

Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 15 May 2017.

AP

Subject:

Erection of 45 dwellings with associated access and infrastructure, Sports Ground, Harrogate Road, Bradford.

Summary statement:

This application is for 45 dwellings and access road, at the former Crag Road United football ground. The football club resigned from the league in 2011.

As a former playing field, Policy OS3 in the RUDP states that development will not be permitted on land used as playing fields, unless the development proposal provides for alternative provision in the form of equivalent or better quality and of equivalent or greater quantity of playing field provision, in a suitable location, or if suitable replacement land does not exist, the playing fields can be relocated elsewhere, within the same neighbourhood.

As part of the application, the applicant proposes to make a contribution to playing field enhancements at the Harrogate Road playing fields, adjacent to the Eccleshill NHS site, off Park Road. This would be achieved through a S106.

A number of residents have raised concerns on flooding, following the 2015 Boxing Day floods. Consequently, a drainage strategy has been provided which includes works to the outfall to Carr Beck. Along with the requirements of the submitted Flood Risk Assessment, it is considered that the applicant has addressed drainage and flooding matters.

continued...

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Portfolio:

**Regeneration, Planning and Transport
Overview & Scrutiny Area:**

Regeneration and Economy



The design & layout of the scheme has been revised to better reflect the sites location adjacent to the Leeds-Liverpool Canal.

The application is recommended for approval, subject to the completion of a Section 106, to cover contributions towards education, affordable housing and playing fields provision, culvert works and conditions included within the report.

1. SUMMARY

The application for 45 dwellings and access, is supported. The loss of the former playing field would be offset with a contribution towards enhancements at the playing fields on Harrogate Road. Additionally, the applicant would be making full contributions towards affordable housing, public transport infrastructure and education infrastructure.

2. BACKGROUND

Following the folding of Crag Road United FC in 2011, the application site has lain vacant and become overgrown. A pre-application enquiry, 15/03282/PMJ for residential development was submitted in 2015, where the developer was advised of the requirements of Policy OS3 of the RUDP. The subsequent planning application addresses the requirements of Policy OS3 in providing a contribution towards enhancements to the playing fields at Harrogate Road.

3. FINANCIAL & RESOURCE APPRAISAL

There are no financial implications for the Council arising from matters associated with the report.

4. RISK MANAGEMENT & GOVERNANCE ISSUES

No implications

5. LEGAL APPRAISAL

The determination of the application is within the Councils powers as the Local Planning Authority following consultation with the Secretary of State under the Town and Country Planning (Consultation) (England) Directions 2009.

6. OTHER IMPLICATIONS

6.1 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.

6.2 SUSTAINABILITY IMPLICATIONS

The application site is located within the urban area of Bradford and is on principal bus route and circa 0.5 mile from Apperley Bridge Rail Station. As such, the proposed development is considered to be at a sustainable location.

6.3 GREENHOUSE GAS EMISSIONS IMPACTS

None.

6.4 COMMUNITY SAFETY IMPLICATIONS

There are no community safety implications, other than those raised in the technical report.

6.5 HUMAN RIGHTS ACT

Articles 6 and 8 and Article 1 of the first protocol all apply (European Convention on Human Rights). Article 6 – the right to a fair and public hearing. The Council must ensure that it has taken into account the views of all those who have an interest in, or whom may be affected by the proposal.

6.6 TRADE UNION

None.

7. NOT FOR PUBLICATION DOCUMENTS

None.

8. RECOMMENDATION

The application is recommended for approval subject to the completion of Section 106 Agreement and a Section 278, deferred and delegated to the Assistant Director (Planning, Transportation and Highways) and conditions within the report.

9. APPENDICES

Appendix 1 – Report of the Assistant Director (Planning, Transportation and Highways).

