

## Agenda for a meeting of the Regulatory and Appeals Committee to be held on Thursday, 26 October 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 Banqueting Hall on the day of the meeting.**
- Applicants, objectors, Ward Councillors and other interested persons are advised that the Committee may visit any of the sites that appear on this Agenda during the day of the meeting, without prior notification. The Committee will then reconvene in the meeting room after any visits in order to determine the matters concerned.
- At the discretion of the Chair, representatives of both the applicant(s) and objector(s) may be allowed to speak on a particular application for a maximum of five minutes in total.

### From:

Asif Ibrahim

Director of Legal and Governance

Agenda Contact: Yusuf Patel

Phone: 07970 411923/07970 411623

E-Mail: [yusuf.patel@bradford.gov.uk](mailto:yusuf.patel@bradford.gov.uk)/[jane.lythgow@bradford.gov.uk](mailto: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:*

<b>Type of Interest</b>	<b>You must:</b>
<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> <b>OR</b> <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> <b>OR</b> <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. MINUTES**

**Recommended –**

**That the minutes of the meetings held on 15 September 2023 and 28 September 2023 be signed as a correct record.**

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

### **4. INSPECTION OF REPORTS AND BACKGROUND PAPERS**

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

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

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

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

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

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

## **B. BUSINESS ITEMS**

### **5. MEMBERSHIP OF SUB-COMMITTEES**

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

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

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

1 - 40

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.

This item was deferred for consideration at the meeting on 28 September 2023.

**Recommended –**

**That the application be approved subject to completion of the Section 106 and conditions contained within the technical report appended to Document “D”.**

(Hannah Lucitt – 07811503622)



## **Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 26<sup>th</sup> October 2023**

**D**

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### **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/UR5.38, 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; residential amenity; design; trees; 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 -**

**The provision of 28 affordable homes;**

**The provision and management of public open space.**

**A financial contribution of £100,000 to the Council to assist with the provision of a new pedestrian/cycling bridge across the A629.**

**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 Mcards 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 traffic management and calming works within Silsden.**

**A financial contribution to ensure the implementation and review of an ecological enhancement scheme.**

**The completion of a footway works scheme, being the provision of a 2.0m footway along the Bolton Road Site frontage to connect with the existing footway.**

**The provision of a footway to the south of the Hawber Cote Lane access into the site should the Council require it in the future;**

**and conditions included in the report, Appendix 1.**

### **Equality & Diversity:**

**In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups, in accordance with the duty placed upon Local Authorities by Section 149 of the Equality Act 2010. The context of the site, the development scheme proposed, and the representations received have been reviewed to identify the potential for the determination of this application to disadvantage any individuals or groups of people with characteristics protected under the Equality Act 2010. The outcome of this review is that there is not considered to be any sound reason to conclude that the proposed development would have a significantly detrimental impact on any groups of people or individuals with protected characteristics. Full details of the process of public consultation undertaken and a summary of the comments made are attached at Appendix 1.**

Assistant Director (Planning,  
Transportation & Highways)

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

**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 726 objections and 4 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**

The application includes the following measures -

Operation of a robust 'sustainable procurement policy' which emphasises the legal and sustainable sourcing of building materials;

a Site Waste Management Plan (SWMP) will be implemented, which will adhere to the waste hierarchy of reducing, re-using and diverting from landfill;

best practice policies regarding site pollution will be implemented as standard; • Each of the proposed homes will be designed to achieve a water consumption lower than 110 litres per person per day; and each of the proposed homes will be constructed to a specification capable of exceeding the energy efficiency requirements of the Building Regulations Part L.

Electric vehicle (EV) charging points will also be installed at each of the proposed homes to promote the use of electric and low-emission vehicles

Finally, health and wellbeing has been considered as part of the design process with consideration of light and noise levels, and access to on-site greenspace.

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 would 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. 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.

The site is within 800m of Silsden town centre and the proposed development includes a number of design and active travel measures which would address sustainability and would also secure a number of biodiversity/ecological benefits including a 10% biodiversity net gain.

