient noise levels at the site boundaries. The levels recorded are then used to predict the likely internal noise levels for the proposed dwellings. The assessment concludes that the predicted levels of noise across the site would have no adverse impact on the proposed dwellings. The assessment also considers the noise impact of the traffic flows associated with the development. The document concludes that the development would result in an increase for one receptor (Riverside Estate) by 1.8dB and that there would be no significant increase for all other receptors.

The development includes the provision of 722 square metres of flexible Class E (Commercial, Business and Service) floorspace providing a workspace hub and café. Given the nature of the commercial uses they are not considered likely to give rise to any adverse noise implications for existing or future residents. The operating hours of the commercial premises can be secured by a planning condition to ensure that there is no activity during unsociable hours. If any external plant equipment is required, then this will be subject to further approval and assessment to ensure that it does not give rise to disturbance.

The Environmental Health Nuisance Team have reviewed the submitted information and have confirmed that they concur that existing noise sources will have no adverse impact upon the amenity of future residents of the development.

In respect of the construction phase of the development they have recommended that the hours of operation are limited to 0730-1800 Monday to Friday, 0800-13:00 Saturday and no working on Sundays or public/bank Holidays. The aforementioned working hours will be secured by a planning condition.

The proposals involve the demolition of the existing vacant building and the crushing and screening of the demolition material for reuse on-site. Indicative Information has been provided in order to demonstrate that this could take place without resulting adverse noise implications for neighbouring properties. A planning condition will be imposed requiring the submission of a detailed methodology for the crushing and screening of material including any necessary mitigation measures and ensuring that noise emissions do not exceed 55 decibels when measured from any point around the site boundary.

A Light Pollution Statement has been provided which includes an external lighting plan. The proposed external lighting strategy has been designed to mitigate the impact of the

development on surrounding areas in terms of glare, light spill, and environmental impact, whilst ensuring the lighting is adequate for its purpose. The proposed lighting scheme is not considered to give rise to any adverse implications in respect of neighbouring residents or occupants of the development.

The proposed development will be subject to a site specific Construction Dust Management Plan which will ensure that it will not give rise to any adverse dust related implications as a result of demolition and construction.

In conclusion the development is not considered to give rise to any adverse nuisance implications for existing neighbouring residents or future residents of the development in accordance with the requirements of policy EN8 of the Core Strategy and paragraph 185 of the NPPF.

Community Engagement

The proposed development has been the subject of pre-application submissions and feedback. The developer has sought to engage local stakeholders including ward councillors, residents and businesses through a series of consultation events. The following consultations were undertaken:

February 2022-A design workshop was held, and local stakeholders were invited to give their views on initial proposals for the site and for priorities for its redevelopment.

May 2022-A second design workshop was held, and local stakeholders were invited to view and provide their views on a revised scheme and construction materials.

July 2022-A public presentation was held. The public were invited to view the finalised masterplan and physical massing model to get a clear understanding of the development and the design team were on hand to assist with queries.

It is considered that the applicant has undertaken a level of community consultation that is commensurate with the scale of development proposed. The requirements of policy ID7 and the Council's Revised Statement of Community Involvement 2018 – 2023 are fulfilled.

Further Issues Raised by Representations

Block N is overbearing and will have a negative impact on heritage assets.

Block N has been reduced in height from seven storeys to four storeys. The scale and siting of the building are not considered to result in any adverse overbearing implications. The impact of this building on heritage assets has been considered and a very low level of harm has been identified resulting from the development of what is currently 'open' land within the World Heritage Site and Saltaire Conservation Area. Whilst the land is open it is a hard surfaced car park enclosed by railings and it does not make a positive contribution to the heritage setting.

Block N will harm key views from Coach Road

Block N has been reduced in height and it would appear lower and subservient to the more prominent Grade II Listed Salts Mill buildings in views from Coach Road. The top two storeys of Salts Mill will remain visible, as at present, above the tree line. A small

portion of the upper part of the 4th storey ridgeline of Block N would be visible above the tree line but subject to the use of appropriate construction materials this is not considered to form an intrusive feature within views from Coach Road

Taller buildings should be sited nearer Victoria Mill

The tallest buildings within the development are located at the eastern end of the site nearest to the Victoria Mills complex.

The aerial view from Coach Road is not the same as the view of persons on Coach Road

View 21 of the Landscape and Visual Impact Assessment takes into consideration the view of pedestrians looking south from Coach Road. View 22 considers pedestrian views looking southwest from Coach Road.

The demolition of the building will cause noise and disruption.

A planning condition will be imposed requiring the submission of a demolition method statement based on the recommendations of the pre-demolition audit to be approved by the Local Planning Authority before any demolition activity takes place. This is considered sufficient to ensure that any noise arising from demolition will be suitably mitigated or controlled. Subject to the aforementioned condition the demolition activity is not anticipated to result in any significantly adverse noise or disruption.

The current residents only spaces serving Jane Hills will need to have the hours extended to 24 hours a day 7 days a week.

The provision of the residents only spaces serving Jane Hills will be subject to an updated Traffic Regulation Order to ensure that they are made permanently available.

Suitable access should be retained for residents of Jane Hills

Vehicular and pedestrian access will be retained for the residents of Jane Hills

Permit parking should be provided for the 8 homes at Jane Hills

Eight permit parking spaces are included within the layout to serve Jane Hills

The driveway of 8 Jane Hills will have restricted visibility

The development would not alter the visibility afforded to the driveway of 8 Jane Hills

Access will be limited to and from 8 Jane Hills

The development does not alter the access arrangements to and from 8 Jane Hills

The use of bronze roofs/red brick walls will clash with the buildings in the World Heritage Site.

Bronze roofing is considered to provide a modern and complimentary construction material subject to the approval of a sample to ensure that it is not unduly reflective or

shiny. The bronze material will be used alongside natural stone and a buff brickwork ensuring that the development compliments local distinctiveness without seeking to directly replicate it.

The development will block natural light to the adjacent Masons Mill.

Block E would be located adjacent to Mason's Mill and it would consist of three storey townhouses bookended by four and five storey apartment units. The five-storey north-east corner of Block E would be separated from the west elevation of Masons Mill by a distance of 30 metres. The scale of Block E and the separation distance achieved are considered to be sufficient to ensure that there would be no significant loss of natural light for neighbouring residents of Masons Mill.

Block F would be located 23.5 metres to the northwest of Masons Mill and the buildings would not have a direct relationship. Accordingly, this aspect of the development is not considered to block natural light from the adjacent Masons Mill.

Increased traffic and congestion

A Transport Assessment (TA) has been provided which considers the changes in traffic flows associated with the proposed development. The document concludes that traffic flows can be satisfactorily accommodated by the existing highway network and that when compared with the existing scenario queues are either reduced with the development in place, or increased by a limited amount which would be negligible in terms of the operation of the wider highway network.

The Highways Development Control Department have reviewed the submitted TA and confirmed that they agree with its findings in terms of traffic generation and the impact on the highway network.

The height of the development will impact on the Victoria Mills Complex

Block E would comprise of three storey townhouses bookended by four and five storey apartment units. The buildings are considered to be of an appropriate scale in relation to the neighbouring mill complex.

Block F would be a part four, part 7 and part 8 storey building and would be 23 metres at its highest point. It would be 4 metres lower than the tallest part of the current HMRC building, 2 metres lower than the main blocks of the Victoria Mills complex and 7 metres lower than the modern round apartment block. Block F is therefore considered to be of an appropriate height in relation to neighbouring buildings.

Increased pollution

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. The development will minimise energy and CO₂ emissions through the use of passive design measures and the use of energy efficient equipment such as Air Source Heat Pumps for all houses and zero fossil fuel use across the site. The use of potable water in sanitary applications will be minimised through low water use fixtures and fittings. The development will be designed and constructed to conserve resources, increase

efficiency and use sustainably sourced materials. The development will incorporate sustainable drainage features through the use of permeable paving, sediment sumps/catch pits and swales. Construction waste will be minimised with the implementation of a Resource Management Plan. The development will minimise air pollution by incorporating an all-electric building strategy and light pollution will be minimised through the appropriate selection and location of external lighting.

The development will harm riverside habitats and wildlife

The Council's Biodiversity Officer has reviewed the submitted information and confirmed that the information assesses the value of the ecological features and the likely impacts appropriately and that adequate mitigation has been recommended where necessary. To ensure that existing biodiversity features are adequately protected during demolition and construction a planning condition will be imposed requiring the submission of Construction Environmental Management Plan: Biodiversity.

The buildings do not reflect the character of the surrounding area.

The proposed buildings are a contemporary response to the site surroundings and draw on elements of local distinctiveness to ensure that a complimentary appearance is achieved without seeking to directly replicate the existing architecture.

Increased flooding and surface water run-off

The submission is supported by a Flood Risk Assessment and Drainage Strategy the details of which have been reviewed by the Lead Local Flood Authority, Environment Agency and Yorkshire Water. No objections have been raised and subject to imposing the recommended planning conditions the development will not result in increased flooding or surface water run-off

Appropriate boundary separation is needed between the development and 12 Jane Hills.

A planning condition will be imposed requiring the submission of details of the boundary screening to be provided along the extent of the common boundaries with 11 and 12 Jane Hills. The screening shall be a minimum of 1.8 metres in height to ensure that the amenity of neighbouring residents is not compromised.

Block N would be within the World Heritage Site boundary and it is not sympathetic in terms it's height, shape, materials or massing.

Block N has been reduced in height to four storeys and the materials amended to include substantial expanses of natural stone across the elevations. The height, shape, materials and massing of the building are considered to be sympathetic to the World Heritage site and its setting.

The schemes presented at the public consultation were a fait accompli.

The developer has undertaken public consultation commensurate with the scale of development and in accordance with the requirements of policy ID7 of the Core Strategy and the Council's Revised Statement of Community Involvement 2018 – 2023.

The design has not been adapted following public feedback.

Whilst the development may not include all of the suggestions made as a result of the public consultation exercise the design will be subject to assessment in accordance with adopted planning policy to ensure that it is of an acceptable standard.

Views of the development from the surrounding area need to be considered

A Landscape and Visual Impact Assessment has been provided which considers the impact of the development in key views surrounding the site.

The development should incorporate Yorkshire stone.

Natural stone is incorporated within the scheme and extensively on the elevations of Block N which falls within the boundary of the World Heritage Site.

New open spaces should be appropriately managed in terms of anti-social behaviour

All new public open spaces will benefit from appropriate natural surveillance and lighting to discourage anti-social behaviour.

Planning Obligations

Affordable Housing

Core Strategy policy HO11 sets out the affordable housing requirements for the district. The site is within Shipley Ward, where there is a requirement for 20% affordable housing provision on developments of 10 units or more. The development proposal is for 289 units and there is therefore a need to provide 58 affordable units in order to achieve policy compliance.

Where a variation to policy requirements is sought to due to financial viability policy ID2 of the Core Strategy requires that a viability assessment must be submitted to the Council. Where a development is economically unviable consideration will be given to individual scheme financial viability in the determination of the application.

Carter Jonas have carried out a Viability Assessment Report on behalf of the applicant and the document concludes that nil planning gain (affordable housing) can viably be delivered by the development. Despite the conclusions of the report the developer has committed to the provision of 5 affordable housing units to be offered for sale at a discounted market rate.

The Valuation Office Agency and a specialist Quantity Surveyor have carried out a review of the Viability Assessment Report and the abnormal costs relating to undercroft car parking, on behalf of the Council, and they have provided recommendations and conclusions within a Viability Review Report.

The conclusion of the Viability Review report is that a planning policy compliant scheme is not viable. The primary factor influencing this is the £10,331,105 construction costs associated with the provision of undercroft car parking. These costs have been reviewed by a Quantity Surveyor and a shadow costing of this aspect of the development using SPON'S book rates arrived at a cost of £10,397,105. This is a variance of 0.6% or £66,370 greater than the cost anticipated by the developer.

The Viability Review Report also contains a Sensitivity Analysis whereby the most sensitive appraisal inputs relating to sales revenues and base construction costs are adjusted in upward and downward steps of 2.5% from the base appraisal assumption to determine if any of the scenarios result in a policy compliant scheme becoming viable. None of the 25 adjusted scenarios produce a viable scheme.

In relation to the £10,331,105 of construction costs associated with the car parking these would need to reduce by 67% or a saving of £6,891,726 in order to deliver a policy compliant scheme. Given that the developers construction costs are already lower than the SPON'S book rates the construction costs associated with the car parking are not considered likely to fluctuate to such a degree that it would alter the outcome with regard to the provision of affordable housing.

Therefore, having regard to scheme viability as set out in policy ID2 of the Core Strategy and paragraph 58 of the NPPF it is considered that in this instance the provision of a reduced level of affordable housing has been robustly justified and policy HO11 of the Core Strategy is therefore satisfied.

South Pennine Moors Recreation Impact

The South Pennine Moors SPA/SAC Planning Framework Supplementary Planning Document sets out the necessary mitigation requirements for the recreational impacts of new development on the South Pennine Moors SPA/SAC. A contribution of £375.61 per residential unit is required. A financial contribution of £108,551.29 is therefore required to mitigate the proposed development. The necessary payment will be secured by a Section 106 Agreement.

Community Infrastructure Levy

The Former HMRC Office proposal is a CIL liable use and is within CIL zone 3 which has a current CIL liability of £20 per sqm plus indexation.

The Planning Obligations Officer has reviewed the available records and has confirmed that a lawful use has taken place and as such the floor space to be demolished has been credited against the proposed floor space which results in the CIL liability being reduced to nil/£0.00.

Reason for Granting Planning Permission:

The loss of the existing office space has been robustly justified as it is no longer suitable in terms of its location, accessibility, relationship with neighbouring land uses and market significance. The proposal would re-develop a sustainably located brownfield site with much needed new housing and complimentary commercial uses, making a valuable contribution towards addressing the under supply and under delivery of housing in the district. The principle of development is considered to be acceptable.

A less than substantial degree of harm would be incurred to the Saltaire World Heritage Site and Saltaire Conservation Area and this would be outweighed by the public benefits of the development in terms of providing much needed new housing, removing a detractor building, improving views into the World Heritage site, providing new publically accessible greenspaces and enabling new opportunities for appreciating surrounding heritage assets. The development would not result in any adverse implications for the setting of Saltaire Mills, Victoria Works, Roberts Park, 5,6 and 7

Jane Hills, Leeds Liverpool Canal Conservation Area, or Baildon Green Conservation Area.

The development would provide 5 affordable housing units which falls below the 58 units required by policy HO11 of the Core Strategy. However, a Viability Assessment Report has been provided, and independently reviewed by the Valuation Office Agency, which confirms that because of the abnormal costs associated with developing the site a policy compliant level of affordable housing provision is not viable. The reduced level of affordable housing provision is therefore considered to be justified having taken account of scheme viability.

The development presents no significant adverse impacts with regard to landscape character, design, density, housing mix, housing quality, residential amenity, flood risk, drainage, air quality, land quality, nuisance, highway and pedestrian safety, trees, biodiversity, rights of way or community safety, subject to the imposition of the conditions listed below.

The proposed development would meet the requirements of RUDP policy UR7A, Core Strategy policies P1, SC1, SC2, SC3, SC4, SC5, SC6, S8, SC9, BD1, EC4, EC5, TR1, TR2, TR3, TR4, TR5, HO1, HO2, HO3, HO5, HO6, HO8, HO9, HO11, EN1, EN2, EN3, EN4, EN5, EN6, EN7, EN8, DS1, DS2, DS3, DS4, DS5, ID2, ID3 AND ID7 and the relevant policies of the National Planning Policy Framework.

