

Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 7TH December 2017

X

Subject:

This is a full application for the construction of a residential development scheme comprising 99 dwellings with associated works on land at Holts Lane, Bradford.

Summary statement:

The proposal relates to the construction of a residential scheme of 99 dwellings of which 20 are to be provided as affordable dwellings. Access to the site will be taken directly from Westminster Avenue.

The site is allocated as a Safeguarded Site which accepts the principle of residential development on it. The layout of the development is such that it is not considered that it will have a significantly detrimental impact on the residential amenities of the occupiers of the adjacent dwellings whilst the design of the dwellings is considered to be in keeping with the overall character of the area. The access to the site will be taken from Westminster Avenue and the Highways Department have not raised any objection to this. The proposal will provide 20 affordable dwellings and this is in line with the policy guidance. There are not considered to be any significant issues in relation to either the drainage of the site or contamination.

Through the attachment of the proposed conditions and a Section 106 Legal Agreement to secure the affordable housing it is considered that the proposal is acceptable.

Julian Jackson
Assistant Director (Planning,
Transportation & Highways)
Report Contact: John Eyles
Major Development Manager
Phone: (01274) 434380
E-mail: john.eyles@bradford.gov.uk

Portfolio:
Regeneration, Planning and Transport

Overview & Scrutiny Area:
Regeneration and Economy

1. SUMMARY

This is a full application for the construction of a residential development scheme comprising 99 dwellings with associated works on land at Holts Lane, Bradford.

2. BACKGROUND

There is no relevant background to this application.

3. OTHER CONSIDERATIONS

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

4. OPTIONS

The Committee can approve the application as per the recommendation contained within the main report, or refuse the application. If Members are minded to refuse the application then reasons for refusal need to be given.

5. FINANCIAL & RESOURCE APPRAISAL

There are no financial implications associated with this proposal.

6. RISK MANAGEMENT & GOVERNANCE ISSUES

No implications.

7. LEGAL APPRAISAL

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

8. OTHER IMPLICATIONS

8.1 EQUALITY & DIVERSITY

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

8.2 SUSTAINABILITY IMPLICATIONS

The site is located within the urban area and is close to a relatively frequent bus route and is therefore considered to be in a sustainable location.

8.3 GREENHOUSE GAS EMISSIONS IMPACTS

New development invariably results in the release of greenhouse gases associated with both construction operations and the activities of the future users of the site. Consideration should be given as to the likely traffic levels associated with this development. Consideration should also be given as to whether the location of the proposed facility is such that sustainable modes of travel by users would be best facilitated and future greenhouse gas emissions associated with the activities of building users are minimised.

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

In order to encourage alternative means of transport Electric Vehicle (EV) charging points are to be provided within the main car park serving the development (planning condition).

8.4 COMMUNITY SAFETY IMPLICATIONS

There are no community safety implications other than those raised in the main body of the report.

8.5 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 its account the views of all those who have an interest in, or whom may be affected by the proposal.

8.6 TRADE UNION

None.

8.7 WARD IMPLICATIONS

Ward members have been fully consulted on the proposal and it is not considered that there are any significant implications for the Ward itself.

9. NOT FOR PUBLICATION DOCUMENTS

None.

10. RECOMMENDATIONS

That planning permission is granted subject to the conditions set out in the report attached as appendix 1.

11. APPENDICES

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

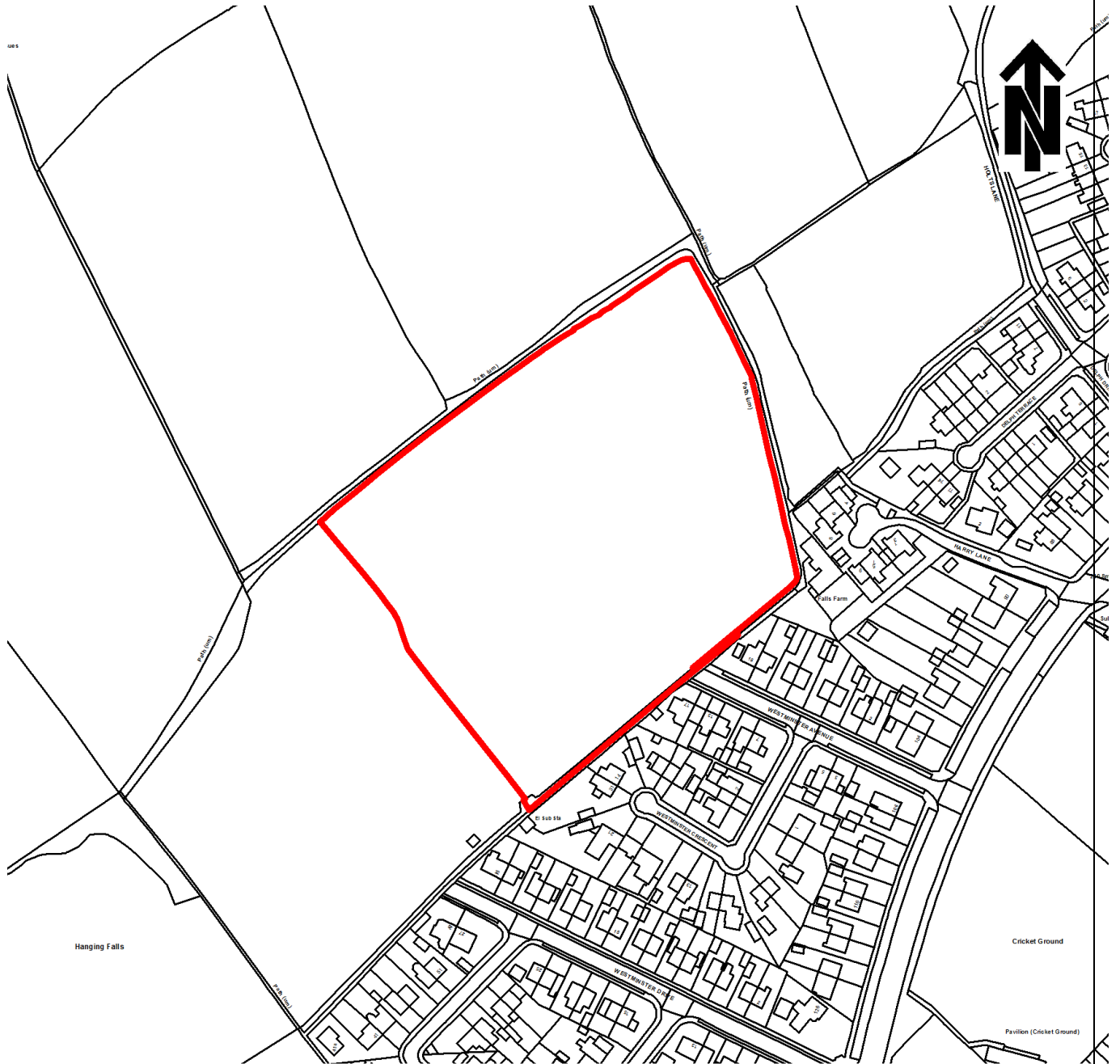
12. BACKGROUND DOCUMENTS

National Planning Policy Framework
The Replacement Unitary Development Plan
Local Plan for Bradford
Planning application: 17/05251/MAF

17/05251/MAF



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:2,500

© Crown copyright and database rights 2017 Ordnance Survey 0100019304

**Land at Holts Lane
Bradford**

Appendix 1

7 December 2017

Ward: Eccleshill

Recommendation:

GRANT PLANNING PERMISSION SUBJECT TO A SECTION 106 LEGAL AGREEMENT TO SECURE THE PROVISION OF THE AFFORDABLE HOUSING UNITS

Application Number:

17/05251/MAF

Type of Application/Proposal and Address:

This is a full application for the construction of a residential development scheme comprising 99 dwellings with associated works on land at Holts Lane, Bradford.