10. BACKGROUND DOCUMENTS

National Planning Policy Framework

Core Strategy

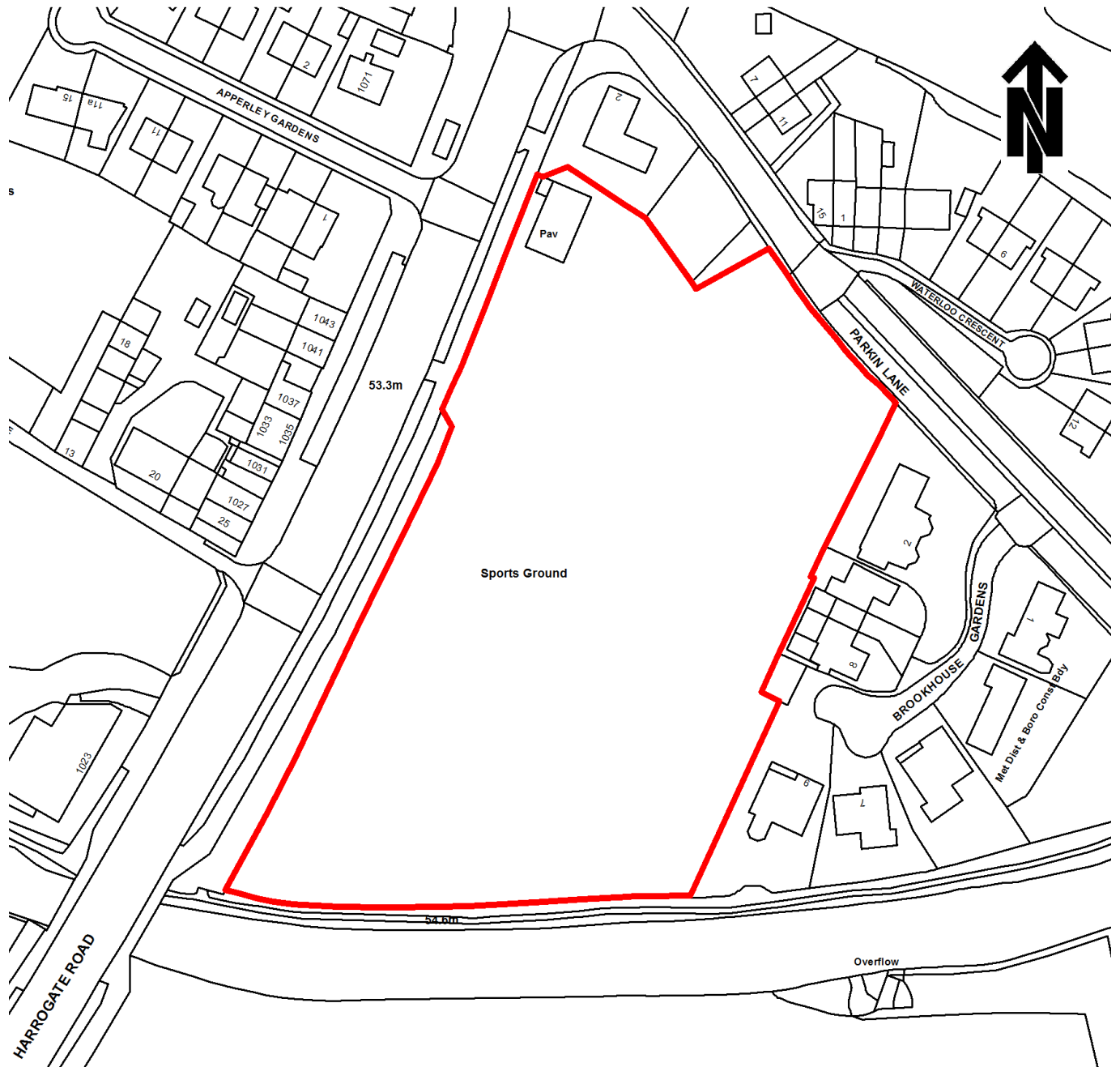
The Replacement Unitary Development Plan

Bradford Playing Pitch Strategy

16/09142/MAF

City of Bradford MDC

www.bradford.gov.uk



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**Sports Ground
Harrogate Road
Bradford**

Ward: IDLE & THACKLEY

Recommendation:

**APPROVE SUBJECT TO SECTION 106 AND SECTION 278
AND CONDITIONS INCLUDED WITHIN THE REPORT**

Application Number:

16/09142/MAF

Type of Application/Proposal and Address:

Erection of 45 dwellings with associated access and infrastructure, Sports Ground,
Harrogate Road, Bradford

Applicant:

Bellway Homes Ltd (Yorkshire Division)

Agent:

Not applicable.

Site Description:

The site is located immediately east of Harrogate Road, north of the road bridge over the Leeds-Liverpool Canal, Apperley Bridge, approximately 6.5 km north east of Bradford City Centre. The site covers an area of 1.17 ha which was previously used as the ground of Crag Road United Football Club. A building located on the northern part of the site was previously used as clubhouse & changing rooms.

To the north of the application site is Parkin Lane, which serves a number of residential properties, including those on Waterloo Crescent and Brookhouse Gardens, west of the application site. Beyond Parkin Lane to the north is the River Aire. The southern boundary of the site abuts the Leeds-Liverpool Canal towpath. Beyond the Canal to the south is a new housing development, Avant Homes, approved by this Committee. To the west of the application site is Harrogate Road (A658) which serves as the primary route between Harrogate and Bradford.

