

## **Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 28 September 2017**

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### **Subject:**

Full application for 145 dwellings, land at Poplars Park Road, Bradford.

### **Summary statement:**

The application site is located within the New Bolton Woods Masterplan area where the Council has promoted a residential led mixed-use regeneration project within the Shipley-Canal Road Corridor. This is supported by the emerging Area Action Plan. The first phase of this Masterplan has been delivered with the 50 houses built by Skipton Properties, off Poplars Park Road, to the east of the application site. The proposed development would form the next phase of that development.

The proposed development for 145 dwellings is based on providing a viable scheme. The viability of the development being based on the 145 dwellings being achieved. The proposal is, in part, dependent on funding from the Leeds City Region Enterprise Partnership and without the funding the scheme would not progress. The funding is conditional on the development starting in January 2018.

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### **Portfolio:**

**Regeneration, Planning and Transport**

### **Overview & Scrutiny Area:**

**Regeneration and Economy**

## **1. SUMMARY**

This is a full application for 145 dwellings and associated works.

The principle of residential development on the application site has been agreed, with a previously approved hybrid application for residential development for the area south of Poplars Park Road and a separate hybrid application for residential development including the area north of Poplars Park Road.

The proposed development is dependent on funding from the Leeds City Region Enterprise Partnership. Without this funding, the development would not proceed. In order to meet the funding requirements, the development has to begin in January 2018. In order to deliver a viable scheme, the applicants have advised that it is critical that the number of dwellings proposed is required and this would secure the necessary funding.

There are a number of consultee objections to the application and these are described in the technical report. Whilst the concerns raised have not been fully addressed by the applicants, the application is based upon the delivery of a proscribed number of units that is required to be delivered to secure the Leeds City Region Enterprise Partnership (LEP) funding. Consequently, a number of compromises have been made concerning the housing layout & design and the effect on existing woodlands.

## **2. BACKGROUND**

In 2012, a Masterplan for the Centre Section of the Canal Road Corridor (CRC), New Bolton Woods Masterplan, was reported to Executive. The vision being to promote the long-term regeneration of the CRC Area, which is embedded in strategic policy – the 'Big Plan', the District's Economic Strategy and the emerging Development Plan including the , Shipley- Canal Road Corridor Area Action Plan. The Councils Core Strategy identifies the Shipley and Canal Road Corridor as providing 3200 new homes by 2030. The application site is within a proposed allocation NBW1, where a residential led mixed-use development, within the emerging Shipley Canal Road Corridor AAP is promoted.

## **3. FINANCIAL & RESOURCE APPRAISAL**

There are no direct financial implications for the Council arising from matters associated with the report. This report details matters concerning the Community Infrastructure Levy and how the scheme is linked to an already agreed Regeneration Fund that ring-fences finances to the Canal Road wider masterplan scheme.

## **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.

## **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 this prohibit by the Act, advancing equality of opportunity between people who share a protected characteristics and people who do not share it, and fostering good relations between people who share a protected characteristic and people who do not share it”. For this purpose Section 149 defines “relevant protected characteristics” as including a range of characteristics including disability, race and religion. In this particular case due regard has been paid to the Section 149 duty but it is not considered there are any issues in this regard, relevant to this application.

### **6.2 SUSTAINABILITY IMPLICATIONS**

It has previously been agreed that this location within the urban area is a good location for houses close to employment, Bradford City centre and public transport connections.

### **6.3 GREENHOUSE GAS EMISSIONS IMPACTS**

All new residential developments generate vehicle movements and resultant emissions. Vehicle charging points are included as a planning condition as an appropriate mitigation measure.