Applicant:

Barratt David Wilson Homes (West Yorkshire)

Agent:

Richard Mowat (Johnson Mowat)

Site Description:

The site currently comprises an open field that is bounded by further open fields to the north, east and west whilst to the south is residential development (Westminster Avenue, Westminster Crescent and Harry Lane). Access to the site is taken from Westminster Crescent. A public footpath runs along the south western boundary of the site.

Relevant Site History:

There is no relevant planning history on the site

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 Local Plan for Bradford:

The Core Strategy for Bradford was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. The site is allocated as Safeguarded Land within the RUDP. Accordingly, the following adopted saved RUDP and Core Strategy policies are applicable to this proposal.

Replacement Unitary Development Plan Policies:

N/A

Core Strategy Policies:

P1 Presumption in Favour of Sustainable Development

SC1 Overall Approach and Key Spatial Priorities

SC4 Hierarchy of Settlements

SC7 Green Belt

SC9 Making Great Places

TR1 Travel Reduction and Modal Shift

TR2 Parking Policy

TR3 Public Transport, Cycling and Walking

HO5 Density of Housing Schemes

HO6 Maximising the Use of Previously Developed Land

HO8 Housing Mix

HO9 Housing Quality

HO11 Affordable Housing

EN2 Biodiversity and Geodiversity

EN3 Historic Environment

EN5 Trees and Woodland

EN7 Flood Risk

EN8 Environmental Protection

DS1 Achieving Good Design

DS2 Working with the Landscape

DS3 Urban Character

DS4 Streets and Movement

DS5 Safe and Inclusive Places

ID2 Viability

ID3 Developer Contributions

Parish Council:

Clayton Parish Council has objected to the proposal on a number of grounds, these being as follows:

- No footpath for the public transport links from Thornton that is referred to.
- Access and egress to the site is poor especially from the main road.
- The 1.5 cars per household that is mentioned in the planning application report is unrealistic. Once householders mature this will only exacerbate the problem further.
- Concerned about the wildlife/bats/skylarks
- Drainage of the land is a big concern with flooding on Holts Lane.
- Significant impact to the areas public open spaces. A great deal of people use the right of way adjacent to the site. EG Dog walkers, horse riders.

- Local infrastructure cannot cope with such a sizeable development.
- Local children are already unable to obtain a place in the village school.
- Concerns that the high School children do not have a safe walking route to the schools in the neighbouring villages that they would attend. This is made more problematic as the number of children able to get the school bus has been cut. Children are simply unable to get a seat on the bus.
- The size of the development will mean that the demands on the current number of public open spaces will suffer.

Publicity and Number of Representations:

The application was publicised by press notice, site notice and neighbour notification letters. The expiry date for the publicity exercise was the 13th October 2017.

As a result of the publicity exercise 298 representations have been received objecting to the proposal together with a petition comprising 1302 signatures.

Summary of Representations Received:

Principle:

- A development of this size on a Greenfield site is wholly inappropriate especially when Bradford is full of Brownfield sites which are ripe for housing development but are obviously less attractive to developers who are seeking to maximise profit to the detriment of the environment and welfare of the local community
- With the large amount of housing up for sale in Clayton it is completely extortionate to ruin the green belt land of Clayton and spoil the views for the residents
- Clayton needs to be kept as a village and not turned into a town of concrete just for profit
- There's plenty more green belt available in much more spacious areas - use those
- The density of the proposed estate is not in keeping with the character of the surrounding areas and the number proposed is too many for the site
- There are other potential sites (top of The Avenue near Lidget Green & the former Fields printers site) less than a mile away towards Bradford that would have less of an environmental impact. If there is a housing shortage (which is the main argument for building on green fields) then these sites should be allocated for housing and not commercial development
- Losing precious green areas when Bradford has plenty of derelict mill/industrial sites ripe for the development of houses and apartments. Follow the example of Leeds and Manchester
- The UK's green areas provide a great deal of food for the country, by reducing green areas across the U.K. and increasing new home builds, an increased need to import is a guarantee
- On the site plan the affordable housing is placed in a corner of the development, therefore this is social apartheid. Is this the society we want to be in!
- An application has been refused planning for any kind of dwelling on a smallholding on Cockin Lane, so why should this be allowed?
- Bradford Council are not following their policy on Green Belt development
- This site was originally classed as green belt, but was downgraded to green field by the Council. What is the point in having green belt if it can be downgraded so easily?
- According to the "District Demographics" published by Bradford Council, 3,830 homes have been empty for more than 6 months so why is there a need to build new houses

- The inclusion of water tank to store surface water drainage in a field would conflict with the Council's Green Belt policy
- If the water tank is built it will require the moving of the existing pylon that runs across the field
- Is it necessary to ignore the heritage of this site as recreational land, and detrimental impact on the social well-being in this area?
- Is it the intention of the applicant to simply erect this development, sell the homes and ignore the lack of any open space for the occupants and further ignore the impact of their removal?
- The housing crisis is one of affordability, not simply land availability. Research by the Campaign to Protect Rural England showed that since 2009 only 16% of houses built on Green Belt were classed as affordable. Therefore releasing green belt and green field land such as the proposed site will not help to tackle the local housing need
- Clayton has borne its fair share of new building over the last ten to 20 years and indeed there is no specified numbers set for Clayton within the current local plan.

Highways:

- The roads cannot support any more people
- Access to the site has to cross a bridle way
- Westminster Avenue is too narrow to support large vehicles going constantly up it and this is the only access road
- There is nowhere for visitors to park safely on Westminster Avenue without blocking other residents and emergency vehicles would struggle to access the site
- Additional homes will have significant impact on the levels of traffic on Oxford Street and traffic counts do not appear to have taken this street into account
- 3 severe accidents have taken place at the junction of Oxford Street and the Avenue during the last 12 months and the likelihood of increased accidents is high
- Traffic at the roundabout at the bottom of The Avenue for traffic going in all directions tails back a minimum of 100 yards during rush hour traffic and waiting times at that junction are approximately 10 minutes per car. Buses are often stuck for longer periods as a result of traffic parked at the top of Bradford Road
- Section 32 of the NPPF states that a requirement for a safe and suitable access to a site also section 30 encourages development that reduces congestion. How is this going to be provided? Will developers pay to have the road infrastructure upgraded?
- Inadequate parking/loading/turning during building
- Clayton is high up and is guaranteed snow most winters which can block Westminster Avenue and make the Avenue very dangerous to drive on
- Concerns that the roads, Particularly Tea Pot Spout & public schooling transport, i.e. the bus service would not be able to cope with a further 200 cars etc.
- In winter the roads are often blocked by snow which will impact on the ability to access the site
- Barratt's estimate of an additional 104 cars using the road is an underestimation – due to the size of dwellings and average car ownership an estimation of 204 additional cars would be more accurate

Drainage:

- With the field being on a slope the public footpath already gets boggy at the bottom end, this surface water has to go somewhere so this problem will get worse if the field is built on

- the fields cannot cope with the volume of water, imagine if these fields were built on, what would happen
- There is a risk of flooding neighbouring land with the proposed development at Westminster Avenue
- Mud carried from the site will be washed into drains and culverts, causing blockages and potential flooding

Residential amenity:

- Loss of outlook for local residents
- Loss of privacy and overlooking
- Overshadowing/loss of light (NOT loss of acquired rights to light)

Visual amenity:

- The visual impact on the area will be detrimental
- The character of the new buildings is not in keeping with the area
- The proposed houses appear to be made of new stone as opposed to re-claimed stone and it is noted that none of plans show houses with chimneys which is very out of character for the local area
- The historic view from the Falls Farm will certainly change , this development could be argued as a change to the street-scene for Westminster
- When looking at the map showing Clayton and the areas for potential development, this development would be isolated and stick out from other residential areas. As the green fields surrounding this plot are privately owned there is no chance that one day the new houses would 'blend in' with other new houses so they will permanently be out of character.