The recently constructed Apperley Bridge train station is located c.800m from the site.

Relevant Site History:

Not applicable.

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.

The Core Strategy

The Core Strategy is not yet adopted but has been through Examination Stage and found sound subject to a limited number of modification by the Inspector. The relevant policies in the Core Strategy should therefore be given weight accordingly. In 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. Following consideration of the matters raised the Minister of State (Housing and Planning) has formally withdrawn the holding direction in his letter dated 28 March 2017. The policies in the Core Strategy can now take effect in the determination of planning applications.

There are a number of Core Strategy Policies which should be considered as part of the application, some of these policy areas will be covered in detail in other consultation responses to this application:

- SC5 Location of Development
- SC6 Green Infrastructure
- TR1 Travel Reduction and Modal Shift
- TR3 Public transport, Cycling and Walking
- H05 Density of Housing Schemes
- HO8 Housing Mix
- HO9 Housing Quality
- HO11 Affordable Housing
- EN1 Open Space, Sports and Recreation
- EN2 Biodiversity and Geo-diversity
- EN4 Landscape
- EN5 Trees and Woodlands
- EN6 Energy
- EN7 Flood Risk
- EN8 Environmental Protection Policy
- DS1 Achieving Good Design
- DS2 Working with the Landscape

Replacement Unitary Development Plan (RUDP):

Allocation

UR2 – Promoting sustainable development
UR6 – Planning obligations and conditions
TM1- Transport Assessment
TM2 – Impact of traffic and its mitigation
TM8 – New Pedestrian and Cycle Links
TM13 – On-street parking controls
TM18 – Parking for People with Disabilities
TM19 – Cycle Parking
TM19A – Traffic Management and Road Safety
D1 – General Design Considerations
D2 – Energy Efficiency and Sustainable Design
D3 – Access for people with disabilities
D4 – Community Safety
D5 – Landscaping
D6 – Meeting the needs of Pedestrians
BH7 – Conservation areas
BH10 – Open space adjacent to conservation areas
NE10 – Protection of natural features and species
NE11 – Ecological Appraisals
NR16 – Surface water run- off and sustainable drainage systems

Publicity and Number of Representations:

Site notices were displayed at and around the application site, a notice placed in the Telegraph and Argus and individual neighbourhood notifications were also carried out with the statutory period of expiry date being 13 January 2017.

There have been 7 letters of objection including an objection from a Ward Councillor.

Summary of Representations Received:

The objectors comments include -

- It would be the easier and safer option to direct the surface water to the river via a drain laid within the 'bell mouth' entrance to Parkin Lane or laid across and under Harrogate Road. Traffic flow could quite easily be maintained by a diversion over the adjacent bridge to the main one on Harrogate Road.
- Increased flood risk to my property, as well as the negative impact on the air quality in the area.
- The concentration of affordable housing at the flood prone northern end of Parkin Lane in this proposal is not what I would call social integration. However new properties 12, 13, 14, and 15 rear elevations do look over the boundary of No 2 Brook House. We are also told that the heights of the houses will be increased by 600mm due to flooding risks.
- The increased risk to the existing community of flooding by surface water.

- The increased risk to the existing community of flooding by sewerage
- The increase of health risks due to the lack of any holistic health risk evaluations of air pollution in valleys from the effect of local area housing developments, and the new railway station.
- We would argue that the playing field is important to the local area, even if it is unused at present. As other comments have suggested, a housing development on this area of land would have a significant and detrimental effect on the houses in Brookhouse Gardens. Not only would it affect the value of these houses but it would leave residents feeling vulnerable and our privacy would be affected.

The Ward Councillor's objection concerns -

- the land is allocated as a playing field under and should only be used for housing, if the Council can demonstrate an excess of playing fields in the area (which it cannot) or, that the developer would make a contribution to offset the loss of this playing field.
- how will additional funding at the Harrogate Road playing field site create additional playing fields? While it may improve existing facilities this does not mean that the loss of a playing field is offset. I therefore believe that this application should be refused on policy grounds.
- To ask the developer to offset the loss of this development by funding Harrogate Road playing field has been taken without consultation with local members.
- I note that Sport and Leisure states that it is unlikely that this site will be used as a playing field again. However, attempts by local residents to contact the owners of the site to discuss bringing the site back into use as a sports pitch have not been responded to.
- I am concerned that some of the properties in the proposed development would overshadow and dominate existing properties. I believe that windows would overlook existing properties on Brookhouse Gardens and habitable rooms of existing homes could be viewed.
- In addition, I note that some of the properties which border on to Brookhouse Gardens are three-stories. As such I believe that these properties will overshadow and dominate existing properties.
- A number of residents have also raised concerns about the increased volume of traffic in the area.