### **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 conditions included within the technical report.

## **9. APPENDICES**

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

## **10. BACKGROUND DOCUMENTS**

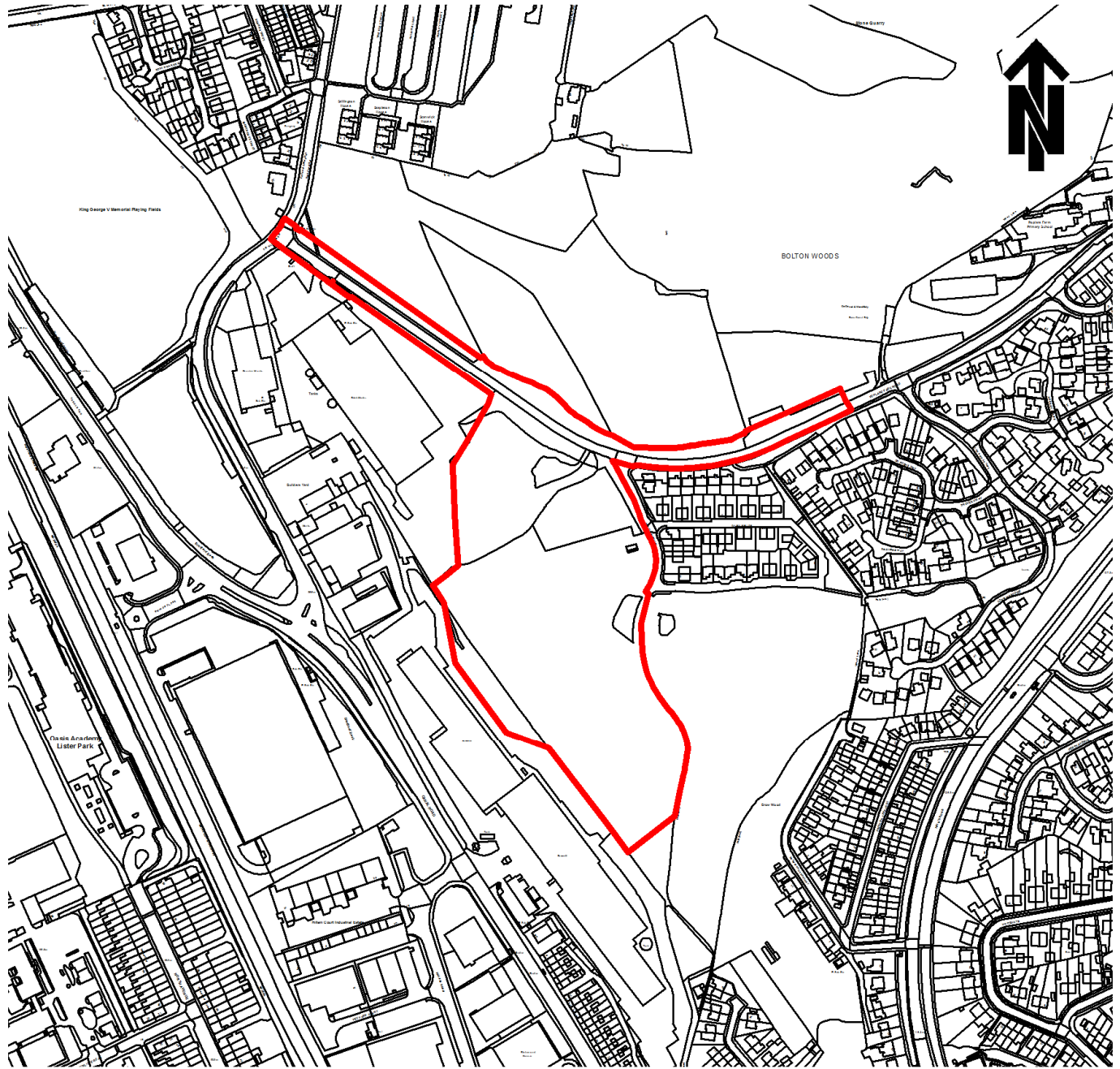
National Planning Policy Framework

Core Strategy

Shipleigh Canal Road Corridor Area Action Plan, subject to modification by the Inspector.

New Bolton Woods Masterplan

**17/04666/MAF**



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**Land At Poplars Park Road  
Bradford  
West Yorkshire**

**Ward:**

Bolton & Undercliffe

**Recommendation:**

That Members resolve to grant planning permission subject to the conditions included within the technical report.

**Application Number:**

17/04666/MAF

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

Construction of 145 dwellings and associated works

**Applicant:**

Keepmoat & Canal Road Urban Village Limited

**Agent:**

Pegasus Group

**Site Description:**

The application site comprises two areas of land - one to the northern side of Poplars Park Road and one to the southern side of Poplars Park Road. To the northern side of Poplars Park Road, the land rises relatively steeply towards Bolton Woods Quarry. The site south of Poplars Park Road slopes down towards Brow Wood and includes a woodland, around what is assumed to be the original Poplars Farm holding. Beyond the woodland, there are areas of open grassland. To the western boundary of the application site, the site slopes down to the west towards a group of large industrial units.

