

# Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of the Regulatory and Appeals Committee to be held on 15 December 2016

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## Subject:

This is a full planning application for the construction of a five-storey building containing 28 dwellings together with associated car park, landscaping and access on land at 1023 Harrogate Road, Bradford.

## Summary statement:

This development represents a significant improvement to the appearance of this site adjacent to the Leeds-Liverpool Canal Conservation Area. The development would also not be harmful to residential amenity and subject to amendments to an existing Traffic Regulation Order to the site frontage it would also not be harmful to highway safety. The proposal also includes a contribution towards the improvement or maintenance of recreational infrastructure at Apperley Road playing fields. Subject to conditions and a Section 106 Legal Agreement the proposal is recommended for approval.

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## Portfolio:

Regeneration, Planning and Transport

## Overview & Scrutiny Area:

Regeneration and Economy



**1. SUMMARY**

This is a full planning application for the construction of a five-storey building containing 28 dwellings together with associated car park, landscaping and access on land at 1023 Harrogate Road, Bradford.

**2. BACKGROUND**

Attached at Appendix 1 is a copy of the Officer's Report which identifies the material considerations of the proposal.

**3. OTHER CONSIDERATIONS**

N/A

**4. OPTIONS**

This Committee has the authority to approve or refuse this development

**5. FINANCIAL & RESOURCE APPRAISAL**

There are no financial implications for the Council arising from this application.

**6. RISK MANAGEMENT & GOVERNANCE ISSUES**

No implications.

**7. LEGAL APPRAISAL**

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

**8. OTHER IMPLICATIONS**

**8.1 EQUALITY & DIVERSITY**

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

**8.2 SUSTAINABILITY IMPLICATIONS**

The site is located within the urban area of Bradford and is in a sustainable location and as such there are no implications for the Council.

**8.3 GREENHOUSE GAS EMISSIONS IMPACTS**

There are not considered to be any significant greenhouse gas emissions impacts caused by the proposed development.

#### **8.4 COMMUNITY SAFETY IMPLICATIONS**

The Community Safety Implications of the proposed development are considered in Appendix 1.

#### **8.5 HUMAN RIGHTS ACT**

Article 6 – right to a fair and public hearing. The Council must ensure that it has taken into account the views of all those who have an interest in, or whom may be affected by the proposal. This is incorporated within the report attached as Appendix 1.

#### **8.6 TRADE UNION**

None.

#### **8.7 WARD IMPLICATIONS**

There are no Ward implications posed by this development.

#### **9. NOT FOR PUBLICATION DOCUMENTS**

There are no 'not for publication' documents.

#### **10. RECOMMENDATIONS**

It is recommended that the Committee accept the recommendation of approval within the report attached as Appendix 1.

#### **11. APPENDICES**

Appendix 1: Report of the Strategic Director of Regeneration and Culture.