Environment:

- The environmental impacts will be catastrophic and will allow similar developments along the whole length of the valley
- Many public footpaths will be lost
- Whilst housing is important it is also important that children and adults have green spaces to enjoy
- What about the amount of extra CO₂ that will be produced by the second most polluting form i.e. housing?
- Loss of trees/hedgerows
- Effect on listed building and conservation area
- Increase in noise pollution
- Railway tunnel and ventilation shafts under the site
- Although outside the Conservation Zone, care must be taken to ensure that appropriate building materials are used should the application be successful and no red brick should be used for any out-facing walls
- 1 to 3% of homes would be above the permitted level of Radon contamination and would require protection. This raises a question, would the disturbance of the site release extra Radon to unacceptable levels?
- There are many ramblers/dog walkers/horse riders who use the local bridleways around the proposed development
- The proposed development site is less than 5km from the South Pennines Moors, a special protection area, and therefore Barratts need to outline how they are going to ensure that the increased traffic in the area is not going to be detrimental. This is also something that Barratts have failed to do in their application.

Wildlife:

- Impact on local wildlife
- The developer has carried out a wildlife survey which was done in February when most of our wildlife is dormant or migrated
- There is a local population of Bats that roost In the vicinity of this proposed site
- The proposed development site is within 320m of Hanging Falls Wood, which is suggested to be a bat nesting site. This area has not been assessed by the applicant.

Others:

- The infrastructure, such as doctors/schools, cannot support additional development in the area
- There will be an impact on the health and well-being of local residents as the fields are used for walking and general well-being
- Local horse owners will suffer due to lack of grazing land thus having a detrimental effect on their health and wellbeing
- Anti-social behaviour will increase due to lack of facilities for younger people
- It is the duty of councils to protect the environment and the population it serves
- The majority of the new residents will not support local businesses. Instead they will use the internet and order on-line , which also increases traffic flow when the supermarket vans etc. deliver their goods
- There are now lots of designs and prototypes for eco-cities, vertical gardens, cob housing, self-sufficient homes and sustainable energy. We should be investing in this kind of thing, planning for the long-term future
- This land may be more profitable to the builders and council in the short term however the long term and wider impacts need to be considered
- Allowing this would be pandering to the greed of developers
- If this goes ahead the integrity of the planning process and indeed the local authority would be questioned
- As a village that is listed in the Domesday Book, meaning it dates back to at least the 11th century you would hope that everything would be done to preserve the size, personality and beauty of the village and not allow this to go ahead and be another step closer to merging with Thornton
- Barrett's in their published consultation meeting literature photos were used of local residents without their knowledge or permission (no notice at venue & not informed at the time). Therefore their privacy & data protection have been violated . Due to this how can the developers be trusted to carry out a build to the correct standards & work with community if the proposed housing development is granted.
- It's seems that without objections Councils & builders would have a free for all until there were no green areas left and if this application is passed then this will open the flood gates and make it even easier for builders to build on the last remaining green fields and Bradford will lose one of its last remaining villages and Clayton will lose its Village identity forever and become part of the urban sprawl.
- "I cannot believe in this day and age that money is STILL the driving force destroying beauty that you can never again replace"
- The loss of yet another green field could impact on mental illness of local residents as research at the University of Exeter has shown that people living in greener areas display fewer signs of depression or anxiety
- Many concerned residents are asking why full and detailed plans are not shared in the first instance upon which they can comment and feedback and they see this all as favouring the applicant and not the community – in particular the significant

material change that will be made to the site – the inclusion of an embankment with no scale or side elevations on plans which will also necessitate the moving of a lane

- It is clear the process is neither clear nor transparent to the layperson and heavily favours the planning applicant – there has been a clear lack of consultation with the community about what are significant changes to the original details on which people were asked to review and comment

Consultations:

Highways DC – No objection subject to the imposition of appropriate conditions

Rights Of Way – No objection to the principle of the development but seek the upgrading of public footpath 174 Bradford West abutting the northern boundary of the site to a bridleway. Public footpath 170 Bradford West abuts and crosses the eastern and southern edges of the site and where this footpath crosses Westminster Avenue dropped curbs and signage indicating the route of the footpath should be provided. All of the public footpaths abutting or crossing the site would benefit from surface improvements as part of the development.

West Yorkshire Combined Authority (Highways) – No objection to the principle of the development but seek the provision of a bus shelter at a nearby bus stop (cost of £10,000 to the developer), a Real Time Information display at the same bus stop (cost of £10,000 to the developer), and, a bus only Residential MetroCard Scheme (cost of £48,623.85p to the developer)

Drainage – No objection subject to the imposition of a condition relating to the disposal of foul water drainage

Lead Local Flood Authority – No objection subject to the imposition of appropriate conditions relating to the disposal of surface water

Yorkshire Water – No objection subject to the imposition of appropriate conditions relation to the disposal of foul and surface water drainage

Environment Agency Planning Liaison – No objection as the proposal falls outside the scope of issues on which the Environment Agency wish to comment

Conservation – No objection as it is not considered that the proposal will impact on the nearby heritage assets

Landscape Design Unit – Concerns regarding the layout of the development in that it appears to be poor regarding the landscaping proposals where a strong landscaped boundary should be proposed to mitigate the impact the development will have on the surrounding green belt landscape. Full details of the proposed landscaping will need to be submitted.

West Yorkshire Police – No objection to the principle of the development but comments made on specific aspects of it including connections to the public rights of way, boundary treatments, defensible space, parking bays, areas of open space, and, external lighting

Environmental Health Air Quality – No objection to the principle of the development subject to the imposition of conditions securing the provision of electric vehicle charging points and a Construction Environmental Management Plan

Environmental Health Land Contamination – No objection to the proposal based on the findings of the submitted Phase 1 and 2 Geoenvironmental Assessment Reports but seek the imposition of conditions relating to the discovery of unexpected contamination and the importation of materials

Education (Client Team) – No objection to the principle of the development but state that the proposal will lead to increased pressure on the educational infrastructure in the vicinity of the site

Sport & Leisure – The proposed development will significantly impact on the existing public open space. If open spaces are to be incorporated within the development the developer will need to maintain them or if they are seeking the Council to maintain them a commuted sum for a 25 year period will be required

Summary of Main Issues:

1. Principle of development
2. Visual amenity
3. Residential amenity
4. Highway safety
5. Drainage
6. Trees
7. Secured by design
8. Contaminated land
9. Biodiversity issues
10. Affordable housing
11. Conservation
12. Community Infrastructure Levy
13. Other issues

Appraisal:

The proposal relates to the construction of a residential development scheme comprising 99 dwellings. Of these 99 dwellings there will be 20 that will be socially rented units. The breakdown on the proposed private market dwellings includes 4x2 bed, 43x3 bed and 32x3 bed whilst the socially rented dwellings are all 2 bed in size. The layout of the development is such that the private market dwellings are either detached or semi-detached dwellings whilst the socially rented units are a mix of semi-detached and terraces of 3 dwellings.