## **7.3 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.

## **7.4 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.

## **7.5 TRADE UNION**

None

## **7.6 WARD IMPLICATIONS**

None

## **7.7 AREA COMMITTEE LOCALITY PLAN IMPLICATIONS**

None

## **7.8 IMPLICATIONS FOR CHILDREN AND YOUNG PEOPLE**



None

## **7.9 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**

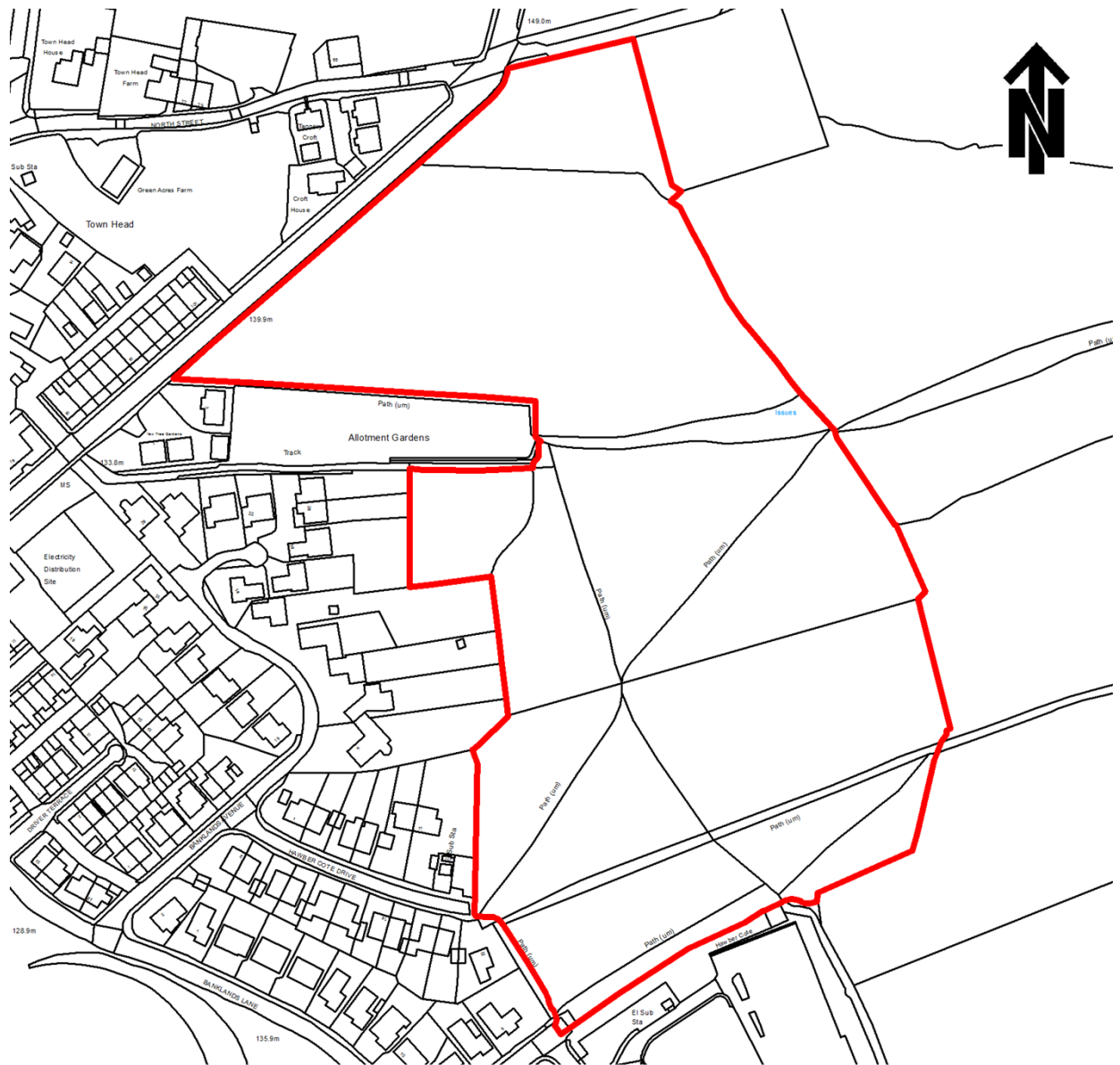
This application is recommended for approval subject to completion of the Section 106 and conditions contained within the report.

## **11. APPENDICES**

Appendix 1 - Report.

## **12. BACKGROUND DOCUMENTS**

National Planning Policy Framework 2023  
Replacement Unitary Development Plan 2005  
Core Strategy 2017  
Steeton with Eastburn & Silsden Neighbourhood Plan 2021  
South Pennine Moors SPA/SAC Planning Framework SPD 2022  
Homes and Neighbourhoods: A Guide to Designing in Bradford SPD 2020  
Landscape Character SPD 2008  
Planning for Crime Prevention SPD 2007  
Planning Obligations SPD 2007  
Sustainable Design Guide SPD 2006



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**Land Off Bolton Road  
Silsden  
Keighley**

## **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 Bolton Road and the north by Brown Bank Lane. To the west there are residential properties and allotments at Bolton Road. There are other agricultural fields to east; with the recently constructed Silsden Primary School located to the south.