Conditions:

1.Approved Plans

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

27639(00)00-Site Location Plan
27639(00)01-Site Planning Boundary
27639(00)04-House Type Key Plan- Rev E

27639(00)19-Site Block Plan L-1-Rev C
27639(00)20-Site Block Plan L0-Rev C
27639(00)21-Site Block Plan L1-Rev C
27639(00)22-Site Block Plan L2-Rev C
27639(00)23-Site Block Plan L3-Rev C
27639(00)24 -Site Block Plan L4-Rev C
27639(00)25-Site Block Plan L5-Rev C
27639(00)26-Site Block Plan L6-Rev C
27639(00)27-Site Block Plan L7-Rev C
27639(00)28-Site Block Plan L8 Roof-Rev C
27639(01)02-Demolition Plan Rev C
27639(01)03-Phasing Plan Rev D

27639(01)05-Site Plan Flood Zones-Proposed
27639(01)08-Masterplan-Rev R
27639(01)09-Site Plan-Parking Strategy-Rev D
27639(01)10-Site Plan Street Type Diagrams-Rev D
27639(01)12-Site Plan Street Widths-Rev D
27639(01)13-Site Plan - Building Heights & Materials-Rev D

27639(01)14-Site Plan Servicing Strategy Refuse-Rev C
27639(01)15- Site Plan - Servicing Strat - Fire L-1 Rev A
27639(01)16 Site Plan - Servicing Strat - Fire L0-Rev B
27639(01)17 Site Plan - Servicing Strat - Fire L1 Rev B
27639(01)18-Road Layout Site Plan-Rev C
27639(01)20-Parking Strategy L0-Rev D
27639(01)21-Parking Strategy L1-Rev D

27639(02)101- Block A Plan – L1-Rev C
27639(02)102 Block A Plan – L2-Rev C
27639(02)103-Block A Plan – L3-Rev C
27639(02)104- Block A Plan – L4-Rev C
27639(02)105- Block A Plan – L5-Rev C

27639(02)111-Block B Plan-L1-Rev C
27639(02)112-Block B Plan-L2-Rev C
27639(02)113-Block B Plan-L3-Rev C
27639(02)114-Block B Plan-L4-Rev C
27639(02)115-Block B Plan-L5-Rev C
27639(02)116-Block B Plan-L6-Rev C

27639(02)121-Block C Plan-L1-Rev D
27639(02)122-Block C Plan-L2-Rev D
27639(02)123-Block C Plan-L3-Rev D
27639(02)124-Block C Plan-L4-Rev D

27639(02)131-Block D Plan-L1-Rev D
27639(02)132-Block D Plan-L2-Rev D
27639(02)133-Block D Plan-L3-Rev D
27639(02)134-Block D Plan-L4-Rev D

27639(02)141-Block E Plan-L1-Rev D
27639(02)142-Block E Plan-L2-Rev D
27639(02)143-Block E Plan-L3-Rev D
27639(02)144-Block E Plan-L4-Rev D
27639(02)145-Block E Plan-L5-Rev D
27639(02)146-Block E Plan-L6-Rev D

27639(02)150-Block F Plan-L0-Rev C
27639(02)151-Block F Plan-L1-Rev C
27639(02)152-Block F Plan-L2-Rev C
27639(02)153-Block F Plan-L3-Rev C
27639(02)154-Block F Plan-L4-Rev C
27639(02)155-Block F Plan-L5-Rev C
27639(02)156-Block F Plan-L6-Rev C
27639(02)157-Block F Plan-L7-Rev C
27639(02)158-Block F Plan-L7-Rev C

27639(02)160-Block G Plan-L0-Rev C
27639(02)161-Block G Plan-L1-Rev C
27639(02)162 Block G Plan-L2-Rev C
27639(02)163-Block G Plan-L3-Rev C

27639(02)170-Block H Plan-L0- Rev C
27639(02)171-Block H Plan-L1- Rev C
27639(02)172-Block H Plan-L2- Rev C
27639(02)173-Block H Plan-L3- Rev C

27639(02)180-Block J Plan-L0-Rev C
27639(02)181-Block J Plan-L1-Rev C
27639(02)182-Block J Plan-L2-Rev C
27639(02)183-Block J Plan-L3-Rev C

27639(02)190-Block K Plan-L0-Rev C
27639(02)191-Block K Plan-L1-Rev C
27639(02)192-Block K Plan-L2-Rev C
27639(02)193-Block K Plan-L3-Rev C
27639(02)194-Block K Plan-L4-Rev C

27639(02)200-Block L Plan-L0-Rev B
27639(02)201-Block L Plan-L1-Rev B
27639(02)202-Block L Plan-L2-Rev B
27639(02)203-Block L Plan-L3-Rev B
27639(02)204-Block L Plan-L4-Rev B

27639(02)210-Block M Plan-L0-Rev C
27639(02)211-Block M Plan-L1-Rev C
27639(02)212-Block M Plan-L2-Rev C
27639(02)213-Block M Plan-L3-Rev C
27639(02)214-Block M Plan-L4-Rev C

27639(02)220-Block N Plan-L0-Rev D
27639(02)221-Block N Plan-L1-Rev D
27639(02)222-Block N Plan-L2-Rev D
27639(02)223-Block N Plan-L3-Rev D
27639(02)224-Block N Plan-L4-Rev D
27639(02)225-Block N Plan-L5-Rev D

27639(03)10-Site Sections Key-Proposed-Rev A
27639(03)11-Site Section AA-Proposed-Rev A
27639(03)12-Site Section BB-Proposed Rev D
27639(03)13-Site Section CC-Proposed Rev G
27639(03)14-Site Section DD-Proposed Rev G
27639(03)15-Site Section EE-Proposed Rev D
27639(03)16-Site Section FF-Proposed Rev D
27639(03)17-Site Section GG-Proposed Rev D
27639(03)18-Site Section HH-Proposed Rev D
27639(03)19-Site Section JJ-Proposed Rev C
27639(03) 20-Site Section KK-Proposed Rev D
27639(03) 21-Site Section LL-Proposed Rev D
27639(03)22-Site Section MM-Proposed Rev D
27639(03)23-Site Section NN-Proposed Rev D
27639(03)24-Site Section PP Proposed Rev C
27639(03)25-Site Section QQ Proposed Rev A

27639(03)26-Site Section RR Proposed Rev A
27639(03)27-Site Section SS Proposed Rev C
27639(03)28-Site Section TT Proposed Rev A

27639(04)100-Block A Elevations Rev C
27639(04)101-Block A Elevations Rev C
27639(04)102-Block A Elevations Rev C
27639(04)103-Block A Elevations Rev C
27639(04)104-Block A Elevations Rev A

27639(04)110-Block B-Elevations-Rev D
7639(04)111-Block B-Elevations-Rev D
7639(04)112-Block B-Elevations-Rev D
7639(04)113-Block B-Elevations-Rev D

27639(04)120-Block C Elevations-Rev D
27639(04)121-Block C Elevations-Rev D
27639(04)122-Block C Elevations-Rev D
27639(04)123-Block C Elevations-Rev D
27639(04)124-Block C Elevations-Rev D
27639(04)125-Block C Elevations-Rev D

27639(04)130-Block D Elevations-Rev D
27639(04)131-Block D Elevations-Rev D
27639(04)132-Block D Elevations-Rev D
27639(04)133-Block D Elevations-Rev D
27639(04)134-Block D Elevations-Rev D
27639(04)135-Block D Elevations-Rev D

27639(04)140-Block E Elevations Rev D
27639(04)141-Block E Elevations Rev D
27639(04)142-Block E Elevations Rev D
27639(04)143-Block E Elevations Rev D
27639(04)144-Block E Elevations Rev D

27639(04)150-Block F Elevations Rev E
27639(04)151-Block F Elevations Rev E
27639(04)152-Block F Elevations Rev E
27639(04)153-Block F Elevations Rev E
27639(04)154-Block F Elevations Rev E
27639(04)155-Block F Elevations Rev E

27639(04)160 –Block G Elevations Rev D
27639(04)161 –Block G Elevations Rev D
27639(04)162 –Block G Elevations Rev D
27639(04)163 –Block G Elevations Rev D
27639(04)164 –Block G Elevations Rev D
27639(04)165 –Block G Elevations Rev D

27639(04)170-Block H Elevations-Rev D
27639(04)171-Block H Elevations-Rev D
27639(04)172-Block H Elevations-Rev D

27639(04)173-Block H Elevations-Rev D
27639(04)174-Block H Elevations-Rev D
27639(04)175-Block H Elevations-Rev D

27639(04)180-Block J Elevations-Rev D
27639(04)181-Block J Elevations-Rev D
27639(04)182-Block J Elevations-Rev D
27639(04)183-Block J Elevations-Rev D
27639(04)184-Block J Elevations-Rev D
27639(04)185-Block J Elevations-Rev D

2763-9(04)190-Block K Elevations-Rev D
2763-9(04)191-Block K Elevations-Rev D
2763-9(04)192-Block K Elevations-Rev D
2763-9(04)193-Block K Elevations-Rev D
2763-9(04)194-Block K Elevations-Rev D
2763-9(04)195-Block K Elevations-Rev D

27639(04)200-Block L Elevations Rev C
27639(04)201-Block L Elevations Rev C
27639(04)202-Block L Elevations Rev C
27639(04)203-Block L Elevations Rev C
27639(04)204-Block L Elevations Rev C
27639(04)205-Block L Elevations Rev C

27639(04)210-Block M Elevations Rev A
27639(04)211-Block M Elevations Rev A
27639(04)212-Block M Elevations Rev B

27639(04)220-Block N Elevations Rev D
27639(04)221-Block N Elevations Rev D

27639(06)01-Accommodation Schedule-Rev J
27639(06)03-Dwelling Mix Summary-Rev L

7639(90)02-Materials Schedule
27639(93)01 Materials Benchmark-Rev C
3201-Rev P3-Cut and Fill Stage 1
3302-Rev P2-Cut and Fill Stage 2

001-ND2114-d Rev 01 Landscaping Plan and Arrangement
27639(01)16 Rev B-Fire Strategy L0
27639(01)17B-Fire Strategy L1

Leeds HOF-01 Method Statement Demolition and Dismantling Activities dated 28.02.2023

Flood Risk Assessment, reference 128708/G/W/R01, revision 4, dated 15/02/23, compiled by Fairhurst.

Saltaire Riverside Drainage strategy, reference 00.22024-ACE-ZZ-ZZ-RP-C-0001 Rev P4, dated May 2022, by Adept Civil and Structural and Consulting Engineers

Travel Plan Version 1.1 dated 22/06/23 compiled by Fore Consulting Limited.

Biodiversity Net Gain Assessment –Reference 22-0114-01, dated February 2023, by Delta Simons.

Geo-Environmental and Geotechnical Interpretative Report, dated March 2021, by Fairhurst.

Neighbour Engagement & Communication Document reference ARE_SR_NECD1, dated September 2023 by Artisan Real Estate.

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

2. 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).

3. Hours of Use: Block A

The approved Class E floorspace located within Block A of the development shall not be open for business between the hours of 2200 and 0700 and no customer shall be served or otherwise make use of the premises between these hours.

Reason: In order to safeguard the amenity of nearby residents and to accord with the requirements of policy DS5 of the Core Strategy.

4. Hours of Use: Block B

The approved Class E floorspace located within Block B of the development shall not be open for business between the hours of 20:00 and 07:00 and no customer shall make use of the premises between these hours.

Reason: In order to safeguard the amenity of nearby residents and to accord with the requirements of policy DS5 of the Core Strategy.

5. PD Rights Removed: A-E

Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no development falling within Classes A to E of Part 1 of Schedule 2 of the said Order shall subsequently be carried out to the development hereby approved without the prior express written permission of the Local Planning Authority.

Reason: To safeguard the amenities of occupiers of adjoining properties and to accord with Policies DS3 and DS5 of the Core Strategy Development Plan Document.

6. Bin Storage

Prior to the occupation of each dwelling the bin storage arrangements serving the dwelling shall be provided in full in accordance with the approved plans. The bin storage facilities shall then be retained thereafter for the lifetime of the development.

Reason: To ensure appropriate design arrangements for waste handling and to accord with Policies DS1 and DS5 of the Core Strategy Development Plan Document.

7. Phasing Plan

The development shall be phased in accordance with plan reference 27639(01) 03 Rev D "Site Phasing Plan.

Reason: To ensure that satisfactory phasing of the development and to ensure that it is delivered in a coordinated and planned way and to accord with policy DS1 of the Core Strategy

8. Materials Samples: Walling and Roofing

Before development above damp-proof course commences on the relevant phase of the development, arrangements shall be made with the Local Planning Authority for the inspection of all external facing and roofing materials to be used in the construction of the relevant phase. The samples shall then be approved in writing by the Local Planning Authority and the development constructed in accordance with the approved details. As a minimum the materials shall achieve the benchmark standards illustrated on drawing reference 27639(93)01 Rev C-Materials Summary, dated 13.02.2023 and received by the council on 27.02.2023.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies DS1, DS3 and EN3 of the Core Strategy Development Plan Document.

9. Footpath Upgrades: Shipley Public Footpath 1

Prior to the commencement of any above ground works full details of the footpath upgrades to be undertaken to Shipley Public Footpath 1 shall be submitted to and approved in writing by the Local Planning Authority. As a minimum the details shall include the surface treatments, width, gradient, and lighting arrangements as well as details of how the Aire Sculpture Trail will be incorporated across the route.

The works shall then be carried out in full in accordance with the agreed details prior to the first occupation of the development.

Reason: To ensure that the footpath is appropriately integrated into the development in accordance with policies DS4 and TR3 of the Core Strategy.

10. Demolition Methodology Implementation

All demolition work shall occur in strict accordance with the details contained within the Leeds HOF-01 Method Statement Demolition and Dismantling Activities dated 28.02.2023 and the Neighbour Engagement & Communication Document reference ARE_SR_NECD1, dated September 2023 by Artisan Real Estate.

Reason: To ensure that the amenity of neighbouring residents is not compromised as a result of demolition activity and to accord with policies DS5 and EN8 of the Core Strategy.

11. Material Crushing and Screening: Methodology

Prior to the processing of any demolition material on-site a methodology for the crushing and screening of the material shall be submitted to and approved in writing by

the Local Planning Authority. The information shall include details of any mitigation measures necessary to ensure that noise emissions arising from the crushing and screening activities do not exceed 55 decibels when measured from any point on the site boundary. The crushing and screening activity shall then occur in strict accordance with the approved details.

Reason: To ensure that the amenity of neighbouring residents is not compromised as a result of excessive noise levels and to accord with policies DS5 and EN8 of the Core Strategy.

12. Construction Management Plan: General

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 no above ground works shall take place 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 delivery of materials;
- iii) location of site management offices and/or sales office;
- iv) location of materials storage compounds, loading/unloading areas and areas for construction vehicles to turn within the site;
- v) car parking areas for construction workers, sales staff and customers;
- vi) the extent of and surface treatment of all temporary road accesses leading to compound/storage areas and the construction depths of these accesses, their levels and gradients;
- vii) temporary warning and direction signing on the approaches to the site.

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

Reason: To ensure the provision of appropriate 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 Local Plan for Bradford.

13. Construction Hours

Construction work shall not be undertaken outside of the following hours:

Monday to Friday 0730 to 18:00

Saturday 0800 to 1300

Sundays, Public/Bank Holidays No working.

Reason: To protect the amenity of the occupants of nearby dwellings and to accord with policy DS5 of the Core Strategy Development Plan Document.

14. Dust Management Plan

Prior to commencement of 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 the recommended mitigation measures in section 6.0 of the Delta Simons Ltd Air Quality Assessment (22-0114.03). The development shall be carried out in accordance with the approved Dust Management Plan.

Reason: To protect amenity and health of surrounding residents and to accord with policy EN8 of the Core Strategy.

15. Development Carried out in accordance with FRA

The development shall be carried out in accordance with the submitted flood risk assessment (titled "Land at Former HMRC Office, Shipley, Flood Risk Assessment", reference "128708/G/W/R01", revision 4, dated 15/02/2023, compiled by Fairhurst) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 65.58 metres Above Ordnance Datum
- Level for level, volume for volume compensatory storage shall be in place prior to construction of the development platform and shall be maintained for the lifetime of the development as per sections 5.1 and 5.7

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided in accordance with policy EN7 of the Core Strategy.

16. Temporary Drainage Strategy

Prior to the commencement of development, the temporary drainage strategy as detailed on drawing reference ACE-ZZ-XX-DR-C-199 Rev P2 –Temporary Drainage Plan dated 16.02.2023 shall be implemented in full. The temporary drainage arrangements shall remain in situ until the surface water drainage arrangements serving the relevant phase of development have been provided in full.

Reason: To minimise the discharge of surface water outside of the curtilage of the site during the construction phase of the development in accordance with policies EN7 and EN2 of the Core Strategy.

17. Foul and Surface Water Drainage Scheme

The development of each phase (excepting demolition and enabling works) shall not begin until details of a scheme for foul and surface water drainage to serve the relevant phase has 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 Strategy Report, Document ref: 00.22024-ACE-ZZ-ZZ-RP-C-0001- Rev P4, Dated: May 2022. The maximum surface water discharge rate, off-site, shall not exceed 310 (Three hundred and ten) 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.

18. Surface Water Maintenance Plan

Prior to the commencement of any above ground works a Maintenance Plan for the surface water drainage scheme shall be submitted to and approved in writing by the Local Planning 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.

19. Construction Method Statement: Canal Stability

Prior to any works relating to blocks A, K, L, M and N a Method Statement, detailing the construction of foundations in proximity to the Leeds and Liverpool Canal embankment shall have first been submitted to and approved in writing by the Local Planning Authority. The details shall include the design, depth and means of construction of the foundations, including details of any piling works, details of the location of construction equipment and any stockpiling on site; and protection measures employed to protect the embankment during the works. The development shall thereafter be carried out in strict accordance with the approved Method Statement.

Reason: In the interests of ensuring that the development safeguards the stability of land adjacent to the canal and to accord with the requirements of policy EN8 of the Core Strategy.

20. Drainage Separate Systems

The development hereby permitted shall be drained using separate foul sewer and surface drainage systems. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved in writing by the Local Planning Authority.

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.

21. Public Sewer Easement

No building or other obstruction including landscape features shall be located over or within 3 metres either side of the centre line of the public sewer i.e. a protected strip width of 6 metres, that crosses the site. Furthermore, no construction works in the relevant area(s) of the site shall commence until measures to protect the public sewerage infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local

Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times. If the required stand-off or protection measures are to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that, prior to construction in the affected area, the approved works have been undertaken.

Reason: In the interest of public health and maintaining the public sewer network and to accord with policies DS5, EN7 and EN8 of the Core Strategy.

22. Construction Environmental Management Plan-Biodiversity

No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: to ensure the protection of existing biodiversity features in accordance with policy EN2 of the Core Strategy.

23. Biodiversity Gain Plan

Prior to the commencement of development, excepting demolition and enabling works, a Biodiversity Gain Plan (BGP) shall be submitted to, and be approved in writing by, the local planning authority. The Plan shall deliver a minimum of 11.92 Biodiversity (Area Habitat) Units, 0.07 Biodiversity (Hedgerow) Units and 1.16 Biodiversity (Riverine) Units on land identified in the Biodiversity Metric Spreadsheet Version 3.1 referred to in Biodiversity Net Gain Assessment Delta-Simons, February 2023, Project No: 22-0114.01 (Issue No. 2) and include details of the following:

- a) Description and evaluation of features to be created, managed and enhanced
- b) Extent and location/area of proposed habitats and Biodiversity Units on scaled maps and plans
- c) Ecological trends and constraints on site that might influence management
- d) Aims and Objectives of management to include Target Biodiversity Units and Condition Criteria
- e) Appropriate management Actions for achieving Aims and Objectives

- f) An annual work programme (to cover an initial 5-year period)
- g) Details of the specialist ecological management body or organisation responsible for implementation of the Plan
- h) Details of how the plan will be funded
- i) For each of the first 5 years of the Plan, a progress report shall be submitted to the Local Planning Authority reporting on progress of the annual work programme and confirming the actions required for the next 12-month period
- j) The Plan will be reviewed and updated every 5 years and implemented for perpetuity.

The Plan shall also set out how contingencies and/or remedial action will be identified, agreed and implemented when necessary. The approved Plan will be implemented in accordance with the approved details.

Reason: to ensure the long-term protection and enhancement of biodiversity in accordance with policy EN2 of the Core Strategy.