1. Principle of development

Paragraph 47 of the National Planning Policy Framework stresses the need for Local Planning Authorities to significantly boost the supply of new housing. In order to achieve this goal the National Planning Policy Framework requires Local Planning Authorities to identify a 5 year supply of deliverable housing sites judged against their housing requirement. The emerging Local Plan underscores this strong planning policy support for the delivery of new housing, emphasising that one of the key issues for the future Development of The District is the need to house Bradford's growing population by delivering 42,100 new residential units by 2030.

The National Planning Policy Framework sets out more specifically how planning authorities should shape the pattern of development within their Districts to promote sustainable development through the Core Planning Principles set out at paragraph 17. Included in the core planning principles of the National Planning Policy Framework is the objective of actively managing patterns of growth to make the fullest possible use of public transport, walking and cycling, and focusing significant development in locations which are or can be made sustainable. Paragraph 34 of the National Planning Policy Framework clarifies that decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Paragraph 38 further specifies that, where practical, particularly within large-scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties.

The site is allocated as a Safeguarded Site (Ref: BW/UR5.7 Land at Westminster Drive, Clayton, Bradford) within the Replacement Unitary Development Plan. The policy intention of these allocations was to safeguard the sites for longer term development for housing or employment purposes and the policy did not allow redevelopment of the sites for purposes that would prevent their long term development for the uses identified. Whilst policy UR5 (Safeguarded Land) of the Replacement Unitary Development Plan has now been superseded by policy SC7 of the Core Strategy, the allocation still exists.

One of the aims of the Core Strategy is to achieve sustainable housing growth and to achieve this, the following principles apply:

- Distribute housing growth in a way which reflects accessibility to jobs and services and supports the role of Bradford as a Regional City
- Prioritising, wherever possible, the use and recycling of previously developed land and buildings
- Making most efficient use of land recognising that it is a scarce resource and thus setting challenging but achievable density targets for developers to achieve
- Ensure that development provides an appropriate mix of housing to fulfil the needs and aspirations of the Districts current and future populations
- Ensure that housing development meets high standards of construction and design
- Making adequate provision for affordable housing and ensuring that the housing is of the size, type and tenure to address the most pressing needs of those who cannot access market housing

Policy HO5 of the Core Strategy states that in order to meet both the objectives of delivering housing growth and managing that growth in a sustainable way developers will be expected to make the best and most efficient use of land. Densities should normally achieve at least a minimum density of 30 dwellings per hectare although higher densities would be possible in areas well served by public transport.

Policy HO6 of the Core Strategy states that in order to meet both the objectives of delivering housing growth and managing that growth in a sustainable way the Council will give priority to the development of previously developed land and buildings. It also states that District wide there should be a minimum of 50% of total new housing development over the Local Plan period will be on previously developed land.

Policy HO8 of the Core Strategy states that the Council will ensure that a mix and balance of housing is provided to meet the needs of the District's growing and diverse population. All large sites will be expected to incorporate a mix of housing types, sizes, prices and tenures and the mix should be based on both market demand and evidence of local need within the District's SHMA.

Whilst the site is currently a green field it is not within the Green Belt as defined within the Replacement Unitary Development Plan as suggested by some objections. The site is actually allocated as a Safeguarded Site and as such does accept the principle of residential development on it with the proposal being subject to detailed consideration in the following sections of this report.

Policy HO5 of the Core Strategy seeks to ensure that residential developments achieve a minimum density of 30 dwellings per hectare on the site. The site measures 2.41 hectares and proposes 99 dwellings. This equates to a density of 41 dwellings per hectare which is considered to be acceptable in terms of making the most efficient use of the site.

Overall therefore it is considered that the principle of residential development on the site is acceptable.

2. Visual amenity

Policy DS1 of the Core Strategy states that planning decisions should contribute to achieving good design and high quality places through, amongst other things, taking a holistic, collaborative approach to design putting the quality of the place first, and, taking a comprehensive approach to redevelopment in order to avoid piecemeal development which would compromise wider opportunities and the proper planning of the area.

Policy DS2 of the Core Strategy states that development proposals should take advantage of existing features, integrate development into wider landscape and create new quality spaces. Wherever possible designs should, amongst other things, retain existing landscape and ecological features and integrate them within developments as positive assets, work with the landscape to reduce the environmental impact of the development, and, ensure that new landscape features and open spaces have a clear function, are visually attractive and fit for purpose, and have appropriate management and maintenance arrangements in place.

Policy HO9 of the Core Strategy states that new housing should be of high quality and achieve good design, should be accessible and easily adaptable to support the changing needs of families and individuals over their lifetime and provide private outdoor space for homes.

The National Planning Policy Framework confirms that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.

The application site is located in an area where existing residential development abuts the south eastern boundary and southern and eastern corners of the site. The remaining land abutting the site comprises open fields. The dwellings that abut the site and in its immediate locality are generally 2 storeys in height and in the form of detached, semi-detached and terraced dwellings. The principle materials used in their construction are natural stone and render/pebble dashing on the elevations.

The layout of the proposed development is such that it incorporates detached, semi-detached and terraced dwellings with them spread throughout the site. The dwellings will primarily be 2 storeys in height but there will be 17 dwellings that will be 2½ storeys in height. The 2½ storey dwellings will incorporate small dormer windows on the front elevations. Whilst no details of the proposed materials have been submitted a natural or good quality artificial stone would be acceptable on the elevations.

The site is located on the edge of Clayton and is therefore subject to views into it from the wider area. The Landscape Design Unit have stated that the site lies within the green belt of the Thornton and Queensbury Landscape Character Area and is located within the Landscape Type of “mixed upland pasture”. They state that the development proposals should respond to the sensitivity of the existing landscape character and should aim to conserve and enhance the important character. They have concluded that the layout of the development is generally poor in landscaping terms and that a stronger landscape scheme should be provided along the boundaries to help mitigate the impact the development would have on the surrounding green belt landscape.

With regard to the layout some landscaping is proposed along the northern and eastern boundaries. In designing the layout of the development care needs to be taken in relation to the boundaries along the north western, eastern and south eastern edge of the site as there are public footpaths running adjacent to them. In order to maintain safe routes for these public footpaths natural surveillance over them needs to be maintained. By incorporating a landscaped strip (minimum 10 metres to allow the planting to mature) along the site boundaries to provide a level of landscaping that would act as a natural screen to the development would severely restrict the level of surveillance along the public footpaths thus making them less safe. A landscaping scheme will need to be submitted to ensure that appropriate planting does take place in the areas shown.

Overall therefore it is not considered that the proposal will have a detrimental impact on the visual character and appearance of the area.

3. Residential amenity

Policy DS5 of the Core Strategy states that development proposals should make a positive contribution to people’s lives through high quality, inclusive design by, amongst other things, not harming the amenity of existing or prospective users and residents.

The site is bounded to the south east by existing residential development on Westminster Avenue and Westminster Crescent and on the eastern corner of the site by residential development served off Harry Lane. The relationships between these dwellings and the proposed dwellings within the application site need to be assessed as does the relationship of the dwellings within the site itself.

The relationships of plot 8 to 29 Westminster Crescent and plot 7 to 14 Westminster Crescent is gable end to gable end with separation distances of 16½ metres and 10½ metres respectively which are considered acceptable and will not have a significantly detrimental impact on the residential amenities of the occupiers of the existing or proposed dwellings.