#### **12. BACKGROUND DOCUMENTS**

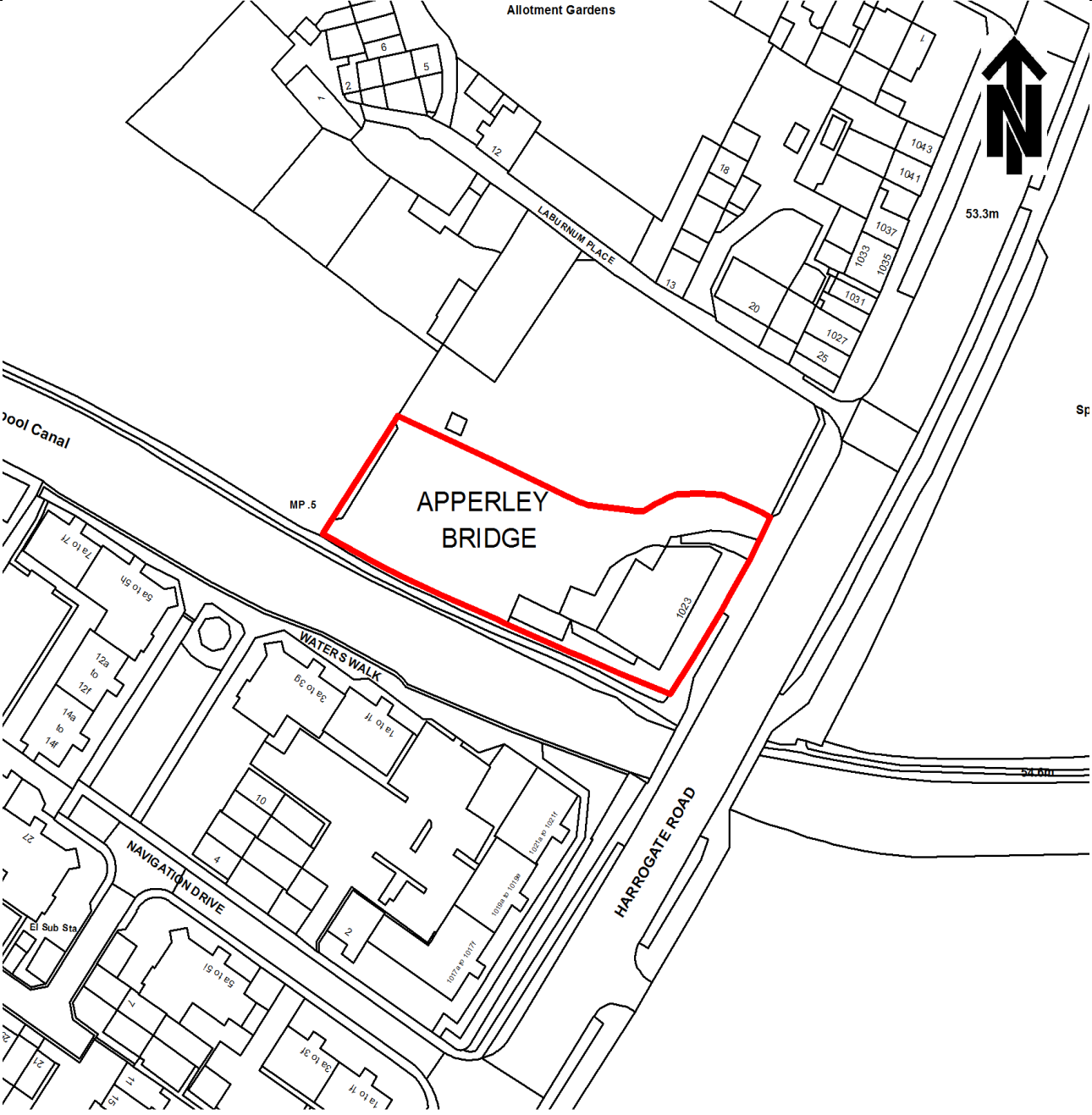
The Replacement Unitary Development Plan for Bradford District

National Planning Policy Framework

The Core Strategy Development Plan Document (Publication Draft- February 2014)

16/02062/MAF

**City of Bradford MDC**  
[www.bradford.gov.uk](http://www.bradford.gov.uk)



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**1023 Harrogate Road**  
**Bradford**  
**BD10 0NG**

15 December 2016

**Ward:** IDLE AND THACKLEY (WARD 13)

**Recommendation:**

**TO GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS AND A SECTION 106 LEGAL AGREEMENT**

**Application Number:**

16/02062/MAF

**Type of Application/Proposal and Address:**

This is a full planning application for the construction of a five-storey building containing 28 dwellings together with associated car park, landscaping and access on land at 1023 Harrogate Road, Bradford.

