

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

AL

Subject:

This is a reserved matters application for 30 dwellings approved by outline permission 14/04045/MAO requesting consideration of appearance, landscaping, layout and scale on the site of Flockton House, Flockton Road, Bradford.

Summary statement:

The positioning of the access into the site from Brompton Avenue was approved as part of the outline planning permission and as such this application simply relates to the appearance, landscaping, layout and scale of development within the application site.

The dwellings are in the form of semi-detached and terraces of 4 dwellings. The layout is such that dwellings front onto both Brompton Avenue and Flockton Road, each being served by individual driveways. The design of the dwellings is such that they are all 2 storeys in height and will be constructed of reconstituted stone and render on the elevations with reconstituted slate on the roof. The design and layout are considered to be in keeping with the general character of the locality.

To the west of the site is a Grade I Listed Building (Bolling Hall) which is separated from the site by a copse of mature trees. The scale of development, particularly along the western boundary, is less than previously existed when Flockton House occupied the site and therefore it is not considered that the scheme will have a detrimental impact on the setting of the listed building.

The development will be carried out by Bradford Council's Housing Services and will comprise 100% affordable housing for rent. Objections have been raised to the tenure of the dwellings but this cannot be considered when determining the planning application. However, the development will make an important contribution to Bradford Council's affordable housing stock.

Overall it is considered that subject to the imposition of appropriate conditions the scale, design and layout of the development are acceptable and will not have a significantly detrimental impact on the visual character and appearance of the streetscene and wider locality.

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Portfolio:
Regeneration, Planning and Transport

Overview & Scrutiny Area:
Regeneration and Economy

1. SUMMARY

This is a reserved matters application for 30 dwellings approved by outline permission 14/04045/MAO requesting consideration of appearance, landscaping, layout and scale on the site of Flockton House, Flockton Road, Bradford.

2. BACKGROUND

There is no relevant background to this application.

3. OTHER CONSIDERATIONS

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

4. OPTIONS

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

5. FINANCIAL & RESOURCE APPRAISAL

There are no financial implications associated with this proposal.

6. RISK MANAGEMENT & GOVERNANCE ISSUES

No implications.

7. LEGAL APPRAISAL

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

8. OTHER IMPLICATIONS

8.1 EQUALITY & DIVERSITY

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

8.2 SUSTAINABILITY IMPLICATIONS

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

8.3 GREENHOUSE GAS EMISSIONS IMPACTS

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

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

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

8.4 COMMUNITY SAFETY IMPLICATIONS

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

8.5 HUMAN RIGHTS ACT

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

8.6 TRADE UNION

None.

8.7 WARD IMPLICATIONS

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

9. NOT FOR PUBLICATION DOCUMENTS

None.

