

# Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 8 February 2018

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## Subject:

Planning application 17/05079/MAF and Listed Building Consent application 15/05080/LBC for the following development at Leventhorpe Hall, Thornton Road, Bradford:

Restoration of Grade II\* listed Leventhorpe Hall to form two dwellings, conversion of Grade II listed north barn to form 4 apartments and the construction of 26 dwellings with associated works.

## Summary statement:

The Regulatory and Appeals Committee are asked to consider a Listed Building Consent application for restoration works to Grade II\* listed Leventhorpe Hall and Grade II listed North Barn, as well as the demolition of the remains of the Grade II listed East Barn. The committee are asked to consider a full planning application for the restoration of Leventhorpe Hall to form two dwellings, conversion of the north barn to four apartments and the construction of 26 dwellings with associated site works.

A full assessment of both applications against all relevant planning policies and material planning considerations is included in the report at Appendix 1. The site the subject of this application is within the green belt and the proposal constitutes “inappropriate development as defined by national planning policy. In such circumstances planning permission should only be granted where there are proven “very special circumstances”. However, it is considered that in this case there are very special circumstances that warrant the grant of this development in the green belt. Taking other relevant planning policies into account and other material planning considerations it is recommended that conditional Planning Permission and Listed Building consent are granted for the reasons and subject to the conditions set out in the report at Appendix 1.

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

## Portfolio:

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

**Regeneration and Economy**

## **1. SUMMARY**

The Regulatory and Appeals Committee are asked to consider the recommendations for the determination of planning application ref.17/05079/MAF and listed building consent application 15/05080/LBC as set out in the report of the Assistant Director (Planning, Transportation and Highways) - Technical Report at Appendix 1.

## **2. BACKGROUND**

Attached at Appendix 1 is a copy of the Technical Report of the Assistant Director (Planning, Transportation and Highways). This identifies the material considerations relevant to both applications to be considered.

## **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**

If the committee proposes to follow the recommendation to grant planning permission and listed building consent then the Assistant Director (Planning, Transportation, Highways) can be authorised to issue a decision notice granting conditional listed building consent for works to Leventhorpe Hall and North Barn and demolition of East Barn and planning permission for the development of the site consisting of the conversion of the North Barn to four dwellings and the construction of 26 dwellings with associated works.

The proposal site is within the Green Belt and is considered to represent Green Belt Development, as defined by paragraph 4 of the Town and Country Planning (Consultation) (England) Direction 2009. In accordance with the requirements of the Consultation Direction, in the event that the Committee resolve to grant planning permission, the Secretary of State must be consulted to allow him opportunity to call-in the application for his own determination if he so chooses.

If the Committee decide that planning permission and/ or listed buildings consent should be refused, they may refuse the application(s) accordingly, in which case reasons for refusal will have to be given based upon development plan policies or other material considerations.

## **5. FINANCIAL & RESOURCE APPRAISAL**

A number of stakeholders have made requests for the developer to make contributions towards meeting off-site infrastructure and other needs associated with the development. These contributions principally comprise of a residential Metrocard Scheme at a cost of £12,769 and the provision of up to 20% affordable housing.

In order to comply with policy HO11 of the Core Strategy the provision of up to 20% of the proposed houses as Affordable housing would normally be required. The submitted scheme does not include the provision of any Affordable Housing.

In terms of considering the acceptability of the non-provision of Affordable Housing and funding for a Metrocard Scheme reference should be made to paragraph 173 of the NPPF. Paragraph 173 states that, to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions, or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns

to a willing land owner and willing developer to enable the development to be deliverable.

The applicant argues that the provision of Metrocard funding and affordable housing as part of the development scheme would render the development unviable. They explain that this is due to the costs associated with the proposed development including the costs of the proposed restoration works to Leventhorpe Hall, North barn and the provision of an appropriate replacement building in the location the derelict east barn.

To support this argument the applicant has submitted a Financial Viability Report which sets out the costs and value of the development. This report has been reviewed by the Council's Economic Development Service, who have confirmed that they consider it to demonstrate both that the amount of development proposed (in the Green Belt) is required to make the development economically viable and the provision of affordable housing and Metrocard funding would render the scheme unviable. Therefore, notwithstanding the conflict of the proposal with policy HO11 of the Core Strategy it is considered that the scale of discounted housing provision and infrastructure contributions proposed by the applicant is acceptable in relation to advice on scheme viability set out in paragraphs 178-181 of the NPPF.

## **6. RISK MANAGEMENT & GOVERNANCE ISSUES**

None relevant to this application.

## **7. LEGAL APPRAISAL**

The options set out above are within the Council's powers as the Local Planning Authority under the provisions of the Town and Country Planning Act 1990 (as amended), subject to consultation with the Secretary of State to allow him opportunity to call in the application if he so wishes under the provisions of the Consultations Direction.

## **8. OTHER IMPLICATIONS**

All considerations material to the determination of the planning application and listed building consent are set out in the technical report at Appendix 1.

### **8.1 EQUALITY & DIVERSITY**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups, in accordance with the duty placed upon Local Authorities by Section 149 of the Equality Act 2010.

The context of the site, the development scheme proposed and the representations received have been reviewed to identify the potential for the determination of this application to disadvantage any individuals or groups of people with characteristics protected under the Equality Act 2010.

The outcome of this review is that there is not considered to be any sound reason to conclude that the proposed development would have a significantly detrimental impact on any groups of people or individuals with protected characteristics. Full details of the process of public consultation undertaken and a summary of the comments made are attached at Appendix 1.

## **8.2 SUSTAINABILITY IMPLICATIONS**

The proposal is for the development of a 1.74 hectare area of predominantly previously developed land. The site is located immediately to the west of the main urban area of Bradford and is close to a relatively frequent bus route on Thornton Road. Consequently the site is considered to occupy a sustainable location in line with the criteria set out in national and local policy. This is set out in the report attached at Appendix 1.

## **8.3 GREENHOUSE GAS EMISSIONS IMPACTS**

The development of new buildings and land for residential purposes will invariably result in an increase in greenhouse gas emissions associated with both construction operations and the activities of future users of the site. Consideration should also be given to the likely traffic levels associated with this development. Consideration should also be given as to whether the location of the proposed development is such that the use of sustainable modes of travel would be best facilitated and future greenhouse gases associated with activities of the residents are minimised.

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

In order to encourage alternative means of transport Electric Vehicle (EV) charging points are proposed at a rate of 1 per residential unit in line with the Type 1 Mitigation requirements set out in the Bradford Low Emission Strategy. This can be ensured by a 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 into 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**

The site is within the Thornton and Allerton Ward. Ward Councillors and local residents have been made aware of the applications and have been given the opportunity to submit written representations. In response to this publicity 13 representations have been received from local residents in respect of application 17/05079/MAF, consisting of 11 letters of objection and 2 letters of support. In respect of Listed Building Consent application 17/05080/LBC one representation was received in support of the application.

Prior to the submission the applicant undertook pre-application consultation with the local Member of Parliament, Ward members, the local community, statutory consultees and the Local Planning Authority.

The local Member of Parliament and ward members were contacted by email on 20<sup>th</sup> and 21<sup>st</sup> June 2016 respectively. The email included a link to the development proposals and supporting documents and it advised that the development team would be available to answer any queries. The Statement of Community Involvement indicates that no responses were provided by the local Member of Parliament or Ward Members.

The Statement of Community Involvement advises that letters were issued to local residents neighbouring the development site on 26<sup>th</sup> June 2017. A single response was received which querying how the restoration of the hall would relate to the respondents property.

The Technical Report at Appendix 1 summarises the material planning issues raised by representations and the appraisal gives full consideration to the effects of the development upon residents within Thornton and Allerton Ward.

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

Viability Statement carried out by Mac Consulting, dated 25<sup>th</sup> September 2017. The document is exempt by reason of commercial privacy.

## **10. RECOMMENDATIONS**

**Planning Application:** To Grant Planning Permission subject to the conditions recommended at the end of the Technical Report at Appendix 1.

**Listed Building Consent Application:** To Grant Listed Building Consent subject to the conditions recommended at the end of the Technical Report at Appendix 1.

## **11. APPENDICES**

Appendix 1: Technical Report

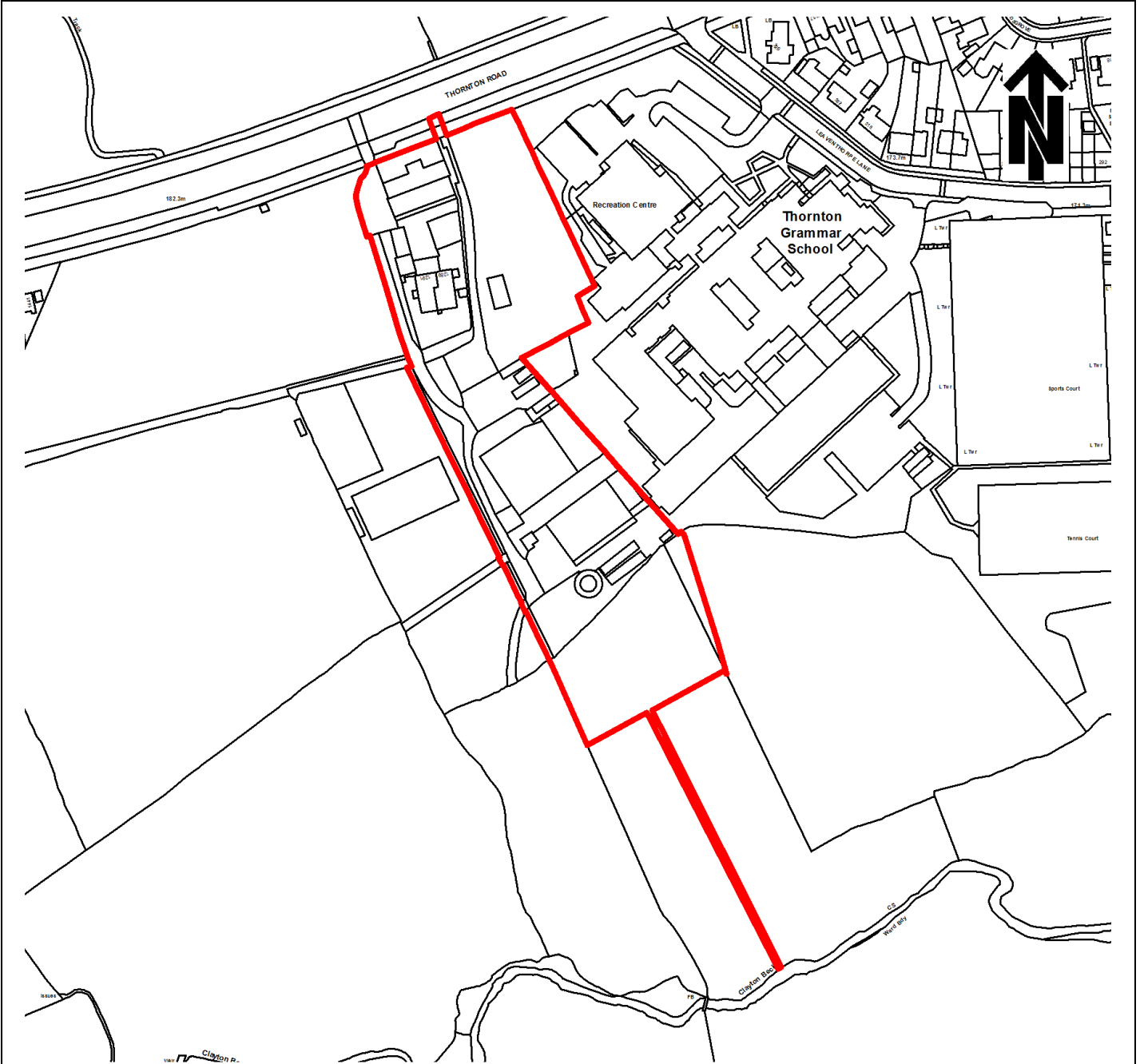
## **12. BACKGROUND DOCUMENTS**

National Planning Policy Framework  
Replacement Unitary Development Plan  
Local Plan for Bradford  
Planning Application 17/05079/MAF  
Listed Building Consent Application 15/05080/LBC