24. Monitoring and Reporting

Prior to occupation of the first dwelling a Biodiversity Monitoring Programme and Monitoring Report carried out by an appropriately qualified ecological consultant shall be submitted to and agreed by the Local Planning Authority. It shall include the first Monitoring Report, to take place after full implementation of approved landscaping and habitat creation establishment works, and specify the frequency and timing of subsequent Monitoring Reports to cover a minimum period of 30 years to be submitted to the Local Planning Authority. The Monitoring Report will include the following:

- a) Confirmation of the number of Biodiversity Units present based on a survey at an appropriate time of year and how this compares to the 11.92 Biodiversity (Area Habitat) Units, 0.07 Biodiversity (Hedgerow) Units and 1.16 Biodiversity (Riverine) Units on land identified in the Biodiversity Metric Spreadsheet Version 3.1 referred to in Biodiversity Net Gain Assessment Delta-Simons, February 2023, Project No: 22-0114.01 (Issue No. 2)
- b) Where the Target Condition is not yet met provide an assessment of time to Target Condition for each habitat and any changes to management that are required
- c) How the monitoring is funded and the specialist ecological body responsible
- d) Confirmation by photographs that all integral bird nesting and bat roosting features are in place as approved.

Subsequent Monitoring Reports will be submitted to the LPA at timescales stated in the Monitoring Programme and where remedial measures or changes in management are required these will be addressed in the subsequent Biodiversity Gain Plan annual work programmes.

Reason: To ensure biodiversity units are delivered as agreed in the approved Biodiversity Gain Plan in perpetuity and to accord with policy EN2 of the Core Strategy.

25. EV Charging

Before the date of first occupation an EV charging infrastructure scheme shall be submitted to and approved in writing by the Local Planning Authority. All charging points provided must be purpose built and have a minimum output of 7kW with Mode 3 charging capability. Information about the EV charging infrastructure and how to use it should be included in the new home welcome pack. 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 operational. Charging points installed shall be retained in full working order thereafter.

Purpose: 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 and policy EN8 of the Core Strategy.

26. Low Emission Travel Plan

Travel plan measures shall be implemented in accordance with the details and timescales contained within the submitted Travel Plan Version 1.1 dated 22/06/23 compiled by Fore Consulting Limited.

The Travel Plan shall be monitored annually for a period of five years from first occupation of the development. An annual monitoring report shall be submitted to and agreed in writing by the Local Planning Authority and it shall include, but not be limited to, the following:

- i) Details of progress made since the submission of the previous annual report and any other changes which have occurred over the year which are significant to the Plan.
- ii) An assessment of travel survey results and any other monitoring such as vehicle counts.
- iii) An assessment of whether targets have been met or are on track to be met.
- iv) Any revisions to be made to the Travel Plan.
- v) Whether or not remedial measures are to be implemented at this stage.
- vi) Actions for the forthcoming year which should be set out in a Travel Plan Action Plan

Reason: To encourage and facilitate the use of sustainable travel modes, limit traffic growth and reduce congestion in accordance with the requirements of policy TR1 of the Core Strategy.

27. Remediation Verification

Prior to the first occupation of each phase of the development a remediation verification report, including where necessary quality control of imported soil materials and clean cover systems, prepared in accordance with the approved remediation strategy shall be submitted to and approved in writing by the Local Planning Authority

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy EN8 of the Local Plan for Bradford.

28. Unexpected Contamination

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

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy EN8 of the Local Plan for Bradford.

29. Hard Landscaping: Material Samples

Prior to the commencement of any hard landscaping works samples of all the hard landscaping materials shall be submitted to and approved in writing by the Local Planning Authority. The hard landscaping works shall be carried out with material which accord with the approved samples.

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

30. Soft Landscaping Scheme Details/Implementation

In the first planting season following the completion of the development the soft landscaping proposals and new tree planting shall be implemented at the site in accordance with a detailed planting schedule which must first be submitted to and approved in writing by the local planning authority.

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

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

31. Landscape Maintenance

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

Landscape maintenance of the identified areas shall subsequently be carried out in accordance with the approved schedule for the period agreed.

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

32. Boundary Treatment: Common Boundary of 12 Jane Hills

Prior to the first occupation of Block A details of the boundary treatment to be provided along the common boundaries of 11 and 12 Jane Hills shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall have a minimum height of 1.8 metres and it shall be installed in accordance with the approved details prior to the first use of Block A and retained thereafter.

Reason: To ensure that the level of amenity afforded to neighbouring occupants is maintained in accordance with policy DS5 of the Core Strategy.

33. Lighting Scheme: Details

Prior to the first occupation of each phase of the development, details of all external lighting serving that phase, including its location, height, design, luminance and the extent of any spillage, shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall then be installed in accordance with the approved details in full prior to the first occupation of the relevant phase of development.

Reason: To ensure that the development is served by adequate lighting in the interests of site security and the protection of surrounding habitats in accordance with the requirements of policies DS5 and EN2 of the Core Strategy.

34. Arb Method Statement/Tree Protection Plan

All trees shown on the approved drawings to be retained, including any trees whose canopies overhang the development site, shall be protected throughout the construction period with tree protection fencing or other tree protection measures that are in accordance with BS 5837: 2012 Trees In Relation to Construction.

Notwithstanding any details that were submitted with this planning application, the development shall not begin until a detailed Arboricultural Method Statement and Tree Protection Plan, setting out full details of proposals to protect trees within or adjoining the site during the development process, have been submitted to and agreed in writing by the Local Planning Authority. The Arboricultural Method Statement and Tree Protection Plan shall accord with recommendations contained in BS: 5837.

Following the approval of such tree protection details, the development shall not begin, nor shall there be any demolition, site preparation or ground works, nor shall any materials or machinery be brought on to the site until the tree protection measures have been installed in accordance with the approved details.

Reason for pre-commencement condition: Trees on the site are of high amenity value and implementation of the tree protection measures prior to any development work beginning on the site is essential to ensure that trees are adequately protected in the interests of amenity and to accord with Policy EN5 of the Core Strategy Development Plan Document.

35. Retention of Tree Protection

The approved tree protection measures, shall remain in place for the duration of the construction period, and shall not be removed or altered except in accordance with such phasing proposals as are described within the approved Arboricultural Method Statement or in accordance with alternative tree protection details that have been formally approved. There shall be no excavations or alteration of ground levels within the tree protection areas/construction exclusion zones created on the site, and no engineering or landscaping works, service runs, or installations shall take place and no materials shall be stored within them.

Reason for pre-commencement condition: Trees on the site are of high amenity value and implementation of the tree protection measures prior to any development work beginning on the site is essential to ensure that trees are adequately protected. In the interests of amenity and to accord with Policy EN5 of the Core Strategy Development Plan Document.

36. Access Before Us

Prior to the first occupation of each block of the development, the proposed means of vehicular and pedestrian access serving the relevant block, shall be laid out, hard surfaced, sealed and drained within the site in accordance with the approved plan reference 27639(01)08-Masterplan-Rev R dated 13.02.2023 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 and pedestrian safety and to accord with policy DS4 of the Core Strategy and paragraph 110 of the National Planning Policy Framework.

37. Parking before Use

Prior to the first occupation of each block of the development, the car parking spaces serving the relevant block shall be laid out, hard surfaced, sealed and marked out in accordance with approved plan references 27639(01)21F and 27639(01)20D. The car parking spaces so approved shall be kept available for use whilst ever the development is in use.

Reason: In the interests of highway safety and to accord with Policy TR2 of the Core Strategy Development Plan Document and Paragraph 110 of the National Planning Policy Framework.

38. Visibility Splays

Prior to the first occupation of each phase of the development the visibility splays required at the junctions serving the relevant phase shall be laid out and there shall be no obstruction to visibility exceeding 900mm in height within the splays so formed above the road level of the adjacent highway.

Reason: To ensure that visibility is maintained at all times in the interests of highway safety and to accord with paragraph 110 of the National Planning Policy Framework

39. Undercroft Ramp Details

Prior to the first use of each undercroft car parking area details of the access ramp arrangements serving the individual block's car park shall be submitted to and approved in writing by the Local Planning Authority and the access ramps shall be provided in full in accordance with the approved details and retained and maintained whilst ever the development subsists.

Reason: To ensure that a suitable form of access is made available to serve the parking areas in accordance with policy TR2 of the Core Strategy and paragraph 110 of the National Planning Policy Framework.

40. Travel Plan

The travel plan shall be implemented in accordance with the details, timescales and monitoring arrangements contained within the submitted Travel Plan Version 1.1 document, dated 22/06/23, compiled by Fore Consulting Limited.

In the event that the mode share targets as detailed in Table 1 of the Travel Plan are not achieved additional information shall be submitted to and agreed in writing by the Local Planning Authority detailing what further measures will be taken to assist with

achieving the stated targets. The agreed further measures shall then be implemented for the remainder of the travel plan period.

Reason: To encourage and facilitate the use of sustainable travel modes, limit traffic growth and reduce congestion in accordance with the requirements of policy TR1 of the Core Strategy.

41. Traffic Regulation Order: Riverside Estate

The development hereby approved shall not be brought into use or occupation until the Traffic Regulation Order (TRO) on Riverside Estate has been amended to make provision for 8 permit parking spaces and 3 car club spaces as detailed on Parking Strategy Plan Reference 27639(01) 21 Rev F dated 15.05.2023.

Reason: In the interests of highway safety and to accord with policy TR2 of the Core Strategy and paragraph 110 of the National Planning Policy Framework.

42. Speed Limit Order: Riverside Estate

The development hereby approved shall not be brought into use or occupation until a Speed Limit Order (SLO) limiting traffic speeds to 20 miles per hour on Riverside Estate has been implemented. A scheme indicating the extents and full details of the SLO shall first be agreed with and approved in writing by the Local Planning Authority.

Reason: In the interest of highway and pedestrian safety and to accord with paragraph 110 of the National Planning Policy Framework.

Informatives:

1. Permitting

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

2. Flood Resistance and Resilience

It is strongly recommended that flood resistance and resilience measures are incorporated into the development. Physical barriers, raised electrical fittings and

special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. More information about reducing flood damage can be found in the Flood Risk and Coastal Change planning practice guidance. The following documents may also be useful;

- CIRIA Code of Practice for property flood resilience
- British Standard 85500 – Flood resistant and resilient construction

3. Flood Warnings

The development should be registered for flood warnings under Flood Warnings Direct Service provided by the Environment Agency.

The developer should contact Floodline 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email, or text message.

4. Consent for towpath link

The creation of the access point to the canal towpath, as shown on the submitted plans, would require an agreement from the Canal and River Trust estates section in their capacity as landowner. The developer is advised to contact the Trust's Estates section on 03030404040 in order to ensure that any relevant consent is obtained.

5. Code of Practice

The Canal and River Trust in their capacity as Landowner and Navigation Authority for the adjacent Canal, wish to advise that works in proximity to the waterway (including proximity to the retaining wall) would likely need to comply with the 'Code of Practice for Works Affecting the Canal & River Trust'.

Prior to the commencement of any works in proximity to the canal the developer is advised to contact the Canal and River Trust's Engineering Team at enquiries.TPWNorth@canalrivertrust.org.uk or on 03030404040.

6. EV Charging

- 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.

- It is the responsibility of the developer to ensure the EV charging scheme on this development meets the minimum requirements of Building Regulations (Document S Building Regulations)

Failure to address the need to provide EV charging points at the design stage (both in terms of cost and practical implementation) will not be accepted as a reason for varying any EV charging conditions at a later date.

Environmental Health Land Contamination

The applicant should have regard to:

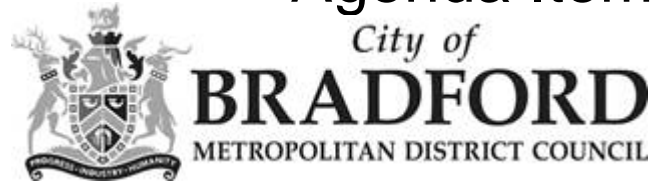
- YALPAG (formerly YAHPAC) 'Technical Guidance for Developers, Landowners and Consultants. Development on Land Affected by Contamination'
- YALPAG 'Verification Requirements for Cover Systems' if remediation or quality control of imported soil materials is required, and
- YALPAG (2016) guidance on 'Verification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

7. Section 278 Agreement

Highways works, required on the public highway as a result of development works are subject to a S278 Agreement under the Highways Act 1980. Works cannot begin until the developer has entered into a S278 Agreement with the Highway Authority.

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Report of the Assistant Director, Planning, Transportation & Highways, to the meeting of Regulatory & Appeals Committee to be held on 28 September 2023

F

Subject:

A full planning application for the development of 35 dwellings consisting of 12 pairs of semi-detached houses, two detached houses and one three storey block of 9 apartments on Land at Skipton Road, Ilkley.

Summary statement:

The proposal is for the development of 35 affordable dwellings on land within the Green Belt. The development benefits from an exception to inappropriate development under paragraph 149(g) of the National Planning Policy Framework as it consists of the redevelopment of previously developed land to meet an identified affordable housing need without resulting in substantial harm to the openness of the Green Belt. The development would deliver much needed affordable housing in the context of a five-year housing land supply shortfall and the persistent under delivery of affordable housing in the Wharfedale.

The development would result in 'less than substantial harm' to the setting of nearby heritage assets. The harm incurred would be outweighed by the public benefits of delivering much needed affordable housing.

A Section 106 Agreement would secure the affordable housing provision as well a contribution of £16,526.84 towards offsetting recreational pressures arising from the development on the South Pennine Moors SPA/SAC.

The application is recommended for approval subject to completion of the Section 106 Agreement and the imposition of the recommended conditions.

EQUALITY & DIVERSITY:

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

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

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

Richard Hollinson
Assistant Director (Planning,
Transportation & Highways)

Report Contact: Hannah Lucitt
Phone: 01274) 434605
E-mail: hannah.lucitt@bradford.gov.uk

Portfolio:

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

Overview & Scrutiny Area:

Regeneration and Economy

1. SUMMARY

The Regulatory and Appeals Committee are asked to consider the recommendations for the determination of planning application reference 21/05075/MAF made by the Assistant Director (Planning, Transportation and Highways) as set out in the Technical Report at Appendix 1.

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 the Officer's Report at Appendix 1.

4. FINANCIAL & RESOURCE APPRAISAL

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

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

Non-relevant to this application.

6. LEGAL APPRAISAL

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

7. OTHER IMPLICATIONS

All considerations material to the determination of the application are set out in the technical report at Appendix 1.

7.1 SUSTAINABILITY IMPLICATIONS

The site is located on the northwestern edge of Ilkley and is well served by public transport connections with frequent bus services along the A65 with bus stops located in close proximity to the site frontage. The site is also within walking and cycling distance of a wide range of facilities and services within Ilkley town centre. A wide range of rail links are also available from Ilkley railway station where there is existing provision of cycle lockers and cycle stands. Accordingly, the site is considered to occupy a sustainable location where access to facilities and services is achievable by modes of transport other than private car. The development meets the sustainability criteria outlined in relevant national and local planning policies. Namely, the National Planning Policy Framework (2021), The Core Strategy Development Plan Document (2017), The Homes and Neighbourhoods Design Guide (2020) and the Sustainable Design Guide (2006) Supplementary Planning Documents.

7.2 TACKLING THE CLIMATE EMERGENCY IMPLICATIONS

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

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

In order to encourage alternative means of transport Electric Vehicle (EV) charging points will be

secured by a planning condition at a rate of 1 per residential unit, for units with allocated parking, in line with the Type 1 Mitigation requirements set out in the Bradford Low Emission Strategy.

7.3 COMMUNITY SAFETY IMPLICATIONS

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

7.4 HUMAN RIGHTS ACT

Article 6- the right to a fair and public hearing. The Council must ensure that it has considered the views of all those who have an interest in, or whom may be affected by the proposal.

7.5 TRADE UNION

None.

7.6 WARD IMPLICATIONS

The Technical Report at Appendix 1 summarises the material planning issues raised by representations and the appraisal considers the effects of the development upon residents of Ilkley ward.

7.7 IMPLICATIONS FOR CHILDREN AND YOUNG PEOPLE

None.

7.8 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 in the main report or refuse the application.

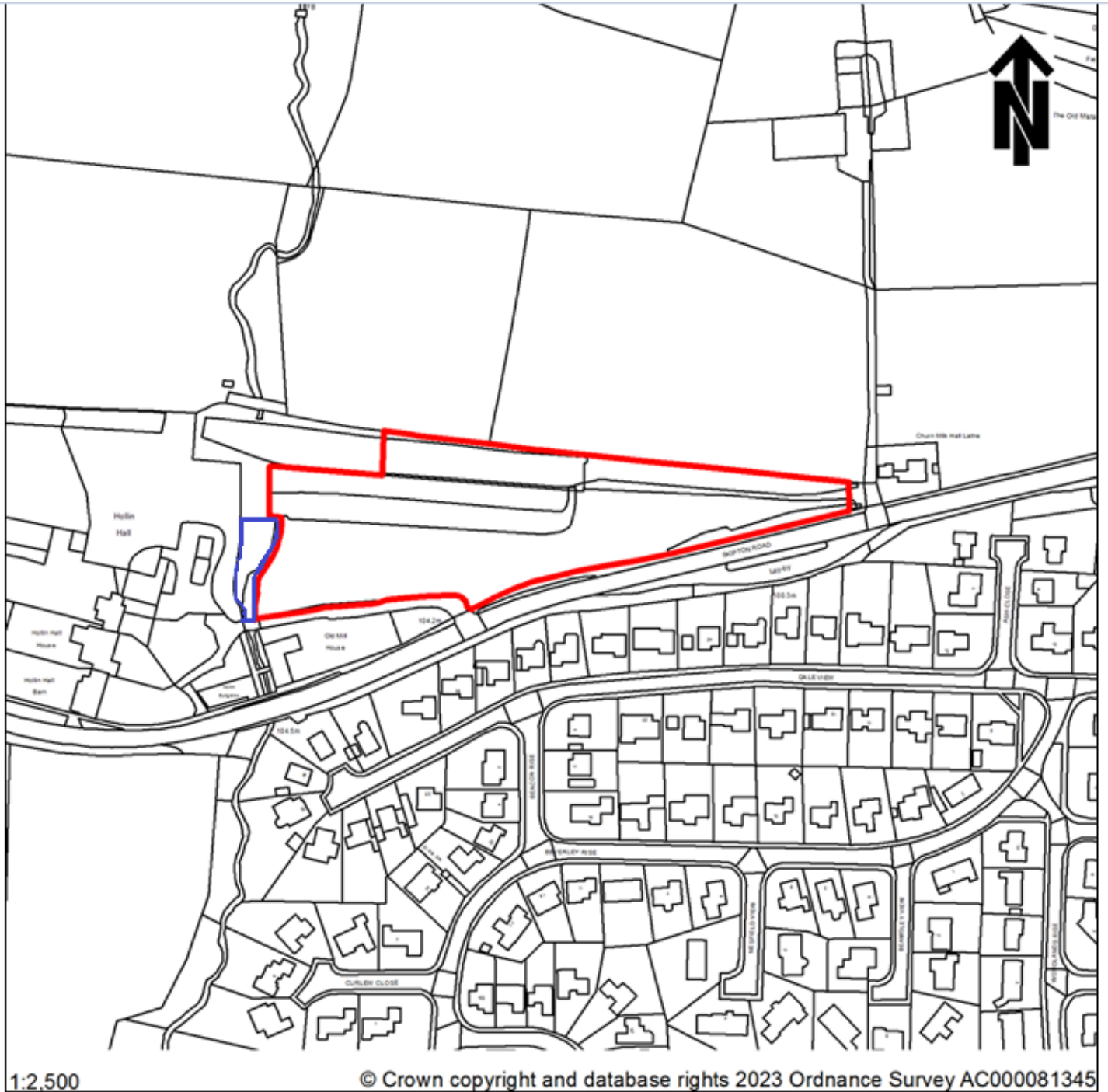
If the Committee decide that planning permission should be refused, reason(s) for refusal will need to be given based upon development plan policies and/or other material planning considerations.