**Applicant:**

Mr Jim Murphy, Landstock Developments (Northern) Ltd

**Agent:**

Mr Simon Taylor, Den Architecture

**Site Description:**

The site is located to the west of Harrogate Road on the northern side of a bridge over the Leeds-Liverpool Canal. The site is set significantly lower than the road and currently accommodates a large workshop alongside the eastern boundary of the site and there is an existing vehicular access onto Harrogate Road to the north of this building. Immediately to the south is the Leeds-Liverpool Canal and beyond that is a relatively new residential development facing towards the site. There is open land to the east and playing fields to the west beyond Harrogate Road. Residential dwellings to the north are separated from the site by an area of open land. The site itself is relatively flat but the access slopes steeply up to Harrogate Road.

**Relevant Site History:**

12/04814/FUL - Renewal of permission 09/04313/FUL dated 04/12/2009: Demolition of workshop and outbuilding construction of twelve 3 and 4 bedroom town houses - Deemed withdrawn 05 March 2014

09/04313/FUL - Demolition of existing workshop and outbuilding construction of twelve 3 and 4 bedroom town houses - Granted

08/00503/REM - Construction of 5 storey building containing 24 dwellings together with associated car park, landscaping and access – Granted

05/07881/OUT - Development of residential site to provide 24 apartments and associated parking – Granted

## Development Plan Implications

On 10<sup>th</sup> October 2016 the Minister of State (Housing and Planning) issued a direction under section 21A of the Planning and Compulsory Purchase Act 2004 (inserted by section 145(5) of the Housing and Planning Act 2016) to the City of Bradford Metropolitan District Council not to take any step in connection with the adoption of the Core Strategy. The Holding Direction was triggered at the request of Philip Davies MP and allows the Minister time to consider the issues raised by him before determining whether to formally intervene under Section 21 of the 2004 Act. The direction will remain in force until it is withdrawn by the Minister or the Minister gives a direction under section 21 of the 2004 Act in relation to the Core Strategy.

The implications of this holding direction are that Section 21A of the Act states that the “document” (the Core Strategy in the case of BMDC) has no effect. It is the Council’s position that if and when the Secretary of State withdraws the holding direction then the Core Strategy will progress (on the basis of the recommendations by the Inspector appointed) to adoption. At present however there is no clear timescale given by the Minister for a resolution concerning the holding direction. Members therefore are advised not to take account of emerging Core Strategy Policies when determining this planning application.

## Replacement Unitary Development Plan (RUDP):

### **Allocation**

The site is unallocated on the Replacement Unitary Development Plan. The Leeds Liverpool Canal which adjoins the southern boundary of the site is designated as a site of ecological importance and is a Conservation Area. Harrogate Road is designated as a Transport Corridor and forms part of the Bus Priority Network and the National and Local Cycle Network.

### **Proposals and Policies**

Policy UDP1	<i>Promoting Sustainable Patterns of Development</i>
Policy UDP9	<i>Management of Pollution, Hazards &amp; Waste</i>
Policy UR2	<i>Promoting Sustainable Development</i>
Policy UR3	<i>The Local Impact of Development</i>
Policy H7 & H8	<i>Density</i>
Policy D1	<i>General Design Considerations</i>
Policy D4	<i>Community Safety</i>
Policy D5	<i>Landscaping</i>
Policy D10	<i>Transport Corridors</i>
Policy BH7	<i>Conservation Areas</i>
Policy TM2	<i>Impact of Traffic and its Mitigation</i>
Policy TM12	<i>Parking Standards for Residential Developments</i>
Policy TM19A	<i>Traffic Management and Road Safety</i>
Policy NE4	<i>Trees &amp; Woodland</i>
Policy NE5 & NE6	<i>Retention and Protection of Trees on Development Sites</i>
Policy NR16	<i>Surface Water Run Off and Sustainable Drainage Systems</i>
Policy NR17	<i>Groundwater Protection</i>

Policy NR17A  
Policy P7

*Water Courses and Water Bodies*  
*Noise*

**The National Planning Policy Framework (NPPF):**

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

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

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

**Parish Council:**

The site is not in a Parish.