**17/05079/MAF 17/05080/LBC**



City of  
**BRADFORD**  
METROPOLITAN DISTRICT COUNCIL



1:2,500

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**Leventhorpe Hall  
Thornton Road  
Bradford  
BD13 3BD**

8<sup>th</sup> February 2018

**Ward:** Thornton and Allerton (Ward 23)

**Recommendation:**

**Planning Application: Subject to referral to the Secretary of State for Housing, Communities and Local Government, to Grant Planning Permission subject to the conditions recommended at the end of this report.**

**Listed Building Consent: To Grant Listed Building Consent subject to the conditions recommended at the end of this report.**

**Application Number:**

- Planning Application-17/05079/MAF
- Listed Building Consent-17/05080/LBC

### **Type of Application/Proposal**

A full planning application for the restoration of Leaventhorpe Hall to form two dwellings, conversion of the north barn to four apartments and the construction of 26 dwellings with associated site works.

A listed building consent application Listed Building Consent application for restoration works to Grade II\* listed Leaventhorpe Hall and Grade II listed North Barn, as well as the demolition of the remains of the Grade II listed East Barn

### **Site Address**

Leaventhorpe Hall  
Thornton Road  
Bradford  
West Yorkshire  
BD13 3BD

### **Applicant:**

Mr Liam Wainwright

### **Agent:**

Mr Haydn Jones

### **Site Description:**

The site is comprised of 1.8ha parcel of land within the Green Belt, located on Thornton Road, 2.8 miles from Bradford City Centre. The site is largely previously developed land, with the northern portion containing the remaining elements of a historic farmstead. This aspect of the site includes Grade II\* listed Leaventhorpe Hall which is a highly significant house with origins in the 17<sup>th</sup> Century. There is a grade II listed barn located to the north of Leaventhorpe Hall, directly adjacent to the Thornton Road; to the east of the hall there are the derelict remains of a further grade II listed barn. Leaventhorpe Hall is currently vacant and in a poor state of repair, but was last occupied as two residential properties. The north barn is currently in use as a feed

store, stable and office associated with the equestrian use of land to the south. The east barn was previously in agricultural use prior to its dereliction.

To the south of the complex of listed building stands the partially completed shell of an unauthorised dwelling. The remainder of the site to the south is comprised of an agricultural building, stables, storage block and horse walker with associated areas of car parking and hard standing, beyond which an agricultural field descends towards Clayton Beck.

The land surrounding the site is comprised of agricultural land to the north on the adjacent side of Thornton Road; Beckfoot Thornton School and Thornton Recreation Centre to the east and agricultural land followed by residential development to the west.

### **Relevant Site History:**

90/01885/LBC- Internal alterations to hall, partial removal of later outbuildings to two barns, conversion of two listed barns and derelict cottages to dwellings- Withdrawn

90/01888/FUL-Conversion of two cottages, two barns and outbuilding to form nine dwellings- Withdrawn

97/02150/FUL-Construction of two, two storey detached dwellings-Refused-23.06.1998 (Inappropriate development in Green Belt and sub-standard access)

00/01185/FUL- Extension of garden and erection of car port and construction thirteen houses-Withdrawn

04/04585/FUL-Retention of area for storage of caravans- Refused-09.12.2004 (Inappropriate development in Green Belt). Appeal reference 05/00032/APPFUL Dismissed.

02/04432/PN-Erection of general purpose agricultural building- Prior Approval Granted-20.02.2003

06/07935/FUL-Conversion of barn to form 3 dwellings, demolition and reinstatement of stables to form 1 dwelling and construction of a new terrace comprising 5 dwellings with 2 terraces of car ports and associated works including new access- Granted Subject to Section 106 Agreement-Granted-17.04.2007 (New dwellings in green belt found to be justified as enabling development to facilitate the restoration of Leventhorpe Hall and East Barn).

06/07936/LBC-Restoration of Leventhorpe Hall, conversion of East Barn, demolition of and rebuilding of stables, erection of new terrace comprising of 5 dwellings, erection of two terraces of car ports and associated external works including access- Granted Subject to Section 106 Agreement-04.06.2007

06/08857/FUL- Retrospective application for construction of portal framed building and construction of access track-Refused-10.07.2007 (Harm to openness of Green Belt and landscape character, unsuitable access and harm to the setting of grade II\* Listed Leventhorpe Hall.



06/07935/SUB01-Submission of details of conversion of barn to form 3 dwellings, demolition of and reinstatement of stables to form 1 dwelling and construction of new terrace comprising 5 dwellings with 2 terraces of car ports and associated works including new access to comply with conditions 3,5,6,12,13 and 18- Partial Approval Granted-20.11.2008

09/06181/FUL-Retention of hard standing- Refused-23.02.2010 (Inappropriate development harmful to the openness of the Green Belt and landscape character, inadequate access information) Appeal reference 10/00063/APPFUL Dismissed.

11/02926/PN-Two timber clad agricultural buildings-Prior Approval Not Required-20.07.2011

11/03666/FUL-Variation of existing access track, variation of existing yard and car park (retention of car park use) and retention of hard standing and stable building-Granted-14.10.2011

11/05741/VOC-Variation of Condition 2, to extend the date for completion of works to to planning approval 11/03666/FUL: Variation of existing access track, variation of existing yard and car park (retention of car park use) and retention of hard standing at stable building-Granted-15.02.2012

16/09152/PMJ-Restoration of the Grade 2\* Leventhorpe Hall (No 1289 and 1291), conversion of Grade 2 North Barn to 6no apartments and construction of 17 dwellings at Leventhorpe Hall- Amendments Required.

### **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<sup>th</sup> 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 the adoption of Allocations and Area Action Plan development plan documents. The site is not allocated for any specific purpose within the RUDP but it is

within the Green Belt. Accordingly the following saved RUDP and Core Strategy policies are applicable to this proposal.

**Replacement Unitary Development Plan (RUDP):**

***Allocation***

GB1-New Building in the Green Belt

***Proposals and 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

DS3- Urban Character

DS4- Streets and Movement

DS5- Safe and Inclusive Places

ID2- Viability

ID3- Developer Contributions

**Parish Council**

Not in a Parish

**Publicity and Number of Representations:**

The planning application was advertised through the publication of site notices, press advertisements and neighbour notification letters. The Listed Building Consent application was publicised by press advertisement and site notice.

In response to this publicity 13 representations were received in respect of planning application 17/05079/MAF, consisting of 11 letters of objection and 2 letters of support.

In relation to Listed Building Consent application 17/05079/LBC, 1 letter of support was received.

Prior to the submission the applicant also undertook pre-application consultation with the local Member of Parliament, Ward members and the local community. No responses were received from the local Member of Parliament or Ward Members. 1 response was received from a local resident which raised a general comment regarding how the restoration of the hall would relate to their property.

## **Summary of Representations Received:**

### **Objection:**

#### *Flooding/Drainage*

- Draining water into Clayton Beck could result in increased flood risk.
- Increased insurance premiums for neighbouring resident as a result of increased flood risk.
- Clayton Beck is already at capacity and this development could result in flooding to properties on Middlebrook Way, View, Walk and Crescent.
- Increased risk of flooding as a result of run-off from new properties.

#### *Highway and Pedestrian Safety*

- Increased traffic congestion in the local area.
- Insufficient parking
- Increased congestion at Thornton Grammar School at peak times.
- Pedestrian safety concerns for school children crossing the access to the development
- Traffic passing near to listed buildings.

#### *Amenity*

- Loss of views from neighbouring houses.
- Noise and dust pollution as a result of construction works.
- Air pollution as a result of wood burners and garden fires from the new dwellings.

#### *Loss of Green Belt Land*

- The new properties would protrude further into the valley than is currently the case.
- Vacant buildings or brownfield sites should be developed before green belt land.
- Adverse environmental impacts as a result of developing a green belt site.

#### *Infrastructure*

- Local schools and doctors surgeries are already oversubscribed; the proposed new houses will make this situation worse.

#### *Inaccurate Plans*

- The site plan incorrectly takes in the lower field.
- The map indicates a new footpath terminating in the school car park which is not possible

### **Support**

- A permanent use for Leventhorpe Hall is welcomed.
- The refurbishment of Leventhorpe Hall and North Barn is welcomed.

### **Consultations:**

#### ***Historic England***

The applicant has been actively engaged in discussions with Historic England to secure the best possible outcome for Leventhorpe Hall and its associated buildings. Historic England welcomed the pre-application engagement and the opportunity to fully

understand the scope of the proposed development and facilitate design changes where necessary. Historic England commend the applicant on the submission of a detailed Heritage Statement and Condition Surveys as well as supporting structural information.

The restoration of the hall and north barn are welcomed and it is hoped that the proposal will secure a long term future for the buildings. In particular the vacant hall which has been identified on the heritage at risk register. Historic England supports the application in principle. We consider that further information should be provided and amendments sought to the scheme to ensure that the harm to the significance of the grade II\* listed and Grade II listed buildings is minimised. Specifically;

Leventhorpe Hall-Further investigation regarding the condition of the remaining fabric is required once the building is made safe. This should include a timber survey and analysis of the survival of lath and plaster.

Clarification should be sought on the extent of the survival of the fixtures and fittings and their incorporation within the scheme

Suitable methodologies and samples of materials should be sought for the repair and like for like replacement of historic fabric to ensure the enhancement of the Grade II\* listed building. Further details will be required regarding all new services, soil and vent pipes, insulation and fire proofing and the building adequately recorded prior to the commencement of work.

The preferred approach is that where historic fabric remains it should be repaired and reinstated on a like for like basis. We accept that where fabric or features have been lost there is scope for interpretation or an alternative replacement such as windows

North Barn-As with the Hall we request that suitable methodologies and samples of materials should be sought for the repair and like for like replacement of historic fabric to ensure the enhancement of this Grade II listed building. Further details will be required regarding all new services, soil and vent pipes, insulation and fire proofing and the building adequately recorded prior to the commencement of work.

East Barn-The east barn is in poor condition with very little remaining of the original structure. We would not raise any objection to the demolition of the remaining walls and its replacement with four dwellings. The existing materials should be salvaged and reused where possible.

Historic England considers that providing the building can be rebuilt as sympathetically as possible and an appropriately detailed scheme is secured, the proposed rebuilding will help to retain some of the significance of the site and the adjacent listed buildings.