10. RECOMMENDATIONS

The application is recommended for approval, subject to the conditions included with Appendix 1 and the completion of a Section 106 Agreement.

11. APPENDICES

Appendix 1: Technical Report



Appendix 1

Ward:

Ilkley

Recommendation:

That members resolve to grant planning permission, subject to the conditions set out in this report and the completion of a Section 106 Agreement.

Application Number:

21/05075/MAF

Type of Application/Proposal and Address:

A full planning application for the development of 35 dwellings consisting of 12 pairs of semi-detached houses, two detached houses and one three storey block of 9 apartments on Land at Skipton Road, Ilkley.

Applicant:

Mr Martin Fox

Agent:

Mr Andrew Croxall-Waller & Partners

Site Description:

The site is located immediately north of Skipton Road (A65) approximately 1.4km west of Ilkley Town Centre. The site is broadly triangular and consists of 1.1 hectares of predominantly despoiled land. Historic OS maps show a railway line and associated embankment in the northern aspect of the site. The railway lines are no longer present, but the embankment remains, and it is populated with mature protected trees extending along the entirety of the northern boundary. Black Beck is located immediately to the west of the site boundary and is culverted beneath the railway line. Beyond Black Beck lies the Grade II listed Hollin Hall Farmhouse. The southern boundary of the site, adjacent to the A65, is enclosed by a natural stone wall and stock proof fencing.

The surrounding area is comprised of residential development of varying age and style. To the west of the site there are traditional stone-built properties surrounding Hollin Hall Farm. To the south, on the opposite side of the A65, properties on Dale View present rear garden boundaries comprised of low stone walling, fencing and hedges towards the road. The properties are elevated above the road level and are constructed of brickwork beneath tiled roofs. Further east, properties take on a more traditional character towards the town centre, with two and three storey dwellings constructed of natural stone beneath slate roofs with timber barge boards.

Relevant Site History:

Nonrelevant.

The National Planning Policy Framework (NPPF) 2023:

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

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to protect and enhance our natural, built and historic environment, including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and 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 current Development Plan for the area is comprised of the Replacement Unitary Development Plan (RUDP) (2005) and the adopted Core Strategy (2017).

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 not allocated for any specific purpose in the RUDP but it is located within the Green Belt as defined by the RUDP proposals map. Accordingly, the following adopted saved RUDP and Core Strategy policies are applicable to this proposal.

Saved 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

SC2-Climate Change and Resource Use

SC3-Working Together to make Great Places

SC4- Hierarchy of Settlements

SC5- Location of Development

SC6- Green Infrastructure

SC7-Green Belt

SC8-Protecting the South Pennine Moors and their Zone of Influence

SC9- Making Great Places

WD1-Wharfedale

WD2-Investment Priorities for Wharfedale

TR1- Travel Reduction and Modal Shift

TR2- Parking Policy

TR3- Public Transport, Cycling and Walking

TR5- Improving Connectivity and Accessibility

HO1-Scale of Housing Required

HO2- Strategic Sources of Supply
HO3-Distribution of Housing Requirement
HO5- Density of Housing Schemes
HO6-Maximising Use of Previously Developed Land
HO8- Housing Mix
HO9- Housing Quality
HO11- Affordable Housing
EN1-Open Space and Recreation Provision
EN2- Biodiversity and Geo-diversity
EN3- Historic Environment
EN4- Landscape
EN5- Trees and Woodland
EN6-Energy
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
ID7-Community Involvement

Emerging Local Plan

The Emerging Local Plan is still within its early stages of development, having reached the Preferred Options stage (Regulation 18) in February 2021 and was subject to community and stakeholder consultation between 8th February and 24th March 2021.

The application site is identified as one of the preferred allocations for residential development in Ilkley (IL2/H - Skipton Road east) in the emerging plan. However, in line with paragraph 48 of the NPPF, given that the plan is still within the early stages of preparation and there are a number of outstanding, unresolved objections to the proposed allocation, only very limited weight can be afforded to the plan in decision making.

In this context, it is considered that full weight should continue to be afforded to the policies of the adopted Core Strategy (2017) and the RUDP (2005) in accordance with the degree of conformity with current national planning policy.

Neighbourhood Planning

Ilkley Neighbourhood Development Plan 2020 – 2030

Supplementary Planning Documents

Homes and Neighbourhoods - A Guide to Designing in Bradford (2020)

Landscape Character Assessment Supplementary Planning Document- Volume 1 Airedale (2008)

Planning for Crime Prevention (2007)

Planning Obligations (2007)

South Pennine Moors SPA/SAC Planning Framework (2022)

Sustainable Design Guide (2006)

Publicity and Number of Representations:

The application was publicised by press notice, site notice and neighbour notification letters. The expiry date for the submission of comments was 25th November 2021.

Nine objections were received in connection with the application.

Summary of Representations Received:

- Development is on Green Belt land.
- Premature application for development in the Green Belt.
- Encroachment into woodland.
- Out of keeping with the surrounding area.
- Additional strain on schools and medical facilities.
- Access and egress from the development will be dangerous.
- Delays caused by vehicles queuing to access the development.
- There is no easy access to the development by bus.
- Bus users would be at risk crossing the A65A.
- The site has been purposely despoiled using a mechanical excavator and herbicide.
- Overdevelopment of the site
- The height of the dormer units is excessive
- The height of the apartment block is excessive.
- Excessive noise levels from road traffic.
- No details of the pumping station are provided.
- Old Mill and Hollin Bungalow have sewage treatment plants where the pumping station is proposed.
- The development would alter the setting of Old Mill House
- Boundary fencing would be out of keeping with the surrounding area
- Increased traffic congestion
- There should be provision for charging electric vehicles
- Lack of effective community consultation
- Conflict with existing access to the west which serves six properties.
- Footpath widening would reduce the width of the grass verge
- Parking should be reduced to one space per dwelling
- Access to nearby facilities is limited other than by car
- The development should not impact the future route of the Wharfedale Greenway
- Flood risk from tarmac and loss of drainage area.

Ilkley Town Council

Object to the proposal but would welcome the opportunity for further public consultation on this application which has the potential to address the longstanding need within Ilkley for genuinely affordable housing for the local community. A public meeting is requested with the local community/ITC and Ward councillors and an extension granted to the consultation deadline to enable this to happen. If planning permission is granted it is requested the application is considered by the Area Planning Panel (Keighley and Shipley).

Green Belt- The exception for release and limited impact on openness acknowledged in line with NPPF (July 2021) para 149 f) and g) is noted. PDL brownfield within Green Belt for local affordable

housing however this must be properly affordable for local people causing minimal impact on overburdened local infrastructure.

Affordability- Very low level of confidence re ability for any developer to provide genuinely affordable new housing for local people - Please provide examples from resident's experience living in existing affordable Stonewater Housing (shared ownership/rented) stock.

The proposed development aims to provide new homes to people with a local connection, where feasible, which would lessen the effects of new housing on local service demands. E.g. educational provision. How will this be achieved in Ilkley? What conditions will be applied? How has this been achieved elsewhere?

Education- Note no or limited availability in some year groups (primary and secondary).

Access-The dwellings should be inclusive and accessible.

Fabric First-More detail needed on insulation values, energy usage and renewable energy contribution to ensure ongoing affordability and sustainability.

Density- It is queried if housing density could be increased to 50+ dwellings per hectare as the site is in a principal town served by high frequency public transport and local amenities as is supported by Core StrategyHO5/Local Plan HO2/Policy.

Contamination-land contamination should be appropriately dealt with given findings of submitted reports. It is queried if radon protection measures will be applied.

Air Quality- An air quality assessment is needed for the benefit of existing and potential residents in the area.

Biodiversity-An up-to-date Preliminary Ecological Appraisal is needed as well as a Habitat Regulations Assessment and Net Gain Assessment. The completed metric should be accompanied by a Biodiversity Landscape Enhancement and Management Plan which identifies the location and character of created or enhanced habitats.

Trees-Tree conditions noted but any intended removals need to be made clear on plan. Tree grouping has TPO Tree protection plan needed ahead of any construction work.

Samples of artificial stone should be requested by a planning condition.

An acceptable surface water drainage strategy should be provided in agreement with the Lead Local Flood Authority.

Highways-A report is required to address concerns about speeds on the A65; impact on access road to Hollin Hall Farm complex; public transport/walking/cycling/wheelchair users' safety and suitability of route in and out of Ilkley centre e.g. the need to provide a layby with a bus stop adjacent to the development and a safe way of crossing the busy A65 on users return.

Security-West Yorkshire Police note the need for increased bike storage surveillance and secure storage.

Rights of Way-Consideration and support needs to be given to the route of the Wharfedale Greenway.

EV Charging-We would advocate for 100% of parking spaces to have EV charging.

Parking and Accessibility Standards-Could a traffic free or car light approach be taken to on-site parking. The provision of 57 car parking spaces is unsustainable.

10% Wheelchair user dwellings (4no.) require 5% of total cycle parking capacity for each of short and long stay parking, co-located with disabled vehicle parking, rounded up to the nearest whole number and disabled parking and disabled cycle storage. All categories must provide parking for adapted cycles for disabled people. There is also a need for protected short stay parking spaces for e.g. GPs/health visitors, trades people etc. and visitors.

Noise-Impact of barrier height on visual amenity example of barrier required as a condition. Request noise assessment is undertaken on pumping station.

Heritage- Request Conservation Officer report regarding impact on listed buildings in SA from development and pumping station. New development at this open site which contains trees would be likely to adversely alter the setting of sensitive heritage assets.

Green Space Management and Costs- It is noted (Parks and Greenspaces Consultee) a condition is required for a full landscape management plan agreeing responsibilities and costs be produced and agreed as part of the planning process.

Community consultation - This is noted as lacking from residents' objections although 5 out of c50 responses to leaflets may have been received, no site notices have been posted. Ilkley Civic Society.

As a point of correction in the Statement of Community Involvement (9.3) it states Further dialogue with the Town Council is underway, as an ongoing action. This is not the case however the Town Council Planning Committee and Deputy Clerk did receive a 5-minute presentation during the public participation time of their meeting on 05/10/21 from a representative of Stonewater about the development proposal and Stonewaters representative provided further information in response to queries raised by councillors (6.1).

The commitment given by the developer to liaise with the Town Council and Ward Members, in respect of this application, as required (9.4) is welcomed and a public meeting with the local community and ITC/Ward Members requested to address the issues above and understand the proposed development better.

Ilkley Civic Society

The submission provides no exceptional circumstances or for compensation Green Belt as required. This site is clearly outside the main built- up area of the town on the northwest side of Skipton Rd.

The site is described variously in the submission as 'previously developed land' (SCI para 8.4), incorrect as only, part, approx 60 % formed the old railway embankment & track bed which could be described as 'previously used', the reminder was pasture.

'Brownfield appropriate for development' it may look it, but it has never been truly industrial land. It may appear brown but clearly something has prevented it returning to nature.

'Brownfield appropriate for development' it may look it, but it has never been truly industrial land.

It may appear brown but clearly something has prevented it returning to nature.

Railway sidings (CBMC IL2/H and App form Q6) incorrect again, the embankment carried the only the double tracks of the former Ilkley to Skipton railway line on part of the site.

'Scrubby, overgrown and partially despoiled' (CBMC IL2/H) but why, it should not be, disused. railway embankments elsewhere return to nature very quickly as is shown on the northern side of the embankment.

Pollution- the different consultants' documents and the application form seem to have different conclusions on this issue.

Affordable Housing - whilst the Civic Society supports the need for new affordable housing in the town we are concerned that this is a highly inappropriate site for a number of reasons-

It sits on the outskirts of Ilkley a bus ride away from all facilities, not on the 'outskirts of the town centre' as stated; more appropriate sites near the town centre have been allowed to become private housing.

The design and layout are typical of a volume housebuilder and do not inspire, affordable housing. deserves better.

It sits on a busy main road and whilst it has bus stops adjacent, it would appear that no one from the applicant's team has tried to cross the 40mph limit section of the A65 with limited sightlines.

This busy main road regularly has standing traffic waiting to enter Ilkley at the traffic lights and in the opposite direction traffic is accelerating westwards out of Ilkley from the 30mph zone.

The houses it appears will sit on made ground that appears to have a degree of 'contamination'/ 'pollution'

Our conclusion is that this is a totally unsuitable location for 'social, affordable or intermediate rent'. now, but with what guarantees that it will not be sold off at a later date even with the 'Unilateral. undertaking' proposed.

Statement of Community Involvement-The community engagement undertaken was not early, proportionate or effective.

Architecture- as an important gateway site it deserves treatment to return it to the natural appearance it should have and prevent it becoming more urban sprawl. The proposals do neither. For a 21st century housing proposal it is unimaginative with repetitive house types irregularly spaced to fit as many properties as possible on the site. Adding small details to a box e.g quoin stones and dentilation, Victorian style dormers and Georgian paned French windows does not make a building good architecture. Such design is neither suitable for affordable housing nor private in the 21st century. The rear elevations facing Skipton Rd will attract sheds and eventually extensions screened only by poor quality boundary treatments (see boundary comments). The site sections drawn at small scale do not give an accurate impression of how the houses and flats will sit on the site relative to the levels of Skipton Road.

Heritage-as well as the Listed Buildings that are adjacent to the site which may merit conservation area status, there is no conservation area 'adjacent the site' as stated. The D&A commits to 'minimise the impact of the areas historical integrity ' but then fails totally to analyse the significance of the heritage assets and the effect the development may have on that significance. Regarding the railway

the only observable remnants are the four substantial cap stones from corner piers of the bridge which crossed the A65 to the east and thence to the track base which carried on towards central Ilkley. These are clearly of historic significance but feature nowhere in the landscape proposals for the site.

Secured by Design-The D&A part one suggests under the para 'layout' that the development will be designed to these standards but fails to confirm any features that will be included in the development.

Flooding & Drainage - It is concluded flooding is not an issue and we note BMDC wishes to see an agreed surface water scheme prior to planning approval. Foul water to decant into existing Skipton Road sewer via a pumping station shown but with no route shown between it and the Skipton Rd between the two a listed building exists?

Access- we cannot see any mention of the traffic lights at Victoria Ave and the queues that form on the A65 as a result; that there is a fast stretch from the west approaching around the bend; that there are frequently long queues into and through Ilkley on the A65 particularly on fine summer late afternoons and at other times stretching back to Addingham; that the A65 is used as the diversion route when the A59 is closed.

There is no indication that the A65 pavement should be wider or at least no narrowing of existing pavements should occur as they are used by pedestrians, runners and cyclists.

The Transport Report was done in October 2020 and some of it is now out of date.

The northern bus stop is shown as moving, but to where, the southern bus stop is not shown on the plans.

The addition of a linkage to the signal-controlled crossing at Victoria Ave is not considered.

It should be noted that whilst there is a bus/train/taxi interchange in central Ilkley there is no service bus to Bradford

Ecology-We believe there are bats in the beck culvert and the tree corridor. How will they be protected during the building work? Construction noise will be an issue. Creating gaps in the northern tree belt will be damaging to bats and other wildlife as will street lighting and house lighting.

Affordable Housing- All the properties are deemed to be 'affordable'. It is not clear at which stage the developer commits to this obligation. We suggest that the commitment should be an absolute condition of planning approval.

What clauses will govern house price fluctuation, rental charges or sale (right to buy), sub-letting? With regard to the development being 'for the people of Ilkley', how are these people defined? Do they have to be living in the town already? And if so, for how long? What about people with strong attachments to the town who can't find anywhere in Ilkley they can afford, and so live elsewhere -what 'interest' in Ilkley do they have to demonstrate? Could this development become second homes? Can the purchasers let them? Can the purchasers subsequently sell them on the open market? If the developer cannot attract sufficient 'local' people, can they recruit buyers or renters on the open market? Has any assessment been made of what the home-seeking Ilkley household can afford in terms of rent and purchase? We find the commitment to 'Affordable' housing is weak.

Noise Study-This recommends 3m high acoustic fencing to the houses nearest Skipton Rd at the

west end of the site which is felt a necessary protection from A65 noise but strangely no acoustic fencing is proposed to the flats that are the nearest properties to the A65. Any such high acoustic fencing similar to that seen on motorways will be a visual eyesore. We note this recommendation has been ignored on the layout drawings

Property sustainability Standards - strangely in the 'layout' para of section 6 in the D&A document is a sentence listing issues to be incorporated in the build to 'tackle fuel poverty' including 'air source heat pumps and photo voltaics' (PV panels), all positive. However, we could find no commitment to 'Zero Carbon' or one of the standards that ensures this eg. BREEAM or Passivhaus. Proposing two car spaces per house is hardly sustainable and no Electric vehicle charging points are noted for each property.