10. RECOMMENDATIONS

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

11. APPENDICES

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

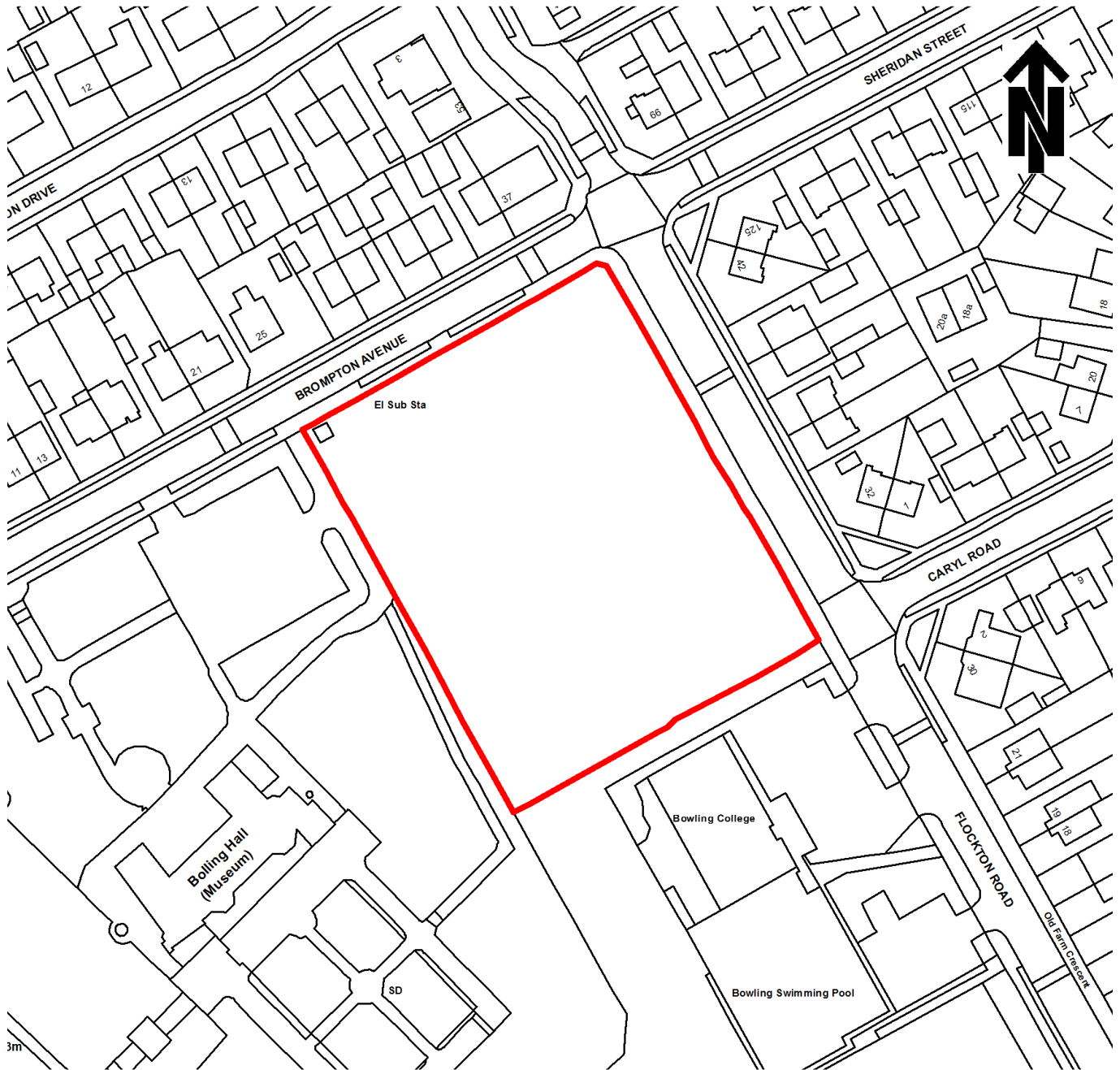
12. BACKGROUND DOCUMENTS

National Planning Policy Framework
The Replacement Unitary Development Plan
Local Plan for Bradford
Planning application: 17/06960/MAR

17/06960/MAR



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:1,250

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Former Site of Flockton House
Flockton Road
Bradford BD4 7RH

Appendix 1

8 March 2018

Ward: Bowling and Barkerend

Recommendation:

APPROVE THE RESERVED MATTERS

APPLICATION WITH PETITION

Application Number:

17/06960/MAR

Type of Application/Proposal and Address:

This is a reserved matters application for 30 dwellings approved by outline permission 14/04045/MAO requesting consideration of appearance, landscaping, layout and scale on the site of Flockton House, Flockton Road, Bradford.

Applicant:

Mrs Julie Rhodes (City of Bradford Metropolitan District Council)

Agent:

Mrs Fiona Kelly (City of Bradford Metropolitan District Council)

Site Description:

The site is located to the west of Flockton Road and to the south of Brompton Avenue and is currently vacant having been previously occupied by a two storey stone building that was in use as offices. A low level stone wall runs along the eastern and northern boundaries. To the north and east of the site are residential properties fronting onto Brompton Avenue and Flockton Road respectively. To the south of the site is a swimming pool whilst to the west is Bolling Hall. A number of trees run adjacent to the western boundary of the site separating the site from the grounds of Bolling Hall.