**Relevant Site History:**

Application 12/03708/MAF was approved for 139 houses, with a further application approving an additional 4 houses. 50 houses were built under the full element of the application, Skipton Properties, with the remaining 93 being approved in outline. It is the 93 that are subject of this planning application, south of Poplars Park Road.

Application 14/04818/MAF was approved in 2015 for a residential led mixed-use scheme including up to a 1000 houses. The indicative layout included a limited number of houses on the northern side of Poplars Park Road. The woodland remained unaffected.

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

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

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;

- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

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

### **The Core Strategy**

The Core Strategy was adopted in July 2017. The policies in the Core Strategy 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:

- P1 Presumption in Favour of Sustainable Development
- SC5 Location of Development
- SC6 Green Infrastructure
- SC9 Making Great Places
- TR1 Travel Reduction and Modal Shift
- TR2 Parking Policy
- 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 Bio-diversity 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
- DS3 Urban Character
- DS4 Street and Movement
- DS5 Safe and Inclusive Places
- ID3 Developer Contributions

### **The Shipley Canal Road Corridor Area Action Plan**

(The Council is awaiting modifications following the Inspectors report).

The AAP identifies the site within a proposed allocation for New Bolton Woods, where a comprehensive residential led mixed-use development, including neighbourhood centre, education, employment and open space is proposed.

To deliver a vibrant and sustainable community the development will be expected to: deliver well-designed neighbourhoods and homes, which incorporate a range of house types, sizes and tenures, including a high proportion family sized homes. Higher density housing, including flats and apartments will be supported in accessible locations close to public transport links and the neighbourhood centre; provide

specialist housing for older people, including retirement homes (C2) and custom build/self- build plots within the site, subject to local demand; deliver homes built to high standards of sustainable design and construction. The use of innovative low carbon housing will be supported and encouraged.

Development should provide significant improvements to green infrastructure and will be expected to: support the delivery of the Linear Park and protect and enhance green spaces running alongside the Bradford Beck, between Gaisby Lane and Poplar Road. Proposals should retain a green corridor which safeguards areas of higher flood risk, the Canal Road Greenway and the proposed route for the Bradford Canal; protect and enhance wildlife networks and woodlands around Poplar Park Farm Bradford Wildlife Area (BWA) and on the hillside north of Poplars Park Road and contribute to enhancing the Daleways Link; positively respond to and enhance the setting of Bradford Beck as a key waterway and wildlife corridor; utilise Sustainable Urban Drainage methods which maximise green infrastructure and ecological benefits and provide new water features, where practicable; include adequate provision for the long-term management and maintenance of green spaces, play areas and the Bradford Beck within the development.

Development will be expected to: deliver an exemplar development with high standards of sustainable design; provide enhanced built form and public realm with a strong frontage to Canal Road; demonstrate how the scheme connects to existing communities and relates to future re-development of Bolton Woods Quarry; deliver a coherent, distinctive and attractive series of well- designed neighbourhoods throughout the development, which have a clear character that relates well to the local context.

#### **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 being 1<sup>st</sup> September 2017.

There have been 11 objections and a representation from a Ward Councillor.

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

- Object to Poplars Park Road becoming a through way between Kings Road and Stanley Road.
- Concerns on the increased amount of traffic, safety and noise pollution.
- It is likely that this road would be used as a through- road encouraging speeding traffic endangering children.
- There is also a school on this road which already causes congestion for local residents at peak times and access from Kings Road to Stanley Road via Poplars Park Road will compound this problem.
- The two estates should have separate access to ensure there is no additional non-residential traffic. I feel this will remain sympathetic to local residents' requirements and be welcomed by residents of the new estate.
- Poplars Farm Primary School does not have sufficient places despite proposals for expansion. New family dwellings are being created at a faster pace than school places are for local children. As part of the urban village plan we were anticipating a new local primary school to go hand in hand with the new development proposals but have not seen plans of this. I feel that this is an issue that needs to be addressed urgently.