The relationship of plot 1 to 17 Westminster Avenue is gable end to gable end with a separation distance of 12 metres which is considered to be acceptable and will not have a significantly detrimental impact on the residential amenities of the occupiers of the existing or proposed dwellings.

The final external relationship to consider is that of plot 100 to Falls Farm adjacent to the eastern corner of the site. The separation distance from the nearest points of both dwellings is 5 metres the orientation of both dwellings is such that there is no direct overlooking from plot 100. The separation distance is greater than that of Fall Farms to numbers 8 and 9 which is at most 2 metres.

Within the site the separation distances are generally acceptable but there are instances where the separation distance is below the policy requirement. One such instance is plot 73 to plots 59/60 where the relation is main elevation to main elevation and the separation distance is 13 metres. However the future occupiers will know the relationship when moving into the dwellings (buyer beware) and as such it is considered that the relationship is acceptable.

Overall therefore it is not considered that the layout of the development will have a significantly detrimental impact on the residential amenities of the occupiers of either the existing or proposed dwellings.

4. Highway safety

Policy TR1 of the Core Strategy seeks to reduce the demand for travel, encourage and facilitate the use of sustainable travel modes, limit traffic growth, reduce congestion and improve journey time reliability whilst policy TR2 seeks to manage car parking to help manage travel demand, support the use of sustainable travel modes, meet the needs of disabled and other groups whilst improving quality of place.

Paragraph 32 of the National Planning Policy Framework indicates that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and

- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Vehicular access to the site is to be taken directly from Westminster Avenue. Within the site there is a mixture of traditional estate road and shared services. Each dwelling has off-street car parking spaces serving it. A Transport Assessment has been submitted with the application which has assessed the suitability of the highway network to safely accommodate the additional traffic generated by the development.

A number of objections have been received to the proposal on highway grounds with the main ones being that the surrounding road network cannot accommodate the additional traffic likely to be generated by the development. One such objection relates to the Title Deeds of 17 Westminster Avenue being amended such that they extend to the centre of the road across the full frontage of that property. In amending the Title Deeds it does not impact on the status of Westminster Avenue as a public highway, it simply identifies the occupier of that property as the owner of the subsoil under the highway and not the owner of that section of the highway. The access rights to the application site have not therefore changed.

The Highways Department have fully considered the proposal in relation to the road layout within the development site, the level of parking provision to serve the proposed dwellings, the access to the site and the surrounding highway network in terms of its suitability and ability to accommodate the additional traffic, and, the Transport Assessment submitted with the application. They have not an objection to the proposal and are satisfied that it will not have a detrimental impact on highway safety on the road network within the vicinity of the site.

There are public footpaths that abut the application site including public footpath 174 Bradford West which abuts the northern edge of the site and public footpath 170 Bradford West which abuts and crosses the eastern and southern edges of the site. Improvements are sought to the footpath where it crosses Westminster Avenue in the form of dropped kerbs and signage indicating the route of the footpath. The Rights of Way Officer has also stated that all of the public footpaths abutting or crossing the site would benefit from surface improvements as part of the development and that it is pleasing to see new links established to the existing footpath network to the north and east of the development.

The Applicant has agreed to provide the dropped kerbs and signage at the point where the public footpath crosses Westminster Avenue as well as providing suitably designed links from the development to the adjoining footpaths. However with regard to upgrading the surfacing of the remainder of the footpaths no offer has been made by the Applicant to do this. Whilst it would be desirable to see the footpath surfaces improved it is not considered essential for the development to be able to proceed. As such it is recommended that the improved surfacing of the footpaths is not pursued in this instance.

West Yorkshire Combined Authority (Highways) have not raised an objection to the principle of the development but are seeking the provision of a bus shelter at a nearby bus stop (cost of £10,000 to the developer), a Real Time Information display at the same bus stop (cost of £10,000 to the developer), and, a bus only Residential

MetroCard Scheme (cost of £48,623.85p to the developer). It is considered that the site is in a very sustainable location within easy walking distance of public transport and shopping facilities. The Applicant has agreed to the provision of electric vehicle charging points within the scheme although not all dwellings allocated one. It is considered though that all dwellings should have one installed unless there are strong reasons why not, such as the parking space not being directly in front of the property. It is considered that the provision of electric vehicle charging points represents a betterment of the scheme as the charging points are in situ permanently rather than, for example, the Residential MetroCard Scheme which is only for 1 year and there being no guarantee the users will renew them at the end of that period.

Overall in highway terms it is considered that the proposal is acceptable and will not be detrimental to highway safety.

5. Drainage

Policy EN7 of the Core Strategy states that the Council will manage flood risk pro-actively which policy EN8 states that proposals for development will only be acceptable provided there is no adverse impact on water bodies and groundwater resources, in terms of their quantity, quality and the important ecological features they support.

With regard to the disposal of foul sewage the Applicant intends to connect to the mains sewer as well as utilising septic tanks whilst in relation to the disposal of surface water it is intended to connect to an existing watercourse and use sustainable drainage techniques. The supporting information submitted with the application has been fully considered by the appropriate consultees (Yorkshire Water and the Lead Local Flood Authority) and no objection has been raised subject to the imposition of appropriate conditions relating to the disposal of both foul sewage and surface water.

The submitted plans show that some of the sewage/foul water infrastructure will be located underground but in the adjacent field to the east. The works that are underground will be defined as permitted development and will not require planning permission.

A number of objections have been received on the grounds of the impact the proposal will have on drainage and flooding matters and a report prepared by JBA Consulting (Ref: CJS\2017s6711-S-L001-1) dated 6th October has been submitted which looked at the potential adverse drainage impacts of the development on land immediately to the north of the proposed development. This report has been assessed by the Lead Local Flood Authority and has addressed the concerns of the objection against the submitted proposals.

The following statements explain how the Lead Local Flood Authority has assessed the concerns of the objection against the submitted proposals:

Surface Water Flood Risk: A surface water flow path exists on the site and is classified by the Environment Agencies surface water flood maps as low risk having a statistical chance of occurring between 0.1% and 1% chance in any given year. The flow path runs down an existing public right of way then tracks in a northerly direction across land within the blue line boundary of the application. The alterations to the public right of way and adjacent land will not alter the pre-existing surface water flow path at the

boundary of the site, and as a result, flood risk from this source will not be increased as a consequence of development.

Furthermore, the introduction of development will reduce the amount of surface water runoff from land within the red line boundary that contributes to the surface water flow path. New impermeable areas such as roofs and highway will now drain in a controlled manner, through a new drainage system serving the development, before discharging to the public sewerage system. By intercepting this runoff, the surface water flood risk will actually be reduced by the introduction of the development.

In addition, in order that surface water flows are not altered throughout the construction period, the Lead Local Flood Authority have recommended a condition be attached to any permission that requires the developer to submit, for approval, a temporary surface water drainage strategy prior to the commencement of any works.

Surcharging of Public Sewerage System: A concern has been raised to whether the existing public sewerage system has the capacity to accept the agreed 5 litres per second of surface water from the development. Yorkshire Water are the organisation responsible for the management and maintenance of the public sewerage system within the Bradford District to ensure it operates effectively without causing flood risk. It is therefore Yorkshire Waters responsibility to assess whether their sewerage system has the capacity to receive additional flows and to what rate of flow is acceptable. The additional 5 litres per second of surface water has been agreed by Yorkshire Water and therefore the Lead Local Flood Authority are content that the public sewerage system has the capacity to accept the additional runoff from the development.