- There are significant concerns, about the impact that this development would have on drainage and flooding. The site is within the floodplain and as an open space can attenuate water should there be a flood. Therefore, the loss of the site increases the chance of flooding. In order for the site to drain properly, any water would need to go to Carr Beck (which flooded in 2015), the Aire (which flooded in 2015) or into the sewage system (which backed up and flooded in 2015). As a result I have significant concerns that this development will significantly increase the risk of flooding in the area and to existing properties.

I object to this application and would request that this application be referred to committee. I would also like to request that my objection is considered alongside those of local residents. I note that a number of local residents have made detailed objections and I trust that these will be taken into account and that a full and thorough response is provided.

Consultations:

Sport England

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all or any part of a playing field or land last used as such, unless one or more of the five exceptions stated in its policy apply.

The applicants are proposing a financial contribution towards improving Harrogate Road Playing Fields. There are currently 3x full size pitches on the site, however only one pitch is in use, by one team, due to collapsed drainage on the additional 2 x pitches. Bradford Council intend to improve the drainage and quality of the 2 x pitches and increase the number of teams using the site.

The Football Association are supportive of this approach, subject to the following:

- Design - Natural Turf Pitch improvements are designed by a RIPTA (Register of Independent Professional Turfgrass Agronomists) agronomist.
- Construction –The construction of Natural Turf Pitches should be project managed or signed off by the same RIPTA registered agronomist that produced the design.
- Quality – Pitches should pass a Pitch Quality Standard (PQS) test to a 'good' standard before the pitches are used. The testing should be arranged via the FA Pitch Improvement Programme.
- Timescale: The pitches should pass a PQS test to a 'good' standard within 12months of the date the housing developer commences construction.
- Recommended sizes – Both of the pitches should comply with FA recommended sizes (Over 18 and Adult (11v11) 100 x 64, (106 x 70m including safety run-off area)

The proposals meet the principles set out in the adopted Bradford Playing Pitch Strategy, and therefore broadly meet our planning policy exception E1.

Given the above assessment, Sport England does not wish to raise an objection to this application as it is considered broadly to meet exception E1 of the above policy. The absence of an objection is subject to the following condition and a Section 106 Agreement for the improvements at Harrogate Road Playing Fields (or another identified site agreed with the Football Association), being attached to the decision notice should the local planning authority be minded to approve the application.

Rights of Way

Records indicate Bradford North Public Footpath 88 abuts the site as shown marked purple on the plan below. This footpath generally runs in conjunction with the Canal Towpath and forms part of a cycleway known as 'Route 66'. An unrecorded public footpath (running off the development side of Harrogate Road) also connects with the Towpath and is marked red on the plan. These routes appear to be outside the development area and should not be adversely affected by these proposals.

Highways

Following initial highway objections about the proposed access layout, a revised access arrangement plan has been submitted (Ref: 9515-001 Rev B), which now addresses the objections.

It should be noted that the proposed development will require the developer to carry out works on Harrogate Road, to support the proposed development i.e. relocation of bus shelter & provision of bus 'Clear Way' markings; construction of parking lay-by; provision of Traffic Regulation Order; amendment to existing ghost hatching markings to provide right-turn lane and these have been shown indicatively on Dwg. No. 9515-001 Rev. B.

In order to carry out the works within the highway the developer will be required to enter into a Section 278 Agreement (Highways Act 1980) with the Council.

Childrens Services

Application 16/09142/MAF the calculation is for 12 flats and 27 houses (one bedroomed units are not included as they are unlikely to contain families).

Primary

Houses:

0.02 (yield per year group) \times 7 (year groups) \times 27 (number of dwellings) \times $\pounds 13721$ (cost per place) = $\pounds 51,865$

Apartments/flats:

0.01 (yield per year group) \times 7 (year groups) \times 12 (number of dwellings) \times $\pounds 13721$ (cost per place) = $\pounds 11,526$

Secondary

Nil

Total request for 12 flats and 27 houses = $\pounds 63,391$

Environmental Health (Land Contamination)

Environmental Health concurs with the conclusions in the Lithos report and recommends that conditions to deal with unexpected contamination and materials importation are included.

Landscape Design

The existing character makes an attractive frontage to Harrogate Road and is important on this main road corridor. The design proposals acknowledge this fact and these trees are to be retained. A detailed drawing will be required showing the trees to be retained and how they will be protected during the construction phase; the submitted drawing shows the root protection area only.