**Publicity and Number of Representations:**

The application was initially publicised by neighbour notification letters, a press advertisement and a site notice. This first period of publicity expired on 01 July 2016 and attracted 5 representations including one from a Ward Councillor which objects to the proposals and requests the application be referred to Committee if officers are minded to approve the scheme.

Following receipt of amended plans the application was publicised with neighbour notification letters for a 14 day period. This second period of publicity expired on 31 October 2016 and no further objections have been received to date.

**Summary of Representations Received:**

- The proposed building will introduce habitable room windows which would overlook, overshadow and result in a loss of amenity for residents on Laburnum Place and on the other side of the canal.
- The style of the proposed building would be at odds with the stone properties on Laburnum Place.
- The proposed building would span the clear space between the newer properties to the south of the canal and the stone properties to the north.
- The proposed building will be out of character with the surrounding area and would be taller than the Apperley Court to the south. The proposed building should be no more than 3 storeys in height

- The proposal will result in the canal being enclosed on both sides which would be very intrusive and aesthetically displeasing.
- The proposal does not provide sufficient car parking to accommodate the number of properties on site.
- Access to the site is poor particularly in regards to visibility towards the canal bridge.
- There is very little green space in this whole area.
- The proposed development would add traffic to the already very busy Harrogate Road.
- Since the floods residents in the area are very concerned about the extra load on the systems/utilities.

**Consultations:**

Design & Conservation - Following receipt of amended drawings the proposal would not be harmful to the character of the Leeds-Liverpool Canal Conservation Area subject to conditions to secure details of the facing and roofing materials and other design details.

Yorkshire Water - No objections are raised subject to a condition which requires the development to be carried out in accordance with the Flood Risk Assessment submitted with the application.

Drainage - Following receipt of revised information, no objections are made subject to conditions relating to approval of foul and surface water drainage details and the approval of a surface water drainage maintenance and management statement.

Planning & Highways Access Forum - Consider repositioning disabled parking closer to the main doors and the main entrance door and the door to the bin storage area appear to be narrow.

Highways Development Control - Following a series of revisions to the proposal no objections are raised to the proposal subject to conditions and amendment to an existing Traffic Regulation Order (TRO) which currently allows vehicles to park on the footway. The cost of the TRO is to be borne by the applicants.

Trees Section - None of the vegetation on site is protected by a preservation order or within a conservation area. It is also of low quality and little amenity value. No objections are raised.

Environmental Health Land Contamination - The submitted report was prepared in 2008 and it is not known whether the site has continued to be used for vehicle storage and maintenance or any other potentially contaminative uses. As a consequence it is recommended that a series of conditions requiring further intrusive surveys are attached to any approval of this application. Subject to these no objections are raised to the proposal.

Parks & Landscapes - A recreation contribution of £20,622 is requested for the provision and enhancement of existing recreational facilities and infrastructure work including drainage works, footpath works and fencing at Apperley Road playing fields. It is also noted that a landscape management plan for on-site landscaping should be the subject of a condition on any approval.



Education - The proposal would only bring in a very small number of additional pupils most likely to be of primary school age. Parkland Primary School is currently being expanded and so there is considered to be sufficient capacity for this small number. No request for a contribution towards further expansion is therefore made.

Housing - Request 20% of the units to be delivered at an affordable rent through a Registered Provider.

Economic Development Service - On the evidence provided the land value is not considered excessive and all other costs are in line with expectations. The applicants offer a sum of £20,000 towards a Section 106 contribution. The development would see the reuse of an underused brownfield site in an area of Bradford where demand for residential properties is high and the offer is acceptable.

Rights of Way - Bradford North Public Footpath 88 abuts the site and the proposals do not appear to adversely affect this right of way.

Canal & River Trust - Consider the principle of the development has been set by previous approvals. Conditions to secure details of the proposed foundations, landscaping and external surfaces are requested.

