

Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of the Regulatory and Appeals Committee to be held on Thursday 5 April 2018.

AM

Subject:

Outline planning application (all matters of detail reserved except access) ref. 18/00214/MAO for residential development of land south of Goose Cote Lane, Keighley, with 100 market dwellings, 30 affordable sheltered dwellings and associated infrastructure and landscaping works.

Summary statement:

The Regulatory and Appeals Committee are asked to consider the recommendation for the determination of outline planning application ref. 18/00214/MAO, which proposes the residential development of land south of Goose Cote Lane, Keighley, made by the Assistant Director (Planning, Transportation and Highways) as set out in the Technical Report at Appendix 1.

The application is in outline form but with details of the site access also submitted for approval. The amount of development specified in the application is 130 dwellings, with 30 of the dwellings comprising affordable sheltered units. Details of the scale, layout, appearance and landscaping of the development are Reserved Matters not for consideration in the current application.

The site is within the Green Belt and represents inappropriate development within the Green Belt as defined by saved policy GB1 of the replacement Unitary Development Plan and Section 9 of the National Planning Policy Framework. This greenfield site also represents part of an area of mixed upland pasture along the sides of the Worth Valley within the North Beck Valleys Landscape Character Area which is very vulnerable to major changes.

The applicant has not provided sufficient evidence to demonstrate either that very special circumstances exist sufficient to override the policy of Green Belt development restraint or that the adverse impact the development of 130 houses on this site would have on the character of the local landscape could be mitigated to an acceptable degree. There are not considered to be any apparent material considerations which should override the relevant provisions of the development plan in respect of Green Belt development restraint and the requirement for developments to make a positive contribution towards the conservation, management and enhancement of the diversity of landscapes within the District therefore it is recommended that the planning application is refused.

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Portfolio:

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

Regeneration and Economy

1. SUMMARY

This report concerns an outline planning application (all matters of detail reserved except access) ref. 18/00214/MAO for residential development of land south of Goose Cote Lane, Keighley, with 100 market dwellings, 30 affordable sheltered dwellings and associated infrastructure and landscaping works.

The site is a 3.95 hectare greenfield site which has been previously undeveloped other than for agriculture and was last in use as grazing land and comprising part of an area of upland pasture stretching along the sides of the Worth Valley. Goose Cote Lane broadly defines the southern extent of the existing residential development in this area, albeit with a small residential enclave protruding south from Goose Cote Lane to the west of the site. The site slopes down towards the River Worth and the Keighley and Worth Valley Railway line at the valley bottom, steepening after the initial fields which slope gently. Damems Station is located approximately 300 metres east of the site.

The proposal is to residentially develop this land with 130 dwellings, including 30 affordable, sheltered dwellings. The proposed access would be via 2 new junctions onto Goose Cote Lane. Details of the site layout are not submitted for approval at this stage; however an indicative site layout plan has been submitted which illustrates a potential development scheme involving the construction of 100 houses laid-out in an inward looking new residential estate, with a mix of relatively small terraced and semi-detached houses together with a number of larger detached houses.

The illustrative layout also shows 30 other non-house units; with the footprint of the units implying they may be static caravans). Details of site landscaping are also reserved; however indicative site landscaping plans illustrate proposals to provide tree belts along the south-eastern boundary of the site and around the area accommodating the 30 non-house units. The 30 non-house unit area would be served by a separate access and would include a site office.

The site is within the Green Belt and represents inappropriate development within the Green Belt. Planning Policy confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 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.

The applicant argues that the harm the development would cause to the Green Belt would be limited by virtue of the fact that the site is surrounded on 3 sides by existing urban development and that the proposal would provide a linear form of development along the road which would 'slot in' and complement the existing development on the opposite side of Goose Cote Lane. However these arguments are not accepted as valid.

In fact less than 1/3rd of the site borders existing urban development, with the other 2/3^{rds} of the site boundary being onto open countryside. Furthermore the illustrated development is an inward looking residential enclave on land which extends some distance south of Goose Cote Lane not a linear development fronting onto Goose Cote Lane.