Trees-The belt of trees to the northern boundary is noted as 'a significant feature' in the green belt and to see the plans incorporate removal of trees (7 No) apparently to provide spaces and views for new property we suggest is a very negative feature of the proposals.

Boundary Walls /fences drawing - contains designs of a most basic form with no imagination or thought to visual appeal. The boundary wall & fence drawing refers to the 'Site Plan' for layout when the details are on the 'External works' drawing. This shows a boundary in front of the houses as both the red (wall +fence) and dark blue detail (1.8m fence). We would suggest neither of these is appropriate for a gateway site. To the east end a 0.9 m drystone wall is shown leaving the car parking area visible and the three storey block of flats towering above the road.

Landscaping- the section in the D&A omits any mention of the new government standard of one (fruit) tree for every new property and shows only minimal provision of street trees. The D&A refers to part of the site being given over to public open space but this is not defined on the drawings unless this is the fenced pathway shown on the streetscene elevations? It also suggests that the landscaping should 'retain the rural feel of the place' we would disagree that this has been achieved (see boundary wall & fence comments).

Streetscape drawing & site sections - This first drawing fails to include the large block of flats and gives a misleading impression. The cross sections also omit showing the flats.

Conclusions- Clearly as noted we feel the scheme is disappointing in terms of the many items of detail where the documentation provided is not seen through to the drawings or where errors or omissions occur. On the basis of the information provided Ilkley Civic Society recommend refusal of this application

Consultations:

Local Plan Policy

Green Belt

In accordance with the NPPF substantial weight should be given to any harm to the Green Belt. Very special circumstances (VSC) will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. In particular, this will need to consider a judgement of the extent of the proposals harm to the openness of the Green Belt based on the particular circumstances of the application.

The application should be supported by an assessment of the impact of the proposal on the Green Belt and justification in relation to the Very Special Circumstances test in line with NPPF paragraph 148.

It is considered that the delivery of new housing to meet identified need, including affordable housing should be given significant weight. This is on the context of the council being unable to demonstrate a 5-year land supply and continued under-delivery of housing and affordable in the District to meet identified need.

This application would make a contribution towards meeting the overall target of Ilkley, however on its own it would not make a significant contribution to the districts 5-year land supply or overall settlement target for Ilkley.

It is considered that unmet housing need (including affordable housing need) by itself, is unlikely to constitute very special circumstances. A key factor in determining the application will be a judgement over whether the harm resulting from the proposal to the green belt, and any other harm, is clearly outweighed by other material considerations including meeting housing need. Housing Mix, Quality and Affordable Housing.

Design and Conservation

Site West Boundary

It is pleasing to see that the west boundary will be strengthened through tree planting and that hedging will be introduced on the back- side of the plots 15-20. The fences of these should be 2m in height. I consider there is still scope for further (evergreen) shrub planting that can strengthen the screening especially in the fall seasons. All new tree planting should be heavy standard.

Pumping Station

Due to the proposed site levels, the above ground projections of the pumping station are not expected to be overtly prominent. A 900mm stone boundary wall is proposed between the access track and the pumping station so the prominence of the above ground units from Old Mill House are not anticipated to be overtly detrimental to the setting of the listed property. Dependant on YW requirements the introduction of a masking shrub hedge around the pumping station would be a favoured.

Construction Design, Details and Materials

The application site is not located within a conservation area, the cues for design and materials should be taken from the surrounding development character and palette, primarily that of the listed properties. The proposed facing stone should be a visually close match to the heritage assets and the roofing material should be a good quality reproduction conservation grey slate. There are no objections to integrated solar panels. Samples of the materials should be secured by a planning condition.

Apartment Development

On the understanding that the materials for the apartment building are a match to remainder of the development, it is determined that a combination of offset distance, and enhanced boundary screening is sufficient enough to suggest there will not be an overtly detrimental impact to the setting of the listed buildings.

Boundary Walls

Dry stone walling is to be used for the development site boundary facing onto Skipton Road and along the access track to Old Mill House. This is agreeable and would be an enhancement to the streetscape approach into Ilkley.

The updated plans have mostly addressed the concerns relating to the character and setting of the

heritage assets. If the above recommendations are incorporated, the level of impact to the listed assets should then be weighed against the public benefit of the scheme.

Trees Team

No objection is raised to the proposed development. Whilst there are some encroachments into root protection areas the development is considered to be acceptable. The maintenance plan for the woodland area should cover a period of 25 years.

Planning conditions are required to secure the proposed tree planting across the site and the implementation of the woodland planting scheme. Further conditions are required for the submission of a Tree Protection Plan and the implementation of tree protection measures prior to the commencement of development.

Highways

The applicant has demonstrated that there is adequate visibility onto both sides of the A65 when emerging from the site.

A pedestrian refuge crossing facility on the A65 will be provided close to the site access. The existing 30mph speed limit on the A65 to the east will be extended across the site frontage.

The proposed site access arrangement has been subject to a Stage 1 Road Safety Audit and the auditor's recommendations accepted and incorporated into the design. I consider that the proposed site access arrangement is now acceptable in principle subject to detailed design.

A S278 agreement with the Highway Authority will be required for the off-site highway works. Any Traffic Regulation Orders (TRO) and Speed Limit Orders (SLO) can also be included in the S278.

The internal site layout is acceptable in principle subject to detailed design at S38 stage.

Planning conditions are required to secure the provision of the vehicular and pedestrian access, visibility splays, car parking areas and off-site highway works. Further conditions are needed to secure a Construction Management Plan and the provision of wheel washing facilities for construction vehicles.

Drainage (Bradford Lead Local Flood Authority)

The Flood Risk Assessment, Doc. Ref: 20428-FRA-001-REV A, dated October 2020 is acceptable.

The LLFA do not have any objections to the proposed development provided that conditions are imposed requiring the submission and approval of details of a scheme for foul and surface water drainage and a maintenance plan for the surface water drainage infrastructure.

Parks and Greenspaces

The proposed development will have a minimal impact on surrounding facilities due to the introduction of 35 new residential units. A financial contribution will be sought from CIL funds to help mitigate these impacts.

Education

The development is unlikely to cause significant concerns over where children of families coming to reside in the development might attend school.

Any District Community Infrastructure Levy (CIL), if granted to the Children's Services department, may be used to expand provision where possible to accommodate any additional children.

Rights of Way

There are no recorded public rights of way within or immediately adjacent to the site.

The Council's Rights of Way Improvement Plan has a request identified relating to a potential cycleway adjacent to the site. The requested route is along Skipton Road, outside the red outlined area so could be affected by the access arrangements to the proposed site.

West Yorkshire Police

The proposed boundary treatments are acceptable. The car parking serving the dwellings and apartments benefits from adequate natural surveillance. The bicycle store serving the apartments would benefit from improving natural surveillance from habitable room windows. The development should benefit from a comprehensive lighting scheme. Recommendations are made in relation to the minimum security standards for doors, windows and intruded alarms.

Biodiversity

Bat Survey

An upto date Bat Roost Assessment has been provided and it is accepted that the trees and culvert provide very few potential features for use by roosting bats and offer negligible bat roost suitability. The findings of the report are accepted and there are no constraints to development in relation to bats in either the trees or the culvert.

Biodiversity Net Gain

The creation of 0.18 habitat units, 0.08 hedgerow units and 0.374 riverine units represents an appropriate level of net gain. The delivery and management of the units should be secured by a planning condition requiring a Biodiversity Gain Plan and monitoring and reporting arrangements.

Further planning conditions are suggested to secure details of an Invasive Species Management Plan, lighting scheme, bat and bird box provision and a Construction Environmental Management Plan relating to biodiversity features.

Environmental Health

No objections are raised subject to the imposing of a planning condition detailing how any unexpected contamination will be dealt with and for the submission of a methodology for the quality control of any imported material.

West Yorkshire Combined Authority

The site is located within the recommended 400m from the nearest bus routes that operate on Skipton Road.

Bus services which operate on Skipton Road include the 62 which operates between Ilkley and Keighley at a 30-minute frequency, along with the 64 which operates between Ilkley and Skipton at a 60-minute frequency. The bus availability for the site is therefore considered to be acceptable. The size of the development is unlikely to change the bus route of frequency.

The closest bus stop on this corridor 14165 would benefit by the installation of a Real Time Information display at a cost to the developer of £10,000.00. This installation would be a battery unit to accommodate the bus pole.

A contribution of £17,902.50 towards the provision of Residential MetroCards is required.

Development and Enabling

The site provides an opportunity for affordable housing to be provided in a high value area. We note the applicant is a Registered Provider and Housing Association. The housing would all fall in affordable housing as defined under NPPF guide and would be a mix of rent and affordable sales. The provision of affordable housing in this area has traditionally been difficult and on that basis would be seen as provision that would be backed Development & Enabling and we have supported the bid to Homes England for funding on this site.

Clean Air Plan

Exposure Assessment

Whilst this site is adjacent to the busy Skipton Road it is not in an area of current air quality concern. On the basis of the current site layout no air quality exposure assessment is required. To minimise exposure of new residents to traffic pollutants it is recommended that habitable rooms (living rooms and bedrooms) should be orientated away from the roadside as far as possible, especially within the apartment block which appears to be located closest to the roadside.

EV Charging

All dwellings should be provided with access to a purpose-built EV charging point with Mode 3 type 2 capability at the rates set out in the Bradford and West Yorkshire LES planning guidance. This is currently one charging point per dwelling with dedicated off street parking and 10% of all shared parking spaces (not including visitor parking). The EV charging provision should be secured by a planning condition.

Control of Construction Emissions

Minor 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. Prior to commencement of works on this site it is recommended that a site-specific dust risk assessment and dust management plan are prepared for the site and submitted to the local authority for approval.

Summary of Main Issues:

Principle of development

Green Belt

Whether the proposal would be inappropriate development

Previously Developed Land

Affordable Housing Need

Impact on Openness and Purposes of the Green Belt

Green Belt Balance

Housing Land Supply

Affordable Housing

Density

Housing Mix

Housing Quality

Visual Amenity
Impact on Heritage Assets
Impact on Landscape Character
Highway and Pedestrian Safety
Trees
Biodiversity
Residential Amenity
Community Safety
Land Quality
Air Quality
Drainage
Further Issues Raised by Representations
Planning Obligations

Appraisal:

Principle

Green Belt

Paragraph 147 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. However, paragraph 149 goes on to list certain categories of development which form an exception to the general policy of restraint. Part (g) of paragraph 149 is relevant to the proposed development and it relates to development involving the partial or complete redevelopment of previously developed land.

The Replacement Unitary Development Plan (RUDP) for the Bradford District was adopted in 2005 and pre dates the Framework. Paragraph 219 of the Framework requires that in such circumstances due weight should be given to existing policies in accordance to their degree of consistency with the Framework.

Saved policy GB1 deals with new development in the Green Belt. Unlike paragraph 149(g) of the Framework the policy does not specifically refer to proposals involving the redevelopment of previously developed land. Policy GB1 states that the Local Planning Authority will need to be satisfied that the proposals do not conflict with the purposes of including land in the Green Belt and that they preserve the openness of the Green Belt. This differs from paragraph 149(g), which does not refer to Green Belt 'purposes' and addresses effects on openness in relation to whether or not a proposal would have a 'greater impact' or would cause 'substantial harm', depending on the circumstances.

The justification for policy GB1 is set out at paragraph 13.2 of the RUDP and it is apparent that the policy was formulated in the context of 'Planning Policy Guidance 2: Green Belts' (PPG2) which has since been superseded by the Framework.

The tests set out in Annex C of PPG2, relating to the redevelopment of major developed sites, are framed in different terms to the Framework. PPG2 prescribed height and footprint limitations for new development in the context of existing buildings, paragraph 149(g) of the Framework, and bullet point 2 which refers to 'substantial harm' requires the decision-maker to exercise discretion in assessing impacts on openness.

Accordingly, policy GB1 is inconsistent with paragraph 149(g) of the Framework and for the purposes of this application with the Framework as a whole. For this reason, policy GB1 is afforded limited weight and the application is assessed with reference to the Framework.

Whether the proposal would be inappropriate development

Paragraph 149 of the Framework sets out a number of exceptions where new buildings should not be regarded as inappropriate development within the Green Belt.

The exception relevant to this proposal is set out in the second bullet point of paragraph 149(g) which allows for the limited infilling or partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary building) which would not cause substantial harm to the openness of the green belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Previously Developed Land

Annex 2 of the Framework defines previously developed land as *“land which is or was occupied by permanent structure, including the curtilage of the developed land”*.

A significant part of the site is occupied by a railway embankment which is a substantial and permanent manmade structure. The remainder of the site is made up of land where the ground levels are not natural and have been altered as part of the works undertaken to form the embankment. Accordingly, whilst the southern part of the site is devoid of structures it is considered to form part of the curtilage of the railway embankment. The site is therefore considered to constitute previously developed land.

Affordable Housing Need

The latest Strategic Housing Market Assessment (SHMA 2019) confirms the net annual affordable housing imbalance by sub-area. The site falls within the Wharfedale sub-area where there is a net annual imbalance of 232 affordable homes. The total annual imbalance for the district is 441 homes meaning that the net imbalance in Wharfedale accounts for 52% of the total district need. It is therefore evident that there is an acute need for affordable housing within the sub-area in which the site is located.

Turning to the net annual affordable housing imbalance by unit type in Wharfedale the SHMA identifies a need for the following:

- 1 bedroom-63 units
- 2 bedroom-49 units
- 3 bedroom-80 units
- 4 bedroom-32 units

The proposed development would deliver the following affordable housing units:

- 1 bedroom-3 units
- 2 bedroom- 16 units
- 3 bedroom- 14 units
- 4 bedroom- 2 units

The proposed development would therefore deliver a mix of units to suit the identified needs of the Wharfedale sub-area.

In terms of tenure the SHMA confirms that the preferred tenure split of affordable housing in the

Wharfedale sub area is 47% social/affordable and 53% intermediate. The development would provide 60% of the units for rent and 40% shared ownership which would assist with meeting the local demand for affordable home ownership and affordable rented units.

In conclusion, there is an identified need for affordable housing within Ilkley and the Wharfedale sub-area as confirmed by the SHMA 2019. The proposed development would make a significant contribution towards meeting the identified unmet affordable housing need and it would provide dwellings of a type and tenure appropriate to the needs of the housing market sub area.

Impact on Openness and Purposes of the Green Belt

In order for the development to benefit from the relevant exception identified by paragraph 149(g) it must not cause “*substantial harm to the openness of the Green Belt*”. Paragraph 149(g) therefore acknowledges that where a development is on previously developed land and contributes to meeting affordable housing need some harm to the openness of the Green Belt is acceptable providing that the harm is not “substantial”.

Assessing the impact of the proposal on the openness of the Green Belt requires a judgement based on the circumstances of the particular case, but Planning Practice Guidance identifies a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:

- The visual and spatial impacts of the proposal
- The duration of the development and its remediability; and
- The degree of activity likely to be generated, such as traffic generation.

In visual or perceived terms, the openness of the Green Belt derives from an absence of built development. Whilst the site is free from buildings short range views from the southern boundary are of despoiled land and the railway embankment.

In terms of visual impact, the site is most readily visible in short range views from the A65. From this location the railway embankment and despoiled land are visible, and the site is devoid of the green and tranquil characteristics that would ordinarily be associated with Green Belt land. The site is contained along the entirety of its northern boundary by the railway embankment and tree line meaning that views of open countryside across the site from the A65 are extremely limited. Given the current appearance of the land and the extent to which the site is contained along its northern boundary the introduction of the proposed dwellings and apartments would have a limited visual impact on the openness of the Green Belt in short range views from the A65.

Longer range views towards the site are possible from public footpath Ilkley 4 which is located to the north of the site in the valley bottom. The views from this location are likely to be dynamic as the observer travels east or west along the footpath. From the footpath the foreground view is comprised of agricultural fields and associated features which ascend towards the site boundary. The site occupies the mid-ground of the view with the embankment and mature tree line visible. To the east, in the mid-ground view the existing properties along the A65 are visible. The higher ground across the entirety of the view is formed by Ilkley Moor.

The development would be largely obscured by the mature tree line when viewed from the public footpath and although some of the upper elements of the apartment block are likely to be visible above the trees this would be set against the backdrop of the existing residential development on the south side of Skipton Road and dwellings to the east of the site. Accordingly, the visual impact of the development on the openness of the Green Belt would be minimal in longer distance views.

Turning to the spatial impact of the development the site is currently free from buildings and the introduction of 35 dwellings would quite obviously increase the volume of built form. However, whilst the volume of built form would increase the spatial impact of the development would be largely mitigated by the extent to which the site is contained by the railway embankment and tree line along its northern edge. The presence of the embankment and tree line mean that the site does not currently allow for views of the open countryside to the north, and this would remain the case following the construction of the development. The spatial impact of the development on the openness of the Green Belt is therefore moderate.

The development would be permanent but given that the impact on the visual and spatial characteristics of the Green Belt would only be moderate this is considered to be acceptable.

The degree of activity generated at the site would be subsumed into existing daily activity given the location of the site immediately north of the A65 and the main urban area of Ilkley.

Paragraph 138 of the Framework advises that the Green Belt serves the following five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The site is located on the edge of the urban area and is positioned between the A65 to the south and a railway embankment and mature tree line to the north. The latter forms a strong defensible boundary separating the site from the open countryside beyond. The development is therefore not considered to result in unrestricted sprawl, coalescence of settlements, or encroachment into open countryside. The development would be well separated from the historic core of Ilkley and it is therefore not considered to result in harm to the setting and special character of a historic town. The development would contribute towards urban regeneration facilitating the recycling of derelict previously developed land. Accordingly, the proposed development is not considered to conflict with the five purposes of including land within the Green Belt.

Green Belt Balance

The development would consist of the redevelopment of previously developed land, and it would contribute towards meeting an identified affordable housing need in the Bradford District. The development would not result in substantial harm to the openness of the Green Belt. Accordingly, the development would constitute an exception to inappropriate development under the provisions of paragraph 149(g) bullet point two of the Framework, which allows for the complete redevelopment of previously developed land, where it would not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Housing Land Supply

Paragraph 60 of the Framework stresses the need for Local Planning Authorities to significantly boost the supply of new housing. The adopted Core Strategy underscores this strong planning policy support for the delivery of new housing, emphasising that one of the key issues for the future development of

the district is the need to house Bradford's growing population by delivering 42,100 new residential units by 2030.