### **Background:**

The Replacement Unitary Development Plan (RUDP) was adopted in October 2005. The application site forms part of an allocated site in the RUDP, 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:**

A Screening Opinion request for the proposed development at the application site was submitted on 15 November 2021 (application reference. 21/05803/SCR). On 6 December 2021, the Council confirmed that the proposed development is unlikely to have significant effects on the environment and, therefore, any future application on the application site is not required to be accompanied by an Environmental Impact Assessment

### **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 several Core Strategy Policies to be considered in the determination of the application.

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

Sub Area Policy AD1 – Airedale

TR1- Travel Reduction and Modal Shift

TR2- Parking Policy

TR3- Public Transport, Cycling and Walking

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

H09-Housing Quality

HO11- Affordable Housing  
EN2- Biodiversity and Geodiversity  
EN4- Landscape  
EN5- Trees and Woodland  
EN7- Flood Risk  
EN8- Environmental Protection  
DS1- Achieving Good Design  
DS2-Working with the Landscape  
DS3- Urban Character  
DS4- Streets and Movement  
DS5- Safe and Inclusive Places  
ID3- Developer Contributions  
ID7 – Community Involvement

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.

Within the emerging Local Plan, the northern part of the application site comprises a draft housing allocation (ref. SI2/H - Bolton Road, Brown Bank Lane), which has an indicative capacity of 40 dwellings. This states that this is a sustainable site within the settlement boundary for Silsden with access to local services and facilities as well as frequent public transport services. It will deliver an estimated 40 dwellings, however, will require sensitive design and layout to mitigate landscape impacts, as well as an appropriate access solution.

### **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.

Policy SWES1 Housing Development Within the Existing Urban Area of Steeton with Eastburn and Silsden  
Policy SWES2 Design of New Housing  
Policy SWES3 Housing Density  
Policy SWES5 Airedale's Valued Landscape  
Policy SWES7 Infrastructure for New Development  
Policy SWES11 Protecting and Enhancing Sport and Recreation Provision

### **Supplementary Planning Documents**

South Pennine Moors SPA/SAC Planning Framework SPD (2022)  
Homes and Neighbourhoods: A Guide to Designing in Bradford SPD (2020)  
Landscape Character SPD (2008)

Planning for Crime Prevention SPD (2007)  
Planning Obligations SPD (2007)  
Sustainable Design Guide SPD (2006)

### **National Planning Policy Framework (NPPF).**

The National Planning Policy Framework (NPPF) 2023 provides the Government's overarching planning policies for England and is a material consideration in the determination of planning applications. In considering the proposed development, relevant chapters of the NPPF are: Chapter 2 - Achieving Sustainable Development Chapter 4 – Decision Making Pg 7/19 27042793v2 Section of Report Comments / Suggestions Chapter 5 – Delivering a Sufficient Supply of Homes Chapter 8 – Promoting Healthy and Safe Communities Chapter 9 – Promoting Sustainable Transport Chapter 11 – Making Effective Use of Land Chapter 12 – Achieving Well-Designed Places Chapter 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change Chapter 15 – Conserving and Enhancing the Natural Environment Chapter 16 – Conserving and Enhancing the Historic Environment

Other relevant national guidance and documents include: DLUHC and MHCLG: Planning Practice Guidance (2021) MHCLG: National Design Guide (2021) DCLG: Technical Housing Standards – Nationally Described Space Standards (2015)”

### **Publicity and Representations:**

The application was advertised through site notices and in the local press. There have been 726 letters of objection and petition, including an objection from the MP and a Ward Councillor. There have been 4 letters of support.

### **Summary of Representations Received:**

Principle of development  
Housing numbers  
Loss of green belt  
Lack of consultation  
Effect on footpaths  
Unsuitable access  
Lack of pedestrian access/footpaths  
Drainage issues/flooding  
Loss of wildlife/hedgerows/trees  
Lack of infrastructure/facilities  
Overshadowing/overlooking.  
Pollution  
Lack of greenspace  
Impact on landscape  
Community Wellbeing

### **Consultations:**

Silsden Town Council  
STC strongly object to this application.

Noise Assessment 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 considerable underestimation.

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

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 doctor's 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)

The proposal now overcomes previous highways concerns.

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 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.