Additionally the development would leave a relatively small remnant of farmland to the east between the site and the existing residential estate to the north of Damems Lane thereby potentially compromising the integrity of further green belt land to the east. Consequently it is considered that the harm the development would cause to the Green Belt is substantial, with the development resulting in the construction of 130 new dwelling units and associated infrastructure within the Green Belt, reducing its openness and causing urban encroachment into the countryside.

In addition to the harm the development would cause to the Green Belt the development would also be harmful to the character of the landscape. The site is within an area of mixed upland pasture along the sides of the Worth Valley within the North Beck Valleys Landscape Character Area which is very vulnerable to major changes. The development would cause a significant extension of residential development down the sides of the Worth Valley, adversely affecting the setting of the Keighley and Worth Valley Railway and causing a noticeable deterioration in the landscape appearance of the area as viewed from many positions on the South side of the Worth Valley.

Very special circumstances which would mean that Green Belt development restraint should be overridden in this instance can only be considered to exist if the harm described above is clearly outweighed by other considerations. The factors advanced in favour of the development by the applicant include the contribution the development would make to housing land supply within the District, with the Council currently unable to demonstrate a 5 year supply of housing land; the inclusion of the site within the emerging Allocation Development Plan Document and Strategic Housing Land Availability Assessment; the fact that the development is sustainably located; the benefits of the development to the local economy; the deliverability of the site; and the biodiversity and landscape improvements comprised within the scheme.

In relation these factors it should be noted that they are not truly site specific and there is no apparent reason why equivalent benefits could not be achieved through the residential development of any other land in and around Keighley. Although the Council accept that it cannot demonstrate a 5 year supply of deliverable housing land this has not been accepted to undermine the national and local policy of Green Belt development restraint. To accept this would set a precedent which could allow the uncontrolled and piecemeal erosion of the Green Belt outside of the statutory Development Plan making process.

The application has been submitted in advance of the preparation of the Allocations Development Plan Document (DPD) and the associated Green Belt Review process, where the need for the release of Green Belt Land for housing and employment within each settlement/ functional area within the District will be properly and robustly considered. Where a need for Green Belt release is identified, all alternative potential green belt release sites will be assessed taking account of factors such as the impact upon the integrity of the Green Belt, the character of the landscape and environmental value and constraints of alternative sites.

Contrary to the claims of the applicant the Allocations DPD has not yet advanced to a stage where any weight can be attached to any reference to a site within the initial Allocations DPD consultation plan (which was not subject to any site sifting process).

Equally the Strategic Housing Land Availability Assessment (SHLAA) is simply part of the evidence base of the adopted Core Strategy which demonstrated the deliverability of the housing distribution proposals and is not a policy document.

At this point in time the status of the site is simply Green Belt with no adopted plans or policies indicating any likelihood of the land being released from Green Belt. In terms of the provisions of the Core Strategy the site is within the area defined as Keighley. Within the Core Strategy Keighley is defined as a Principle Town and is identified for the delivery 4,500 new residential units in the period up to 2030.

The Core Strategy Key Diagram indicates that Potential Localised Green Belt Deletions may be necessary to allow sufficient housing and employment sites to be allocated. However the need for any such Green Belt releases will be further assessed during the preparation of the Allocations DPD and no indication is given of what, if any, parts of the large amount of Green Belt land around Keighley may be most suitable (least harmful) for Green Belt deletion.

Taking account of the above, it is not considered that the considerations in favour of the development are sufficient to outweigh the harm the development would cause to the Green Belt, either when considering the Green Belt harm in isolation or when considered in combination with the harm the development would cause to the character of the landscape. Therefore very special circumstances are not considered to exist which would justify an exception to the policy of development restraint within the Green Belt and it is recommended that planning permission is refused for the reasons set out in detail within the 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 the application.

3. OTHER CONSIDERATIONS

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

4. OPTIONS

If the Committee proposes to follow the recommendation to refuse planning permission then the Assistant Director (Planning, Transportation and Highways) can be authorised to issue a Decision Notice refusing planning permission either for the reasons set out in this report or for any other valid planning reasons which the Committee consider to apply.