Redevelopment of the Wider Site- The addition of housing on the site will harm the ability to appreciate the Hall and north barn within their rural setting, which is a key aspect of their significance as outlined above. The Council therefore needs to be satisfied that the economic need for the additional dwellings is robustly demonstrated and that the extent of new build is necessary to ensure the viability of the development and a sustainable future for the Hall and north barn.

The majority of the new housing would be located to the south of the hall, where the land falls away, there are concerns regarding the siting and layout of the terrace of four

houses identified as numbers 11-14 to the south east of the Hall. The concern is that the height and siting of these dwellings will impact on a key view of the Hall and north barn. It is advised that further consideration is given to the re-siting of these dwellings to reduce the impact of the development on the setting of these listed buildings.

The proposals also include the reinstatement of the historic access from Thornton Road. Whilst we have no objections to this element of the scheme, further details will be required regarding any alteration to the existing boundary wall and excavation of levels.

The enveloping works required to stabilise the condition of Hall and north barn must be undertaken during the first phase of the redevelopment to ensure the long term future of these significant buildings.

***Historic England (further comments dated 18.12.2017)***

We previously provided advice in response to these applications on 17th October 2017. This letter should be read in conjunction with our previous advice.

As set out in our previous response Leventhorpe Hall is a remarkable late 17th century manorial hall which despite some alterations during 18th and 19th centuries exhibits considerable historic fabric and a discernible plan form. Internally there is a particularly good survival of features; a major part of the significance of the Grade II\* listed Hall therefore derives from its historical illustrative and evidential values. The application site also comprises of two Grade II listed barns, a detached dwelling on the site of the former Grade II listed stables, two cottages and an equestrian centre. The applications propose the refurbishment of for the restoration of the Hall; conversion and subdivision of the north barn; demolition a partially built detached dwelling; demolition of the east barn and the construction of 26 dwellings with associated vehicular access, car parking and hard and soft landscaping.

We welcome the proposed restoration of the Hall and the north barn. We hope this approach will help to secure a long term sustainable future for these significant buildings. In particular the vacant Hall which has been identified on the Heritage at Risk Register for a number of years and its repair and sustainable reuse is a priority for the site. We previously requested further information should be provided and amendments sought to the scheme to ensure that the harm to the significance of the grade II\* listed and Grade II listed buildings is minimised. We note the additional information provided which includes a number of 3D perspectives; updated phasing plan; landscaping details and improvements to the design of the enabling development. Having looked at the perspectives, particularly the northern one, we confirm we are satisfied that units 11-14 will not significantly impact on the setting of the Hall. We also welcome the confirmation that the enveloping works for the Hall and north barn will be undertaken during Phase 1.

Historic England supports the applications on heritage grounds.

We consider that the applications meet the requirements of the NPPF, in particular paragraph numbers 128-129, 131-132 & 134.

In determining these applications you should bear in mind the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas)

Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Your authority should take these representations into account in determining the applications. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

***Design and Conservation (31.10.2017)***

Leventhorpe Hall is a highly significant house with origins in the 17<sup>th</sup> century. The site certainly however was occupied prior to that. The site now comprises 3 listed buildings, a fourth, known as the stable building which was subject to unauthorised damage early in the 2000s and subsequently demolished, stood where the unfinished detached house is now sited, east of the Hall. The Hall was historically served by 2 substantial barns, various cart sheds and functioned as a significant farmstead. The Hall however declined in status from the 18<sup>th</sup> century onwards, losing an original second storey of accommodation and being split into 2 dwellings in the 19<sup>th</sup> century.

More recently the Hall has been allowed to deteriorate drastically. The roof now offers little protection from the elements with resultant impact on the masonry of the walls, internal structure, roof timbers and important internal fabric. The building displays numerous structural defects including cracking at the north-west corner and a very serious bulge to the east elevation. The prolonged and continued ingress of water and saturation of the structure will do nothing to help these progressive defects. The Hall is highly significant but has been regarded as being at risk for over 15 years and features on the Historic England risk register, although this underestimates the severity of condition.

The North Barn is less severely neglected, having been in agricultural use. However the roof does present problems with some structural timbers displaying signs of prolonged moisture saturation and decay.

The East Barn is entirely derelict, largely as a result of the unauthorised removal of the roof covering a number of years ago. The roof timbers have subsequently been removed leaving little more than four walls.

These proposals present an essential opportunity to save the Hall from impending complete loss, and safeguard the practically salvageable aspects of the farmstead. There have been no realistic opportunities for over 10 years, and the condition of the hall is such that immediate resolution is required.

I have been unable to find any reference to temporary protection to the Hall. The potential development phasing suggests that the Hall will be the last phase of the site. This in itself gives cause for concern as other elements of the development could be undertaken with no commitment or obligation to attend to the most significant building on the site. The time which could elapse before work is commenced on the Hall would cause further and possibly irreversible damage. The phasing is therefore challenged as not being sufficiently binding in the interests of the Hall. Immediate protection of the roof is required to protect the fabric of the building and to allow it to dry out. Partial renovation of the Hall should be considered as necessary as an earlier phase of the development to demonstrate commitment to the key significant asset. This may comprise permanent repairs to the roof or structural repairs to the elevations.

Whilst considerable detail is provided in respect of the Hall, showing a structural inspection report, structural works to elevations, heritage statement and a building survey report, much further detail will be required in relation to the appropriate renovation of a Grade II\* listed asset. A full schedule of all timber repairs to ground and first floors will be required, addressing individual members and including floor beams and joists, together with an understanding of what boarding can be retained and the specification for all repairs and replacement timbers.

Very little information is provided in respect of the roof structure. This is one of the most significant components of the historic fabric of the building. Before any works starts comprising any repairs or replacement of roof timbers, a full survey of the roof timbers shall be undertaken, with resultant comprehensive specification and schedule of repairs. The guiding philosophy must be maximum retention of historic timbers, with honest repairs using traditional carpentry and engineering methods.

Internally, schedules for the finishes for all spaces are required. These will include the intended finish for walls, ceilings and floors, with joinery specifications for doors, architraves, skirtings, and identification of what existing features are to be retained and repaired.

Externally, a sample panel of pointing will be required, together with a sample of the stone to be used for areas of rebuilding, and replacement of architectural components. The specification for high level repairs must include retention of all evidence of historic construction and fenestration at upper levels, on both inner and outer leaves of the walls. Full details of new windows, the repair of the external doors and specification of rainwater goods will be required before works commence on these elements.

The proposed configuration of the 2 dwellings intended within the Hall is regarded as the least invasive and has resulted from consideration of several options and the input of heritage consultees at pre-submission stage. It is concluded to be the best solution for the building and has the interests of the building's significance at its heart.

The North Barn is a prominent structure which provides the public facing aspect of the farmstead. Care has been taken to avoid puncturing the powerful blank elevations facing Thornton Road. The building is generally regarded to be in reasonable condition, however, the amount of stitching shown on the structural drawings appears to conflict with the levels of concern expressed in the structural inspection report.

Further detail is required on how the proposed configuration of the new domestic units within the North Barn will be achieved, with sections possibly assisting in illustrating this. The degree of structural intervention is unclear from the general plans provided. Further information on whether trusses will remain visible and what existing structure will remain visible would assist.

Before any works starts comprising any repairs or replacement of roof timbers to the North Barn, a full survey of the roof timbers shall be undertaken, with resultant comprehensive specification and schedule of repairs. The guiding philosophy must be maximum retention of historic timbers, with honest repairs using traditional carpentry and engineering methods.

Externally, a sample panel of pointing will be required. Full details of new windows, rooflights, external doors and specification of rainwater goods will be required before

works commence on these elements. The main cart doors should be retained as operable if at all possible given their unusual form of operation. Details of all external vents and flues must be clarified.

The East Barn stands as a shell with outer walls and a few surviving timbers. Some of the timbers used in the building were understood to be re-used from previous structures, possibly brought from other sites. At least one of these appears to remain in the former aisle to the east side of the building and displays elaborate carvings. The building structure overall is now decayed to an advanced stage. It has been concluded by the engineers that the remaining walls would need comprehensive reconstruction to enable incorporation in any form of new development. For the remaining structure to be brought to a structural or thermal standard compatible with residential standards would require almost entire reconstruction. The heritage significance of any fabric remaining therefore would be very slight. The case for taking down the remainder of the structure has been fully justified and is accepted by both Historic England and the Council's conservation officer. Prior to the start of any works to the fabric of the building, a comprehensive record must be made in accordance with an agreed specification. Arrangements should also be made for the historic timbers to be analysed and if regarded as being significant, to be deposited with a suitable permanent custodian.

The proposed replacement structure for the East Barn has been conceived to have a similar form and appearance to the traditional barn, thus perpetuating the layout of the traditional buildings of the farmstead. The general design, form and appearance of the new structure is regarded as acceptable. A sample panel of masonry and pointing will be required, together with approval of the roof materials, windows and doors which must be set at least 120mm into reveals.

2 blocks of car ports are proposed adjacent to the East Barn. It appears these are to be timber clad although this is unclear. The roof materials are not specified. The northern block will be highly visible from Thornton Road and will obscure a good part of the gable of the East Barn (and windows shown within that elevation). Without a better understanding of the landscaping, this block of car ports is regarded as visually discordant.

Analysis of the viability justification presented for the quantity of new dwellings proposed appears to verify the numbers. The proposed siting of new buildings is regarded as generally sympathetic. The row of cottages (DD) east of the Hall is proposed in a similar position to those approved in 2006. The separation from the hall and the general form are regarded as broadly complementary. With regard to detail, some aspects require clarification. It is not clear if the divides to paired windows are stone mullions, which will be essential on this row and the other new builds. The window frame details will need to be confirmed, with a set back of at least 120mm into reveals. The eaves must be constructed in a traditional way, without fascia boards and with gutters on stone dentils or traditional metal brackets. The gable end chimneys especially that nearest the Hall must be accommodated within the depth of the wall, and not projecting with the appearance of an afterthought. The height of the intended verge coping to the roof must be clarified to prevent this appearing as a parapet. Given the proximity of this block to the Grade II\* Hall, these matters must be resolved prior to determination. A sample panel of walling and the roofing slate will be required.

A useful separation is proposed between the south front of the Hall and the cluster of new build dwellings. The proposed dwellings will still be visible in views of the historic



grouping from Thornton Road, although the crest of the contours and the separation will reduce the impact. The general form and appearance of the rows of new dwellings are regarded as sympathetic, although the same detail comments applicable to row DD above, should be applied.

The key to the successful integration of access arrangement and the new development into this open landscape and the sensitive setting of the heritage assets will be the hard and soft landscaping. The details of the carriageway and parking courts are insufficiently clear. The carriageway and parking courts appear to show margins which will result in an appearance which is wholly too regular for the context, especially in proximity to the Hall. The design and formality of the road and courts must be reduced to the minimum practicable. The parking court to the north of the East Barn will be very visible from Thornton Road, and is very regular in layout and design. It offers minimal space for greening to soften the impact to the barn and the site perimeter.

In general the landscaping plans are insufficiently clear to enable a proper understanding of the visual effect of the landscape and hard surfaced areas. Colours would help illuminate this but the effect throughout must have local distinctiveness, compatible with the character of the farmstead and capable of blending the development into the context. There is insufficient clarity on property boundaries throughout, which will have an immediate impact on the character and identity of the development. Heights, finishes and construction of stone walls must be confirmed, and the use of any timber fencing above walls must be clarified. All landscaping and boundary treatments are fundamental to the character of the development and must be clarified before determination.