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](mailto: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, 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 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.

#### Planning & Highways Access Forum

Level access to the development to allow entrance for disabled.

Kerb identification not possible if blind person learning new route due to shared spaces.

Will trees be sited within path or verge?

Proper pavement drops for wheelchairs and tactile pavement included?

New crossing, the kerbs need to be straight/square with pavement.

Accessibility around the SUDs pond.

#### Trees

The additional arboriculture information is noted, and the arboriculture impact assessment has been updated. The engineering issues within Root Protection Areas. as previously



highlighted would need to be dealt the under submission of details application for later approval. No objection to the proposal.

#### Environmental Health (Pollution)

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

The Appraisal 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.

#### West Yorkshire Police

Boundary treatments proposed.

Having examined the boundary treatment plan, boundaries such as the 1800mm high stone wall with fencing and the 1800mm high closed board timber fence which are used on both rear boundaries and as rear plot dividers are acceptable.

The 900mm high rear boundaries and gates used to secure rear boundaries are a concern as the level can easily be accessed. This boundary type and height is more suited to the front of a dwelling or around a public open space or side of a dwelling to allow natural surveillance. The plans show 1800mm high hedges used around some sections of rear gardens. We would recommend that where boundaries are being used to a secure a rear garden, it should be secure boundaries such be 1800mm high fencing or wall which are more durable.

Rear pathways allowing for bin access / rear parking courts.

There are several shared rear pathway routes with rear gated access which provides access to rear vehicle parking areas and shared bin access. Rear gates and rear pathways are features which are not supported by Police, as they lack natural surveillance and allow any stranger/s access into these areas, where entry can be attempted into rear gates. From the site plan this applies to plot numbers; 1, 2, 3, 4, 5, 6, 7 - 27, 28, 28, 30, 31, 32 - 88, 89, 90, 91, 92. Plots 1 to 7 show rear parking bays. the boundary for these dwellings shows a 900mm high stone wall and gates with planting behind which offers no security for the residents. We would recommend changing the boundary type to an 1800mm high stone wall with the railing inserts which will allow surveillance over the parking court whist the height provides the security. Any gates used at the rear should be lockable with a key from both sides to allow the gardens to be secured. Whilst rear parking and rear gates do not conform to SBD guidance, this would at least provide some level of surveillance to this parking court. As the rear doors for these plots will be frequently used for daily use as this in closer proximity to the parking areas, the doors should be changed from a glazed French door to a composite style door which is more durable, secure and suited for daily use. There will need to be external lights above the access doors and parking within the parking courts to increase surveillance. The parking bays should be visibility numbered per dwelling to prevent any abuse of parking bays. In relation to the

site plan, it shows electric vehicle charging points are located outside of the garden boundaries for plots 1 to 7. The concern is that with the cost of utilities on the rise they have the potential to be abused if there is no on/ off switch. (I note that there are a few visitor parking electric points, however it is likely to be payment via debit/credit card for usage unclear how these will be used, do visitor/ vehicle owners use a debit card to purchase electric charge? It is not very clear).

Plots 116, 117 and 118, 119, 126 shows parking bays to the side of the properties in an adjacent car park with only plots 120 and 121 overlooking this location. The bays are not numbered, so parking could be abused by visitors to the site, also the bays are not close for any residents with families who may be unloading or carrying in shopping/ taking in children which means leaving doors open to walk to and front the distance. It would be better to rotate the houses and have rear gardens at the back and parking to the front which is in closer proximity and has better surveillance.

There should not be more than 2 plots sharing an access pathway located between dwellings, where the number exceeds this, front bin storage should be provided for the 3rd dwelling or a change in the design to allow for an individual access gate for one of the dwellings. Where gates are set back installing a shared 1800mm high lockable gate along the front building line restricts access from the front of the dwelling.

Footpath link.

The footpath link between plots 4/5 should be gated at the front building line with an 1800mm high lockable gate and the same at the rear, so that this area is secured and under the ownership of these two plots, which prevents any desire lines or stranger access.

Surveillance of parking.

For plots 17 and 18, as noted above, changing the boundary type so this has a 10-15mm spacing between the panels or an 1500mm boundary with spacing and 300mm high trellis may increase surveillance levels into the parking bays of these plots. Plot 18s garden boundary should be taken forward to the pathway line and an inward opening 1800mm high lockable gate located here for immediate access for this plot.

If the boundary line for plot 17 is moved to the end building line of the garage, this would allow a pedestrian access door to be fitted in the rear of the garage for access, which allows an 1800mm high lockable gate access to be located along the front building line (right side) of the dwelling for access. If garages are automated, there should be a press release to open the garage door from the inside.