- The existing road is in poor condition additional heavy traffic means this would need to be relaid.
- With the opening of the road, the area will become a rat-run and the level of burglaries will increase.
- The road needs to remain closed as promised. The new development should be sent out via Canal Road - this is a main road with lights, crossings and junctions able to sustain the amount of traffic.
- It poses serious risks as this is a congested area with Poplars Farm Primary School which requires daily traffic management to ensure the safety of young children and the public. The opening of this road to mainstream traffic is ludicrous and we want to put these objections on record as the Council will in no doubt be held accountable if any risk is posed to these children or the wider public in the future.

The Ward Councillor raises a number of issues –

#### Road Safety.

There is no clear plan on how the traffic will be calmed, would this be speed humps, tables, chicanes or build outs?

The plans do not show a safe place to cross the road.

It does not appear that there are any plans to alter the road past Poplars Farm Primary School. Will the Council be asking for the Developers to make a financial contribution to allow this section of road and the junction with Kings Road to be improved?

#### Lack of play equipment.

There is open space between houses and the proposed development but there are no play facilities - there are no play facilities on Kings Park. Would like to see a commitment from the developer to provide some play equipment.

#### Transport.

The plans do not demonstrate how public transport links will be accommodated, there is no provision to link Kings Park with the new Cycle Superhighway.

#### Hours of working.

Residents have also asked that a condition - work will not start before 08.30, the site does not operate seven days a week and that the developer provide a contact should issues on-site arise.

### **Consultations:**

#### **Highways**

The Highways officer originally raised a number of concerns in relation to the layout of this development. The developer has submitted further details to address these concerns. Significant discussion has taken place with the developer's specialist highways consultants and the Council's highways officer and it is understood that the original issues raised have been fully address. As the additional details we submitted shortly before the writing of this report members will be updated orally.



### **Rights of Way**

Bradford North Public Bridleway 165 (Wood Lane) abuts the site/access road, this route was retained as part of the earlier Skipton Properties development and included the provision of two linking paths. These proposals do not appear to adversely affect this public right of way. This route joins the main access through the site and while connectivity through to Stanley Road is welcomed from a pedestrian, cycle and horse-rider point of view I am aware there are concerns of its use as a through route by vehicles. Highways to comment on the vehicular use but we would like to ensure that at a through route is retained for pedestrians, cyclists and horse-riders. Such use connecting Stanley Road and Poplars Park Road helps fulfil a Rights of Way Improvement Request previously received.

### **Parks & Greenspaces**

Parks and Green Spaces Service would have previously requested a commuted sum associated with the planning application for the provision or enhancement of Recreation Open Space and Playing Fields due to the extra demands placed on the locality by this development.

However, due to the implementation of CIL from 1.7.2017 we hereby comment that the development will result in significant impact on the existing public open space due to the provision of 145 residential homes.

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.

### **Drainage Team**

The use of open surface water attenuation features has been discounted on the basis of topography, in that to create 'level' areas to store water would require unnatural 'dam' like bunding structures.

This reason is accepted in most parts of the site however the lower southern tip of the site is designated as open space and is proposed to include an underground tank. Although the land is sloping it is not as steep as other parts of the site. Owing to this, it would be appropriate for the applicant to prepare a statement to append to the FRA to justify or discount the following points.

1. Catchment 1 as referenced in the flood risk assessment proposes to use a sealed underground attenuation tank to store surplus runoff. Further justification is required in the form of cross sections to show why this area of land could not be used as open surface water attenuation such as a wetland or pond.
2. The ground investigation report suggests the site could support the use of infiltration methods. Justification should be provided to why the storage solution for catchment 1 cannot incorporate infiltration properties.
3. An opportunity exists to open up further parts of the watercourse within the site boundaries to potentially offset the missed ecological benefits of an underground storage system. Justification should be given to why this opportunity has not been explored.

### **Yorkshire Water**

We have agreed in principle diversion works and protective measures for the public sewerage and water supply infrastructure that is laid within the site .

If planning permission is to be granted, conditions should be attached in order to protect the local aquatic environment and YW infrastructure.

### **West Yorkshire Ecology Service**

WYE drew up the ecological elements of the Shipley and Canal Road Corridor Area Action Plan and has reviewed the documents supplied in support of this proposed development. Whilst we recognise that some effort has been made to minimise the loss of some biodiversity features, at present we consider that the proposed development falls short of the objectives set out in that Plan.