The comments of the Archaeology Service should be noted and are regarded as valid and proportionate. Relevant recording must be conditioned.

The development is regarded as justified and should be argued as essential to save this rare asset for the future. The enabling development has been demonstrated as necessary and proportionate, and with some amendments will complement the character of the context. The development is broadly regarded as being in accordance with Para.131 of the NPPF and policies EN3 and DS3 of the Core Strategy.

Amendments and clarification are required before determination, with robust conditions to ensure the phasing prioritises the protection of the Hall, and other technical details across the development. Subject to that, full satisfaction of the relevant policies is seen as being possible. The exceptional circumstances pertaining to the renovation of the Grade II\* listed Hall and the long term future of it and the surviving farm buildings is considered to meet the demands of public benefit, and offset the conflict with other planning policies.

### **Design and Conservation (Further Comments Dated 18.12.2017)**

Additional information has been provided to respond to requests for clarification on various aspects of the development.

Architectural recording and analysis of all standing buildings including the East Barn will be required in accordance with the expectations of WYAAS. This must be undertaken before any work commences on the applicable buildings, to an agreed specification.

Additional monitoring of activity within the site as groundworks occur will be required, as recommended by WYAAS.

Comprehensive conditions will be required in respect of the Hall. These should be worded to be applicable before any work commences in respect of the fabric of the building. A full survey of all structural and roof timbers within the Hall will be required once effective access is available. This will inform a detailed schedule and method statement for all timber repairs and augmentations.

A method statement for all masonry replacements will be required, to demonstrate that these will be implemented with full regard for good practice, being mindful of the high grading of the Hall. Approval of the stone to be used for all repairs, and the method of finishing this, will be required.

Conditions are required in respect of timber repairs and specifications for the first floor, the roof, all floor boarding and all structural timbers within the Hall. Schedules of finishes for walls, ceilings and internal joinery repairs and replacements will be required.

A sample panel of pointing will be required, and the specification for the areas of high level reconstruction to elevations, to ensure that historic evidence within the walls is precisely reconstructed.

Full specifications for windows will be required and a method statement for the repair of the historic external doors.

Details of the rainwater goods are required.

It is noted that the proposed plans do not appear to show the reinstatement of the 2 main chimney stacks to the roof valley area. These are part of the original fabric and configuration of the Hall and must be reinstated. Details should be secured by condition.

The level of intervention to the North Barn is now clearer and is concluded as being justified and proportionate. As with the Hall, a full specification and method statement for all timber repairs will be required.

A method statement will also be required for the insertion of the new first floor and subdivisions within the body of the barn, to understand what interface these will have with the existing fabric.

To a comparable level of detail to those provided for the Hall, details of all doors and windows, rainwater goods, a sample panel of repointing and confirmation of the retention in working order of the main cart doors will be required.

The elevational treatment of block DD has been suitably amended. Clarification of the means of gutter support will be required, together with window details and confirmation of a suitable set-back into the reveal.

Samples for all aspects of paving throughout the site will be required, including kerbs, setts and block for carriageways, and paving to domestic curtilages.

Clarification of boundary definition particularly to the front of plots and in proximity to the Hall remains necessary and should be secured by condition.

The outcome of the custodianship of the re-used historic timbers incorporated in the East Barn should be concluded by condition, before the development is completed.

The block of car ports proposed to the north of the East Barn, close to Thornton Road are regarded as incongruous, despite assertions that these will be set relatively low. The 3-D perspectives indicate that this block will be very evident and will obscure a large part of the north gable of the replacement eastern barn structure. The car port is regarded as discordant and not consistent with the character of the context.

Subject to the placing of specific and comprehensive conditions, and the resolution of a couple of matters as highlighted, the development is regarded as providing a lifeline for the future of the Hall which is justified in its wider impacts. Accordance with para.131 of the NPPF and policies EN3 and DS3 of the Core Strategy is concluded.

### ***Economic Development***

The enabling development in the green belt has the potential to save a number of listed properties, which are on the At Risk register, as well as providing much needed new homes in the west of Bradford. The issue under consideration is whether the number of units required to be built on green belt is acceptable in terms of the returns generated and whether they are excessive when considered against the cost of refurbishing the listed structures. The applicant has provided a comprehensive appraisal to demonstrate that the level of new build on green belt is required as enabling development to facilitate redevelopment of the listed structures on the site. From the figures provided no significant concerns are raised that the level of new build development proposed is beyond that which would be required to deliver an economically viable scheme

### **Highways Development Control**

Although the scale of development proposed does not require a formal Transport Assessment or Statement, as detailed in the Department for Transport's publication 'Guidance on Transport Assessments', a Transport Assessment has been provided. This shows that the worst case vehicle trip generation from this site, based on the nationally accepted TRICS database, would be 18 two way trips in the AM peak and 19 two way trips in the PM peak. The level of traffic generated is well below the 30vph threshold of traffic impact set out in the DfT guidance on transport assessment and therefore will not have a material impact on the highway network. The development provides a minimum of 2 parking spaces per dwelling plus visitor spaces at a rate of 1 space per 5 dwellings which is acceptable. No adverse highway implications are foreseen subject to the imposition of conditions requiring that the pedestrian and vehicular accesses are provided prior to the first occupation of the dwellings.

### ***West Yorkshire Combined Authority***

Bus availability serving the site is considered to be acceptable. Real time bus information boards could be provided at a nearby bus stop (21016) at a cost of £10,000 to the developer. It is recommended that the developer contributes towards a sustainable travel fund. The fund can be used to purchase a range of sustainable transport measures including MetroCards (residential metrocard scheme). A bus only MetroCard scheme for this development would require a contribution of £12,769.

### ***CIL***

The site is located within zone 4, which is a nil charge zone.

### ***Education***

Currently there are places available in some local primary schools but the secondary schools are overcrowded or full (Beckfoot Thornton, Dixons Allerton and Bradford Girls; Grammar School.) The development may therefore result in a need for the Council to increase the number of school places in the area. The development site is located within a nil CIL area. As education is listed on the Council's CIL Regulation 123 list a financial contribution cannot be sought.

### ***Sport and Leisure***

The development will have a minimal impact on existing public open space in the area. Any new public open space within the development should be maintained by the developer by an agreed landscape management plan. If the developer is seeking management of the area by the Council then a commuted sum will be required to maintain the area for the next 25 years.

### ***Trees Section***

No objections. There are no protected trees on site and the three trees which have been identified as being "B" category trees within or within influencing distance of the proposed development, are all proposed for retention with adequate space around them to make this feasible.

### ***Drainage Unit (Lead Local Flood Authority)***

The Lead Local Flood Authority (LLFA) has assessed the documentation relating to the surface water disposal on the proposed development, against the requirements of the National Planning Policy Framework, Planning Practice Guidance and local planning policies. No objections are raised subject to conditions requiring the submission of full details and calculations of the proposed means of foul and disposal of surface water drainage and the submission of a Surface Water Drainage Maintenance and Management document.

### ***Yorkshire Water Land Use Planning***

The development shall be carried out in accordance with the details shown on the submitted plan ,drawing 2849/S111 (revision A) dated 23/08/2017 prepared by MP Consulting Engineers , unless otherwise agreed in writing with the Local Planning Authority (In the interest of satisfactory and sustainable drainage )

### ***Landscape Design***

The development proposals need to respond sensitively to the existing landscape character of the Thornton and Queensbury Landscape Character Area. It would be beneficial for a stronger landscape buffer with more tree planting to be provided around the site boundaries, in order to help mitigate the impact of the development on the surrounding green belt landscape. A landscape visual impact assessment would assist in assessing the impact of the development on the surrounding landscape environment.

### ***West Yorkshire Police***

The west boundary does not show the material or heights, It is assumed that the existing stone walls will be retained, if the height is less than 1.8m, the wall height should be increased or fencing installed along the top to increase the height or

defensible planting installed along the boundaries to provide more security for the rear gardens.

It is recommend that rear plot dividers are to a minimum height of 1.5m with external boundaries to 1.8m high. If stone walls are below this level the heights should be increased as noted above.

Access should be restricted from the front of each plot to the rear gardens by installing a 1.8m high gate which incorporates some form of locking mechanism such as hasp and staple and pad bolt. Gates should be positioned as near to the front building line as possible to increase natural surveillance and prevent any strangers / potential offenders from gaining accessing to the rear of the properties.

It's positive to see that all parking is on plot and has good natural surveillance. In relation to plot 14, it would be advisable to install a side window in the east elevation (kitchen or lounge) which will provide good surveillance of the parking bays.

Plot numbers 6, 7, 12, 13, 20, 21, 24, 25, 28 and 31 will allow require front bin storage. Bins should be kept within a lockable bin store to create a tidy street appearance.

### ***Land Contamination***

No objection subject to conditions requiring the submission of a remediation strategy and remediation verification report. Further conditions requiring details of how any unexpected contamination is dealt with in the event that it is encountered and a methodology for the quality control of any material brought to the site for use in filling, level raising, landscaping and garden soils are also required.

### ***Rights of Way***

The footpath link to Beckfoot Thornton School as shown on the development plan should be ensured by an associated highways agreement or planning condition to ensure its construction and future protection. The developer should also observe the standard requirements in relation to rights of way during the construction period.

### ***Parks and Greenspace***

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.

### ***West Yorkshire Archaeology Service***

The WYAAS recommend that a building record, structural watching brief and archaeological watching brief are carried out during the development and restoration of the hall. These works can be secured by the attachment of the following condition in accordance with the Department of the Environment's Circular 11/95:

"No development to take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological and architectural recording. This recording must be carried out by an appropriately qualified and experienced archaeological consultant or organisation, in

accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority."

***British Horse Society***

No comments received.

***Housing Development and Enabling***

This site falls within the Thornton and Allerton Ward. The number of units proposed is over the 15 unit's threshold so Affordable Housing provision on site would be required. The quota for this ward is 20% Affordable housing provision and this equates to 6 units. Therefore 6 Affordable Housing units are required on site and they should be delivered at affordable rent via a Registered Provider.

**Summary of Main Issues:**

- 1) Principle
- 2) Heritage Implications
- 3) Design, Landscaping and Visual Impact
- 4) Trees
- 5) Rights of Way
- 6) Flood Risk and Drainage
- 7) Highway and Pedestrian Safety
- 8) Air Quality/ Sustainable Travel
- 9) Affordable Housing
- 10) Other Issues Raised by Representations

**Appraisal:**

***Principle***

Paragraph 47 the National Planning Policy Framework (NPPF) stresses the need for Planning Authorities to significantly boost the supply of new housing. In order to achieve this goal the NPPF requires LPAs to identify and update annually a supply of specific deliverable sites sufficient to provide five years-worth of housing against the Council's housing targets. Where there has been a record of persistent under-delivery of housing the local planning authority should identify an additional 20%. The Council cannot currently demonstrate a 5 year supply of deliverable housing sites, as assessed against the objective assessment of housing.

In light of the record of persistent under-delivery and the housing land supply shortfall relative to the requirements of the NPPF, there is an urgent need to increase the supply of housing land in the District. Policy HO3 of the Core Strategy identifies a need for the provision of 700 dwellings in Thornton up to 2030. The delivery of 32 dwellings on this site would contribute towards meeting the future housing needs of the Bradford District's growing population and in this regard would be supported in broad terms by the National Planning Policy Framework. However the site specific policy constraints associated with the proposed development must be considered, including the acceptability of development within the Green Belt.