Relevant Site History:

Prior Approval was granted on the 4th September 2014 under reference 14/03594/PND for the demolition of the former school and council office.

Outline planning permission was granted on the 8th January 2015 under reference 14/04045/MAO for the construction of 30 two and three bed dwellings.

The National Planning Policy Framework (NPPF):

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

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

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

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

The Local Plan for Bradford:

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

Replacement Unitary Development Plan Policies:

N/A

Core Strategy Policies:

P1 Presumption in Favour of Sustainable Development
SC1 Overall Approach and Key Spatial Priorities
SC4 Hierarchy of Settlements
SC7 Green Belt
SC9 Making Great Places
TR1 Travel Reduction and Modal Shift
TR2 Parking Policy
TR3 Public Transport, Cycling and Walking
HO5 Density of Housing Schemes
HO6 Maximising the Use of Previously Developed Land
HO8 Housing Mix
HO9 Housing Quality
HO11 Affordable Housing
EN2 Biodiversity and Geodiversity
EN3 Historic Environment
EN5 Trees and Woodland
EN7 Flood Risk
EN8 Environmental Protection
DS1 Achieving Good Design
DS2 Working with the Landscape
DS3 Urban Character
DS4 Streets and Movement
DS5 Safe and Inclusive Places
ID2 Viability
ID3 Developer Contributions

Parish Council:

Not applicable in this instance.

Publicity and Number of Representations:

The application was publicised by press notice, site notice and neighbour notification letters. The expiry date for the publicity exercise was the 2nd February 2018.

As a result of the publicity exercise 20 representations have been received objecting to the proposal.

A petition comprising 214 signatures has also been submitted objecting to the proposal.

A local Ward Councillor has requested that the application be presented to this Committee for determination on the grounds that the new access onto Brompton Road will cause traffic issues.

An objection has also been received from the Member of Parliament for the constituency the site is located within.

Summary of Representations Received:

Principle:

- It can clearly be identified that development is proposing to build as many homes as possible on the site – thought should be given to the residents who have lived in the area for a long time

Highways:

- On weekdays the business of the swimming pool already creates issues for parking but with the addition of 30 dwellings to the immediate area this will pose an even greater problem
- There is insufficient parking proposed based on many households having 2 cars
- Flockton Road would be a better location for the entrance as the road is wider
- Traffic is already an issue as can be evidenced by the number of speed bumps on the roads
- Most families who reside on Brompton Avenue hold two to three cars per household; although this may seem like a sufficient amount of space, it is still a struggle to obtain parking amenities due to the narrow/restricted parking option
- The development plans indicate that the two-bed housing options will be located closer onto Brompton Avenue, which is not a feasible option as the homes will only hold one car per household resulting a rivalry for parking in the future when the housing is complete
- The junction between Brompton Avenue and Flockton Road possesses many disruptions already due to oncoming school traffic as can be seen by the many speed bumps in the area/roads nearby; By adding another 30 dwellings with an entrance on Brompton Avenue would enhance the congestion and impact residents neighbouring

Visual amenity:

- Residents need clarification that these houses will not appear to be designed differently (e.g. materials) and can be built to best-suit those around them

Residential amenity:

- Overlooking of existing dwellings

Others:

- The addition of social housing will bring the value of the properties already in the area further down. Since the recession the properties have not yet recovered and this will further hinder our property value
- Social housing will result in significant changes to the local community

- It would be better to match the current stock of homes which are made to be sold and not rental stock

Consultations:

Yorkshire Water Land Use Planning – No objection to the details submitted but no drainage details have been provided so no further response can be given

Historic England – No comments to make on the proposal and advise that the views of the Council's specialist conservation and archaeological advisors are sought

Landscape Design Unit – No objection to the principle of the development but suggest that there are areas that could be improved across the scheme

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

West Yorkshire Police – No objection to the principle of the development but comments are made on specific aspects of the development including boundary treatments, surveillance of parking bay, external lighting, physical security, and, Intruder alarms

Summary of Main Issues:

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

Appraisal:

The application is a Reserved Matters application relating to the construction of 30 dwellings. The matters being sought for approval are appearance, landscaping, layout and scale. The access to the site from Brompton Avenue was approved as part of the outline planning permission under reference 14/04045/MAO. The site is being developed by Bradford Council's Housing Services as part of the affordable housing programme across the District.