West Yorkshire Combined Authority - Request contributions towards a new bus shelter (£10,000), a new 'live' bus information displays (£10,000) and discounted Residential MetroCards (£13,475).

West Yorkshire Police - No objections but would like the development to follow 'secured by design' guidelines. Conditions are required related to the provision of an access control system and boundary fencing.

**Summary of Main Issues:**

1. Principle of the Development
2. Visual Impact
3. Residential Amenity
4. Highway Safety
5. Contamination
6. Flood Risk & Drainage
7. Contributions
8. Other Issues Raised in Representations

**Appraisal:**

**1. Principle of the Development**

This site is unallocated on RUDP and so is not protected for any particular uses other than those which accord with the general policies of the plan. The surrounding area to the north and south is mainly residential and so the proposed residential use is considered to be appropriate. It is also well publicised that Bradford has experienced a sizeable and persistent under delivery of housing for many years and also does not have a five-year supply of deliverable sites as required by the NPPF. The principle of residential

development on this site is therefore considered to be acceptable. The site has an area of 0.22 ha and the proposed development would achieve a housing density of around 112 dwellings per hectare. This is in line with the requirements of Policies H7 and H8 of the RUDP which require the efficient and effective use of land. Overall the principle of the development is therefore considered to be acceptable subject to its local impact.

## **2. Visual Impact and Impact on the Conservation Area**

In considering the proposals for this site, the duties of the Planning (Listed Buildings and Conservation Areas) Act 1990 must be borne in mind: To pay special attention to the desirability of preserving or enhancing the character of the conservation area (Section 72). Further, the NPPF at para.131 states the need to take account of: 'the desirability of sustaining and enhancing the significance of heritage assets...' and 'the desirability of new development making a positive contribution to local character and distinctiveness.' And, Policy BH7 of the RUDP is equally clear that: 'development within or which would affect the setting of conservation areas will be expected to be of the highest standards of design and to preserve or enhance the character or appearance of the conservation area.'

The site currently accommodates a rather unsightly industrial workshop to the eastern section of the site and an open yard to the west. The current application proposes to remove this unsightly structure and construct a five-storey apartment block on the western part of the site. The eastern part of the site would then accommodate the car parking area with the access to Harrogate Road remaining in its current position. Revised drawings have been received which significantly improve the elevations with a more coherent window pattern and two four-storey projecting bays to the southern canal-side elevation. This results in a much tidier appearance than originally proposed and adds features which break up the massing of the building facing the canal. The submitted drawings also show that the proposed building would be no taller than the residential buildings opposite and with the re-designed elevations the proposed building relates well with these buildings. Combined with a well designed landscaping scheme and subject to appropriate detailing the current proposal would represent a significant improvement to the character of the area and the setting of the Leeds-Liverpool Canal Conservation Area.

## **3. Residential Amenity**

The nearest residential units are on the opposite side of the canal which even at their nearest point retain a distance of more than 20m between habitable room windows. There are also residential properties on Laburnum Place to the north but these are in excess of 50m from the proposed building. There is open land to the west and a sports ground on the other side of Harrogate Road to the east. The Council normally requires separation distances of 17m between habitable room windows and 7m to boundaries with private amenity space and so the proposal is unlikely to result in any significant levels of overlooking or loss of outlook to neighbouring residential properties. It is however considered to be prudent to limit the hours of construction to give residents some respite from construction activity. Subject to this the proposal is not considered to be harmful to residential amenity.

#### **4. Highway Safety**

The application proposes a 41 space car park to serve these 28 apartments which is one space short of the 1.5 spaces per dwelling required within appendix C of the RUDP. It is noted that this site is sustainably located with good access to the public transport network include the new Apperley Bridge railway station which is a short distance to the north of the site. Consequently an adequate level of car parking is considered to be provided to cater for the development.