***Green Belt***

The restoration of Leventhorpe Hall and the conversion of north barn are not considered to have a materially greater impact on openness than currently exists. The proposal would not involve the complete or substantial rebuilding of either building, nor

would it adversely affect the character of the buildings. The volume, form and materials of the buildings would remain substantially the same. As such the restoration of Leventhorpe Hall and the conversion North Barn is considered to be acceptable in green belt terms and would accord with policy GB4 of the RUDP and paragraph 90 of the NPPF.

The development site extends to approximately 1.8 hectares all of which is within the green belt. It is proposed to construct 26 new dwellings an access road, landscaping and drainage within the green belt.

Section 9 of the NPPF sets out a national framework for assessing the acceptability of proposals for the development of land within the Green Belt. At paragraphs 89 and 90 the NPPF defines types of development which can be treated as appropriate development within the Green Belt. The proposal cannot be considered to be covered by any of the exceptions set out in paragraphs 89 or 90 and must therefore be treated as inappropriate development within the Green Belt which is, by definition, harmful to the Green Belt.

In terms of the provisions of the RUDP, saved policy GB1 provides the local policy basis for assessing the appropriateness of proposals for new development within the Green Belt. The proposed development does not meet any of the exceptions stated within saved policy GB1 and therefore the proposal must also be treated as inappropriate development in terms of the local Green Belt policy framework. Inappropriate development should only be approved in very special circumstances.

The NPPF confirms at paragraphs 87 and 88 that:

87. As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

88. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

It is accepted that the proposed development would harm the Green Belt by reason of its inappropriateness, by reason of the harm to the openness of the Green Belt which would be caused by the development of 26 new houses and associated infrastructure in the Green Belt, and by reason of the elements of the development which conflict with the stated purposes of including land within the Green Belt.

Overall, therefore, it is considered that the development would result in significant harm to the Green Belt in terms of inappropriateness, loss of openness and urban encroachment to the setting of Thornton. Paragraph 88 of the NPPF advises that, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

This report finds that all 'other harm' associated with the development can be mitigated to an acceptable level or has been adequately compensated for within the development

scheme except for the harm the development will cause to the character of the landscape; the substantial harm incurred by the loss of the east barn and the less than substantial harm the development would cause to the setting of Leventhorpe Hall and the North barn.

Therefore it is the harm to the Green Belt, the harm to the landscape, the harm incurred by the loss of the east barn and the harm to the setting of Leventhorpe Hall and the north barn which are the subjects of the very special circumstances test. The considerations which are considered to be capable of counterbalancing this harm in this instance are as follows:

a) the development would provide for the delivery of 26 new residential units, mainly on previously developed land in a relatively sustainable location, well connected to an existing settlement. The applicant has demonstrated that the Green Belt aspect of the development is necessary to make the development viable overall;

b) the development provides for the repair and restoration of Leventhorpe Hall, a Grade II\* Listed Building at risk and in need of urgent repair, and the repair of Grade II Listed North Barn. The development will also secure a long term residential use for each of the listed buildings ensuring that maintenance is sustainable in the long term. It is considered that these elements of the scheme will sustain and enhance the significance of the Grade II\* and Grade II listed buildings.

Substantial weight should be given to the harm the development will cause to the Green Belt. Inappropriate development in the Green Belt can only be approved in very special circumstances. Very special circumstances can only be considered to exist where the harm the development will cause to the Green Belt and any other harm is clearly outweighed by other considerations. In coming to a decision on this planning application members of the Regulatory and Appeals Committee must consider whether the two considerations set out in the preceding paragraph (either individually or in combination) clearly outweigh the harm the development will cause to the Green Belt, the character of the landscape, the substantial harm incurred by the loss of the east barn and the less than substantial harm to the setting of Leventhorpe Hall and the North barn.

After giving due consideration to, and placing substantial weight upon, the harm the development would cause to the Green Belt Members are advised that in this case the two considerations listed above, when considered in combination, do clearly outweigh the harm the development would cause to the Green Belt, the landscape and the listed buildings and accordingly very special circumstances (so as to justify the inappropriate development in the Green Belt) have been demonstrated.

The remainder of the report below concludes that all other potential forms of harm associated with the development, can be mitigated to an acceptable level through the imposition of planning conditions.

### ***Heritage Implications***

The application proposals have been assessed in relation to the relevant statutory duties, including the Planning (Listed Buildings and Conservation Areas) Act (1990), the National Planning Policy Framework and Replacement Unitary Development Policies. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act



1990 are relevant to the determination of the application. Insofar as material the statutory provisions provide: Section 66(1) provides: "In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority, or as the case may be, the Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

The site includes grade II\* listed Leventhorpe Hall and its grade II listed north and east barns, which collectively formed a historic farmstead. The significance of each heritage asset and the impact of the proposed development on its historic character and setting are considered below.

### ***Leventhorpe Hall***

Leventhorpe Hall is a grade II\* listed building. Grade II\* listed buildings are particularly important buildings of more than special interest, with only 5.8% of listed buildings achieving this classification. The listing description notes that Leventhorpe Hall is a late C17 house constructed of coursed gritstone. The building appears to have been re-roofed with a double pitched stone slate roof early to mid C18. The building is on the Historic England Heritage at Risk Register and is noted as a Priority Category C building, in poor condition with slow decay and no solution agreed. It is considered that this categorisation is most likely outdated and incorrect. In reality the building is at immediate risk of further rapid deterioration or loss of fabric with no solution currently agreed. In all likelihood the building would be placed within category A of the Heritage at Risk Register if an updated assessment was conducted.

The poor condition of the building is confirmed in the submitted structural report (MP Consulting Ref 284) which notes that the hall structure has suffered from many years of weathering with the lack of adequate roofing, windows and rainwater goods allowing a significant amount of deep structural damage to penetrate the building envelope.

Leventhorpe Hall is currently vacant and has been for a substantial period of time. The proposed formation of two dwellings within Leventhorpe Hall is considered to be consistent with the last historic use of the building, when it was occupied as two properties in the early 19th Century. The proposed north south split of the building is accepted as resulting in the least amount of internal intervention necessary to allow for the conversion. The proposed use is therefore considered to be consistent with the last historic use and accords with policy EN3(D) of the Core Strategy.

The external restoration works are primarily comprised of the replacement and repair of the masonry. This would consist of the dismantling and rebuilding of the east and west gables and the replacement of the existing chimneys on a like for like basis. Minor areas of replacement masonry are also proposed to all elevations of the building and the elevations are to be de-scaled and re-pointed using lime mortar. Structural stitching is required to all corners of the building, with minor areas of stitching proposed to all elevations in order to ensure structural integrity. The existing timber windows are to be replaced with stainless steel slim profile windows and all existing external doors are to be refurbished and reused. Planning conditions are to be imposed requiring the submission of a sample panel of pointing, together with a sample of the stone to be used for areas of rebuilding, and replacement of architectural components. Further conditions are necessary requiring the submission of details in relation to the replacement windows, door repairs and rainwater goods.

Internal alterations would primarily consist of the repair and, where necessary, replacement of flooring and roofing timbers, as well as the construction of timber stud walls at ground floor and first floor level. A full schedule of all timber repairs can be secured by condition. A further condition is also necessary requiring the submission of schedules for the finishes of all internal spaces, including walls, ceilings and floors, with joinery specifications for doors, architraves and skirtings,

The restoration of the building is welcomed by both Historic England and the Council's Design and Conservation Department. It is considered that subject to conditions the proposed works would significantly enhance the character and appearance of the grade II\* listed heritage asset and the proposal would accord with policies EN3 of the Core Strategy.

### ***North Barn***

The North barn is a grade II listed building and its listing description notes that it is a Late C18 barn, probably a rebuild, constructed of sandstone "brick" beneath a stone slate roof.

The North Barn is currently in use as a feed/hay store and the proposal is to convert the building to provide four residential properties. The building is noted to be of average condition and its on-going use as a feed/hay store is not viable in terms of ensuring the long term maintenance and preservation of the heritage asset.

The proposed conversion of the barn to four dwellings is considered to be compatible with preserving the character of the building and its setting and it is considered that no other reasonable alternative exists which would safeguard the character of the building and its setting. As such the proposed conversion is considered to accord with policy EN3(D) of the Core Strategy and paragraph 126 of the Core Strategy.

The proposed layout of the building to form four dwellings has evolved through a process of detailed consideration which is documented in the submitted Design and Access Statement. On this basis it is considered that the layout ensures that the external alterations are the minimum necessary to facilitate the conversion of the building, whilst retaining as much its historic character and internal fabric as possible. After initial concerns the Design and Conservation Department are satisfied that the submitted sections illustrate that the configuration of the new domestic units will not compromise the historic internal fabric of the barn.

The external works would consist of a minor amount of rebuilding of masonry on the north and west elevations, as well as the descaling and repointing of the building. On the northern facade, the cart door is to be fixed back within the existing opening and aluminium framed glazing is to be installed in the opening with a new entrance door. A patent glazing system is proposed to the roof pitch. It is proposed to install two new timber windows in the western and eastern elevations of the building, with heads, cill and mullions designed to match existing window openings. To the south elevation 6 first floor windows are proposed, as well as 9 conservation type rooflights to the roofscape.

It is considered that planning conditions are necessary requiring the submission of a sample panel of pointing; a sample of the stone to be used for areas of rebuilding; a survey of the existing roof timbers with resultant comprehensive specification and schedule of repairs; details of rainwater goods and details in relation to new windows, doors, rooflights and any vents or flues.

Subject to conditions the proposed conversion would secure an appropriate long term use for the grade II listed North barn without having any significant adverse effects upon its special architectural or historic character. The proposed works are therefore considered to accord with policies EN3 of the Core Strategy and paragraph 132 of the NPPF.

### ***East Barn***

The East barn is a grade II listed building and its listing description notes it as a long sandstone "brick" and gritstone barn, which was largely, rebuilt C18.

The East Barn is now decayed to an advanced stage and currently stands as a shell with outer walls and some surviving timbers. The submitted structural report confirms the current state of the building and notes that 95% of the roof coverings and structural elements of the building have been removed. The report concludes that the remaining walls would need comprehensive reconstruction to enable incorporation in any form of new development. In addition a Viability Statement has been submitted which demonstrates that it would not be economically viable to bring the existing building back into use and that the financial implication of doing so would outweigh any rental or investment income for the building and the remainder of the site. The Viability Statement is not contested by the Council's Economic Development Department.

The proposal is therefore to demolish the remains of the East barn and construct a new building of a similar size, scale, massing and in its place, providing four dwellings.

Paragraph 133 of the NPPF states that where a development would result in the total loss of significance of a designated heritage asset planning consent should be refused unless it can be demonstrated that the loss is necessary to achieve substantial public benefits that outweigh that loss.

It is considered that the case for taking down the remainder of the East Barn has been fully justified and it is supported by both Historic England and the Council's Design and Conservation Department.

The remains of the East Barn are only of slight historic significance and the financial benefit of providing a replacement building rather than repairing the remains would assist in enabling the restoration of both Leaventhorpe Hall, an at risk grade II\* listed building of superior heritage value, and the grade II listed North Barn.