1. Principle of development

The principle of residential development on the site has previously been accepted through the granting of outline planning permission under reference 14/04045/MAO.

Policy HO5 of the Core Strategy seeks to ensure that residential developments achieve a minimum density of 30 dwellings per hectare on the site. The site measures 0.64 hectares and proposes 30 dwellings. This equates to a density of 47 dwellings per hectare which is considered to be acceptable in terms of making the most efficient use of the site.

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

2. Visual amenity

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

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

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

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

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

The site is located in an area where the predominant house type comprises 2 storey semi-detached dwellings. The dwellings are constructed of a mix of materials including brick and render, and, stone and pebble dashing. The site is also located to east of Bolling Hall which is a stone built Listed Building.

The layout of the site is such that it is accessed via a single point of access taken from Brompton Avenue. The proposed dwellings comprise principally of 2 storey semi-detached dwellings with there also be 2 terraces comprising 4 x 2 storey dwellings, these being located along the southern boundary of the site backing onto the swimming baths. The proposed dwellings will be constructed of reconstituted stone and render on the elevations with reconstituted slate on the roof.

The Landscape Design Unit have not raised an objection to the principle of the development but have suggested that there are improvements that could be made to the overall layout of the scheme. Such improvements could include a further increase in the number of new trees planted across the development; for example more of the rear gardens on the south side could include a tree, shrub planting along the boundaries and the boundary treatment around the substation could be improved.

With regard to the additional tree and shrub planting within the development this would take place within the domestic curtilages as there are no public areas of open space. It would then be down to the future occupiers to maintain the landscaping and replace trees where they are damaged or lost. The Landscape Design Unit have suggested that the future landlords of the properties should be responsible for the upkeep of the landscaped areas but this cannot be guaranteed or controlled by the planning system. Whilst it would be beneficial to the visual appearance of the locality to increase the level of landscaping it is not considered that it can be successfully secured through planning conditions.

With regard to the boundary treatment around the substation a revised plan has been submitted that shows it to be separated from Bolling Hall by a 1.8 metre high wall extending to the free standing stone pillar on site. The A frame removed and opening walled up and a 900mm high wall constructed to the perimeter of the easement, demarcating the boundary with the house behind. This is now considered to be satisfactory.

The layout is considered to be in keeping with the surrounding development both in terms of the layout of the site and the design of the dwellings.

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

3. Residential amenity

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

The site is bounded to the north and east by existing residential development with dwellings fronting onto Brompton Avenue and Flockton Road respectively. The relationship between the existing and proposed dwellings is main elevation to main elevation with a separation distance of 23 metres. This distance is in excess of the policy requirement of 17 metres and is therefore considered to be acceptable.

Within the site the relationships between the proposed dwellings is main elevation to main elevation and main elevation to gable end. The separation distances are again in excess of the policy requirement.

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

4. Highway safety

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

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

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The proposed access to the development from Brompton Avenue was approved as part of the outline planning permission and as such cannot be reconsidered as part of the current proposal. This application simply relates to the internal layout.

In terms of the internal layout the Highways Department have not raised an objection in terms of either the layout of the access road or the level of parking serving the dwellings. However, they have stated that the proposal would require the removal of some existing Traffic Regulation Orders from the site frontage on Flockton Road and as such the cost of promoting the Traffic Regulation Order changes will have to be met by the applicant. An additional Traffic Regulation Order may be required at the junction of Flockton Road with Sheridan Street to discourage parking in this location. Annotations for these Traffic Regulation Orders have been made on the plan and will be secured through a recommended condition requiring the Applicant to enter into a Section 278 Agreement.