However, the boundary treatment proposed on Harrogate Road should be stone walling to match the retained section and the general character in this area. This wall would need to be carefully designed in relation to the existing retained trees so that their roots are not damaged during the foundation excavations.

Sport & Leisure

The land in question is the former home of Crag Road United FC and until recently had been an active football pitch. The site is noted in the Council's adopted Playing Pitch Strategy, as a site that should be brought back into use for sport. However, as that appears unlikely, Parks and Greenspaces would support the application subject to a written agreement that the developers pay a contribution to redevelopment of Harrogate Road Playing Fields. The contribution would allow the site to increase the number of current pitches, from one to three, therefore meeting the shortfall caused by the loss of Crag Road United.

Canal & Rivers Trust

Concerning the boundary treatments, we support the fact that any barrier is not solid in form, and is limited in height. A consistent boundary treatment across the site would be preferable, as it would give a more uniform setting between the development and the canal, resulting in an improved visual quality of development in accordance with the aims of Policy UDP3 of the Replacement Unitary Development Plan.

In the application, efforts should be made to retain as many of the existing trees on site as possible. We note that four trees to the southern boundary are proposed to be removed, which will have an impact on the canal corridor. As such, we would welcome, if possible, efforts to retain these although we appreciate that constraints with the development form might not make this possible.

We welcome the general approach for planting along the boundary. The proposed plans do not show an indication of the proposed species of planting. As such, we recommend that full details of the planting are conditioned. To promote biodiversity, native planting should be utilised. This would be in accordance with the aims of Policy NE12 from the RUDP and the aims of the National Planning Policy Framework.

Environment Agency

The proposed development will only meet the requirements of the NPPF if the measures detailed in the FRA submitted with the application are implemented and secured by condition.

Lead Local Flood Authority

The Lead Local Flood Authority has assessed the following additional and revised documentation -

Flood Risk Assessment 0291/3/FRA Rev 2 Dated April 17

Drawing 17/680/8257

Drawing 17/680/8259

Drawing 17/680/8260

Drawing 17/680/8261

Drawing 17/680/8264

Drawing 17/680/8267

Further to this review the Lead Local Flood Authority can remove the objection and recommend the application for approval on condition development is carried out in accordance with the submitted details.

Yorkshire Water

If planning permission is to be granted, condition to be attached, to protect the local aquatic environment and Yorkshire Water infrastructure.

Conservation

The existing playing field provides an open setting to the north side of the canal conservation area however the boundary to the canal is weak and its contribution, in terms of its natural qualities is fairly neutral. The development of the site with a scheme of an appropriate scale and layout and utilising high quality design and a palette of natural materials which responds positively to the canal and to the setting of the nearby listed buildings could preserve the setting of the heritage assets.

The existing boundary is an unattractive galvanised fence with a few scattered trees (which make a positive contribution to the character and sense of place along this section of the canal) and shrubs/brambles growing along its length. There is scope for a much stronger and visually appropriate boundary here and I would suggest the continuation of the coursed stone wall which forms the boundary at the south-eastern corner of the site would be acceptable. A landscape buffer of planting appropriate to the canal location would help soften the boundary and would help maintain the green, leafy character of the canal. I would also ask that access is provided onto the canal towpath from within the site as this would improve accessibility and encourage residents to use the canal as a resource.

Design

The scheme addresses the Harrogate Road frontage quite well with homes facing onto the retained tree belt. The boundary treatment should be improved to this frontage. It would be preferable to see some parking to the side of the houses, rather than to the front.

The Leeds-Liverpool Canal frontage, the scheme needs to do more to address this important frontage. The flats and houses should better relate to the canal and the parking bays are not appropriate. The elevations need to be appropriately detailed and a pedestrian route to the canal towpath would be beneficial.

The Parkin Road frontage is along the route to Calverley Woods. It would improve the frontage if some houses fronted onto Parkin Lane with a pedestrian link to Parkin Lane from the application site.

Arboriculture Officer

There are a number of trees along the periphery of the site, the majority of which are protected. Those bordering on Harrogate Road collectively provide a good screen although individually are generally of low quality.

The trees along the canal are within the Conservation Area and are therefore protected, offering a significant amenity value. The plans show a car parking area directly underneath. A method statement is required to demonstrate how this will be constructed without damaging the trees.

There are a number of trees that are on neighbouring properties which are likely to be impacted on by the proposed development. Plots 12, 28 and 29 are shown to be located in close proximity and the outside space of the proposed new dwellings is likely to be dominated by the trees. Shading and debris are likely to be an issue as well as potential damage to third party trees during construction which is likely to cause problems in future.