For the above reason it is considered that the demolition of the East barn would bring about a substantial public benefit by enabling the restoration of a higher value heritage asset and another grade II listed building. The substantial public benefit would outweigh the loss of the East Barn. Subject to a condition requiring the recording of the remaining fabric of the building the proposal is considered to accord with paragraph 133 of the NPPF and policy EN3 of the Core Strategy.

### ***New Build Dwellings***

It is proposed to construct a total of 26 new dwellings with access and landscaping.

The remains of the East barn are to be replaced with a building (Block BB) of a similar form and appearance containing 4 dwellings, which would be within the immediate setting of Leventhorpe Hall and North Barn. As would the proposed terrace of 4 dwellings contained within Block DD.

Two pairs of semi-detached dwellings (Block EE and Block FF) are proposed to the South of Leventhorpe Hall separated by an area of landscaped open space. These dwellings are considered to be within the immediate setting of Leventhorpe Hall and the extended setting of North Barn.

The 14 remaining dwellings are arranged as four rows of terraced properties and are positioned to the south of and within the extended setting of North Barn and Leventhorpe Hall.

It is considered that the proposed development would result in less than substantial harm to the immediate and extended setting of Leventhorpe Hall and North Barn.

In accordance with guidance set out in paragraph 134 of the NPPF it should be considered whether the harm the development would cause to the setting of Leventhorpe Hall and North Barn, as designated heritage assets, would be counterbalanced by the public benefits of the proposal.

The proposal would be of significant public benefit as it would enable the restoration of Leventhorpe Hall and North Barn, as well as securing long term viable uses for both buildings.

Members are advised that these benefits do outweigh the harm caused to the setting of Leventhorpe Hall and North Barn. It is furthermore accepted that, in order to realise the heritage benefits of the development, a viable scheme must be provided for and that the quantum of development proposed within the setting of the listed buildings is the minimum necessary.

After taking into account the intrinsic value of the heritage assets the very significant weight which should be given to the conservation of the heritage assets and the substantial public benefits that the development would provide it is concluded that the development is acceptable in heritage terms and is consistent with the approach set out in paragraph 140 of the NPPF and accords with policy EN3 sections D and E, whilst sitting partially in conflict with section C in respect of the requirement to conserve or enhance the setting of Bradford's heritage assets.

### ***Phasing of Development***

Following initial concerns raised by both Historic England and the Council's Design and Conservation Department an updated Phasing Plan has been provided indicating that the proposed works to Leventhorpe Hall and North Barn will occur in Phase 1 of the development. This can be secured by a planning condition which is sufficiently binding to ensure a commitment to the preservation of the heritage assets at the earliest possible stage to prevent any further damage to the assets and to ensure that other

aspects of the development are not built out with no commitment to attend to the most significant buildings on site.

### ***Design, Landscaping and Visual Impact***

The National Planning Policy Framework (NPPF) confirms that good design is a key aspect of sustainable development, is indivisible from good planning and should 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 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;
- 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 NPPF also stresses that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

At the local level policy DS1 of the Core Strategy seeks to ensure that development proposals achieve good design and create high quality places and policy DS3 requires that proposals create a strong sense of place and are appropriate to their context. In respect of landscaping policy DS2 seeks to ensure that development proposals include appropriate and effective site landscaping. Policy DS5 requires that development proposals are designed to ensure a safe and secure environment and reduce opportunities for crime.

The approach to design and landscaping taken by the development scheme is considered to be positive and appropriate to the character of the built and natural environment in the locality.

The layout of the development is the product of four previous design phases during which the layout has evolved through consultation with both Historic England and the Council's Design and Conservation Department. The layout includes a central, relatively straight, access road which provides a vista down through the site and assists in maintaining direct views from the hall.

The northern portion of the layout provides for the replacement of the derelict East Barn with a building of a similar design and form to the barn prior to its decay. This is considered to perpetuate the historic layout of the traditional buildings of the farmstead and is an appropriate response to the historic context. A row of four dwellings is also proposed within the northern portion of the site to the east of the hall. This aspect of the layout is similar to that which was previously approved in 2006 and the Design and

Conservation Department have noted that the general form of the row and its separation from the hall mean that it is broadly complementary to the hall.

The layout provides for a new public amenity space to the south of the hall, which acts as an effective buffer between the listed buildings and the majority of the new build housing. This also takes advantage of the site topography in that the new build dwellings on the southern portion of the site are positioned beyond the crest of the hill, reducing their visual presence from Thornton Road.

The new build properties within the southern portion of the site are arranged in a traditional street configuration, with three differing house types. The differing house types, floor levels and orientations of the dwellings are considered to add variety and interest to the street scene.

The presence of heritage assets and the green belt location of the site mean that the inclusion of appropriate hard and soft landscaping is imperative in order to ensure that the development integrates successfully.

Following initial concerns from the Design and Conservation Department and the Landscape Architect regarding the hard and soft landscaping scheme the developer has submitted updated plans in order to clarify the content of the proposals.

In relation to hard landscaping the site access road would be constructed using tegula paving. Residential driveways and parking areas would be constructed of block paving (grey) with 'conservation type' kerbs. Traditional Yorkshire stone paving is proposed for the front garden paths of plots 1-14, as these units are nearest the heritage assets. To the rear gardens of these plots and to the front and rear of plots 14-32 natural sandstone is proposed.

It is proposed to utilise 1.8 metre high hit and miss fencing to site boundaries, with the exception of the south and west boundaries where a stock proof timber fence design is proposed in order to be more sympathetic to the surrounding landscape character.

The site is located within the Thornton and Queensbury Landscape Character area where the landscape type is regarded as mixed upland pasture. The Council's Landscape Architect has advised that the proposed native planting species are acceptable. However, they have raised concerns that the landscape buffer to the site boundaries is not strong enough and that more tree planting should be provided in order to help mitigate the impact of the development on the surrounding landscape.

The submitted soft landscaping scheme includes the provision of native tree planting at ad hoc intervals along the south and west boundaries of the site, adjacent to the surrounding green belt.

Whilst the concerns of the Landscape Architect are noted in regard to the amount of planting proposed, it is considered that the existing site and the land to the south and west of it are not characterised by any significant tree cover. There are ad hoc trees located along field boundaries, but this is predominantly within the fields below Thorpe Road and Hughendon Walk. For this reason it is considered that the level of planting proposed along the boundaries of the site, consisting of native tree species and hedges is appropriate and comparable to the existing characteristics of the landscape. It is therefore considered that the proposed landscaping scheme would use plant species

which are appropriate to local character and conditions and the level of planting proposed is well related to the existing features of the landscape character area.

Notwithstanding the positive impact of the proposed landscaping scheme it is noted that the development site lies within the Thornton and Queensbury Landscape Character SPD (Volume 6) advises that in areas of mixed upland pasture, key areas of open landscape that separate the settlements should be conserved and urbanising elements should be resisted. For this reason it is accepted that the proposed development will harm the character of the landscape, contrary to the requirements of policy DS2 of the Core Strategy.

In respect of the harm incurred to the character of the landscape a viability statement has been submitted which demonstrates that the amount of development proposed is the minimum necessary in order to make the scheme viable. Therefore it is considered that the overall viability of the scheme and the other benefits of the development in terms of delivering new housing, enabling the restoration of important heritage assets and securing future uses for those assets are material considerations which indicate that the development is acceptable, notwithstanding the acknowledged harm that the development would cause to the landscape and conflict with policy DS2 of the Core Strategy.

### **Trees**

The site does not contain any protected trees. The proposed category 'B' trees within influencing distance of the development are to be retained and would be sufficiently separated from the site to ensure that no adverse implications would be incurred.

### ***Rights of Way***

There is an existing public footpath adjacent to the west boundary of the development site. The footpath provides a link between Low Lane and Thornton Road and the route is heavily utilised by pupils of Beckfoot Thornton School. The proposal makes provision for a new footpath to be constructed along the southern boundary of the development site, providing a more direct link between the existing public footpath and Beckfoot Thornton School.

The proposed footpath link is fully supported by the Rights of Way Department subject to a planning condition to confirm details of the surfacing materials and future protection of the route. Subject to the aforementioned condition this aspect of the proposal is considered to accord with policy TR3 of the Core Strategy.

The Rights of Way Department have advised that the developer should also observe the standard requirements in relation to rights of way during the construction period of the development. This can be ensured through the imposition of a footnote.

### ***Flood Risk and Drainage***

Policy EN7 of the Core Strategy deals with Flood Risk and states that the Council will manage flood risk pro-actively. In assessing development proposals this will require that all sources of flooding are addressed, that proposals will only be acceptable where they do not increase flood risk elsewhere and that any need for improvements in

drainage infrastructure is taken into account. Development proposals will also be required to seek to minimise run-off and for Greenfield sites run off should be no greater than the existing Greenfield overall rates.

The applicant has submitted a drainage plan indicating that foul water drainage from the development will connect to the existing sewer on Thornton Road. It is intended for all surface water drainage to be directed to a below ground attenuation tank located in the paddock immediately below the development site. The submitted information indicates that the attenuation tank would have an outflow of 5 litres per second.

The Council's Drainage Unit (acting as Lead Local Flood Authority) have advised that they have no objection to the proposed development subject to the imposition of planning conditions requiring the submission of full details and calculations relating to the proposed means of foul and surface water drainage to be submitted and approved in writing by the Local Planning Authority. The surface water drainage proposals will be required to be based on drainage principles that promote water efficiency and water quality improvements through the use of SuDS and green infrastructure to reduce its effect on the water environment including a peak pass forward flow of 5 litres per second have been submitted. The developer will also be required to submit a Surface Water Drainage Management document and the developer will be required to manage the drainage infrastructure serving the development in accordance with the terms and conditions of the agreement across the lifetime of the development.

Subject to the aforementioned conditions the proposed development is not considered to result in any adverse drainage implications in accordance with the requirements of paragraph 103 of the NPPF and policy EN7 of the Core Strategy.

### **Highway and Pedestrian Safety**

A Transport Assessment (TA) has been submitted which details the worst case vehicle trip generation scenario from the development, based on the nationally accepted TRICS database. The TA indicates that the development would generate 18 two way vehicle trips in the AM peak period and 19 two way trips in the PM peak period. This level of traffic is significantly below the 30 vehicles per hour threshold of traffic impact as set out in the Department for Transport's guidance on transport assessments. For this reason the level of traffic generated from the development is not considered to have a material impact on the highway network. The proposal is therefore considered to accord with policy TR1 of the Core Strategy and paragraph 32 of the NPPF.

The development would provide a minimum of 2 parking spaces per dwelling, as well as visitor spaces at a rate of 1 space per 5 dwellings. The proposed parking provision is in accordance with the requirements of policy TR2 and Appendix 4 of the Core Strategy.

The Highways Service has recommended the imposition of a suite of planning conditions. Specifically, conditions are required to ensure that the vehicular and pedestrian access and turning areas are provided before any part of the development is brought into use to a construction specification to be agreed in writing by the local planning authority. The off street car parking facilities will also be required to be laid out, hard surfaced, sealed and drained within the curtilage of the site, with gradients no steeper than 1 in 15.