House types with an undercroft.

Having viewed the house types there are two types Knebworth drive through and Galloway drive through which show an open parking space beneath with a first floor above. Its unclear from the plans where these are located. If this house type remains, it needs to be made clear where it is positioned on the site plan and the space below which is intended for parking should be fully enclosed with an automated garage door to the front, and solid stone wall at the rear.

Public open space.

The areas of public open space should include a good management / maintenance plan. The area shown with the pond should include fencing around this location and planting to prevent any access for children.

External lights.

The access roads, pathways and routes through the open spaces including parking courts should include a good lighting level to increase visibility of these areas

### Clean Air Plan

Under the provisions of the Low Emission Strategy planning guidance all major developments are required to provide 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/m<sup>3</sup> (the annual average health-based objective is 40ug/m<sup>3</sup>).

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/m<sup>3</sup> for nitrogen

dioxide and 0.12µg/m<sup>3</sup> for PM<sub>10</sub>. 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.

#### Parks & Greenspaces Development

Whilst it is not possible for Parks & Greenspaces to secure financial contributions through Section 106 Agreements, the proposed development will have a significant impact on the

surrounding facilities due to 112 new residential units and a financial contribution will be sought from the CIL funds to help mitigate these impacts. If the developer is looking to provide new public open space they will be required to maintain the areas themselves and a full landscape management plan will need to be produced and agreed as part of the planning process. If the developer is looking to the Council to maintain any new areas of public open space prior agreement is required as part of the planning process and a commuted sum will be required to maintain the areas for the next 25 years.

#### Biodiversity

To be provided verbally.

#### Lead Local Flood Authority

The LLFA does not have any objections to the proposed development, if flood risk/drainage conditions are included with any grant of planning permission.

#### Yorkshire Water

If planning permission is to be granted conditions should be attached to protect the local aquatic environment.

The submitted FRA & Surface Water Strategy require amendments but if planning permission is granted the matter can be dealt with via conditions.

#### 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 several 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 several 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 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.

### Childrens Services

Overall, 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 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 Children's Services, may be used to expand provision where required to accommodate any additional children.

### Transport Planning

The submitted Travel Plan is comprehensive but should include reference to the MCard and the installation of a power point in Each dwelling to charge battery powered cars.

### WYCA

To encourage use of sustainable transport the developer needs to fund a package of sustainable travel incentives to encourage use of sustainable modes of transport. The fund to be used to purchase discounted Metrocards. The normal MCard scheme applied as bus only, contribution for this development would be £20,460.

### WYAAS

Both an archaeological desk-based assessment and heritage impact statement have been carried out on the application site and a larger parcel of land.

The site lies in an area of archaeological potential with evidence of past activity from the Neolithic and Bronze Ages close to the application site (MWY13537 and 10660). The sites position on a south facing slope above the River Aire would potentially have made it attractive to settlement and other activities thin all periods.

The historic Ordnance Survey map dating to c. 1850s show evidence of long narrow property divisions pointing to cultivation during the medieval period. By this time some enclosure is likely to have taken place and fields defined by a succession of drystone walls and hedges (as recorded south of Hawber Cote Lane EWY7994 where a succession of boundaries and land improvements were recorded). Distinctive field barns are also present in adjacent fields from at least the mid-19th century. The applicant's heritage impact statement identifies these elements of the landscape and their underlying medieval origins.

These recent agricultural uses may mask archaeological evidence of earlier activity. This was the case at Belton Road, Silsden, where an early Bronze Age burial mound and Iron Age landscape were recorded to be overlain by later cultivation and boundaries. We would recommend a programme of archaeological evaluation is carried out in advance of determining the planning application. The applicant's archaeological desk-based assessment also makes this recommendation.

This evaluation would comprise a geophysical survey and the excavation of a number of archaeological evaluation trenches. This should be carried out prior to determining the application.

Following this the WYAAS will be able to make a better determination of the sites potential and recommend an appropriate approach which may range from refusal, a redesign of proposals to permit preservation in situ, preservation by record (an archaeological excavation or record) or no further work.

Should permission be granted then any further necessary work can be secured by an appropriate condition on any consent.

### **Summary of Main Issues:**

- Principle of Development
- Housing Land Supply
- Density
- Design & Layout
- Effect on Residential Amenity
- Highways & Transportation
- Affordable Housing
- Biodiversity
- Impact on Landscape & Trees
- Drainage & Flooding
- Public Rights of Way
- Community Engagement
- Other Issues raised by representations

### **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 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's defined settlement boundary. There are also no other planning or environmental designations covering the site.