Overall therefore, subject to the imposition of appropriate conditions, it is considered that the proposal is acceptable and will not be detrimental to highway safety.

5. Drainage

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

Yorkshire Water have not raised an objection to the development but have stated that as no drainage details have been provided no further response can be given. The issue of drainage was fully assessed during the consideration of the outline planning application when both Yorkshire Water and the Council's Drainage Services were consulted and responded. Based on their consultation responses appropriate conditions were imposed on the outline planning permission and will be relevant to the development.

6. Trees

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

Whilst there are no trees within the site there are a number of trees located within the grounds of Bolling Hall to the west of the site. The layout of the development is such that the dwellings are located sufficient distance away from the crown spread of the trees and therefore will not be impacted upon during the construction phase of the development subject to the installation of protective fencing. The orientation of the dwellings is such that the gable ends of the dwellings will face onto the trees and therefore there will not be future pressure on the crown thinning of the trees due to loss of light to habitable room windows.

It is therefore considered that the design and layout of the development will not impact on the existing trees adjacent to the site.

7. Secured by design

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

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

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

Boundary treatments: The majority of the boundary treatments are considered to be acceptable. However it is noted that the front low level stone walls are being retained around the properties and these can provide a seating area for local youths, especially on an evening. Ideally railings, or possibly a coarse, rough edged topping which will make seating more uncomfortable should be added to this wall – *the retention of the low level wall around the frontage of the site provides an open aspect to the development and mirrors a lot of the existing boundary treatment on Brompton Avenue and Flockton Road. The comments of the WYPALO are noted but it is considered that the retention of the existing boundary wall in its current form retains the character of the streetscene. It is also considered that the wall will be self-policed by the residents who occupy those dwellings as well as by neighbouring occupiers.*

Surveillance of parking bay: Plot 9 has parking to the rear of the property and it is recommended that a small side window is installed in the kitchen or lounge to provide

more surveillance of this plot vehicles – *whilst the parking spaces are located to the rear of plot 9 they do front directly onto Flockton Road and do benefit from good natural surveillance. By incorporating windows in the side elevation it will not increase the natural surveillance of the parking spaces as they are located at the rear of the dwelling.*

External lighting: It is recommended that external lighting above the front and rear doorways is installed – *this is outside the control of planning legislation and it is upto the developer and future occupiers of the dwellings whether they install the lighting.*

Physical security: It is recommended that doors and windows should be submitted to Building Regulation standards and that each dwelling has an intruder alarm fitted – *this is outside the control of the planning legislation and is covered by Building Regulations Approved Document Q.*

8. Contaminated land

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

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

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

The issue of land contamination was fully assessed during the consideration of the outline planning application where appropriate conditions were imposed on the planning permission.

9. Biodiversity issues

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

The site is a clear site with the building having already been demolished and as there are no trees on the site there are no biodiversity issues.

10. Affordable housing

Policy HO11 of the Core Strategy states the Council will ensure that there is a sufficient supply of good quality affordable housing distributed throughout the District. In this instance the site is located within an area where the affordable housing requirement is upto 15% of the number of units.

The Applicant has stated that demographical studies have identified that the Bradford district is experiencing increased demand for affordable houses. In response, the Council's Housing Services is developing affordable housing projects across the district. This site will be developed with 2 and 3 bedroom properties for rent. The provision of 100% affordable housing is in excess of the policy requirement and is therefore considered acceptable. However, the provision of the affordable housing cannot be secured via a Section 106 Legal Agreement as the Applicant is the Council and it cannot enter into an Agreement with itself.

11. Conservation

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

Paragraph 132 states that "when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation..... significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Paragraph 134 goes onto state that "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use".

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."