Subject to the conditions recommended at the end of this report, it is concluded that the proposed means of access to the site is acceptable in highways terms, sufficient on-site parking provision has been made and that sufficient evidence has been submitted to demonstrate that the level of traffic which will be generated by the development will not have an adverse impact on the highway network. The proposal is therefore considered to accord with policies TR1 and TR2 of the Core Strategy and paragraph 32 of the NPPF.

### **Air Quality/ Sustainable Travel**

Paragraph 35 of the NPPF confirms that developments should be located and designed where practical to:

- give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
- create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;
- incorporate facilities for charging plug-in and other ultra-low emission vehicles; and
- Consider the needs of people with disabilities by all modes of transport.

The Bradford MDC Low Emissions Strategy, published in August 2013, sets out a Development Control Air Quality Policy at Appendix 2 which identifies the criteria for the requirement of an Air Quality Assessment and specifies the level of mitigation expected to be provided for different categories of development.

This proposal is below the Department for Transport threshold criteria for a Transport Assessment and therefore no air quality assessment is required, but there is a need to consider whether the development will expose future occupiers to unacceptable levels of NO<sub>2</sub> and particulate matter.

In respect of mitigation measures the proposed residential development is required to provide Type 1 mitigation in the form of electric vehicle (EV) charging points for each dwelling. The developer has confirmed that EV charging points will be provided for each dwelling and this can be ensured by a planning condition in the event that planning permission is granted.

Subject to the aforementioned condition and adherence to the London Best Practice Guidance on the Control of Dust and Emissions from Construction and Demolition it is considered that the development will suitably promote the adoption of sustainable patterns of travel by future residents and facilitate the accessing of local facilities and services by modes of transport other than the private car in accordance with the provisions of paragraph 35 of the NPPF and policy EN8 of the Core Strategy.

### **Affordable Housing**

In relation to the requirement for Affordable Housing policy HO11 requires the Council to work with partners to ensure that there is a sufficient supply of good quality affordable housing distributed throughout the District, particularly in areas of highest need. Section B of policy HO11 requires that, subject to viability the Council will negotiate for up to 20% affordable housing provision. In this instance that requirement

equates to 6 units to be provided on site and delivered at an affordable rent via a registered provider.

The proposal does not make provision for any affordable housing. In order to justify this position the applicant has submitted a Viability Statement which sets out the costs and value of the development and concludes that the provision of affordable Housing is not financially viable.

This report has been reviewed by the Council's Economic Development Service, who have confirmed that they consider it to robustly demonstrate both that the amount of development proposed (in the Green Belt) is required to make the development economically viable. This is based on the provision of 100% market housing. The position of the Economic Development Department is therefore aligned with the submitted Viability Statement and confirms that the provision of affordable housing in line with the requirements of policy HO11 would render the development unviable.

Therefore, notwithstanding the conflict of the proposal with Core Strategy policy HO11 it is considered that the absence of affordable housing provision is acceptable in relation to advice on scheme viability set out in paragraphs 178 to 181 of the NPPF.

#### **Community Safety Implications:**

Policy DS5 requires that development proposals are design to ensure a safe and secure environment and reduce opportunities for crime. The Police Architectural Liaison Officer has reviewed the submitted proposals and, whilst not objecting in principle to the proposed development, has raised certain concerns and points of detail in relation to matters including:

- The treatment to the west boundary should be a minimum of 1.8 metres;
- Rear plot dividers should have a minimum height of 1.5 metres;
- Access to the rear of plots should be restricted by 1.8 metre high gates positioned at the front of the building line;
- A 1.2 metre high fence or railing around the parking bays opposite plot 32 would prevent conflict with children utilising the new footpath;
- Seating should be removed from the area of public open space as it could encourage offenders to make use of the area for observing properties;
- Plots 6,7,12,13,20,21,24,25,28 and 31 require front bin storage with bins kept in a lockable store;
- Mail delivery arrangements;
- Door and window security standards;
- Installation of intruder alarms;
- Provision of external CCTV and lighting

Whilst being mindful of the need to provide a suitably crime resistant environment with well-defined and secure public and private spaces the Council must also balance other planning considerations including the imperative of facilitating connectivity to the surrounding built and natural environment and providing the recreational spaces necessary to promote healthy lifestyles and attractive, vibrant, socially interconnected developments.

In this regard it is considered that the proposed 1.5 metre high timber fencing and hedging to the west boundary of the site is sufficient to provide a robust boundary

feature which is visually appropriate whilst also providing defensible rear boundaries to the properties. It is not considered appropriate to require 1.8 metre high gates to be provided at the front of the building line owing to the harmful impact that this would have on the visual amenity of the street scene.

In relation to the provision of a 1.2 metre high fence or railing around the parking bays adjacent to plot 32 it is considered that this is not necessary as there is a minor change in land levels in this location and the footpath is separated from the parking bays by a 1.5 metre fence. As such there is no opportunity for conflict between footpath users and the parking bays.

The submitted hard landscaping scheme confirms that rear plot dividers would achieve the minimum required height of 1.5 metres.

It is not considered to be appropriate for the planning system to regulate all of the aspects of the development referred to by the Police Architectural Liaison Officer, such as the postal delivery system and the security standards of doors and windows, as these matters are not generally considered to be land use planning concerns.

The detailed design of other design elements referred to by the Architectural Liaison Officer, which are more typically controlled through the planning system, such as details of bin storage arrangements, can appropriately be made the subject of planning conditions allowing details to be agreed at a later stage and the determination of this application to focus on the main land use planning considerations.

It is considered that the development has generally been designed to reflect the principles of secure by design and that the spaces which would be created by the development would not be unacceptably insecure or susceptible to antisocial behaviour.

Subject to the reservation of details of bin storage arrangements by a planning condition it is considered that there are no grounds to conclude that the proposed development would create an unsafe or insecure environment and the proposal is considered to accord with policy DS5 of the Core Strategy.

### **Further Issues Raised by Representations**

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:

-Increased insurance premiums for neighbouring resident as a result of increased flood risk. *The impact of development on insurance premiums is not a material planning consideration.*

-Impact of traffic passing near to listed buildings. *The development will facilitate the restoration of the listed buildings including ensuring their structural integrity. The proposed access road will be constructed to an adoptable standard and therefore passing vehicles are not considered to have an adverse impact on the listed buildings.*

-Loss of views from neighbouring houses. *The loss of a view is not a material planning consideration.*

-Vacant buildings or brownfield sites should be developed before green belt land. *The development site occupies a sustainable location and the proposal is for enabling development to secure the future of valuable heritage assets.*

-Local schools and doctors surgeries are already oversubscribed; the proposed new houses will make this situation worse. *The site is located within 'Residential Zone 4' and therefore a contribution towards off site infrastructure provision is not required.*

-The site plan incorrectly takes in the lower field. *The aspect of the lower field which is included within the plans is correctly included. This aspect of the proposal is to allow the provision of below ground surface water attenuation tanks.*

### **Equality Act 2010, Section 149:**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity accordance with the duty placed upon Local Authorities by Section 149 of the Equality Act 2010.

The context of the site, the development scheme proposed and the representations received have been reviewed to identify the potential for the determination of this application to disadvantage any individuals or groups of people with characteristics protected under the Equality Act 2010.

The outcome of this review is that there is not considered to be any sound reason to conclude that the proposed development would have a significantly detrimental impact on any groups of people or individuals with protected characteristics.

### **Reason for Granting Planning Permission**

The proposal represents inappropriate development in the Green Belt, which is by definition harmful to the Green Belt, and should not be approved except in very special circumstances. Substantial weight has been given to the harm the proposed development would cause to the Green Belt by reason of its inappropriateness, the loss of openness as a consequence of the development and the development's conflict with the purposes of allocating land as Green Belt. However it is considered that the harm the development would cause to the Green Belt and the harm the development would cause to the character of the landscape and the setting of Leventhorpe Hall and North Barn, as a listed building, is clearly outweighed by other considerations, in respect of the provision of new housing on partly previously developed land, the delivery of works to sustain and enhance the significance of Leventhorpe Hall and North Barn.

It is considered that, subject to the conditions recommended at the end of this report, the development will not result in unacceptable impacts upon the environment or the occupants of surrounding land in terms of visual amenity, residential amenity, highway and pedestrian safety, flood risk, ecological impacts or air quality. Although the proposal will harm the character of the landscape and the setting of Leventhorpe Hall and North Barn, this impact has been mitigated through the provision of a high quality development design and appropriate proposals to repair and restore the listed buildings and the residual harm the development would cause is not considered to be avoidable without rendering the development unviable.

The proposal is considered to accord with the relevant national planning policies set out in the NPPF and policies P1, SC1, SC4, SC9, TR1, TR2, TR3, HO5, HO6, HO8, HO9, EN3(C,D,E), EN5, EN7, EN8, DS1, DS3, DS4, DS5, ID2 and ID3 of the Local Plan excepting policies GB1, EN4, HO11 and in part EN3(C) with regard to conserving the setting of listed buildings.

### **Reason for Granting Listed Building Consent**

The proposed works to repair and restore grade II\* listed Leventhorpe Hall and grade II listed North Barn will sustain and enhance the significance of the listed buildings. The benefits of the proposed development to construct 26 dwellings are considered to outweigh the harm it would cause to the setting of Leventhorpe Hall and North Barn. It is accepted that, in order to realise the heritage (and other) benefits of the development, a viable development scheme must be provided for and that the applicant has demonstrated that the amount of development proposed is the minimum amount of enabling development required. After taking into account the intrinsic value of the heritage assets, the very significant weight which should be given to the conservation of the heritage assets and the substantial benefits which it is considered that the development would provide, it is concluded that the proposal is acceptable in heritage terms and consistent with the principles set out in Section 12 of the NPPF and policy EN3(C,D,E) of the Core Strategy, whilst sitting in partial conflict with policy EN3(C) with regard to conserving the setting of listed buildings.

### **Conditions of Planning Permission:**

#### **General**

##### Three Year Time Limit

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).

##### Phasing

2. The development shall be carried out in accordance with the submitted phasing plan drawing reference No.101.SS.03.103 Rev A dated 08.12.2017, which illustrates that all works hereby approved to Leventhorpe Hall and North Barn shall be carried out in Phase 1; the construction of plots 5-14 shall form Phase 2 and the construction of plots 15-32 shall form Phase 3 of the development, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the phasing of the construction of the development provides for the completion of the works to the listed buildings in accordance with policy EN3 of the Core Strategy.

##### PD Rights Removed A-E

3. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no development falling within Classes A to E of Part 1 of Schedule 2 of the said Order shall be carried out without the prior written permission of the Local Planning Authority.

Reason: In the interests of visual amenity and the character of the heritage assets and to accord with Policies DS1, DS3 and EN3 of the Core Strategy Development Plan Document.

### **Land Contamination**

#### **Remediation Strategy**

4. Unless otherwise agreed in writing with the Local Planning Authority, Prior to construction of the development a detailed remediation strategy, which includes the completed gas monitoring results and ground gas risk assessment 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.

#### **Remediation Verification**

5. 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 EN8 of the Local Plan for Bradford.

#### **Material Importation**

6. 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.

#### **Unexpected Contamination**

7. 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.

## Highways

### Construct means of access before occupation

8. Before any part of the development is brought into use, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced and sealed in accordance with the approved plan numbered 1702601 dated July 2017 and completed to a constructional specification approved in writing by the Local Planning Authority.