Siting the line of houses to the north of Poplars Park Road would result in the loss of approximately 30% of the moderately species rich, semi-natural woodland in this area. This woodland is developing good structure and includes native woodland ground flora, particularly bluebell not found elsewhere within the proposal site. The extent of the damage to this woodland will be more severe because the design for the site will require the slope of the land to be regraded into the woodland. This appears to be a poor choice of design options for this part of the site from a biodiversity perspective.

The older woodland in the centre of the site also suffers from significant tree loss in the proposal, as indicated in the Arboricultural Impact Assessment drawing submitted. This drawing indicates that over 60 trees are to be lost, making up approximately one-third of this central woodland block. Again, this runs contrary to the approved New Bolton Woods Masterplan which protects this part of the woodland in its entirety. We would suggest a similar solution, as that recommended above, is sought here i.e. that the layout is altered to avoid the loss of this part of the woodland. We recognise that there has been some compensation in the form of locally native tree planting which we support, but avoidance of such impacts is preferable to compensation for losses.

We currently do not consider the proposals meet policy SCRC/NBE4 of the Shipley and Canal Road AAP or policy EN2 of the Core Strategy. The objective is to enhance biodiversity. The current proposal is unlikely to even maintain the current level of interest and does not meet policies set out in the submission version of the AAP and it will require significant amendments before it can be determined favourably.

### **Landscape Design**

The approved Masterplan shows the existing trees retained and recognises the importance of the woodlands in this locality.

The proposed site contains many important trees and in particular the large wood that constitutes a significant part of a Bradford Wildlife Site. These trees are also a significant landscape landmark feature along the Canal Road Corridor.

The design layout proposed as part of this development requires the removal of approx. 200 trees, 30 - 40 from the main semi-mature woodland and trees along the southern boundary and north of Poplars Park Road.

These trees are significant and important not only in visual terms but also the green infrastructure and ecology of the Canal Road Corridor.

We cannot recommend this design for approval due to the loss of these trees and in particular those associated with the central area and north of Poplars Park Road.

The layout should be modified to retain as many existing trees as possible. Pockets of proposed public open space north of Poplars Park Road may also be temporary as they may be used as access roads based on the approved Masterplan, so the proposal should clarify which are permanent and which are temporary.

The management of public spaces and any ecological improvements must be submitted and clearly show the objectives of the design and management proposals.

### **WYCA**

The closest bus stop on this corridor 16620 does not have a shelter. As part of this scheme, a bus shelter could be provided at the above named stop at a cost of £10,000 to improve the public transport offer. In addition a Real Time Information display could be provided at bus stop 16621 at a cost to the developer of £10,000.00. In order to access this stop, safe and direct pedestrian links are required.

To encourage the use of sustainable transport as a realistic alternative to the car, the developer needs to fund a package of sustainable travel measures. We recommend that the developer contributes towards sustainable travel incentives to encourage the use of sustainable modes of transport. Leeds City Council has recently introduced a sustainable travel fund. The fund can be used to purchase a range of sustainable travel measures including discounted Metro Cards (Residential Metro Card Scheme) for all or part of the site. This model could be used at this site.

### **West Yorkshire Police (Architectural Liaison Officer)**

Whilst there is no objection in principle to the application, West Yorkshire Polices support for the application is predicated on a number of recommendations – boundary treatments; natural surveillance of parking; shared pathways; public open space; external lighting and garages being conditioned as part of any planning approval.

### **Children's Services**

To create sustainable communities, Bradford Council needs to ensure there is adequate provision and a viable education infrastructure. It has a statutory duty to ensure that there are sufficient Early Years and school places in its area and to promote parental choice, through increasing the diversity of provision.

Based on the data available in July 2017, the proposed housing development may cause concerns on where children of families coming to reside in the development might attend school. Parents usually have an expectation that their children would be able to secure a school place at their local school and minimise the distance they may need to travel.

The following schools are within a reasonable distance of the proposed development:  
Primary: Poplars Farm, Grove House, High Craggs, Low Ash, St Francis and Swain House Schools  
Secondary: Hanson, Oasis Academy Lister Park, St Bede's & St Joseph's Catholic School.

It may therefore mean that the Council would need to increase the number of school places in this area.

The development is in a nil CIL contribution area.