Policy HO3 of the Core Strategy sets out the distribution of new housing development and Ilkley is identified as a Principal Town requiring the provision of 1,194 dwellings over the plan period.

Paragraph 74 of the framework states that Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. Where there has been a record of persistent under delivery of housing the local planning authority should identify an additional 20%.

Bradford Council cannot currently demonstrate a five-year supply of housing land and has recently failed the Housing Delivery Test. The Bradford Council Five Year Housing Land Statement (2022-2027) indicates that there is a substantial shortfall in housing land relative to the aforementioned requirements with a current supply of 2.08 years. Under these circumstances paragraph 11d of the framework confirms that the relevant policies for the supply of housing should not be considered up-to-date and that in such circumstances permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.

In light of the record of persistent under delivery and the housing land supply shortfall relative to the requirements of the Framework, there is an urgent need to increase the supply of housing land across the district and particularly affordable housing within the Wharfedale sub-area. This proposal would provide much needed affordable housing in a sustainable location and on a previously developed site. Accordingly, the provision of a substantial amount of affordable housing is a factor weighing significantly in favour of the proposal.

In addition to the above it should be noted that the site is identified as a preferred option for housing allocation in Ilkley (ref IL2/H) within in the Emerging Local Plan. However, in line with paragraph 48 of the NPPF, given that the plan is still within the early stages of preparation, only very limited weight can be afforded to the emerging plan in decision making. This is however an indicator of the Council's strategic aspiration for the site as a source of housing supply within Ilkley.

Affordable Housing

Policy HO11 of the Core Strategy sets out the affordable housing requirements for the district. The site is within Wharfedale Ward, where there is a requirement for 30% affordable housing provision on developments of 10 units or more. The development proposal is for 35 units and there is therefore a need to provide 10 affordable units in order to achieve policy compliance. The proposed development is for an entirely affordable scheme and therefore the proposal would exceed the required level of provision by 25 units.

The Strategic Housing Market Assessment (2019) confirms the net annual affordable housing imbalance by sub-area and identifies Wharfedale as the area with the largest net annual imbalance of affordable homes at 232. The total annual imbalance for the district is 441 homes meaning that the net imbalance in Wharfedale accounts for 52% of the total district need. It is therefore evident that there is an acute need for affordable housing within the sub-area in which the site is located. The recommended tenure split is 65% social/affordable rented and 35% intermediate tenure (that is affordable home ownership).

The proposed development would deliver 44 affordable housing units with 60% of the units offered for

rent and 40% shared ownership to reflect the needs identified within the SHMA 2019. The proposed development would therefore make a valuable contribution towards meeting unmet affordable housing need in Wharfedale and it would provide dwellings of a type and tenure appropriate to the needs of the housing market sub area. This is a factor weighing significantly in favour of the proposed development. The affordable housing provision will be secured in perpetuity by a Section 106 Agreement.

Density

The proposal is for a development of 35 dwellings on a gross site area of 1.18 hectares.

Policy HO5 of the Core Strategy advises that developments should usually achieve a density of 30 dwellings per hectare, whilst taking account of the need to arrive at a well-designed layout which reflects the nature of the site and its surroundings and given the type and size of housing needed in the area. Higher densities will be possible in areas that are well served by public transport and/or close to the City Centre and Principal Town Centres. The proposal would provide 35 dwellings on a site with a total area of 1.18(ha) yielding 30 dwellings per hectare. The density is considered to be appropriate having taken account of the site constraints and the density of existing development in the surrounding area.

The proposal is of sufficient density to make efficient use of the site in accordance with the requirements of policy HO5 of the Core Strategy and paragraph 125 of the Framework and policy INPD1 of the Ilkley Neighbourhood Plan.

Housing Mix

Policy HO8 of the Core Strategy seeks to ensure that a mix and balance of housing is provided to meet the needs of the District's growing and diverse population. The policy identifies delivering more family housing and sufficient affordable housing as the most important strategic priorities.

The development would deliver 35 affordable housing units with a mix of 1 bed (3), 2 bed (16), 3 bed (14) and 4 bed (2) properties. The scheme mix has also been tailored to meet the imbalance of affordable housing unit types in Wharfedale as identified within the SHMA (2019).

The proposed scheme mix is considered to make a valuable contribution towards the supply of affordable housing and family housing in a sustainable location in accordance with the requirements of policy HO8 of the Core Strategy.

Housing Quality

Policy HO9 requires that all new housing developments should be high quality and achieve good design. The Council's Homes and Neighbourhoods Design Guide Supplementary Planning Document provides detailed guidance on how this can be achieved.

The policy advises that the council will encourage new development to achieve high sustainable design and construction standards. The minimum acceptable sustainable housing standards are set out in the Building Regulations and the development will be required to accord with the aforementioned standards. In relation to sustainable design, it is notable that the proposed dwellings would include integrated photovoltaic panels within the roofscape.

New development should provide private outdoor space for homes, unless site constraints make this clearly unfeasible and/or unviable. The proposed dwellings would benefit from dedicated outdoor

amenity space and the apartment units would be served by a shared garden space. The level of outdoor amenity space provision is therefore considered to be acceptable.

New homes should be well laid out internally, provide suitable space standards and achieve adequate levels of daylight. There is also a need to provide adequate storage for bins, recycling and bicycles, with the facilities located or designed in a way that is convenient for residents and supports the quality of the street scene.

The new dwellings and apartment units would be suitably laid out and achieve adequate levels of daylight to habitable room windows and amenity areas. Dedicated bin and recycling storage would be provided to all dwellings and apartment units.

In respect of floorspace the proposed units would meet and exceed the sizes required by the Nationally Described Space Standards. The dwellings and apartment units would benefit from dedicated bin storage the provision of which can be secured by a planning condition. The provision of dedicated cycle storage facilities for the dwellings and apartments will also be secured by a planning condition.

In conclusion the proposed development would meet the design standards required by policy HO9 of the Core Strategy and The Council's Homes and Neighbourhoods Design Guide Supplementary Planning Document.

Visual Amenity

Policy DS1 requires development proposals to contribute to achieving good design and high-quality places through putting the quality of place first and being informed by a good understanding of the site and its context. Policy DS3 requires development proposals to be appropriate to their context in terms of layout, scale, density, details and materials. Policy DS2 seeks to ensure that new landscaping is appropriate to local character and visually attractive. Further design guidance is also set out within The Council's Homes and Neighbourhoods Design Guide Supplementary Planning Document and the Ilkley Neighbourhood Development Plan.

The site surroundings include a small enclave of traditional and historic buildings immediately to the southwest which are constructed of natural stone beneath stone slate roofs. By contrast the properties to the south of the site are of more recent construction with brickwork elevations and tiled roofs. The cues for the design and materials of the development should therefore be taken from the surrounding development character and palette, primarily that of the nearby historic buildings.

The proposed development would be comprised of 35 two storey dwellings consisting of 12 pairs of semi-detached houses, two detached houses and one three storey block of 9 apartments. The proposed dwellings and apartment block would be constructed of artificial pitched faced stone beneath reproduction slate roofing. A planning condition will be imposed requiring the submission and approval of sample materials to ensure that they are a visually close match to the nearby heritage assets.

The proposed dwellings would be two storeys in height and incorporate traditional style design features including artificial stone heads, cills and quoins, gutter course corbels and conservation style fenestration. House Type 4 would also include traditional style pitched roof dormers to the front roofscape. The dwelling designs are considered to be appropriately related to the site and its immediate context.

The proposed apartment building would be three storeys in height and surmounted by a pitched roof with central gable features to the elevations. The inclusion of a pitched roof, gabled features to the elevations and stone quoins and corbels would ensure continuity of design across the site and a

cohesive appearance to the overall development. The scale and massing of the building would be successfully tempered by the inclusion of extensive areas of glazing and central gabled projections to the primary elevations. In views looking east on Skipton Road the apartment building would be viewed in the context of the existing two storey properties on the opposite side of the road. As the aforementioned properties are located at a higher level the three-storey height of the apartment building would not appear incongruous. In views looking west the apartment building would be largely screened by existing tree cover, where the site narrows at its eastern boundary, ensuring that the building would not be visually intrusive.

The Skipton Road site boundary would be improved with a 1.5 metre stone boundary wall to the rear of plots 1-10 and a 0.9 metre stone wall enclosing the apartment building and associated car parking area. Subject to the approval of a sample of the walling material the boundary treatment is considered to be acceptable. A comprehensive hard and soft landscaping is proposed across the remainder of the site the provision of which can be secured by planning condition.

The proposed development is not considered to result in any adverse visual amenity implications and it is considered to accord with policies DS1, DS2 and DS3 of the Core Strategy, The HNDG, and policy INDP5 of the Ilkley Neighbourhood Plan.

Impact on Heritage Assets

Policy EN3 of the Core Strategy requires the Council to proactively preserve, protect and enhance the character, appearance, archaeological and historic value and significance of the district's designated and undesignated heritage assets and their settings.

Old Mill House is a Grade II listed building, and it is located immediately beyond the southern boundary of the site, separated by an access road and boundary hedging. Hollin Hall Farm is also a Grade II listed building, and it is located immediately to the west of the site beyond Black Beck.

The site although presently open is not considered to contribute positively towards the setting of the listed buildings as it lacks the green and tranquil characteristics that could be considered as providing a rural setting. The residential development of the site is therefore considered to be acceptable subject to the development achieving an appropriate interface with the nearby listed buildings.

The land level of the site will be raised in order to create a level development platform for the new dwellings. This will require the construction of a retaining wall along the western boundary of the site which will vary in height from 1.5 metres to 2.5 metres. The retaining wall will be surmounted by the rear garden boundaries of plots 15-20 which are formed by fencing and hedges.

The newly formed retaining would not be substantially higher than the land level on the opposing side of Black Beck and the proposed dwellings and pumping station would be separated from Hollin Hall by approximately 40 metres with intervening vegetation present. The development is therefore considered to be sufficiently separated and screened from Hollin Hall to ensure that it would not compromise the setting of the listed building.

In relation to Mill House the proposed pumping station would be located to the north of the property on the opposite side of the existing access road. The pumping station would be separated from Old Mill House by a newly constructed 900mm stone wall along the northern side of the access road. The pumping station would be further enclosed by a 1.8 metre black powder coated bow top railing behind the wall. The pumping station kiosks would not exceed 1.3 metres in height and the over pumping infrastructure would not exceed 1.5 metres. The separation distance and intervening boundary treatments are considered to be sufficient to ensure that the pumping station infrastructure would not

compromise the setting of Old Mill House.

The nearest new dwellings would be separated from Old Mill House by a newly formed turning head, garden areas and the hard surfaced access to the pumping station, all of which would be separated from the existing access road by a 900mm stone boundary wall. The new dwellings would be sufficiently separated from Old Mill House and the development would achieve an acceptable interface with the listed building ensuring that its setting would not be adversely impacted.

The wider residential development of the site is not considered to have an adverse impact on the setting of the listed buildings subject to the approval of sample construction materials which will be required to be a visually close match to the nearby heritage assets.

The Conservation Officer requested further information in order to assess the relationship of the listed buildings with the proposed three storey apartment block. A site section has been provided and the Conservation Officer has confirmed that subject to the approval of appropriate construction materials the separation distance and intervening boundary screening are sufficient to ensure that the apartment block would not unduly encroach within the setting of the listed buildings.

The development would result in a very low level of harm, falling within the category of less than substantial, to the setting of Hollin Hall Farm and Old Mill House by introducing new development into an area that currently allows for an appreciation of the listed buildings as an isolated group set within a rural backdrop. However, the very low level of harm incurred is outweighed by the public benefits derived from the scheme in terms of providing new dwellings in the absence of a five-year supply of housing land and providing a substantial number of affordable dwellings in the housing sub-area with the most acute need. More broadly there would be economic benefits arising from the development derived from the construction of the dwellings.

The site is sufficiently separated from the Ilkley Conservation Area to ensure that the proposals would not result in any adverse implications on its setting.

In conclusion the 'less than substantial harm' incurred to the setting of nearby heritage assets would be outweighed by the public benefits of the development and no adverse impacts are foreseen in relation to the Ilkley Conservation Area. The development is therefore considered to accord with policy EN3 of the Core Strategy.

Impact on Landscape Character

Policy EN4 of the Core Strategy requires development proposals to make a positive contribution towards the conservation management and enhancement of the diversity of landscapes within the district.

The site is located within the Wharfedale Landscape Character Area, and it forms part of the Enclosed Pasture Landscape Character Type, which also extends to the north and west of the site. The settlement boundary of Ilkley is located immediately south of the site.

The Landscape Character Supplementary Planning Document Volume 8: Wharfedale identifies Enclosed Pasture as having a medium sensitivity to change. The site itself does not contain any of the features that are typical of the character area other than the woodland on the northern edge of the site which would be retained and enhanced as part of the development and would assist with separating the new residential development from the more typical enclosed pasture to the north. To the west the development would be buffered from the wider area of enclosed pasture by the existing collection of dwellings and their curtilages. To the south lies the existing settlement boundary of Ilkley which is

formed by the A65 with residential properties beyond.

It is considered that the proposed development would be adequately buffered from the wider enclosed pasture landscape character area to the north by the embankment and tree line and to the west by existing properties. In views from the public footpath to the north of the site the development would read as forming part of the existing settlement rather than as encroachment into the wider area of enclosed pasture. Accordingly, the proposed development is not considered to have a negative impact on the Wharfedale Landscape Character Area, and it accords with the requirements of policy EN4 of the Core Strategy.

Highway and Pedestrian Safety

Paragraph 110 of the framework requires that in assessing planning applications it should be ensured that:

- appropriate opportunities to promote sustainable transport modes can be, or have been, taken up, given the type of development and its location;
- safe and suitable access can be achieved to the site for all users;
- the design of streets, parking areas and other transport elements reflects current national guidance;
- any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 111 of the Framework makes clear 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.

At the local level the objectives of the framework are reflected in the Transport and Movement policies of the adopted Core Strategy. Specifically, policy TR1 sets out how development decisions will aim reduce the demand for travel, encourage and facilitate the use of sustainable travel modes, limit traffic growth, reduce congestion and improve journey time reliability. 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.

A Transport Statement (TS) has been submitted to address the traffic and transport implications of the proposed development.

The proposed development of 35 dwellings is anticipated to generate 20 two-way vehicle movements in the AM peak hour and a total of 19 two-way vehicle movements in the PM peak hour. The level of vehicle movements generated is not considered to be sufficient to result in a severe adverse impact on the highway network in respect of capacity or congestion.

In terms of the site access a Stage 1 Road Safety Audit has been carried out in order to consider any existing conditions in the vicinity of the proposed site access which could present safety implications for road users. The proposed access design has been formulated in accordance with the recommendations of the Road Safety Audit. Specifically, vehicular and pedestrian access to the site will be taken by means of a formalised priority ghost island junction.

The priority ghost island junction will consist of a 6 metre junction radii and a 6-metre-wide access road, narrowing to 5.5 metres once 15 metres from the main carriageway. Footways will be provided

at the site access of 2 metres in width. On the A65, a right turn lane width of 3 metres and through lane widths of 3.65 metres will be provided. The access accommodates visibility splays of 4.5m x 120m in both directions. The existing 30mph speed limit to the east of the site will be extended across the site frontage. A new pedestrian refuge island is to be provided on the western side of the new access junction in order to ensure that pedestrians can safely access bus services on the southern side of Skipton Road. The provision of the access arrangements and visibility splays will be ensured by imposing planning conditions.

The off-site highway works will be subject to detailed approval through a S278 Agreement. This process will also include the Speed Limit Order (SLO) to extend the 30mph zone across the site frontage and a Traffic Regulation Order (TRO) prohibiting parking across the site frontage.

The internal road layout would assist with limiting vehicle speeds, and it would allow for the safe manoeuvring of vehicles including refuse collection. It is considered that the proposed layout would ensure that safe and suitable access to the site can be achieved for all users. The Highways Development Control Team have confirmed that the layout is acceptable.

Policy TR2 and appendix 4 of the Core Strategy require the provision of an average of 1.5 off street car parking spaces per unit for residential development.

The proposed development would provide 49 spaces to serve the 35 dwellings. The level of provision is slightly deficient of the 1.5 space average set out in appendix 4 of the Core Strategy. However, the site is considered occupy a sustainable location and therefore a slight under provision is considered to be acceptable in this instance.

Cycle parking facilities are indicated for the proposed apartments, but the extent of the provision is not clear. The submission does not provide details of dedicated cycle storage for the individual dwellings. Accordingly, details of all cycle parking facilities to serve the apartments and dwellings will be required by imposing a planning condition. Subject to the aforementioned condition the development is considered to accord with the cycle parking standards set out in Appendix 4 of the Core Strategy.

In conclusion the development is considered to occupy a sustainable location with access to public transport facilities. The development would not have a severe impact on the highway network in terms of capacity or congestion and the site access and internal layout are considered to be safe and suitable for all users. The level of car parking provision is considered to be acceptable given the sustainable location of the site and appropriate cycle parking facilities can be provided. The development is therefore considered to accord with paragraph 110 of the Framework, policies TR1 and TR2 of the Core Strategy and policies IDNP14, INDP15 and INDP21 of the Ilkley Neighbourhood Development Plan.

Trees

Policy EN5 of the Core Strategy requires the Council to preserve and enhance the contribution that trees and areas of woodland cover make to the character of the district. In making decisions on planning application, trees that contribute towards, the character of the settlement or its setting and the amenity of the built up area, valued landscapes, or wildlife habitats, will be protected.

The railway embankment on the north side of the site includes a mature tree line protected by a woodland Tree Preservation Order. The trees are primarily Common Oak, Ash and Sycamore with an understorey of Hawthorn.

Following concerns raised by the Trees Officer the layout has been amended in order to increase the

separation distance of plots 19-26 from the root protection areas of protected trees. The Trees Officer has confirmed that the proposed dwellings would now achieve an acceptable relationship with the protected trees. To ensure that retained trees are adequately protected throughout development the Trees Officer has requested that a condition is imposed requiring the submission of a Tree Protection Plan to be approved in writing prior to the commencement of development.