West Yorkshire Police Architectural Liaison Officer (WYP ALO)

A number of issues were raised regarding boundary treatments; gated access; footpath routes; parking bays and security.

West Yorkshire Combined Authority

There is a regular bus service running next to the development serving Eccleshill and Apperley Bridge Rail Station.

Metro advise that bus stop 18116 should have a shelter installed and a live bus info display. At bus stop 18117 a live bus information display should be installed.

Summary of Main Issues:

- Principle
- Flooding/drainage details
- Impact on surrounding properties
- Heritage matters
- Design/landscaping
- Planning obligations - Section 106 agreement

Appraisal:

Principle

The application site is identified as a playing field in the RUDP, where Policy OS3 applies. Policy OS3 states that development will not be permitted on land used as playing fields, unless the development provides for alternative provision in the form of equivalent or better quality and of equivalent or greater quantity of playing field provision, in a suitable

location, or if suitable replacement land does not exist, the playing fields can be relocated elsewhere, within the same neighbourhood.

The playing field was previously used by a club and was not a public playing field. Notwithstanding the loss of the playing field, the application includes for a financial contribution calculated by Sport & Leisure that would be used towards the upgrade and drainage of up to three football pitches at Harrogate Road, a former school site south of the application site. At present there is only one football pitch on this site, but with additional investment, up to another two pitches would be brought into use. The pitches would be laid out to Football Association (FA) standards and future plans include for changing facilities to be provided. The increase in both the number and quality of the pitches at the Harrogate Road site would mitigate for the loss of the Crag Road pitch.

The site is currently subject of a Community Asset Transfer with Eccleshill United FC. This would ensure that the football pitches would be available for use by other football clubs through a community use clause and also allow the site to be developed into a sporting hub in line with the Councils adopted Playing Pitch Strategy. The football pitch being lost as part of the planning application was for the sole use of Crag Road United.

The former playing field subject of the planning application is located in the Idle & Thackley ward. The new Harrogate Road playing field site is located in the Eccleshill ward. The distance between the two sites being c.1 mile. Whilst there are playing fields at Apperley Bridge by the canal, these have recently been improved. Therefore the closest playing fields would be at Harrogate Road, where the financial contribution would be directed to provide improved playing fields.

Flooding/drainage details

A site specific flood risk assessment has been prepared by the applicant to support the development proposals. Within the assessment a detailed review of flood levels from the River Aire and Carr Beck have been carried out against the current site levels and the proposed site levels. This detailed assessment is necessary to confirm the potential flood risk identified by the national flood mapping. The detailed assessment shows that the development will be safe for its lifetime based on its use and will not increase flood risk elsewhere.

The applicant proposes to discharge surface water run-off into the culverted section of Carr Beck. Other options to discharge to the River Aire have been investigated but proven unviable. A restricted surface water discharge rate has been agreed with the Lead Local Flood Authority. The discharge rate is based on a typical high probability rainfall event for a greenfield and as such is heavily sanctioned. During high intensity rainfall events the development will therefore improve flood risk by attenuating flood waters until large periods of rainfall have passed. The applicant has designed the surface water drainage to prevent water from Carr Beck entering the system and surcharging out on to Parkin Lane. The developer has also agreed to pay a contribution to improving the outfall arrangement of Carr Beck as it enters the River Aire to alleviate a long standing issue with back flows up Carr Beck. A surface water outfall into Carr Beck is therefore deemed acceptable by the Lead Local Flood Authority.

Yorkshire Water has been approached twice on the capacity of their sewerage system to accept the foul water from the development. On both occasions Yorkshire Water has confirmed their network is capable of receiving the foul water from the development.

The Environment Agency does not object to the planning application, subject to the measures in the revised Flood Risk Assessment being implemented.

Impact on surrounding properties

There are a number of residential properties to the immediate east of the application site, Brookhouse Gardens. The proposed development includes a number of properties to the eastern side of the application site. The housing layout and house types have been designed to provide an acceptable distance to the existing properties, to ensure that there would be no adverse impact on the residential amenity of the existing or prospective residents. It is not considered there would be any overlooking nor, overshadowing, that would result in loss of privacy to the detriment of existing residents.

Heritage matters

The Leeds-Liverpool Canal Conservation Area is located to the southern boundary of the application site. There are also a number of listed buildings to the north of the site, off Parkin Lane.

The proposed development has been revised to provide an improved presence to the canal. This has resulted in the proposed housing better relating to the towpath and canal. The application would also include the removal of a galvanised palisade fence along the towpath, much improving the appearance of the Conservation Area.