Reason: To ensure that a safe and suitable form of access is made available to serve the development in the interests of highway safety and to accord with Policies TR2 and DS4 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

### Vehicle Turning Area

9. Before any part of the development is brought into use, the vehicle turning area shall be laid out, hard surfaced, sealed and drained within the site, in accordance with details shown on the approved plan numbered 1702601 and retained whilst ever the development is in use.

Reason: To ensure that a safe and suitable form of access is made available to serve the development in the interests of highway safety and to accord with Policies TR2 and DS4 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

### Off Street Car parking

10. 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 amenity and highway safety, and in accordance with Policies TR2, DS4 and EN7 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

### No Mud on Highway

11. 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.

## Drainage

### Surface Water Drainage Details

12. 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 surface water drainage, based on drainage principles that promote water efficiency and water quality improvements through the use of SuDS and green infrastructure to reduce its effect on the water environment including a peak pass forward flow of 5 litres per second, 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: 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

#### Surface Water Management Plan

13. 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 to be submitted to the Lead Local Flood Authority for approval.

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

#### Foul Water Drainage Details

14. 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.

### **Air Quality**

#### Domestic Electric Vehicle Recharging Points

15. 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. 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.

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 West Yorkshire Low Emission Strategy and the National Planning Policy Framework (NPPF).

#### Construction Environmental Management Plan

16. 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.

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) as possible.

## **Landscaping**

### Landscaping Scheme Implementation

17. In the first planting season following the completion of the development or as may otherwise be agreed in writing by the Local Planning Authority, landscaping and new tree planting shall be implemented at the site in accordance with the approved Landscape Proposals drawings MR17-004/101 Rev B and MR17-004/102 Rev B dated 29.11.2017.

Any trees or plants comprising the approved landscaping becoming diseased or dying or which are removed or damaged within the first 5 years after the completion of planting shall be removed immediately after the disease/death and a replacement tree or planting 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 planting.

Reason: In the interests of visual amenity and to accord Policies EN5, DS2 and DS3 of the Local Plan Core Strategy.

### Landscape Maintenance

18. Prior to occupation of any part of the development, a schedule of landscape maintenance for a minimum period of 25 years shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include a plan to define all communal hard and soft landscaped areas to be maintained under the maintenance regime, an outline of maintenance works to be undertaken and the frequency of those work, together with details of responsibilities for implementing the maintenance regime by a Management Company or other agency. It shall provide email, postal address and telephone contact details of such a company or agency. Landscape maintenance of the identified areas shall subsequently be carried out in accordance with the approved schedule for the period agreed.

Reason: To ensure effective future maintenance of the landscaped areas in the interests of visual amenity and to accord with Policies DS2, DS3 and DS 5 of the Local Plan Core Strategy.

## **Heritage Related Conditions**

### Archaeological and Architectural recording

19. No development shall take place until the developer has secured the implementation of a programme of archaeological and architectural recording of the

interior and exterior of all of the buildings in accordance with a written scheme of investigation which has first been submitted to, and approved in writing by the Local Planning Authority.

Reason: It is essential to facilitate an appropriate archaeological evaluation before any work commences on site because such work might cause the irretrievable loss or destruction of such archaeological and heritage evidence. To accord with Policy EN3 of the Core Strategy Development Plan Document.

#### Archaeological Watching Brief

20. No development shall take place until the developer has secured the implementation of a programme of archaeological investigation and recording of the site in accordance with details which have first been submitted to, and approved in writing by the Local Planning Authority. The scheme of archaeological investigation and recording shall comprise of an archaeological watching brief and shall include measures whereby the developer shall undertake to notify the Local Planning Authority of the commencement of development and permit and facilitate access to the site by an archaeologist nominated by, or on behalf of, the Local Planning Authority to observe and record any archaeological remains uncovered during excavation work.

Reason : It is essential to facilitate an appropriate archaeological evaluation before any work commences on site because such work might lose, destroy or disturb such archaeological and heritage evidence. To accord with Policy EN3 of the Core Strategy Development Plan Document.

### **Conditions of Listed Building Consent:**

#### General

##### Time Limit 3 Years

1. The works 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 18 of the Planning (Listed Buildings Conservation Areas) Act 1990 (as amended).

##### Hard Surfacing Samples

2. Prior to the commencement of any hard landscaping works samples of the materials to be used for the site access, driveways, parking areas and parking to domestic curtilages shall be submitted to and approved in writing by the Local Planning Authority.  
Reason: In the interests of the character and visual amenity of the area and to accord with policies DS1, DS3 and EN3 of the Core Strategy.

##### Boundary Treatments

3. Notwithstanding the details provided on the submitted plans details of the design, height and materials of boundary treatments to the plot curtilages and any retaining walls within the site shall be submitted to and approved in writing by the Local Planning Authority. The boundary details so approved shall then be provided in full prior to the first occupation of the development and shall thereafter be retained as long as the development subsists.

Reason: In the interests of amenity and privacy and to accord with Policies DS2, DS3, DS5 and EN3 of the Local Plan Core Strategy.

### Leventhorpe Hall

#### Masonry/Pointing Sample

4. Before any external works are undertaken to Leventhorpe Hall a sample panel of the masonry and pointing to be used for any areas of rebuilding shall be made available for inspection on site and approved in writing by the local planning authority.

Reason: In the interests of the character and visual amenity of the area and to accord with policy EN3 of the Core Strategy.

#### Masonry Repairs

5. Before any works comprising replacement of masonry components or indent repairs are undertaken to Leventhorpe Hall a method statement detailing the techniques and tools to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved method.

Reason: To safeguard the special architectural and historic interest of the building and accord with policy EN3 of the Core Strategy.

#### Window/Door Details

6. Prior to their installation details of the windows including sections and profiles, and method statements for the repairs of the entrance doors shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and so retained.

Reason: In the interests of the character and visual amenity of the area and to accord with policy EN3 of the Core Strategy.

#### Rainwater Goods (All)

7. Prior to their installation, details of the materials, sectional profile and colour of all new gutters, rainwater downpipes and any other external plumbing shall be submitted to, and approved in writing by the Local Planning Authority. These items shall then only be installed in accordance with the approved details and these shall be retained thereafter.

Reason: In the interests of visual amenity and the character of the heritage asset and to accord with Policies DS1, DS3 and EN3 of the Core Strategy Development Plan Document.

#### Architectural Components

8. Construction works to the east elevation of Leventhorpe Hall shall not begin until scale drawings showing the detailing of the following architectural components have been submitted to and approved in writing by the Local Planning Authority, namely: the fenestration at upper levels, on both inner and outer leaves of the walls. The construction works shall thereafter be carried out in accordance with the approved details and so retained.

In the interests of visual amenity and the character of the heritage asset and to accord with Policies DS1, DS3 and EN3 of the Core Strategy Development Plan Document.

#### Floor Timber Repairs

9. Before any work is undertaken to the floors of Leventhorpe Hall a full survey of the existing ground and first floors, addressing individual members and including floor beams and joists, together with an understanding of what boarding can be retained and the specification for all repairs and replacement timbers shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details and so retained

Reason: To safeguard the special architectural and historic interest of the building and accord with policy EN3 of the Core Strategy.

#### Roof Timber Repairs

10. Before any work is undertaken to the roof of Leventhorpe Hall a full survey of the existing roof timbers shall be undertaken and a schedule of repairs, including a method statement for implementation, shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details and so retained

Reason: To safeguard the special architectural and historic interest of the building and accord with policy EN3 of the Core Strategy.

#### Internal Works

11. Prior to the commencement of any internal works to Leventhorpe Hall schedules for the finishes of all internal spaces shall be submitted to and approved in writing by the Local Planning Authority. These will include the intended finishes for walls, ceilings and floors, with joinery specifications for doors, architraves, skirtings, and identification of what existing features are to be retained as well as details of any necessary repairs.

Reason: To safeguard the special architectural and historic interest of the building and accord with policy EN3 of the Core Strategy.

#### North Barn

##### Roof Timber Repairs

12. Before any work is undertaken to the roof of the north barn a full survey of the existing roof timbers shall be undertaken and a schedule of repairs, including a method statement for implementation, shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details and so retained.

Reason: To safeguard the special architectural and historic interest of the building and accord with policy EN3 of the Core Strategy.

##### Pointing

13. Before any external alterations are undertaken to the north barn details of the method, composition and colour of the pointing shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the pointing details so approved.

Reason: In the interests of visual amenity and the character of the heritage asset and to accord with Policies DS1, DS3 and EN3 of the Core Strategy Development Plan Document.

#### Window Details

14. Prior to their installation details of the timber windows, doors, rooflights and retention of the main cart doors including sections shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and so retained.

Reason: In the interests of the character and visual amenity of the area and to accord with policy EN3 of the Core Strategy.

#### Method Statement: First Floor Installation

15. Prior to the insertion of the first floor in the north barn a method statement shall be submitted detailing how the first floor level and subdivisions within the body of the barn will interface with the existing fabric of the building.

To safeguard the special architectural and historic interest of the building and accord with policy EN3 of the Core Strategy.

#### Vents and Flues

16. Details of any external vents or flues to be installed in the north barn shall be submitted to and approved in writing by the local planning authority prior to installation.

Reason: In the interests of the character and visual amenity of the area and to accord with policy EN3 of the Core Strategy.

#### East Barn

##### Recording Specification

17. Prior to the commencement of any material work to the fabric of the east barn, a comprehensive record of the remaining components of the building including any historic timbers shall be made in accordance with a specification to be agreed in writing by the local planning authority. This shall include details of arrangements for depositing any significant timbers with a suitable permanent custodian.

Reason: To allow appropriate historic evaluation before any demolition work commences on site because such work might lose, destroy or disturb such heritage evidence. To accord with Policy EN3 of the Core Strategy Development Plan Document.

##### Replacement East Barn

##### Masonry/Pointing Sample

18. Before construction of plots 5,6,7 and 8 begins a sample of the walling and roofing materials and a sample panel of the masonry and pointing shall be made available for inspection on site.

Reason: In the interests of the character and visual amenity of the area and to accord with policy EN3 of the Core Strategy

Window and Door Details

19. Prior to their installation details of the windows and doors including sections shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and so retained.

Reason: In the interests of the character and visual amenity of the area and to accord with policy EN3 of the Core Strategy.

Windows Inset 120mm

20. The windows of plots 5,6,7 and 8 hereby approved shall be inset by a minimum of 120 millimetres from the face of the wall in the manner traditional to the area and thereafter retained.

Reason: In the interests of the character and visual amenity of the area and to accord with policy EN3 of the Core Strategy.

New Dwellings: Plots 11-32

Walling, Roofing and Pointing

20. Before the construction of plots 11-32 begins a sample of the walling and roofing materials and a sample panel of the walling and pointing shall be made available for inspection on site.

Reason: To assist the selection of appropriate materials in the interests of visual amenity and to accord with policy EN3 of the Core Strategy.

Window Inset

21. The windows of plots 11-14 shall be inset by a minimum of 120 millimetres from the face of the wall in the manner traditional to the area and thereafter retained.

Reason: In the interests of the character and visual amenity of the area and to accord with policy EN3 of the Core Strategy.

Eaves Detail

22. Before the construction of plots 11-32 begins details of the construction of the eaves shall be submitted to and agreed in writing by the local planning authority.

Reason: In the interests of the character and visual amenity of the area and to accord with policy EN3 of the Core Strategy.

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