To the west of the site is Bolling Hall, a Grade I Listed Building. The building is located 34 metres from the western boundary of the site and is separated from it by a large copse of mature trees. The application site was previously occupied by a 2 storey office block whose built form was close to the joint boundary. The layout of the development is such that built form is significantly different to what existed before and is no longer one large building. The spaces between the dwellings and the open space of the access road reduce the impact of the new development on the adjacent listed building.

As such it is not considered that proposed development will have a significantly detrimental impact on the setting of the adjacent listed building.

12. Community Infrastructure Levy (CIL)

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

13. Other issues

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

The addition of social housing will bring the value of the properties already in the area further down. Since the recession the properties have not yet recovered and this will further hinder our property value – *unfortunately the issue of devaluation of dwellings is not a material planning consideration. This application does not cover the tenure of the properties, i.e. whether they are private or social housing, but simply assesses the built form and the impact it will have on the immediate vicinity*

Social housing will result in significant changes to the local community – *This application does not cover the tenure of the properties, i.e. whether they are private or social housing, but simply assesses the built form and the impact it will have on the immediate vicinity*

It would be better to match the current stock of homes which are made to be sold and not rental stock – *This application does not cover the tenure of the properties, i.e. whether they are private or social housing, but simply assesses the built form and the impact it will have on the immediate vicinity*

Community Safety Implications:

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

Equality Act 2010, Section 149:

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

Reason for Granting Planning Permission:

The scheme provides a residential development on an allocated safeguarded site. The layout of the proposal is acceptable and presents no concerns with regard to visual or residential amenity and highway safety. The proposal will assist in delivery of housing and help meet the shortfall in housing need in the district. The application has been fully assessed in relation to the impact of development on the adjacent Grade I listed building and whilst there are potential effects on the setting of this heritage asset these have been fully taken into consideration and it is concluded that no substantial harm will result and

that the harm that does result by constructing built form on this site has been weighed against the public benefits and found, on balance, to outweigh the harm.

Overall the proposal is considered acceptable subject to the attached conditions and satisfies the requirements of policies P1, SC1, SC4, SC7, SC9, TR1, TR2, TR3, HO5, HO6, HO8, HO9, HO11, EN2, EN3, EN5, EN7, EN8, DS1, DS2, DS3, DS4, DS5, ID2, and, ID3 of the Local Plan for Bradford, and, the relevant paragraphs of the National Planning Policy Framework.

Conditions of Approval:

1. Time scale

The Development to which this notice relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

Reason: To accord with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

2. Visibility splays

Prior to any development starting on site the details of the visibility splays to be maintained at the junction of Flockton Road with Brompton Avenue/Sheridan Street shall be submitted to and be approved in writing by the Local Planning Authority. There should be no obstruction to visibility exceeding 900mm in height above the level of the adjacent footway within the splays so formed.

Reason: To ensure that visibility is maintained at all times in the interests of highway safety and to accord with 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.

3. TRO

A drawing indicating the extent and full details for the removal and/or promotion of additional Traffic Regulation Order(s) along the site frontages on Flockton Road and Brompton Avenue/Sheridan Street shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development and no part of the development hereby approved shall be brought into use until best endeavours to implement the Traffic Regulation Order has been undertaken by the Highway Authority with all costs borne by the applicant.

Reason: In the interest of highway safety and to accord with Policies TR2 and DS4 of the Core Strategy Development Plan Document.

4. Car parking facility

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

Reason: In the interests of highway safety and to accord with Policies TR2 and DS4 of the Core Strategy Development Plan Document.

5. Gates

Any gates to be constructed as part of the development shall not open over the highway.

Reason: In the interests of highway safety and to accord with Policies TR2 and DS4 of the Core Strategy Development Plan Document.

6. Retaining structure

Within 6 months of the development hereby permitted commencing on site details of any retaining structures, including any calculations, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in full accordance with the approved details before the development is first occupied.

Reason: In the interests of highway safety and to accord with Policies TR2 and DS4 of the Core Strategy Development Plan Document.