**Summary of Main Issues:**

Principle of development  
Planning Obligations  
Design  
Highways & Transportation  
Effect on woodlands

**Appraisal:**

Principle of Development

The northern part of this development comprising of a linear form of houses fronting the exiting hard surfaced highway was included in the previous outline consent. The southern section of this site was not included in the most recent outline consent but was included in an earlier (now expired) outline consent for houses. The site sits within the Canal Road Urban Village Masterplan area promoting housing and the development of the site for housing would fully accord with the emerging Area Action Plan.

It is considered that the development of this site for housing development is fully established.

Planning Obligations

The Council's Community Infrastructure Levy (CIL) was approved on the 18<sup>th</sup> July 2017. CIL is a tariff system that it replaces parts of the Section 106 system.

CIL is intended to provide infrastructure to support development of an area, rather than making an individual planning application acceptable in planning terms, which is the purpose of the S106 system. The Council has set out a list of those projects or types of infrastructure that it intends to fund through the CIL. This is known as the Regulation 123 List and amongst a number of other things, it includes:

- i) Education, including primary and secondary provision.
- ii) Community sport and recreation facilities.
- iii) Sustainable transport improvement schemes.

However, the application site is within 'Residential - Zone 4' in which the rate is nil. This rate was the result of a modification by the Planning Inspector at the CIL examination, due to viability issues in certain parts of the District. Therefore, there will be no requirement for the applicant/developer to make payment under CIL.

The affordable housing requirement for this area is 15%. The application includes no affordable housing. The case for no provision is based on the earlier arrangement agreed for the New Bolton Woods proposal, whereby, in accepting that a S106 Agreement could not be used as part of the NBW planning approval, a new development agreement would provide the means to deliver planning obligations.

In the case of the hybrid outline/full planning permission which covers the majority of the CRUVL masterplan area (14/04818/MAF) it was agreed that a standardised approach to providing S106 contributions, including affordable housing would be replaced by a separate development agreement tying the development to the previous CRUVL Shareholder agreement to secure where appropriate, requirements for infrastructure usually required by the planning application process. The concept of the CRUVL project is the provision of an 'Overage Fund' which recycles profits made within the greater CRUVL project into further phases and regeneration-based projects; based on clearly defined priorities set out in the Joint Venture Partnership Shareholders Agreement. Traditional infrastructure priorities normally included in the consideration of a planning application were then added by way of a "Supplemental Agreement" completed following grant of planning application 14/04818/MAF.

The Supplemental Agreement has established the following:

- A mechanism to determine a list of 'Agreed Enhancements' in priority order, prepared by the Council and reviewed on a basis to be determined by the Council ,
- The deposit of any overage monies into a 'Enhancement Fund' to be held by CRUVL to fund the delivery of the 'Agreed Enhancements' that may include additional standard S106 type infrastructure,
- CRUVL Shareholders shall use their reasonable endeavours to agree a Phase Development Plan for each phase within the Development. Each Phase Development Plan will identify the Prioritised Objectives for such Phase and include a Cost Plan for such Phase and shall take account of the most up to date list of Agreed Enhancements subject always to the extent of the funds available in the Ring-fenced Account to facilitate delivery of such Agreed Enhancements.

When the Supplemental Agreement detailed above was drafted, the applicants explain that relevant clauses were worded so that they apply to all future planning permissions within the entire CRUVL area (including the land the subject of this planning application) and the applicants therefore maintain that these provisions would apply to the development, the subject of this application. At the time of writing the report, the Council's Legal Services were reviewing the terms of the Supplemental Agreement to determine if the provisions contained within it were sufficient to safeguard infrastructure provision related to this site and the Regeneration Fund, or if a new/revised Development Agreement would necessary. Members will be updated orally concerning this matter.

Members are advised that since the grant of planning application 14/04818/MAF the Council has introduced CIL. CIL will apply to this site regardless of the fact that there is a separate Overage Fund arrangement operated under the CRUVL JV Agreement. However in this case the site falls within the CIL funding zone where the payment figure is £0 /square metre. In such locations it would still be a normal requirement to consider the delivery of affordable housing which is not included under CIL.