In addition, the Lead Local Flood Authority have recommended a condition be attached to any permission that requires the developments peak surface water runoff rate to not exceed 5 litres per second.

Development Layout and Levels: The applicant has submitted an engineering feasibility drawing (Ref: E17/6912/001-02A) which indicates the proposed site layout arrangement, finished levels, and preliminary drainage positions. The Lead Local Flood Authority uses this information to assess whether the preliminary drainage proposals can be achieved. The Lead Local Flood Authority considers the proposals offer a suitable platform for the new drainage system to be designed and installed effectively. To ensure a suitably designed drainage system is achieved, the Lead Local Flood Authority have recommended conditions be attached to any permission that requires the developer to submit, for approval, full detailed designs including calculations, of the final proposed foul and surface water drainage system, prior to the commencement of any drainage works.

Detailed Flood and Drainage Design Drawings: The applicant has submitted an engineering feasibility drawing (Ref: E17/6912/001-02A) that supports the preliminary drainage calculations within the submitted flood risk assessment. This level of assessment is acceptable to allow the Lead Local Flood Authority to consider the flood risk at this stage. It is proposed that the surface water system will have an underground attenuation tank, the likely size of this tank is shown to be easily accommodated within the land without any above ground storage structures. The Lead Local Flood Authority therefore considers the risk of flooding from the new system as low. To ensure a suitably designed drainage system is achieved, the Lead Local Flood Authority have recommended conditions be attached to any permission that requires the developer to

submit, for approval, full detailed designs including calculations, of the final proposed foul and surface water drainage system, prior to the commencement of any drainage works.

Exceedance flows: It is a requirement of the proposals to ensure that exceedance flows are considered in the design of the development. This exercise assesses whether any failures within the drainage system could inadvertently cause a flood risk to either new or existing properties and infrastructure. It will be required by the Lead Local Flood Authority that the new storm water drainage system to be designed to accommodate storms up to and including the 1% annual probability with an allowance for climate change and urbanisation. This will ensure that the drainage system has a large amount of capacity to accommodate failures. There is a commitment to have the new drainage system adopted by Yorkshire Water therefore the risk of blockages will be managed through the sewer authorities' asset performance programmes. In the unlikely event that the drainage system surcharges due to failure the levels of the site have been set so that water is directed in a similar direction to the runoff of the pre developed site. The flood risk associated with exceedance flows is therefore considered low.

Pumping Failure: The applicant has submitted an engineering feasibility drawing (Ref: E17/6912/001-02A) that includes the location of the foul and surface water pumping compound. The pumping station is proposed to be adopted by Yorkshire Water under a Section 104 Agreement of the Water Industry Act. Yorkshire Water will require the pumping station to be designed in accordance with 'Sewers for Adoption' and this will ensure the system will be in full accordance of the latest guidance, including necessary duty stand by systems in the event of pump failures. The Lead Local Flood Authority therefore considers the risk of flooding from the new pumping system as low. To ensure a suitably designed drainage system is achieved, the Lead Local Flood Authority have also recommended conditions be attached to any permission that requires the developer to submit, for approval, full detailed designs including calculations, of the final proposed foul and surface water drainage system, prior to the commencement of any drainage works.

The Lead Local Flood Authority has carefully assessed the drainage report submitted in support of the objection and is satisfied that, subject to the implementation of a series of recommended conditions on any future planning permission, the development can be satisfactorily drained such that it will not impact on any of the surrounding land. The conditions suggested by the Lead Local Flood Authority are therefore incorporated within the recommendation section of this report.

6. Trees

Policy EN5 of the Core Strategy states that the Council will seek to preserve and enhance the contribution that trees and areas of woodland cover make to the character of the district.

There are no trees of any value within the site and very few located adjacent to it. Where there are trees adjacent to the site these will need to be protected during the construction phase and therefore a condition is recommended requiring the installation of appropriate root protection.

7. Secured by design

Policy DS5 of the Core Strategy states that development proposals should make a positive contribution to peoples' lives through high quality, inclusive design. In particular they should, amongst other things, be designed to ensure a safe and secure environment and reduce the opportunities for crime.

The National Planning Policy Framework confirms that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning decisions should aim to ensure that developments should, amongst other things, create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping.

The West Yorkshire Police Architectural Liaison Officer has not raised an objection to the principle of the development but has raised a number of comments regarding site specific aspects of it, these being as follows:

Connection links to public rights of way: There appear to be two proposed links from the existing public rights of way which provide access into the development. From a crime perspective the links are very damaging to what could otherwise be a secure environment. Introducing the two footpath links permits access and legitimises the presence of any strangers or potential offenders where they can wander into an area, familiarise themselves with the layout and exit routes, commit crime and leave – *There is only one connection to the adjacent footpath, this being located adjacent to plot 69 on the north western boundary. The link is well overlooked by that plot and actually leads onto the estate road in what is a relatively open area. It does allow permeability of the site and access to the surrounding footpath network for the residents of the development. The comments of the Police are noted but it is not considered that it will have a significant impact on the potential level of crime within the development.*

Boundary treatments: The rear boundaries for a number of plots are shown as an existing stone wall. If this is less than 1800mm the height should be increased or fencing installed along the top to increase the overall height to 1800mm to provide more security for the rear gardens. In relation to the other proposed boundary treatments these are fine, with the exception of the 1800mm high wall with combined fencing. The fencing appears to curve within the middle which reduces the overall height, the fence should remain at the same height so that the overall boundary height remains at 1800mm – *The low level dry stone wall along the boundaries will be retained and a 1800mm high timber fence will be installed on the inside of the wall.*

Defensible space: Plots 100 and the garage for plot 84 don't appear to have any defensible space along the east boundary which could allow any stranger to access the space around the side of the buildings or create desire lines onto the next road. From the residents point of view it reduces defensible space and privacy if strangers can walk directly past the side elevation windows – *the area is seen as a landscaped area to reduce the visual impact of the dwellings. It will be allocated to each of the dwellings rather than being an open area of land and will therefore be well managed and looked after. The comments of the Police are noted but it is considered that the scheme as submitted is acceptable.*

Gates brought forward: A number of plots appear to have shared pathways with gates positioned near the end of the pathways. Shared pathways which have gated access near the rear or rear gated access are not features that are supported by the Police or Secured by Design. As the majority of burglaries occur at the rear of the property where surveillance is reduced, having gates positioned within these locations can make the rear of the properties more vulnerable to crime – *By having individual gates at the end of the shared pathway it gives ownership to the gates for each property. If the gates were located at the front end of the shared pathway there are issues that would arise over ownership and responsibility over making sure the gates are closed. Providing that the gates are lockable and of an adequate height then it is not considered that they would impact on the security of the dwellings they serve.*

Parking bays: There are a number of spaces where it is considered that there isn't sufficient natural surveillance and the positioning of them should be altered to include the level of surveillance – *the comments are noted however it is not always possible to accommodate the parking spaces at the front of the properties, for example the dwellings located on the junctions. Providing suitable boundary treatment is provided along the boundaries it is considered that an adequate degree of natural surveillance can be provided.*

Areas of public open space: Will there be a management plan to upkeep and tidy the areas of public open space opposite plots 62 to 68, 79 to 82 and 98 to 100 – *the areas of open space will be allocated to individual properties and therefore no management plan will be required.*

Other issues: Further comments have been made on issues such as external lighting, doors and windows, and, intruder alarms but these are covered by Buildings Regulations Approved Document Q.