In acknowledging that the application site is green field, the NPPF states para.11 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.

As the Local Plan does not currently include allocations, it is para 11d of the NPPF, that is applied in decision taking. Accordingly, there is no clear reason for refusing the application when applying policies in the NPPF, nor would any adverse impacts associated with the proposed development, significantly or demonstrably outweigh the planning and public benefits that would be secured should planning permission be granted.

The benefits of the proposed development include- delivery of 138 new homes (including 28 affordable homes) across a range of house types, sizes and tenures would make a substantive contribution to meeting the District's housing need and five year housing land supply within the context of a chronic and acute shortfall in housing land supply and housing delivery; the delivery of a high-quality development; a range of socio-economic benefits, including the creation of open space and pedestrian/cycle routes, as well as the creation of jobs relating to the construction of the development and increased expenditure for local businesses as a result of new residents living in Silsden.

Policy HO2 of the adopted Core Strategy confirms that housing targets for Bradford District will be met by several sources. Specifically, this includes safeguarded land sites identified in the RUDP. Given the application sites previous safeguarded land allocation, the adopted Core Strategy therefore intends for the application site to form part of CBMDC's housing land supply now. The site's suitability for housing development is also not dependent on the adoption of a Part 2 Plan, which is no longer being advanced by the Council. This is seen to further demonstrates the in-principle support for housing development on the application site.

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

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 statutory policies including the NDP.

### Housing Land Supply

Paragraph 60 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 considering 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 normally 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 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.

ii) There are differing housing type needs in Bradford. 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 & Layout

Prior to the submission of the planning application in Summer 2022, the applicant undertook a Design Review of its proposal with Integreat Plus, the then independent design review provider for Yorkshire & the Humber. Design review is recognised in the NPPF as a tool to improve design outcomes in the built environment and can help design teams and local authorities to better achieve the principles set out in the NPPF and the National Design Guide. Through workshops and meetings, the design review process has resulted in several positive changes to the design and layout of the proposed development.

A 3-stage Design Review was carried out during the development of the masterplan proposals as outlined in the following pages. The format of the Design Reviews included conceptual proposals, a Building for a Healthy Life approach and more detailed design work.

The Design Review concluded that the design process and initial approach taken by the project team is commended by the Panel, notably the multi-disciplinary collaboration and the landscape-led nature of the work undertaken so far. Thorough site and contextual analysis has informed the initial design response and the key principles and aspirations for the project are credible and laudable.

Subsequently, the application has been subject to further design and layout amendments requested by statutory consultees including Highways, Landscape, Biodiversity and Trees. No concerns on design & layout have been raised by those consultees and it is considered that the application would accord with policies DS1, DS2, DS4, DS5 of the Core Strategy; policies SWES2 and SWES5 of the Steeton-with- Eastburn & Silsden Neighbourhood Development Plan.

In conclusion the development is 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.

### 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 overlooking or overshadowing of residents.

### 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 revised to ensure that they are representative of the post-Covid situation. Traffic from several local approved development sites (including the nearby Skipton Properties development) have also 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 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 is demonstrated by the TA, that the Bolton Road site access junction would operate safely, when all 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 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 & 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 would be further enhanced by the 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, bike 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. (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 is safeguarded).

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.

In conclusion, para. 110 of the NPPF 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 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.

The application provides for a number of opportunities to promote sustainable modes of transport – residential Metrocards; a financial contribution to the Council to assist with the provision of a new pedestrian/cycling bridge across the A629 improving links to Steeton and Silsden railway station and National Cycle Network Route 69 along the Leeds Liverpool Canal towpath; provision of footpath along the Bolton Road Site frontage; provision of a footpath to the south of the Hawber Cote Lane access into the site.

The means of access to the site are safe and suitable to the development and its location. The design of streets, parking and other transport elements reflect current guidance. Any significant impacts on the transport network and highway safety have been acceptably mitigated. The application meets the Core Strategy policies TR1 and TR3.

#### 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 within the supporting Planning Statement, it 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. The application therefore meets the requirements of Policy HO11.

#### Biodiversity

The site is not 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 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 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. A financial contribution of £52,585 is calculated to mitigate the impact, and

the developer has confirmed that this would be provided via a Section 106 Agreement. It is considered that subject to the 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.