The scale and design of the proposed housing to the northern part of the application site, ensures that the character and setting of the listed houses would not be adversely affected.

As part of any planning permission granted, there would be conditions requiring details of materials, landscape treatment and boundary treatment to ensure that the development did not have an adverse effect on either the character & appearance of the conservation area, nor character & setting of listed buildings.

Design & Layout

The development would be served by a single point of access with two culs-de-sac, off an internal access road, parallel with Harrogate Road.

With prominent frontages to the application site, Harrogate Road and the canal, the proposed development needs to integrate with its surroundings. The boundary treatments to the application site include lengths of palisade fencing, chain link and stone walling. To both these frontages it is proposed to remove the existing palisade and chain link fencing. The stone walling would where possible be repaired and reinstated along the Harrogate Road frontage. Along Harrogate Road, there are a number of mature trees which would be retained and complemented with additional tree planting. This partly addresses the Design Officers comments.

To the canal frontage, at the south western corner of the site, there are four Sycamore trees. Originally, the site layout included two areas of parking fronting the towpath. The

applicant was asked to reconsider the siting of the parking areas within the scheme. The alternative option was to site the flats closer to the site frontage and canal providing an improved relationship between the two. However, this would result in the removal of the sycamores. Whilst the trees contribute to the amenity of the conservation area, given their limited lifespan circa 10 years and with an appropriate replacement tree planting scheme, it's believed the improvements to the housing layout have a more beneficial effect on the character and appearance of the Leeds-Liverpool Canal Conservation Area. Additionally, a pedestrian route from the development to the towpath would now be provided.

To the Parkin Road frontage, the applicant has not repositioned the houses to front Parkin Lane. However, there would be access for residents onto Parkin Lane.

Together with the amendments being made to address issues raised by the WYP ALO, changes to boundary treatments and pedestrian access, the scheme is believed to provide an appropriate design within the context of the area.

Planning Obligations - Section 106 agreement

The Section 106 has been agreed between the Council and the interested parties. Within the Heads of Terms, contributions would be made towards –

- Enhancements to playing fields, £25,000.
- Education infrastructure, £63,391.
- Provision of a bus shelter and 2 x live time displays, £30,000.
- Affordable housing, 9 units, on-site.
- Improvements to culvert at Carr Beck, £13,792.

The planning obligations are being met in full by the applicant.

Reason for Granting Approval:

The proposed development would result in the loss of a disused private playing field, but make a financial contribution towards playing field provision at Harrogate Road in the neighbouring ward. This is considered to meet the requirements of Policy OS3 of the RUDP. Additionally, the application would provide 45 units contributing to the housing supply in the District. The density, scale, layout and landscaping would provide an appropriately designed scheme that would preserve the character of the Leeds-Liverpool Canal Conservation Area. The proposed development does not raise concerns on residential amenity nor highway safety and subject to the planning obligations – affordable housing; education infrastructure; playing field provision and public transport infrastructure improvements being met the application is recommended for approval. UR2, UR6, TM1, TM2, TM8, TM13, TM18, TM19, TM19A, D1, D2, D3, D4, D5, D6, BH7, BH10, NE10, NE11, NR16.

Conditions:

1. No piped discharge of surface water from the application site shall take place until surface water drainage works have been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the site is properly drained and that surface water is not discharged to the foul sewerage system/sewage treatment works and to accord with Policy UR3 of the Replacement Unitary Development Plan.

2. The approved development shall be carried out in accordance with the approved Flood Risk Assessment, egorum 0291/3/FRA dated April 2017 and the following mitigation measures detailed within the FRA - Finished floor levels are set no lower than 52.11M AOD.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the approved scheme, or within any other period as may subsequently be agreed, in writing by the LPA.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

3. 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 UR3 of the Replacement Unitary Development Plan.

4. 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.

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.

5. Before any works towards the development starts on site full details and specifications of the works associated with Harrogate Road, as shown indicatively on Dwg. No. 9515-001 Rev.B, shall be submitted to and be approved in writing by the Local Highway Authority. The development shall then not be brought into use until these works have been completed on site to the satisfaction of the Local Highway Authority. The applicant should contact James Marsh (Section 278 Co-ordination Engineer) on 01274 437308 (email james.marsh@bradford.gov.uk) in order to discuss the requirements of the s278 Agreement.

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

6. Before the development is brought into use, the off street car parking facility shall be laid out, hard surfaced, sealed and drained within the curtilage of the site in accordance with the approved drawings. The gradient shall be no steeper than 1 in 15 except where otherwise approved in writing by the Local Planning Authority.