The existing vehicular access onto Harrogate Road is to be used and visibility to the south is to be improved by an amendment to an existing Traffic Regulation Order (TRO) to remove the right to park on the pavement to the front of the site. The applicant has agreed to fund the promotion of this amendment and a sum of £7,000 will be secured within a Section 106 Legal Agreement. The application also proposes a footway alongside the vehicular access to provide safe pedestrian access.

An objection has been received to the development relating to increased traffic on Harrogate Road. It is acknowledged that Harrogate Road is a busy road which forms one of the main thoroughfares into the city. The proposal may increase the amount of traffic compared to the current use on the site however it is unlikely to be to such a degree as to result in harm to highway safety. Consequently subject to a series of conditions and the provision of the TRO the proposal is not considered to be harmful to highway safety.

#### **5. Contamination**

The site currently comprises a large garage building used for the storage and maintenance of heavy goods vehicles and a hard standing. The application includes a contamination report which investigates past uses and the likelihood of contaminated land being present. This report dates back to 2008 and was prepared for the development of the site to form twelve houses rather than the apartment block currently proposed. The report is useful in providing some background of the potential level of contamination however much could have changed in the eight years since the report was prepared. As a consequence a series of conditions are required to secure further intrusive investigation and remediation reports. Subject to these conditions the proposal is considered to comply with Policy UR3 of the RUDP and paragraph 121 of the NPPF.

#### **6. Flood Risk & Drainage**

The site is close to land which flooded in December 2015 however sufficient information has now been received which confirms that this site did not flood over this period and the development is unlikely to increase the likelihood of flooding in this area. As a consequence, subject to conditions which secure details of foul and surface drainage details and a surface water drainage maintenance and management document the proposal is considered to be acceptable.

#### **7. Contributions**

The proposed development is of a scale which would normally attract contributions towards affordable housing, education and recreation facilities. The following contributions have been requested:

Recreation - £20,622 towards the provision or enhancement of existing recreational facilities and infrastructure work at Apperley Road Playing Fields.

Affordable housing - Require the on-site provision of six units through a registered provider at affordable rent.

West Yorkshire Combined Authority - Request contributions towards a new bus shelter (£10,000), a new 'live' bus information displays (£10,000) and discounted Residential MetroCards (£13,475).

It is noted that a contribution towards education facilities is not requested in this case as the small size of the units would likely only bring in a very small number of additional pupils of primary school age. Parklands Primary School is currently being expanded and so there is considered to be sufficient capacity to cater for this small number.

The applicants have provided a detailed viability appraisal which concludes that a sum of £20,000 can be offered for social contributions without prejudicing the viability of the scheme. The appraisal has been reviewed by the Council's Economic Development Service and they have advised that its findings are robust.

It is noted that from this figure a sum of £7,000 is required for the amendment to the TRO described earlier in this report which leaves £13,000 to allocate elsewhere. It has not been demonstrated that a registered provider would want apartments in this area and in any case a figure of £20,000 would be unlikely to be sufficient to provide even one affordable unit. It is noted here that should this development proceed the Council would receive appropriate funding from the New Homes Bonus upon occupation of the development.

With regard the request from the Combined Authority, the site is very sustainably located with access to regular buses and the Apperley Bridge railway station. It is noted also that S106 funding due to scheme viability is extremely limited in the case of this scheme and the Committee would need to be mindful of prioritising available sums of money. Therefore in this case it is not considered necessary to seek improvements to bus shelters and require the provision of residential MetroCards.

As a result of the above it is recommended that the remaining £13,000 is put towards the improvement of local recreational infrastructure. This contribution together with the TRO sum will need to be secured within a Section 106 Legal agreement.

### **8. Other Issues Raised in Representations**

- The proposed building would span the clear space between the newer properties to the south of the canal and the stone properties to the north.

Response - Sufficient open space is retained to the properties to the north to avoid any negative impact on their character or setting.

- There is very little green space in this whole area.

Response - The proposal does not involve construction on green land and a contribution towards improvements of infrastructure at Apperley Road playing fields is to be provided.