#### Impact on Landscape & Trees

A Landscape and Visual Impact Assessment (LVIA) Addendum was submitted to address comments received by the Council's Landscape Design Officer. The LVIA Addendum included updated viewpoints of the scheme from the area surrounding the application site.

In addition to the LVIA Addendum, the Landscape Masterplan (drawing no. 5937-99-004 LM Rev E) has been revised in response to consultee comments. Overall, the information submitted with the application and the additional LVIA Addendum and Landscape Masterplan submitted has resulted in a scheme that can be supported in terms of impacts on the landscape.

Following several revisions to the layout of the scheme, the layout has been agreed with the Tree Officer who raises no objection subject to conditions.

#### Drainage & Flooding

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 considered.

The LLFA and Yorkshire Water 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.

Through the imposition of planning conditions, the development would 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.

#### Public 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.

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.

There is representation in respect of a 'claimed footpath'. This is at an early stage of the PRoW application process, and there would be an opportunity to divert this footpath if the proposed Order is made.

#### Community Engagement

The main focus of the applicant's community engagement process was to undertake a digital consultation event in relation to the development proposals. This approach was to provide residents with an opportunity to:

- Obtain further information about the proposals, without the need to attend a face-to-face exhibition considering the COVID-19 pandemic; and
- Comment on the emerging development scheme.

A leaflet providing details of the consultation website, and the dates between which residents could provide feedback, was distributed to all postal addresses within Silsden on 13th September 2021 to publicise the launch of the website and invite feedback on the proposed scheme. This comprised over 4,200 homes and businesses. A QR included on the leaflet code could be scanned to direct people to the website. A leaflet and letter were also emailed directly to the Local Ward Councillors alongside a covering letter informing them of the proposals and inviting them to take part in the online consultation event. The leaflets were delivered, and the website was available to view from 13th September 2021, with comments to be made by the 4th October 2021.

The consultation website (<https://www.boltonroadsilsden.co.uk/>) was created to allow members of the public to view and comment on the detailed elements of the proposal online. The website was launched on 13th September 2021 after delivery of the consultation leaflet to all homes and businesses in the Silsden area.

The consultation website provided information on the site's context and the detailed elements of the scheme (including proposed layout, scale, appearance, material strategy

and accessibility). Plans, visuals, and photos were included to help visualise the revised proposals. The website also provided an online survey through which feedback on the proposals could be made until 4th October 2021.

In the period between the website 'going live' (13th September) and the consultation period ending (4th October), the consultation website was visited by 2,699 different users and a total of 1,044 written responses were received via the online survey. Further visits have been made to the website, which remains live, since this time.

The number of visitors and responses to the consultation are seen to demonstrate that details of the consultation were effectively publicised and resulted in an appropriate level of engagement with the local community.

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 therefore met.

#### Other Matters Raised in Representations

##### *Compliance with the NDP*

The SWES Neighbourhood Development Plan (NDP) does not include any land use allocations, proposals or designations that relate specifically to the application site, and Policy SWES1 of the NDP provides in-principle support for housing development on sites within Silsden's settlement boundary, subject to conformity with other statutory policies of the Development Plan. Specifically, Paragraph 5.4 of the Neighbourhood Plan states that: "Given the Green Belt constraints, the NDP will support growth in Steeton with Eastburn and Silsden within the existing settlement boundary, as shown on the Policies Map, and will seek to influence the form and type of new housing development in the area up to 2030."

The application proposals are considered to comply with the policies of the adopted Steeton with Eastburn and Silsden Neighbourhood Development Plan as detailed above, p.20-23.

##### *Site in Green Belt*

The application site allocated as safeguarded under Policy UR5 of the RUDP, adopted in 2005. Whilst the safeguarded land allocation was not saved and carried forward when the Core Strategy was adopted in 2017, until the Local Plan is adopted, the site remains unallocated. The site is therefore not located in the Green Belt.

Furthermore, Policy HO2 of the Core Strategy confirms that housing targets will be met by several sources, including former safeguarded land sites in the RUDP. Given the site's previous safeguarded land allocation, the adopted Core Strategy includes such sites to form part of the Council's housing land supply.

(The site remains within the settlement limits of Silsden, as defined by the Steeton with Eastburn & Silsden NDP, there are no other planning or environmental designations covering the site).



### *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, and Yorkshire Water. No objections have been raised and subject to imposing the recommended conditions the development would not result in increased flooding or surface water run-off.