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

7. Notwithstanding the provision of Class A, Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, or any subsequent legislation, the development hereby permitted shall not be begun until a plan specifying arrangements for the management of the construction site has been submitted to and approved in writing by the Local Planning Authority. The construction plan shall include the following details:

- i) full details of the contractor's means of access to the site including measures to deal with surface water drainage;
- ii) hours of construction work, including any works of demolition;
- iii) hours of delivery of materials;
- iv) location of site management offices and/or sales office;
- v) location of materials storage compounds, loading/unloading areas and areas for construction vehicles to turn within the site;
- vi) car parking areas for construction workers, sales staff and customers;
- vii) a wheel cleaning facility or other comparable measures to prevent site vehicles bringing mud, debris or dirt onto a highway adjoining the development site;
- viii) 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;
- ix) temporary warning and direction signing on the approaches to the site

The construction plan details as approved shall be implemented before the development hereby permitted is begun and shall be kept in place, operated and adhered to at all times until the development is completed. In addition, no vehicles involved in the construction of the development shall enter or leave the site of the development except via the temporary road access comprised within the approved construction plan.

Reason: To ensure the provision of proper site construction facilities on the interests of highway safety and amenity of the surrounding environment and its occupants and to accord with Policies TM2 and TM19A of the Replacement Unitary Development Plan.

8. 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 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.

9. 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.

10. 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 and D1 of the Replacement Unitary Development Plan.

11. The development shall not begin until a plan showing the positions, design and materials of boundary treatments has been submitted to and approved in writing by the Local Planning Authority. The treatments so approved shall then be provided in full prior to the first occupation of the development and shall thereafter be retained.

Reason: In the interests of amenity and privacy and to accord with Policy D4 of the Replacement Unitary Development Plan.

12. The development shall not be begun, nor shall there be any demolition, site preparation, groundworks, tree removals, or materials or machinery brought on to the site until Temporary Tree Protective Fencing is erected in accordance with the details submitted on a tree protection plan to BS 5837 (2012) (or its successor) approved by the Local Planning Authority.

The Temporary Tree Protective Fencing shall be erected in accordance with the approved plan, or any variation subsequently approved, and remain in the location for the duration of the development. No excavations, engineering works, service runs and installations shall take place between the Temporary Tree Protective Fencing and the protected trees for the duration of the development without written consent by the Local Planning Authority.

Reason: To ensure trees are protected during the construction period and in the interests of visual amenity. To safeguard the visual amenity provided by the trees and to accord with Policies NE4, NE5 and NE6 of the Replacement Unitary Development Plan.

13. The development shall not be begun nor any works carried out on the development site until a detailed tree planting scheme has been submitted to and approved in writing by the Local Planning Authority.

In the first planting season following the completion of the development or as otherwise specified by the Local Planning Authority the trees shall be planted in accordance with the approved tree planting scheme.

Any trees becoming diseased or dying within the first 5 years after the completion of planting shall be removed immediately after the disease/death and a replacement tree of the same species/specification shall be planted in the same position no later than the end of the first available planting season following the disease/death of the original tree.

No other tree shall be removed from the site except with the written consent of the Local Planning Authority. Any replacement tree or trees specified in such written consent shall be planted as soon as reasonably practicable and in any event during the first available planting season following such removal.

Reason: For the maintenance of tree cover and in the interests of visual amenity and to accord Policies D5 and NE12 of the Replacement Unitary Development Plan.

14. 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 D4 of the Replacement Unitary Development Plan.

15. 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 of the Replacement Unitary Development Plan.

16. It is a condition that no tree shall be felled until a tree planting scheme is submitted to and agreed in writing by the Local Planning Authority. The planting scheme shall show the location of each new tree, location with regards to current tree canopy spreads, number, size, species, specification, specification of planting and timing of planting.

The approved planting plan shall be carried out in full or in accordance with any variation in writing by the Local Planning Authority.

All new trees must be to British Standard BS 3936 Nursery Stock rootballed or containerised staked and tied in accordance with good arboricultural practice. If within a period of 5 years from the date of planting a replacement tree is removed, uprooted, is destroyed or dies, another tree of the same size and species shall be planted at the same place or in accordance with any variation for which the Local Planning Authority gives its written approval.

Reason: To maintain a continuity of tree cover in the location and to compensate the visual amenity value of the surrounding area once the replacement has matured.

17. It is a condition that the Local Planning Authority is notified of the date upon which the work is to be undertaken, and within one week of completion.

Reason: So that the LPA can anticipate the work to protected trees to limit the time during which the local authority would need to monitor progress.