**Community Safety Implications:**

The proposal does not present any community safety implications.

**Equality Act 2010, Section 149:**

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

**Reasons for Granting Planning Permission:**

The proposed development as amended is considered to represent a significant improvement to the character of the surrounding area and the setting of the Leeds-Liverpool Canal Conservation Area. It is also not considered to be harmful to neighbour's amenities and highway safety. Consequently the proposal is considered to comply with Policies UPD1, UPD9, UR2, UR3, H7, H8, D1, D4, D5, D10, BH7, TM2, TM12, TM19A, NE4, NE5, NE6, NR16, NR17, NR17A, P7 of the RUDP and the NPPF.

**Heads of Terms for Section 106 Agreement:**

Section 106 Agreement to include:

- i) £13,000 to be invested in existing recreational infrastructure at the Apperley Road playing fields.
- ii) £7,000 to fund the promotion of the proposed amendment to the Traffic Regulation Order to remove the right to park on the kerb.

**Conditions of Approval:**

1. The development to which this notice relates must be begun not later than the expiration of three years beginning with the date of this notice.

Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. Before development commences on site, arrangements shall be made with the Local Planning Authority for the inspection of all 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 UR3, D1 and BH7 of the Replacement Unitary Development Plan.

3. Before development commences on site a detail of the proposed UPVC box eaves and soffit shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure the use of appropriate detailing in the interests of visual amenity and to accord with Policies UR3, D1 and BH7 of the Replacement Unitary Development Plan.

4. The eaves, bargeboards and windows shall have a dark coloured finish.

Reason: To ensure the use of appropriate detailing in the interests of visual amenity and to accord with Policies UR3, D1 and BH7 of the Replacement Unitary Development Plan.

5. All window frames shall be set at least 120mm into their reveals.

Reason: To ensure the use of appropriate detailing in the interests of visual amenity and to accord with Policies UR3, D1 and BH7 of the Replacement Unitary Development Plan.

6. Before any part of the development is brought into use, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced, sealed and drained within the site in accordance with the approved plan numbered 2897-100-D and completed to a constructional specification approved in writing by the Local Planning Authority.

Reason: To ensure that a suitable form of access is made available to serve the development in the interests of highway safety and to accord with Policy TM19A of the Replacement Unitary Development Plan.

7. Before any part of the development is brought into use, the vehicle turning area shall be laid out, hard surfaced, sealed and drained within the site, in accordance with details shown on the approved plan numbered 2897-100-D and retained whilst ever the development is in use.

Reason: To avoid the need for vehicles to reverse on to or from the highway, in the interests of highway safety and to accord with Policy TM19A of the Replacement Unitary Development Plan.

8. Before any part of the development is brought into use, the footway hereby approved shall be laid out in accordance with details shown on the approved drawings and street lighting installed to a specification to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway and pedestrian safety and to accord with Policies TM2 and TM19A of the Replacement Unitary Development Plan.

9. Before any part of the development is brought into use, the proposed car parking spaces shall be laid out, hard surfaced, sealed, marked out into bays and drained within the curtilage of the site in accordance with the approved plan numbered 2897-100-D and to a specification to be submitted to and approved in writing by the Local

Planning Authority. The car park so approved shall be kept available for use while ever the development is in use.

Reason: In the interests of highway safety and to accord with Policy TM12 of the Replacement Unitary Development Plan.

10. The development shall not be brought in to use until all best endeavours have been undertaken to amend the existing Traffic Regulation Order (TRO) to the remove the right to park on the pavement as shown on the approved drawing. A scheme indicating the extents and full details of the amendment to the TRO shall first be agreed with and approved in writing by the Local Planning Authority.

Reason: In the interest of highway and pedestrian safety and to accord with policy TM19A of the Replacement Unitary Development Plan.

11. Prior to development commencing, a Phase 2 site investigation and risk assessment methodology to assess the nature and extent of any contamination on the site, whether or not it originates on the site, must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to comply with policy UR3 of the Replacement Unitary Development Plan.