It has already been established that the local market area is clearly "challenging" – this is a defined nil CIL area for instance. Also it has been determined that in the early stages (early phases), whilst developer and homeowner confidence is less well established house sales values will be lower. Members are reminded that the concept

of the New Bolton Woods scheme is to build early phases showing a commitment to new housing and providing quality local facilities to demonstrate and improve confidence in the local housing market, as well as establishing local identity and a sense of place, all to produce a more attractive place to live and invest and thereby promote increased future land values. A key strategy of the project is that over time this should allow for land values to rise and accelerated growth of delivery of both housing and commercial activity. In turn this would boost the content of the Overage Fund and allow for the release of pooled monies for items prioritised social infrastructure etc. listed above.

If approved, the development subject of this application would be brought into line with the same "Overage Fund" arrangements (either by the existing Supplemental Agreement previously signed by the relevant parties or by a revised Development Agreement). The CRUVL scheme encourages and predicts opportunities for the delivery of affordable housing in at least some of the planned phases. This could be as a proportion of the houses built on a later set phase or by a whole phase being delivered by a Registered Provider (Social Landlord). Delivery will depend upon funding and viability and could come from overage fund spend or from Registered Providers bidding for individual phases.

#### Design

In relation to the issues raised by West Yorkshire Police, a number of conditions would be included to address the concerns raised.

The design and layout of the proposed development is very much dictated to by the relatively steep gradients running across the site and with the need to achieve satisfactory estate road gradients. With this in mind design is considered acceptable

#### Highways & Transportation

This proposal has been the subject of continued negotiation with the Council's Highways Officer with the objective of securing a satisfactory scheme. As part of the application, a number of traffic-calming measures would be introduced along Poplars Park Road. This is likely to include additional speed humps/tables. These measures would be delivered through a Section 278 agreement, with a condition to ensure the works were carried out before the development was occupied.

It is expected that the barrier currently sited on Poplars Park Road, western end, will be removed, once the proposed residential development is occupied. At present there is no through route between Kings Road and Canal Road. The road was constructed on Council land in the 1990s, although it was neither completed nor adopted. Effectively, Poplars Park Road has been a cul-de-sac with the road serving the housing at Ploughmans Croft -Drovers Way beyond Poplars Farm school and the more recent Skipton Properties development.

The intention being that as housing development was brought forward this traffic route would be opened. The route is shown as a through route in the Masterplan and on the preciously approved outline consent. The removal of the barrier would enable traffic to travel via Stanley Road, between Canal Road to Kings Road, along Poplars Park Road and with good/better connections to local services and the railway station. Whilst residents have benefitted from lower levels of traffic over a number of years, the opening of Poplars Park Road along its full length, was always planned as further housing was developed, as part of the Masterplan for the Bolton Woods area.

### Loss of Woodland

There are two areas of woodland within the site. On the northern part of the site (sitting mainly behind the proposed houses fronting Poplars Park Road) there is a triangular shaped area of woodland believed to have been planted around 20 years ago. These trees sit on land rising from the road up to the higher land behind (towards the adjacent quarry site). Some of these trees will be lost as levels are changed to create gardens at the rear of these houses. The remaining trees will however be clearly seen as a visual asset as an attractive backdrop to this linear form of development.

There is another woodland area within the southern part of this site. This is an older area of woodland and was previously linked to the Poplars Park farm which once stood on the site. This woodland is older than the aforementioned woodland but not believed to date back to other older (ancient) woodland areas that exist in the Canal Road area. To accommodate development the lower section of this woodland area would be lost.

In support of their application in relation to the loss of existing trees on the site the applicants make out the following case. Firstly the applicants explain that it is a critical factor that the development achieves a minimum number of residential units to achieve grant funding. Without this funding the scheme is not viable.

The developers also draw attention to the total number of new trees that will be planted within the scheme including a number of trees in highway verges and garden areas. The applicant proposes to mitigate the loss of trees to the woodland areas by planting over 250 new heavy/extra heavy standard and feathered trees, along with hedge planting.

On the basis of this it is considered that the loss of the woodland planting is justified.

### Impact on residential amenity

There are a number of houses to the east of the application site including the recently built Skipton Homes development and beyond that Drovers Way/Long Meadows. These properties are some distance from the proposed development. A condition will be used to control the hours of construction work on the application site.