### *Loss of greenfield*

The Council's evidence base is clear that housing needs across the Bradford District and Silsden cannot be met solely on previously developed land. The Council's most recent Strategic Land Assessment (dated January 2021) identifies that there is only capacity for 212 homes to come forward on previously developed land in Silsden, against a Core Strategy requirement of 1,200 new homes. Therefore, whilst it is acknowledged that there would be the loss of greenfield, the development of brownfield sites alone would not meet the requirement for new homes in the Development Plan.

### *Impact on highways safety*

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, because 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.

The primary site access junction on Bolton Road has been designed to relevant 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 and satisfactorily in the future design year when all the proposed development is built out. The extension of Hawber Cote Drive and provision of a formal turning head will provide a betterment to the operation of the existing local highway network. The development proposals are suitable to cater for emergency vehicle access.

In conclusion, the proposed measures within Silsden town centre along with the design of the access arrangements at the site would not result in any adverse impact on highway safety. In addition, the provision of a pedestrian/cycle bridge over the A629 would provide a far safer route across the A629, to the benefit of pedestrians and cyclists travelling between the train station and Silsden and beyond.

### *Transport and connectivity*

Several pedestrian/cycle connections will be provided to the application site from Bolton Road, Hawber Cote Drive and Hawber Cote Lane as well as connections to existing Public Rights of Ways (PRoWs). It is also proposed to provide a 2.0m footway along the Bolton Road Site frontage which would benefit both existing residents in Silsden and also residents from the application site.

The existing bus services would be within a short walk of the proposed development, and it is proposed to include a new bus shelter and footway widening at the bus stop.

Accessibility by rail would be further enhanced by the Council's proposals to provide a footbridge over the A629 at the Keighley Road roundabout (for which the proposed development is contributing £100,000 in funding)

### *Impact on wildlife*

Whilst bats have been recorded in the 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.

The Biodiversity Officer is satisfied with the response to previous issues raised, and the inclusion of additional hedgerow planting on and off-site.

#### *Effect on Footpaths*

In 2022 the Rights of Way Section received an application to legally record as a public footpath a route linking Footpath 45 Silsden at Hawber Cote Drive to Footpath 34 Silsden, marked on the Ordnance Survey base maps as path (um). The application was supported by evidence of use by members of the public. This application, made under the Wildlife and Countryside Act 1981, is currently under further investigation.

Any proposed changes to the public rights of way network would be subject to a separate application and public consultation process. Where objections are received this could result in a public inquiry to resolve. (No development affecting the routes of the footpaths would take place until a diversion/stopping up order has been successfully obtained).

#### *Impact on Hedgerows/Trees*

The application has been the subject of consideration by both the Councils Trees Team and Biodiversity Officer. Following revisions to the scheme, the Tree Officer has offered no objection to the proposal subject to conditions. The applicant has agreed to complement the existing hedgerow system with additional hedge planting. This is supported by the Biodiversity Officer.

#### *Lack of school places/Medical & Dental services*

In considering the planning application, Childrens Services has confirmed that the proposed development could be accommodated, in terms of providing 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'/dentists, this is a matter for the NHS, not the Council and it is for the NHS to plan for any increased demands on its services.

#### **Options:**

The Committee can approve the application as recommended, subject to the completion of a Section 106 Agreement, and conditions included in the recommendation or refuse the application. If the application is refused, reasons for refusal would have to be provided.

#### **Not for publication documents:**

None

#### **CIL**

Based upon 138 new dwellings, circa £300,000 – £350,000 in CIL payments would be generated to assist with funding improvements to local infrastructure. As Silsden benefits from an adopted Neighbourhood Plan, 25% of the total CIL payments (i.e. circa £75,000 – £87,500) could be allocated directly to the local community.

## **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; drainage; trees/hedgerows; public rights of way; landscape; 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 Core Strategy policies –

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  
Sub Area Policy AD1 – Airedale  
TR1- Travel Reduction and Modal Shift  
TR2- Parking Policy  
TR3- Public Transport, Cycling and Walking  
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  
H09-Housing Quality  
HO11- Affordable Housing  
EN2- Biodiversity and Geodiversity  
EN4- Landscape  
EN5- Trees and Woodland  
EN7- Flood Risk  
EN8- Environmental Protection  
DS1- Achieving Good Design  
DS2-Working with the Landscape  
DS3- Urban Character  
DS4- Streets and Movement  
DS5- Safe and Inclusive Places  
ID3- Developer Contributions  
ID7 – Community Involvement

## **Section 106:**

### Planning Obligations

A Section 106 has been drafted to include the following obligations -

- 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 several 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](mailto: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: 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 because 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.
- e.

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: 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: 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.