The development would require the removal of three trees two of which (23T and 24t) are within retention category U and require removal for health reasons. The third tree (19T) falls within retention category C2 and is therefore categorised as unremarkable and of very limited quality. The proposed tree removal is therefore considered to be acceptable.

Pruning works to provide clearance for construction are required. Namely a reduction in the southerly canopy spread of 20T, 22T, 27T, 28T, 29T and 31T by 2 metres and crown lifting the lower canopy to 3.5 metres above ground level of 22T 27T and 29T. It is considered that the proposed level of pruning can be undertaken without compromising the overall amenity value of the protected woodland. Ongoing cyclic pruning to the canopy fringe of those trees that overhang the new dwellings is likely to be required. However, this is adjudged to only comprise the need to maintain cyclic pruning back to previous pruning points every three to five years and the extent of the works will need to be agreed with the Local Planning Authority through the submission of a “works to trees” application.

The impact of the proposed tree removal and pruning works is considered to be limited and the overall amenity value of the woodland would be enhanced through the introduction of 48 new trees consisting of Common oak, Bird Cherry, Field Maple, Rowan, and Silver Birch and 497 new shrubs within the understorey. The woodland would also benefit from the implementation of a Woodland Management Plan which would assist with increasing biodiversity and enhancing the woodland belt as a piece of green infrastructure. Specifically, by providing new planting to a satisfactory standard, discouraging access into the woodland area to enhance its biodiversity benefit, monitoring tree condition on a bi-annual basis and cyclic management. Notwithstanding the submitted details the Woodland Management Plan will be required to remain in place for a period of 25 years.

Subject to the imposition of planning conditions requiring the submission of a Tree Protection Plan, retention of tree protection measures throughout the development and the implementation of the woodland planting scheme and management plan the proposed development is considered to accord with the requirements of policy EN5 of the Core Strategy.

Biodiversity

The site is generally comprised of habitat of low distinctiveness with the exception of the woodland along the northern section of the site and Black Beck beyond the western boundary which provide value as habitats and wildlife corridors. The woodland would be retained and enhanced as part of the proposals with additional tree and shrub planting and the implementation of a Woodland Management Plan. A River Condition Assessment report has been provided for Black Beck which categorises its condition as *fairly poor*. The development would have a positive impact on the beck by introducing managed ground cover to the bank top in the form of vegetated gardens bordered by a hedge. The introduction of the pumping station would have a slight negative effect by increasing reinforcement to the bank and reducing the channel width. Overall, the development would have a minor positive impact on the beck but its condition classification would remain *fairly poor*.

The submitted Net Gain Assessment indicates that the development would need to deliver 0.76 habitat units in order to achieve 10% net gain and that this could be generated by enhancing the woodland area within the blue line for the site from Poor to Moderate condition.

A Bat Activity Survey has been carried out which identifies that the site is of limited value with a low level of activity focused on the higher value habitat primarily in the north-west corner of the site. To minimise potential impacts, the vegetation along the northern boundary will be buffered and an appropriate lighting scheme provided to prevent light spillage into sensitive areas. A Bat Roost Assessment has been carried out to assess the suitability of the woodland and culvert for bat roosts. The assessment concludes that the trees and culvert provide very few potential features for use by roosting bats and offer negligible bat roost suitability. The Biodiversity Officer has reviewed the information and has confirmed that the findings of the report are accepted. Accordingly, there are no constraints to development in relation to bats in either the trees or the culvert.

Given the presence of badgers in the wider area, a pre-works check to confirm the continued absence of badger setts on-site was recommended in the Preliminary Ecological Assessment. A badger Assessment was undertaken which identified a single mammal hole that could be classified as a single badger outlier sett, but more likely attributable to a rabbit or fox. As the presence of badger could not be ruled out a period of remote camera trapping was undertaken which confirmed that there were no active badger setts on site.

The submitted net gain assessment indicates that the development would result in the creation of 0.18 habitat units and 0.08 hedgerow units. This will be achieved by enhancing the woodland area from Poor to Moderate condition, planting of 80 metres of hedgerow across the site. An enhancement in riverine units is also anticipated as a result of improvement works to the bank top, bank face, channel margin and channel bed of Black Beck. The delivery of the enhancements and the on-going management arrangements will be secured by a planning condition.

The Biodiversity Officer has indicated that in addition to habitat improvements the development should incorporate bat roosting and bird nesting features. These should include bat roost bricks and roof tiles and swift bricks within buildings as well as bat and bird boxes on retained trees which can be secured by a planning condition.

The development will introduce new residential properties within 2.5km (Zone B) of the South Pennine Moors SPA/SAC boundary. The site does not contain any habitat for foraging SPA bird species. However, there would be likely significant effects arising from the development as a result of increased recreational pressure on the protected area. The South Pennine Moors SPA/SAC Planning Framework Supplementary Planning Document sets out the necessary mitigation requirements for the recreational impacts of new development, and it requires a financial contribution of £375.61 per residential unit. A financial contribution of £16,526,84 is therefore required and the developer has confirmed that they will enter into a Section 106 Agreement to secure the necessary payment.

It is considered that subject to the aforementioned conditions and the developer entering into a section 106 agreement to secure mitigation of recreational impacts the development would not result in any adverse biodiversity implications for habitats and species in designated or undesignated sites and the development would deliver net gains for biodiversity. Accordingly, the development is considered to accord with the requirements of paragraph 180 of the Framework, policies EN2 and SC8 of the Core Strategy, policy INDP13 of the Ilkley Neighbourhood Development Plan and The South Pennine Moors SPA/SAC Planning Framework Supplementary Planning Document.

Residential Amenity

Policy DS5 of the Core Strategy requires that development proposals should not harm the amenity of prospective users and residents. Layouts must ensure that the siting of homes provides adequate privacy. Development proposals must also ensure that houses do not impact negatively on existing nearby properties with respect to light, outlook and scale.

The Homes and Neighbourhood Design Guide advises that typical separation distances for maintaining adequate levels of privacy and outlook are 21 metres from window to window and 10.5 metres from window to curtilage boundary.

The proposed layout ensures that the development would not include any dwellings with an unrestricted view within 10.5 metres of the rear garden boundary, or within 21 metres of the habitable room windows of any other dwelling. As such no adverse overlooking implications are foreseen.

The proposed dwellings achieve sufficient separation distances to ensure that no adverse overbearing or overshadowing implications are incurred either within the development site or on existing neighbouring residential properties.

In conclusion the development would not adversely impact the residential amenity of existing neighbouring residents or prospective users and residents. The development is considered to accord with the requirements of policy DS5 of the Core Strategy.

The site is located alongside the A65 where noise will arise from road traffic. A Noise Assessment has been carried out which considers the impact of traffic noise on the habitable rooms and amenity areas of the new dwellings. A glazing specification and ventilation strategy is proposed in order to meet the necessary noise targets for bedrooms and living areas. The implementation of appropriate glazing and ventilation will be secured by a planning condition.

The predicted ambient noise levels in the amenity areas of units 1-15 would exceed the recommended upper limit of 55 decibels L Aeq,16hour. The amenity areas of the remaining units would achieve noise levels below the upper limit. The provision of 1.8-metre-high close boarded boundary fencing and hedging to the side and rear of units 15-20 and the construction of a 1.5-metre-high dry-stone wall to the rear boundaries of units 1-10 would assist with reducing noise levels within the amenity areas of the new dwellings. However, the noise levels are still likely to exceed the recommended upper limit. In such circumstances BS8233:2014 recognizes that whilst the guideline values are desirable, they may not be achievable in all circumstances where development might be desirable. In higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors, such as the convenience of living in these locations or making efficient use of land resources to ensure development needs can be met, might be warranted. In such a situation, development should be designed to achieve the lowest practicable levels in these external amenity spaces, but should not be prohibited.

In this instance the development of a sustainably located brownfield site with 35 affordable units is considered to be desirable and boundary treatments are proposed which are designed to achieve the lowest practicable noise levels in external amenity spaces whilst maintaining an appropriate visual appearance adjacent to the A65 and within the setting of heritage assets.

Subject to securing the glazing and ventilation scheme and the provision of boundary treatments by planning conditions the proposed development is considered to be acceptable and would accord with policies DS5 and EN8 of the Core Strategy.

Community Safety

Policy DS5 requires that development proposals are designed to ensure a safe and secure environment and reduce opportunities for crime.

Whilst being mindful of the need to provide a suitably crime resistant environment with well-defined

and secure public and private spaces the Council must also balance other planning considerations including the imperative for facilitating connectivity to the surrounding built environment and providing the recreational spaces necessary to promote healthy lifestyles and attractive, vibrant and socially connected developments.

It is considered that the development has been designed to incorporate Secure-by-Design principles and that the dwellings and spaces created would not be unacceptably unsecure or susceptible to anti-social behaviour or criminal activity.

The matters raised by the Police Architectural Liaison Officer in respect of the postal delivery system, access control arrangements, CCTV coverage and the security standards of doors and windows have been noted. However, it is not appropriate for the planning system to regulate these aspects of the development as they are not land use planning concerns.

It is considered that there are no grounds to conclude that the proposed development would create an unsafe or unsecure environment and the proposal is considered to accord with policy DS5 of the Core Strategy.

Land Quality

Policy EN8 (B) of the Core Strategy requires that proposals for development of land which may be contaminated or unstable must incorporate appropriate investigation into the quality of the land. Where there is evidence of contamination or instability, remedial measures must be identified to ensure that the development will not pose a risk to human health, public safety and the environment.

The Environmental Health Department have assessed the submitted information and have raised no objection to the proposed development subject to planning conditions. Planning conditions are required to determine how any unexpected contamination will be dealt with and for the submission of a methodology for the quality control of any material brought to the site for use in filling, level raising, landscaping and garden soils. Subject to the aforementioned conditions the proposed development is considered to accord with policy EN8 of the Core Strategy.

Air Quality

Policy EN8(A) requires development proposals that have the potential to adversely impact on air quality to incorporate measures to mitigate or offset their emissions and impacts, in accordance with the Low Emission Strategy for Bradford and associated guidance documents.

The proposed development is classified as *minor* for the purposes of the Low Emission Strategy. The Clean Air Team have therefore advised that Type 1 mitigation is required in the form of the provision of electric vehicle recharging facilities at the rates set out in the LES and adherence to best practice for the control of dust and emissions during site preparation and construction activities.

A planning condition will be imposed requiring every dwelling to be provided with access to a purpose built EV charging point in accordance with a scheme to be submitted and approved in writing.

The Clean Air team have confirmed that whilst the site is adjacent to the A65 it is not in an area of current air quality concern. The plans show the proposed dwellings set back from the immediate roadside with adequate opportunity for pollutant dispersion.

In conclusion no adverse air quality implications are foreseen and the proposal is considered to accord with policy EN8 of the Core Strategy.

Drainage

Policy EN7 of the Core Strategy requires that all sources of flooding are addressed and that development proposals will only be acceptable where they do not increase flood risk elsewhere and that any need for improvements in drainage infrastructure are taken into account.

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

The proposed development is considered to be appropriately flood resistant and flood resilient. Through the imposition of the suggested planning conditions the development will be served by acceptable drainage infrastructure based on SuDS principles and suitable maintenance arrangements will be put in place to ensure an acceptable standard of operation for the lifetime of the development. The proposal is therefore considered to accord with the requirements of policy EN7 of the Core Strategy.

Further Issues Raised by Representations

Development of Green Belt land

The proposal would result in the development of Green Belt land for residential purposes. However, the development benefits form an exception to inappropriate development under the provisions of paragraph 149(G) of the National Planning Policy Framework

Premature application for development in the Green Belt.

Paragraph 50 of the National Planning Policy Framework indicates that refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination. The development is not considered to be so substantial that to grant planning permission would prejudice the outcome of the plan process by predetermining decisions about the scale and location of new development which ought properly to be taken in the development plan context.

Encroachment into woodland

The development would require the removal of three trees two of which (23T and 24t) are within retention category U and require removal for health reasons. The third tree (19T) falls within retention category C2 and is therefore categorised as unremarkable and of very limited quality. The Trees Officer has confirmed that the proposed dwellings would achieve an acceptable relationship with the retained protected trees.

Additional strain on schools

The Education Department have indicated that the development is unlikely to cause significant concerns over where children of families coming to reside in the development might attend school. Any District Community Infrastructure Levy (CIL), if granted to the Children's Services department, may be used to expand provision where possible to accommodate any additional children.

Additional strain on medical facilities

In terms of NHS services eg. GP', this is a matter for the NHS, not the Council and it would be for the NHS to plan for any increased demands on its services.

Access and egress from the development will be dangerous

A Stage 1 Road Safety Audit has been carried out in order to consider any existing conditions in the vicinity of the proposed site access which could present safety implications for road users. The proposed access design has been formulated in accordance with the recommendations of the Road Safety Audit. Specifically, vehicular and pedestrian access to the site will be taken by means of a formalised priority ghost island junction. The Highways Development Control Team have confirmed that the access arrangements are acceptable.

Delays caused by vehicles queuing to access the development

The development will be served by a priority ghost island junction which will ensure that vehicles accessing the development from the east will not be stationary within the highway. Accordingly, the site access arrangements will not prevent the free flow of traffic on the A65.

There is no easy access to the development by bus

The site is located within the recommended 400m from the nearest bus routes that operate on Skipton Road. Bus stop reference 14165 is located on the site frontage whilst bus stop reference 50152 is located on the opposite side of Skipton Road. A pedestrian refuge island will be provided in order to assist pedestrians crossing the road to access bus services.

Bus users would be at risk crossing the A65A.

The existing 30mph zone will be extended across the site frontage and a pedestrian refuge island is to be provided in order to assist pedestrians with crossing the road to access bus services. No adverse pedestrian safety issues are foreseen.

The site has been purposely despoiled using a mechanical excavator and herbicide

No evidence has been provided to support this comment. In any case the appearance of the site is not a fundamental factor in determining the acceptability of the principle of development in this instance.

Overdevelopment of the site

Policy HO5 of the Core Strategy seeks the provision of a minimum of 30 dwellings per hectare and identifies that higher densities are possible in areas well served by public transport and/or close to Principal Town Centres. The proposal would achieve a density of 30 dwellings per hectare which is considered to be appropriate and accords with the requirements of policy HO5.

The height of the dormer units is excessive

House Type 4 is a two storey dwelling with a pitched roof dormer window located on the front roof plane. The dwelling would have an eaves height of 5.4 metres and a ridge height of approximately 9 metres. The submitted street scene elevations demonstrate that whilst the house type is marginally taller than the other house types it would sit appropriately within the street scene.

The height of the apartment block is excessive

The provision of a three-storey building in this location is not considered to be unduly harmful to the visual amenity of the site or the surrounding street scene.

Excessive noise levels from road traffic

Subject to the implementation of the proposed glazing specification and ventilation strategy and the provision of boundary treatments in accordance with the submitted details the noise levels are considered to be acceptable.

No details of the pumping station are provided

Full details illustrating the appearance of the pumping station have been provided and they are considered to be acceptable subject to the provision or appropriate boundary treatments.

Old Mill and Hollin Bungalow have sewage treatment plants where the pumping station is proposed

The pumping station will be located on land within the ownership of the applicant. Any alterations to existing private drainage infrastructure will be required to be resolved between the respective parties involved. The agent has indicated that the intention is for the foul water drainage requirements of any impacted properties to be catered for by the proposed pumping station.

The development would alter the setting of Old Mill House

The development would result in 'less than substantial harm' to the setting of the listed building and the public benefits of the development are considered to outweigh the harm incurred.

Boundary fencing would be out of keeping with the surrounding area

The Skipton Road site boundary would be improved with a 1.5 metre stone boundary wall to the rear of plots 1-10 and a 0.9 metre stone wall enclosing the apartment building and associated car parking area. The boundary walling would be in keeping with existing boundary treatments along Skipton Road.

Increased traffic congestion

The development is anticipated to generate 20 two-way vehicle movements in the AM peak hour and a total of 19 two-way vehicle movements in the PM peak hour. The level of vehicle movements generated is not considered to be sufficient to result in a severe adverse impact on the highway network in respect of capacity or congestion.

There should be provision for charging electric vehicles

A planning condition will be imposed requiring every dwelling to be provided with access to a purpose built EV charging point in accordance with a scheme to be submitted and approved in writing.

Conflict with existing access to the west which serves six properties

The submitted highway layout plan demonstrates that the site access would benefit from 4.5m X 120m visibility to the east and west. The visibility is sufficient to ensure that the development would not conflict with the existing access to the west of the site.

Parking should be reduced to one space per dwelling

All residential developments should provide adequate in curtilage parking to prevent on-street car parking issues from arising. This is consistent with policy TR2 of the Core Strategy which recommends minimum car parking standards for residential developments.

Access to nearby facilities is limited other than by car

Ilkley town centre provides a wide range of services and facilities and is accessible from the site by walking, cycling and public transport. It is therefore considered that the site would benefit from a range of transport options to access local facilities other than by car.

The development should not impact the future route of the Wharfedale Greenway

The Rights of Way Officer has noted that the Council's Rights of Way Improvement Plan has a request identified relating to a potential cycleway adjacent to the site. They have also noted that the requested route is along Skipton Road and outside of the site boundary.

The route of the Wharfedale Greenway has not been confirmed in this location nor is its provision protected by the RUDP proposals map. The A65 forms part of the National and Local Cycle Network

and the proposed site access arrangements would not impede use of the A65 for this purpose. Accordingly, the development cannot seek to protect the future route of the Wharfedale Greenway when the route is unconfirmed and there is no planning policy requirement to do so in this location.

Flood Risk

The site is located in Flood Zone 1 and it is therefore in an area that has less than 0.1% annual probability of river or sea flooding. The Lead Local Flood authority have reviewed the submitted Flood Risk Assessment, Doc. Ref: 20428-FRA-001-REV A, dated October 2020 and confirmed that it is acceptable.

Will the development provide genuinely affordable housing for local people?

The development will provide affordable housing of a type which accords with the definition of affordable housing provided in Annex 2 of the National Planning Policy Framework. The affordable units will assist with meeting the demand for such units in the Wharfedale sub-area.

More Information is required on the sustainability credentials of the units.

The proposed dwellings will be required to meet acceptable sustainable design and construction standards as part of Building Regulations Approval.