8. Contaminated land

Policy EN8 of the Core Strategy states that proposals which are likely to cause pollution or are likely to result in exposure to sources of pollution (including noise, odour and light pollution) or risks to safety, will only be permitted if measures can be implemented to minimise pollution and risk to a level that provides a high standard of protection for health, environmental quality and amenity.

Paragraph 120 of the National Planning Policy Framework states that to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

Paragraph 121 of the National Planning Policy Framework advises that planning decisions should ensure that the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards, former activities such as mining or pollution arising from previous uses. The National Planning Policy Framework also advises that, in cases where land contamination is suspected, applicants must submit adequate site investigation information, prepared by a competent person.

Stage 1 and 2 Geoenvironmental Reports have been submitted in support of the application and state that from 1852 onwards, “the site has remained undeveloped field/farm land, likely to be associated with fall farms historically situated to the south east of the site.” Intrusive investigations have taken place within the site and the report confirms that following the assessment of these works no contamination sources which are considered to pose a risk in relation to human health or plant life have been identified on-site.

As such there is no objection subject to the imposition of appropriate conditions relating to the discovery of unexpected contamination and the importation of materials.

9. Biodiversity issues

Policy EN2 of the Core Strategy states that development proposals that may have an adverse impact on important habitats and species outside Designated Sites need to be assessed against the impact it will have on habitats and species as well as the extent to which appropriate measures to mitigate any potentially harmful impacts can be identified and carried out.

A Preliminary Ecological Appraisal has been submitted with the application and was undertaken in February 2017. The assessment used a 2 km area of search around the site for records of protected and notable species and locally or nationally designated wildlife sites. Whilst the report was not carried out at the optimum time it does still allow the habitat type and likelihood of supporting notable species or communities to be still assessed at this time.

The Appraisal concluded that the habitats on the site are of relatively low ecological value and do not represent a significant constraint to the development. The Site is not likely to support any protected or otherwise notable faunal groups, or species. Any clearance of significant vegetation should be carried out outside the nesting season (September -February) or else preceded by a nesting bird survey. Any active nests will require protection throughout development.

In terms of fauna on the site there was no evidence of roosting bats within the building but the Appraisal states that there may be occasional incidental activity of common and widespread bat species. However the site is unlikely to support significant activity, especially given the lack of significant boundary vegetation, and paucity of high vale habitat well connected to the site. No records of amphibians, badgers, reptiles, or, hedgehogs was found on the site.

In terms of ecological enhancements the following are recommended:

- Use of native canopy forming and understory trees within the soft landscaping.
- Sow and manage areas of wildflower rich grassland within appropriate areas of Public Open Space.
- Installation of bird and bat boxes in or on new housing or garages etc.

Overall therefore it is not considered that the proposal will have a significantly detrimental impact on wildlife in the locality. In order to secure the ecological enhancements recommended in the Appraisal an appropriate condition is recommended.

10. Affordable housing

Policy HO11 of the Core Strategy states the Council will ensure that there is a sufficient supply of good quality affordable housing distributed throughout the District and, subject to viability, will negotiate up to 20% in towns, suburbs and villages.

The site is located in an area where the affordable housing requirement is up to 20% of the number of units to be provided to a Registered Provider. The Applicant has offered the provision of 20 x 2-bed socially rented houses which meets the policy guidance. These dwellings will be secured through a Section 106 Legal Agreement.

11. Conservation

Policy EN3 of the Core Strategy states that the Council will preserve, protect and enhance the character, appearance and historic value and significance of the Districts designated and undesignated heritage assets and their settings.

The application site is located to the west of Clayton conservation area and within the distant setting of a number of listed buildings. It is considered that the inter-visibility, physical and historical relationships between the application site and the nearby heritage assets is extremely limited and therefore the proposal will not impact on the setting of these assets to any greater extent than that of the existing situation.

As such, therefore, from a heritage point of view there is no objection to the proposal.

12. Community Infrastructure Levy (CIL)

The site is located within a nil CIL area and therefore will not generate any monies towards infrastructure provision under the CIL legislation.

13. Other issues

A number of other issues have been raised during the publicity exercise that have not been addressed in the earlier sections of this report. These issues, together with the response, are as follows:

The infrastructure, such as doctors/schools, cannot support additional development in the area – *unfortunately the issues of doctors/dentists being full is not a material planning consideration and they will generally respond to demand in regard to providing additional spaces. With regard to the educational infrastructure monies will be available through the Community Infrastructure Levy (CIL) which can be used towards expanding schools*

There will be an impact on the health and well-being of local residents as the fields are used for walking and general well-being – *the public footpaths that run along the boundaries of the site will still be available for use allowing the local residents to walk along them*

Local horse owners will suffer due to lack of grazing land thus having a detrimental effect on their health and wellbeing – *at the time of the site visit no horses were in the field and there are no stables within it either. There are plenty of other fields within the vicinity of the site that can be used for the grazing of horses*

Anti-social behaviour will increase due to lack of facilities for younger people – *the site is not used for facilities for young people and through its redevelopment it is not considered that it will have any impact whatsoever on anti-social behaviour*

It is the duty of councils to protect the environment and the population it serves – *the site is an allocated Safeguarded Site which permits future development on it subject to the details of the design which have been considered in the above sections of this report*

The majority of the new residents will not support local businesses. Instead they will use the internet and order on-line, which also increases traffic flow when the supermarket vans etc. deliver their goods – *it has been agreed by the Highways Department that the surrounding highway network can satisfactorily accommodate the additional traffic that will result from the development and this includes delivery vehicles, supermarket vans etc. As to where people do their shopping this is not a material planning consideration.*

There are now lots of designs and prototypes for eco-cities, vertical gardens, cob housing, self-sufficient homes and sustainable energy. We should be investing in this kind of thing, planning for the long-term future – *The application has to be judged on the basis of the information submitted and whilst there are innovative designs for dwellings, gardens and cities this cannot be used as a justification for refusing the application as it is considered that the scheme as submitted is acceptable as highlighted in the earlier sections of this report.*

This land may be more profitable to the builders and council in the short term however the long term and wider impacts need to be considered – *the impacts of the development have been fully considered both when the site was first allocated as a Safeguarded Site and now through the detailed assessment in the above sections of this report. It is not considered that the proposal will have a detrimental impact on the area as concluded for the reasons outlined in the report.*

Allowing this would be pandering to the greed of developers – *the site is allocated as a Safeguarded Site which accepts the principle residential development on the site. The "greed of developers" is not a material planning consideration.*

If this goes ahead the integrity of the planning process and indeed the local authority would be questioned – *the site is allocated as a Safeguarded Site which accepts the principle residential development on the site. The application has been assessed against the relevant Development Plan documents and in line with current guidance such as the National Planning Policy Framework.*

As a village that is listed in the Domesday Book, meaning it dates back to at least the 11th century you would hope that everything would be done to preserve the size, personality and beauty of the village and not allow this to go ahead and be another step closer to merging with Thornton – *the site is allocated as a Safeguarded Site which accepts the principle residential development on the site. The village of Clayton has changed considerably from when it was listed in the Domesday Book and will continue to grow to meet the growing population needs.*

Barrett's in their published consultation meeting literature photos were used of local residents without their knowledge or permission (no notice at venue & not informed at the time). Therefore their privacy & data protection have been violated. Due to this how can the developers be trusted to carry out a build to the correct standards & work with community if the proposed housing development is granted – *the supporting information was amended following the initial concerns raised by the public about the photographs. Should planning permission be granted it would be subject to a number of conditions which would need to be adhered to.*