### Sustainability

This report already details the sustainability benefits of this development. The scheme forms the next phase of a planned regeneration project to deliver new homes and related facilities close to the city centre and transport hubs. There is already consent for a new foodstore within the masterplan site which would be around ½ a mile away once Poplars Park Road is opened up. The greater master plan consent also includes the provision of a "Greenway" which would run through the site and which will connect to the Bradford city centre to Shipley town centre pedestrian and cycle route.

### **Reason for Granting Approval:**

the proposed development meeting the requirements of Core Strategy policies P1, SC5, SC6, SC9, HO5, HO8, HO9, HO11, EN1, EN2, EN4, EN5, EN6, EN7, EN8, DS2, DS3, DS4, DS5 and ID3 the application is supported.

### **Conditions:**

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 SC9 of the Core Strategy.

3. The approved development shall not begin until a plan showing the positions, design and materials of boundary treatments (including any retaining wall structures to gardens) 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 DS1 of the Core Strategy.

4. 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) to be 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 EN5 of the Core Strategy.

5. 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 DS2 of the Core Strategy.

6. The site shall be developed with separate systems of drainage for foul and surface water on and off-site.

Reason: In the interest of satisfactory and sustainable drainage.

7. No development shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority. The discharge rate to public sewer from the whole site shall not exceed 5 litres a second. Furthermore, unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal.

8. No construction in the relevant area(s) of the site shall commence until the 875mm public combined sewer and the 300mm foul water sewer have been diverted in accordance with the details shown on submitted drawing 4644-C-D1-01 (revision 0) dated 15/08/2017. Furthermore, unless otherwise agreed in writing by the Local Planning Authority, no trees or other obstructions shall be planted within 5 metres either side of the re-laid sewers i.e. a protected strip width of 10 metres.

Reason: In order to protect the public sewerage and allow sufficient access for maintenance and repair work at all times.

9. Raising and/or lowering of ground levels over the public sewerage and public water supply networks that are laid within the site shall only be permitted subject to full implementation of protection measures, to include the means of ensuring access to manholes, valves etc. full details of which shall have been submitted to and approved in writing by the Local Planning Authority before development begins. Furthermore, unless otherwise agreed in writing by the Local Planning Authority, no trees or other obstructions shall be planted within a maximum stand-off distance of 5 metres either side of the infrastructure.

Reason: In order to protect public health and the water supply and sewerage infrastructure.

10. 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 SC9 of Core Strategy.

11. 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 SC9 of the Core Strategy.

12. From the date of first occupation each property within the application site with dedicated parking shall be provided with access to a fully operational 3-pin socket on a dedicated circuit, capable of providing a 'trickle' charge to an electric vehicle. Every other property (without dedicated parking) shall be provided with access to a communal EV charging point at a rate of 1 per 10 properties. Charging points should be provided via outdoor, weatherproof sockets within easy access of the parking areas or within garage space. All EV charging points shall be clearly marked with their purpose and drawn to the attention of new residents in their new home welcome pack/travel planning advice.

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 and the National Planning Policy Framework (NPPF).

13. A low emission travel plan shall be submitted prior to first occupation of the approved development setting out how the applicant/developer intends to reduce car trips to and from the site. It should include information on how the use of low emission vehicles will be promoted, including information on provision of EV charging at the site and wider promotional activities to encourage their use.

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

14. Prior to commencement of the development a Construction Emission Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must be prepared with due regard to the guidance set out in the IAQM Guidance on the assessment of dust from demolition and construction and include a site specific dust risk assessment. All works on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.

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

15. 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 SC9 of the Core Strategy.

16. Prior to the commencement of development a scheme of further intrusive site investigations shall be submitted to and approved in writing by the LPA. Those site investigations to be carried out and a report of the findings of the site investigations shall also be submitted to the LPA. In the event of any remedial works being required those works shall be carried out following agreement with the LPA.

Reason: To establish the situation regarding coal mining legacy.

17. No development shall take place until details of earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing their relationship to existing vegetation and surrounding landform. The earthworks and timescale shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory landform in the interests of visual amenity and to accord with Policy DS2 of the Core Strategy.

18. Unless otherwise agreed in writing with the Local Planning Authority, prior to development commencing a detailed remediation strategy which includes a ground gas risk assessment based on the outstanding gas monitoring, and 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 SC9 of the Core Strategy.

19. Unless otherwise agreed in writing with the Local Planning Authority, 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 SC9 of the Core Strategy.