Could the density be increased to 50+ dwellings per hectare

The proposed density of 30 dwellings per hectare is considered to be appropriate taking into account the nature of the site and its surroundings.

Will Radon Protection measures be applied?

The site is in an area where between 1% and 3% of homes are estimated to be above the action level. Consequently, Building Regulations Approved Document C does not require the provision of basic radon protection measures in this location.

Lack of community consultation

The application is supported by a Statement of Community Involvement. The document advises that consultation on the application has taken place with Ward Members, Ilkley Town Council and local residents.

The land is not previously developed

The application provides sufficient evidence to demonstrate that the site is previously developed land consisting of the railway embankment and its curtilage.

The houses would sit on contaminated ground

The Environmental Health Department have assessed the submitted information and have raised no objections subject to planning conditions.

The development would constitute urban sprawl

The site is located on the edge of the urban area and is positioned between the A65 to the south and a railway embankment and mature tree line to the north. The latter forms a strong defensible boundary separating the site from the open countryside beyond. The development is therefore not considered to constitute unrestricted urban sprawl.

How will it be ensured that the development will be for residents of Ilkley

The development will provide affordable housing in Ilkley in accordance with the definition of affordable housing set out in Annex 2 of the NPPF.

The rear garden areas will attract unsightly sheds and extensions

A standardised shed type is proposed for all dwellings to ensure a uniform appearance. A planning condition will be imposed removing permitted development rights A-E meaning that no outbuildings or extensions can be constructed without the approval of the Local Planning Authority.

No route is shown for the disposal of foul water between the pumping station and Skipton Road
The Outline Drainage Strategy plan illustrates that the pipework connecting the pumping station with the combined sewer on Skipton Road will be located beneath the internal access road of the site.

The Transport report is out of date

The Transport Statement dates from 2020 however a more recent Stage 1 Road Safety Audit (Ref SCP/190559/RSA/0) was carried out in March 2022. The Highways information is therefore considered to be sufficiently up to date to allow for an accurate assessment of the application.

The northern bus stop is shown as moving, but to where?

The final location of the bus stop will require the developer to consult with and seek agreement from West Yorkshire Metro.

Community Infrastructure Levy

The site is located within CIL Zone 1 where there is a charge of £124.10 per sq m for new residential floorspace. However, the development benefits from an exemption from Social Housing Relief

Planning Obligations

The applicant has agreed to enter into a Section 106 Agreement to secure the entirety of the development as affordable housing in accordance with the definition provided in Annex 2 of the National Planning Policy Framework. The Section 106 Agreement will also secure the payment of a contribution of £16,526.84 for the mitigation of recreation impacts arising from the development on the South Pennine Moors SPA/SAC.

West Yorkshire Combined Authority have requested the payment of £10,000 for the provision of a real time information display at bus stop reference 14165 and the payment of £17,902.50 towards the provision of Residential MetroCards. Existing services operate from the site frontage towards Ilkley and Keighley at a 30-minute frequency. The site is 0.8 miles from Ilkley town centre which can be reached in 20 minutes on foot or 5 minutes by bicycle.

The site is considered to occupy a sustainable location with access to facilities and services by transport modes than private car. The provision of a real time information display and Residential MetroCards is therefore not required to make the development acceptable in planning terms and the requested financial contributions cannot be justified in this instance.

Conditions

1. Approved Plans

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

Location Plan-4775-101 Rev A-received 05.09.23

Existing Site Plan-4775-102-Rev A-received 05.09.23

Proposed Site Plan-4775-103 Rev D-received 05.09.23

Existing and Proposed Site Sections-4775-104-Rev B received 05.12.2022

Hard Landscaping Plan-4775-105-Rev C-received 17.03.23

Soft Landscaping Plan-4775-106 Rev D- received 17.03.2023
Apartment Floor Plans and Elevations 4775-107 Rev C- received 17.03.2023
House Types 1 & 2 Floor Plans & Elevations-4775-108 Rev D received 17.03.2023
House Types 3 & 4 Floor Plans & Elevations-4775-109 Rev D received 17.03.2023
Streetscene Elevations-4775-110 Rev C- received 17.03.2023
Boundary Wall and Fence details-4775-111 Rev A-dated 17.03.2023
Pumping Station Details-4775-112-Rev A-dated 17.03.2023.
Proposed Earthworks-DR-C-0102 Rev P7-Proposed Earthworks
Proposed Pedestrian Crossing & 90m Forward Visibility Splays-SCP/190559/SK04-received 21.08.23

Biodiversity Gain Assessment-ER-4246-07C –received 30.05.23.
Woodland Planting Proposals-6090.03-received 08.03.2022
Management Plan (Woodland) document reference MG/6090/WMP/FEB 22-received 08.03.2022
River Condition Assessment Report Reference ER-4246-08A received 30.05.2023

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

2. Three Year 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).

3. PD Rights Removed A-E

Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no development falling within Classes A to E of Part 1 of Schedule 2 of the said Order shall subsequently be carried out to the development hereby approved without the prior express written permission of the Local Planning Authority.

Reason: To safeguard the amenities of occupiers of adjoining properties and to accord with Policies DS3 and DS5 of the Core Strategy Development Plan Document.

4. Construction Management 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) location of site management offices (including wc's) and/or sales office;
- iii) location of materials storage compounds, loading/unloading areas and areas for construction vehicles to turn within the site;
- iv) car parking areas for construction workers, sales staff and customers;
- v) 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;
- vi) 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 DS4 and DS5 of the Local Plan for Bradford.

5. Construction Hours

Construction work shall only be carried out between the hours of 0730 and 1800 on Mondays to Fridays, 0730 and 1300 on Saturdays and at no time on Sundays, Bank or Public Holidays.

To protect the amenity of the occupants of nearby dwellings and to accord with policy DS5 of the Core Strategy Development Plan Document.

6. Bin Storage

Prior to the occupation of each residential unit the bin storage arrangements serving the unit shall be provided in full in accordance with approved plan reference 4775/105 Rev C Proposed External Works Hard Landscaping Plan, dated 10.03.2023. The bin storage facilities shall then be retained thereafter for the lifetime of the development.

Reason: To ensure appropriate design arrangements for waste handling and to accord with Policies DS1 and DS5 of the Core Strategy Development Plan Document.

7. Facing and Roofing Samples

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, DS3 and EN3 of the Core Strategy Development Plan Document.

8. Boundary Wall: Sample

Prior to the construction of the stone boundary wall to the southern boundary of the site a sample panel of the walling shall be constructed on site for inspection by the Local Planning Authority. The details shall then be approved in writing by the Local Planning Authority and the development constructed in accordance with those approved details.

Reason: To assist the selection of appropriate materials in the interests of visual amenity and to accord with Policies DS1, DS3 and EN3 of the Core Strategy Development Plan Document.

9. Retaining Wall: Sample

Prior to the construction of the gabion retaining wall as identified on drawing reference 4775 Rev C-Proposed External Works Hard Landscaping Plan, dated 10.03.2023 a sample of the fill material shall be submitted to and approved in writing by the local planning authority and the development shall be constructed in accordance with the approved details.

Reason: To assist the selection of appropriate materials in the interests of visual amenity and to accord with Policies DS1, DS3 and EN3 of the Core Strategy Development Plan Document.

10. Unexpected Contamination

If, during the course of development, contamination is found to be present, no further works shall be undertaken in the affected area and the contamination shall be reported to the Local Planning Authority as soon as reasonably practicable (but within a maximum of 5 days from the find). Prior to further works being carried out in the identified area, a further assessment shall be made, and appropriate remediation implemented in accordance with a scheme also agreed in writing by the Local Planning Authority.

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

11. Materials Importation

A methodology for the quality control of any material brought to the site for use in filling, level raising, landscaping and garden soils methodology shall be submitted to, and approved in writing by the Local Planning Authority prior to materials being brought to site. The development shall be constructed in accordance with the approved methodology.

A verification report prepared in accordance with the approved quality control methodology shall be submitted to and approved in writing by the Local Planning Authority on completion of the development.

Reason: To ensure that all materials brought to the site are acceptable, to ensure that contamination/pollution is not brought into the development site and to comply with policy EN8 of the Local Plan for Bradford.

12. Access Before Use

Prior to the occupation of the development the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced, sealed and drained within the site to base course level 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 Local Plan for Bradford.

13. Parking Before Use

Prior to the occupation of the development the off-street car parking facilities shall be constructed and laid out with a gradient no steeper than 1 in 15.

Reason: In the interests of amenity, flood risk and highway safety, and in accordance with Policies TR2 and EN7 of the Local Plan for Bradford

14. Visibility Splays

Before any part of the development is brought into use, the visibility splays hereby approved shall be laid out and there shall be no obstruction to visibility exceeding 900mm in height within the splays so formed above the road level of the adjacent highway.

Reason: To ensure that visibility is maintained at all times in the interests of highway safety and to accord with Policies DS4 and DS5 of the Local Plan for Bradford.

15. Off Site Highway Works

Prior to the occupation of the development the off-site highway works as set out on drawing reference SCP/190559/SK04 dated 31.03.2022 and received by the council on 21.08.2023 shall be completed

in full.

Reason: In the interests of highway safety and to accord with paragraph 110 of the National Planning Policy Framework

16. Cycle Parking Arrangements: Apartments and Dwellings

Prior to the occupation of the development details of the cycle parking arrangements to serve the dwellings and apartments shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall then be made available for use in accordance with the approved details and thereafter retained.

Reason: To ensure that sufficient cycle parking facilities are made available to serve the development and to accord with policies TR1 and TR2 of the Core Strategy.

17. Wheel Washing Facilities: Details

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.

Reason: To prevent mud being taken onto the public highway in the interests of highway safety and to accord with policies DS4, and, DS5 of the Local Plan for Bradford.

18. Arboricultural Method Statement

The development shall not begin, nor shall there be any demolition, site preparation or groundworks, nor shall any materials or machinery be brought on to the site, nor any works carried out to any trees until the tree protection fencing and other tree protection measures are installed in strict accordance with an arboricultural method statement or tree protection plan to BS5837:2012 to be approved in writing by the Local Planning Authority.

The development shall not begin until the Local Planning Authority has inspected and given its written approval confirming that the agreed tree protection measures are in place in accordance with the submitted details.

Reason: To ensure that trees are adequately protected prior to development activity beginning on the site which would otherwise harm trees to the detriment of visual amenity. To accord with Policy EN5 of the Bradford Local Plan Core Strategy.

19. Retention of Tree Protection Measures

The approved and agreed tree protection measures shall remain in place, and shall not be moved, removed or altered for the duration of the development. There shall also be no excavations, engineering or landscaping work, service runs, or installations, and no materials will be stored within any construction exclusion zones or tree protection areas without the written consent of the Local Planning Authority.

Reason: To ensure that trees are adequately protected during development activity on the site which would otherwise harm trees to the detriment of visual amenity. To accord with Policy EN5 of the Bradford Local Plan Core Strategy.

20. Woodland Planting

In the first planting season (November-March) following the completion of the development the Woodland Planting Proposals as illustrated on drawing reference 6090.03 shall be implemented.

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

Reason: To ensure that the development contributes positively towards the overall enhancement of the district's biodiversity resource and to accord with policies EN2 and EN5 of the Core Strategy.

21. Woodland Management Plan

The woodland area as identified on drawing reference 6090.03 shall be managed in accordance with the Woodland Management Plan Schedule of Operations contained within Appendix A of the Management Plan (Woodland) document reference MG/6090/WMP/FEB 22. Notwithstanding the details provided in the submitted document the Woodland Management Plan Schedule of Operations shall be carried out for a period of 25 years.

Reason: To ensure effective future maintenance of the woodland area in accordance with policies EN2 and EN5 of the Core Strategy.

22. Soft Landscaping

In the first planting season following the completion of the development the soft landscaping proposals as detailed on drawing reference 4775/106 Rev D-Proposed External Works Soft Landscaping, dated 10.03.2023, shall be implemented at the site in accordance with a detailed planting schedule which must first be submitted to and approved in writing by the local planning authority.

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

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

23. Hard Landscaping

Prior to the occupation of the development the hard landscaping proposals as detailed on drawing reference 4775/105 Rev C-Proposed External Works Hard Landscape Plan, dated 10.03.2023, shall be carried out in full.

Reason: In the interests of visual and residential amenity and to accord with policies DS1 and DS5 of the Core Strategy.

24. Bat and Bird Box Details

Prior to the occupation of the dwellings details of bat and bird nest boxes to be incorporated into the design of all units and within the retained woodland shall be submitted to and approved in writing by the local planning authority. The bat and bird nest boxes so approved shall then be provided in full prior to the first occupation of the development and shall thereafter be retained as long as the development is in use.

Reason: To ensure that the development contributes positively towards the overall enhancement of the District's biodiversity resource and to accord with policy EN2 of the Core Strategy.

25. Lighting Details

Details of the location, height, design, and luminance of any external lighting which shall be designed to minimise light spillage on the protected woodland and Black Beck shall be submitted to and approved in writing by the Local Planning Authority before any external lighting is used on site. Any external lighting provided shall conform with the approved details.

Reason: To ensure that adequate measures are taken to protect wildlife and habitats in accordance with policy EN2 of the Core Strategy.

26. Biodiversity Gain Plan

Prior to the commencement of development, a Biodiversity Gain Plan (BGP) shall be submitted to, and be approved in writing by, the local planning authority. The Plan shall deliver 0.18 habitat units, 0.08 hedgerow units and the post-development opportunities identified at paragraphs 40-43 of the River Condition Assessment Report Reference ER-4246-08A dated 11/04/2023

The content of the BGP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 30 year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The BGP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the BGP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: To ensure that the development contributes positively towards the overall enhancement of the District's biodiversity resource and to accord with policy EN2 of the Core Strategy.

27. Invasive Species Management Plan

Prior to the commencement of development, an Invasive Species Management Plan detailing measures for the containment, control and removal of Himalayan balsam and the timescales for carrying out the work shall be submitted to and approved in writing by the Local Planning Authority. The approved actions shall be implemented in accordance with the approved details and timescales.

Reason: To ensure invasive species are appropriately controlled so as not to impact on biodiversity and any biodiversity enhancements and to accord with policy EN2 of the Core Strategy.

28. Construction Biodiversity Management Plan

No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall put in place measures to retain and protect the woodland habitat (1.61 Biodiversity Habitat Units) and the watercourse included in the blueline (0.34 River Habitat Units) as described in Biodiversity Gain Assessment ER-4246-07C (Brooks Ecological, 25/05/2023) and include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the protection of existing biodiversity features in accordance with Core Strategy Policy EN2.

29. Monitoring and Reporting

Prior to occupation a Biodiversity Monitoring Programme & Monitoring Report carried out by an appropriately qualified ecological consultant shall be submitted to and agreed by the Local Planning Authority. It shall include the first Monitoring Report, to take place after full implementation of approved landscaping and habitat creation establishment works, and specify the frequency and timing of subsequent Monitoring Reports to cover a minimum 30-year period to be submitted to the LPA. The Monitoring Report will include the following:

- a) Confirmation of the number of Biodiversity Units present based on a survey at an appropriate time of year and how this compares to the 1.95 identified for Retention and Enhancement in Biodiversity Gain Assessment ER-4246-07C (Brooks Ecological, 25/05/2023)
- b) Where the Target Condition is not yet met provide an assessment of time to Target Condition for each habitat and any changes to management that are required
- c) How the monitoring is funded and the specialist ecological body responsible
- d) Confirmation by photographs that all integral bird nesting and bat roosting features are in place as approved

Subsequent Monitoring Reports will be submitted to the LPA at time-scales stated in the Monitoring Programme and where remedial measures or changes in management are required these will be addressed in the subsequent Landscape & Biodiversity Net Gain Management Plan annual work programmes.

Reason: to ensure Biodiversity Units are delivered as agreed in the approved Management Plan for perpetuity

30. EV Charging: Details

Before the date of occupation every dwelling on the site shall be provided with access to a purpose built EV charging point with Mode 3 Type 2 capability. 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 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 accordance with policies TR1 and EN8 of the Core Strategy.

31. Construction Dust Risk Assessment and Management Plan

Prior to commencement of the development a Construction Dust Risk Assessment and 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. These must be prepared with due regard to the guidance set out in the IAQM Guidance on the assessment of dust from demolition and construction. The development shall be carried out in accordance with the approved management plan.

Reason: To protect amenity and health of surrounding residents in line with policies EN8 and DS5 of the Core Strategy.

32. Glazing and Ventilation Scheme

Prior to first occupation of the units glazing and ventilation shall be installed in accordance with the specifications detailed in section 8.2.1 of Noise Assessment report reference 21261R01OP dated 15.10.19, by Envrionoise Acoustic Noise Consultants. The glazing and ventilation shall then be retained in accordance with approved specification.

Reason: To ensure that residents are not adversely impacted by noise emanating from the A65 and to accord with policies DS5 and EN8 of the Core Strategy.

Informative

Section 278 Agreement

Highways works, required on the public highway as a result of development works are subject to a S278 Agreement under the Highways Act 1980. Works cannot begin until the developer has entered into a S278 Agreement with the Highway Authority.

Bus Stop Relocation

The development includes the relocation of Bus Stop ID: 45014165. The applicant is encouraged to consult with West Yorkshire Metro regarding this aspect of the proposal and any costs incurred will need to be met in full by the developer.

EV Charging

- 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 however more likely to be 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.

Please note: This recommended EV charging condition and informative is based on the current Bradford / WY LES planning guidance however new national building regulations have recently been published requiring mandatory provision of EV charging points on new homes. The applicant must ensure that EV charging provided on this site also meets building regulation requirements as detailed here: [Infrastructure for charging electric vehicles: Approved Document S - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/infrastructure-for-charging-electric-vehicles-approved-document-s)

Failure to address the need to provide EV charging points at the design stage (both in terms of cost and practical implementation) will not be accepted as a reason for varying any EV charging conditions at a later date.

Biomass

It is noted that this is to be a gas free development with provision of other sustainable heat and energy sources such as air source heat pumps and solar. This approach supports the Bradford Low Emission Strategy and is welcomed. It is strongly recommended that biomass heat sources are not provided on this development, including the provision of wood burning stoves as these can be detrimental to local air quality.

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