It's seems that without objections Councils & builders would have a free for all until there were no green areas left and if this application is passed then this will open the flood gates and make it even easier for builders to build on the last remaining green fields and Bradford will lose one of its last remaining villages and Clayton will lose its Village identity forever and become part of the urban sprawl – *whilst the site currently comprises a green field it is allocated as a Safeguarded Site which accepts the principle residential development on the site subject to detailed consideration against the layout and design of the dwellings.*

"I cannot believe in this day and age that money is STILL the driving force destroying beauty that you can never again replace" – *the site is allocated as a Safeguarded Site which accepts the principle residential development on the site.*

The loss of yet another green field could impact on mental illness of local residents as research at the University of Exeter has shown that people living in greener areas display fewer signs of depression or anxiety – *The field is not currently used for recreational purposes. The public footpaths that run along the boundaries of the site will still be available for use allowing the local residents to walk along them.*

Many concerned residents are asking why full and detailed plans are not shared in the first instance upon which they can comment and feedback and they see this all as favouring the applicant and not the community – in particular the significant material change that will be made to the site – the inclusion of an embankment with no scale or side elevations on plans which will also necessitate the moving of a lane – *Amended plans are frequently submitted during the processing of a planning application which seek to overcome concerns raised either by local residents or statutory consultees. The plans are only re-advertised if the changes are substantial and will raise new issues on which further comments are sought. The embankment referred to in this case is outside the application site and therefore there is no need to reconsult residents or statutory consultees as it doesn't form part of the planning application.*

It is clear the process is neither clear nor transparent to the layperson and heavily favours the planning applicant – there has been a clear lack of consultation with the community about what are significant changes to the original details on which people were asked to review and comment – *An amended plan has been received to the application but relates to minor changes to the internal layout, such as the location of the parking spaces serving the dwellings. As they were minor it was not deemed necessary to readvertise the plan. The changes referred to in the objection relate to the land to the east of the site which does not form part of the application*

Community Safety Implications:

There are no other community safety implications other than those referred to in the main body of the report.

Equality Act 2010, Section 149:

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.

Reason for Granting Planning Permission:

The scheme provides a residential development on an allocated safeguarded site. The layout of the proposal is acceptable and presents no concerns with regard to visual or residential amenity and highway safety. The proposal is considered acceptable and, with the proposed Section 106 Legal Agreement securing the affordable housing, and the attached conditions, satisfies the requirements of policies P1, SC1, SC4, SC7, SC9, TR1, TR2, TR3, HO5, HO6, HO8, HO9, HO11, EN2, EN3, EN5, EN7, EN8, DS1, DS2, DS3, DS4, DS5, ID2, and, ID3 of the Local Plan for Bradford, and, the relevant paragraphs of the National Planning Policy Framework.

Conditions of Approval:

1. Time limit

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

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

2. Vehicular/pedestrian access

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

Reason: To ensure that a suitable form of access is made available to serve the development in the interests of highway safety and to accord with Policies DS4 and DS5 of the Local Plan for Bradford.

3. Off-street car parking

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 Policy TR2 of the Local Plan for Bradford.

4. No mud on highway

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

Reason: In the interests of highway safety and to accord with policies DS4, and, DS5 of the Local Plan for Bradford.

5. Wheel washing facilities

Before any development commences on site, full details of arrangements for wheel cleaning of construction vehicles and equipment, including the location of such a facility in relation to the highway and arrangements for disposal of contaminated surface water shall be submitted to and approved in writing by the Local Planning Authority. The details and measures so approved shall be installed, maintained in good operational condition and used for wheel cleaning whilst ever construction or delivery vehicles are leaving the site.

Reason: To prevent mud being taken on to the public highway in the interests of highway safety and to accord with policies DS4, and, DS5 of the Local Plan for Bradford.

6. Construction Plan

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) the extent of and surface treatment of all temporary road accesses leading to compound/storage areas and the construction depths of these accesses, their levels and gradients;
- viii) temporary warning and direction signing on the approaches to the site

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

Reason: To 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 TR1, TR3, DS4, and, DS5 of the Local Plan for Bradford.

7. Separate foul and surface water drainage

The site shall be developed with separate systems of drainage for foul and surface water on and off site. If sewage pumping is required, the peak pumped foul water discharge shall not exceed 4 (four) litres per second.

Reason: In the interest of satisfactory and sustainable drainage and to accord with policy EN7 of the Local Plan for Bradford.

8. Means of disposal of surface water drainage

No development shall take place until details of the proposed means of disposal of surface water drainage, including details of any flow attenuation works and off -site works, have been submitted to and approved by the Local Planning Authority. Discharge to public sewer shall be restricted to a maximum flow rate of 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 and to accord with policy EN7 of the Local Plan for Bradford.

9. Surface Water Drainage Maintenance and Management

The surface water drainage infrastructure serving the development shall be managed in strict accordance to the terms and agreements, over the lifetime of the development, as set out in a Surface Water Drainage Maintenance and Management document which shall be submitted to, and agreed in writing by the Local Planning Authority, within 6 months of the development hereby permitted commencing on site.

Reason: In the interest of satisfactory drainage and to accord with policy EN7 of the Local Plan for Bradford.

10. Temporary drainage strategy

The development should not begin until a temporary drainage strategy outlining the drainage arrangements for different construction phases of the project has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only proceed in strict accordance with the approved temporary drainage strategy.

Reason: In the interest of satisfactory drainage and to accord with policy EN7 of the Local Plan for Bradford.

11. Disposal of foul water drainage

Notwithstanding the details contained in the supporting information, the drainage works shall not commence until full details and calculations of the proposed means of disposal of foul water drainage, have been submitted to and approved by the local planning authority. The development shall thereafter only proceed in strict accordance with the approved drainage details.

Reason: In the interest of satisfactory drainage and to accord with policy EN7 of the Local Plan for Bradford.

12. Unexpected contamination

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

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

13. Materials importation

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 EN8 of the Local Plan for Bradford.

14. Domestic Electric Vehicle Recharging Points

Unless otherwise agreed in writing with the Local Planning Authority, from the date of first occupation every property on the site with dedicated parking shall be provided with access to a fully operation 3 pin socket on a dedicated 16A circuit, capable of providing a 'trickle' charge to an electric vehicle. Every other property (with none 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 dedicated 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.

Purpose: To facilitate the uptake and use of low emission vehicles by future occupants and reduce the emission impact of traffic arising from the development in line with the West Yorkshire Low Emission Strategy and the National Planning Policy Framework (NPPF)

15. Construction Environmental Management Plan

Prior to commencement of the development a Construction Environmental Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation, construction and demolition phases of the development 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 Control of Dust and Emissions from Construction and Demolition and include a site specific dust risk assessment and mitigation plan. All works on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.

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

16. Root protection plan

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 policy EN5 of the Local Plan for Bradford.

17. Materials

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 policy DS1 of the Local Plan for Bradford.

18. Landscaping scheme

Within 6 months of the development hereby permitted commencing on site a detailed landscaping scheme shall be submitted for the areas along the northern and eastern boundaries shall be submitted to and agreed in writing by the Local Planning Authority. The landscaping scheme shall be implemented in full accordance with the approved details prior to the completion of the development.

Reason: In the interests of visual amenity and to accord with policy DS1 of the Local Plan for Bradford.

19. Biodiversity enhancements

The development shall be carried out in accordance with the biodiversity enhancement recommendations contained with the Brooks Ecological Preliminary Ecological Appraisal reference R-2812-01.1 and dated March 2017. A timetable for the implementation of the recommendations shall first be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted commences on site.

Reason: To enhance the biological value of the site and to accord with policy EN2 of the Local Plan for Bradford.