12. Prior to development commencing the Phase 2 site investigation and risk assessment must be completed in accordance with the approved site investigation scheme. A written report, including a remedial options appraisal scheme, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy UR3 of the Replacement Unitary Development Plan.

13. Unless otherwise agreed in writing with the Local Planning Authority, prior to development commencing 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 UR3 of the Replacement Unitary Development Plan.

14. Unless otherwise agreed in writing with the Local Planning Authority, a remediation verification report 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 the development.

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy UR3 of the Replacement Unitary Development Plan.

15. In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, an investigation and risk assessment must be undertaken, details of which must be submitted to the Local Planning Authority for approval in writing before the expiration of 1 month from the date on which the contamination was found. If remediation is found to be necessary, a remediation scheme must be prepared and submitted to the Local Planning Authority for approval in writing; following completion of measures identified in the approved remediation scheme and prior to the commencement of the use of the approved development a verification report must be prepared and submitted to the Local Planning Authority for approval in writing.

Reason: To ensure that risks from land contamination are minimised, in accordance with policies UR3, NR17 and NR17A of the replacement Unitary Development Plan and paragraph 121 of the National Planning Policy Framework.

16. 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. Relevant evidence and a quality control verification report shall be submitted to and is subject to the approval in writing by the Local Planning Authority.

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 UR3 of the Replacement Unitary Development Plan.

17. The development shall not begin until details of a scheme for separate foul and surface water drainage, including any balancing works or off-site works, have been submitted to and approved in writing by the Local Planning Authority. Surface water must first be investigated for potential disposal through use of sustainable drainage techniques and the developer must submit to the Local Planning Authority a report detailing the results of such an investigation together with the design for disposal of surface water using such techniques or proof that they would be impractical. The scheme would also be required to demonstrate that there is no resultant unacceptable risk to controlled waters. The scheme so approved shall thereafter be implemented in full before the first occupation of the development.

Reason: To ensure proper drainage of the site and to accord with policies UR3 and NR16 of the Replacement Unitary Development Plan.

18. The development shall not begin until a document setting out the maintenance and management of surface water drainage serving the development has been



submitted to and approved in writing by the Local Planning Authority. The surface water drainage infrastructure shall thereafter be managed in accordance with the agreed document.

Reason: To ensure proper management and maintenance of the surface water drainage of the site and to accord with policies UR3 and NR16 of the Replacement Unitary Development Plan.

19. Prior to the commencement of the development hereby permitted a strategy to control access to the apartments shall be submitted and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details and the access control strategy shall be enforced whilst ever the development subsists.

Reason: In order to ensure a safe environment for prospective occupants in accordance with Policy D1 of the Replacement Unitary Development Plan.

20. The development shall not begin until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall show the following details:

- i) Position of trees to be felled, trees to be retained, proposed trees and defined limits of shrubs and grass areas.
- ii) Numbers of trees and shrubs in each position with size of stock, species and variety.
- iii) Proposed topsoil depths for grass and shrub areas.
- iv) Types of enclosure (fences, railings, walls).
- v) Types of hard surfacing (pavings, tarmac, etc).
- vi) Regraded contours and details of changes in level

Reason: In the interests of visual amenity and to accord with Policy D5 of the Replacement Unitary Development Plan.

21. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason: To achieve a satisfactory standard of landscaping in the interests of amenity and to accord with Policy D5 of the Replacement Unitary Development Plan.

22. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than privately owned domestic gardens, shall be submitted to the Local Planning Authority for concurrent approval in writing with the landscaping scheme. The landscape management plan shall be carried out as approved.

Reason: To ensure proper management and maintenance of the landscaped areas in the interests of amenity and to accord with Policies UR3 and D5 of the Replacement Unitary Development Plan.

23. 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 and to accord with Policy UR3 of the Replacement Unitary Development Plan.