Alternatively if the Committee decide that planning permission should be approved, they may resolve that planning permission should be granted either unconditionally or subject to conditions. Reasons for approval should be given based upon development plan policies or other material planning considerations.

The Consultations Direction 2009 directs that, where a local planning authority does not propose to refuse an application for planning permission for inappropriate development within the Green Belt involving the development of buildings with over 1,000m² of floor space, the authority shall first consult the Secretary of State for his decision not whether to call in the application. Therefore, if the Committee propose to grant planning permission for the development, the required consultation with the Secretary of State must be undertaken before a Planning Decision is issued.

5. FINANCIAL & RESOURCE APPRAISAL

None relevant to this application.

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, if the Committee resolved to approve planning permission.

8. OTHER IMPLICATIONS

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 which have been made 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 basis to conclude that either refusing or approving planning permission would be likely to lead to disproportionate impacts on any groups of people or individuals who possess protected characteristics.

Full details of the process of public consultation which has been gone through during the consideration of this application and a summary of the comments which have been made by members of the public are attached at Appendix 1.

8.2 SUSTAINABILITY IMPLICATIONS

The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are three dimensions to Sustainable Development, comprising:

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

The proposal is for the development of a greenfield area of land on the periphery of Keighley with new housing. Although the Development Plan provides for significant residential growth within Keighley this should only take place on sites which are suitable and do not cause unacceptable social and environmental harm.

The report at Appendix 1 explains why the proposed development is considered to cause unacceptable harm to the Green Belt and the Character of the Landscape. Due to the development's failure in relation to these factors the application cannot be considered to be for Sustainable Development as defined by the NPPF.

8.3 GREENHOUSE GAS EMISSIONS IMPACTS

New development will invariably result in the release of additional greenhouse gases associated with both construction operations and the activities of future occupiers. However the Development Plan seeks to limit such impacts both by directing new development to sustainable locations, either close to existing centres or well connected to those centres in terms of public transportation, and also by requiring air quality mitigation to be incorporated into new developments, such as through travel planning measures and the provision of electric vehicle charging points.

In relation to these matters it should be noted that the proposed development site is on the periphery of Keighley/ Oakworth and is less well connected to existing shops and facilities than certain other potentially available housing sites. The scoring of alternative sites in terms of sustainability factors would be a consideration in the allocation of land through the Allocations DPD. Piecemeal development proposals, such as the current application, prejudice the proper consideration of what land is most appropriate to allocate for new development in terms of sustainability and connectivity factors.

It should also be noted that, although the applicant has provided an Air Quality Assessment which acknowledges the need to provide air quality mitigation, no specific air quality mitigation proposals are included in the submission in terms of the provision of electric vehicle charging points, etc. It can therefore be said that there is insufficient information available at this point in time to be confident that the residential development of the proposal site would not result in a higher level of greenhouse gas emissions impacts than other potential sites.

8.4 COMMUNITY SAFETY IMPLICATIONS

Adopted Core Strategy Policy DS5 states that development proposals should be designed to ensure a safe and secure environment and reduce the opportunities for crime. In this instance, subject to appropriate access control, boundary treatments, CCTV and lighting provisions being implemented, it is not considered that there are grounds to conclude that the proposed development would create an unsafe or insecure environment or increase opportunities for crime, in accordance with adopted Core Strategy Policy DS5.

8.5 HUMAN RIGHTS ACT

The Council must seek to balance the rights of applicants to make beneficial use of land with the rights of nearby residents to quiet enjoyment of their land; together with any overriding need to restrict such rights in the overall public interest. In this case there is no reason to conclude that either granting or refusing planning permission will deprive anyone of their rights under the Human Rights Act.

8.6 TRADE UNION

There are no implications for Trades Unions relevant to this application.

8.7 WARD IMPLICATIONS

The proposal site is within the Worth Valley Ward. Ward Councillors and local residents have been made aware of the application and have been given opportunity to submit written representations through notification letter, site notices and an advertisement in the press.

In response to this publicity 190 written representations have been received 182 of which object to the application and 8 of which support the application. Objectors include Councillors representing both the Worth Valley Ward and the adjacent Keighley West Ward and the local Member of Parliament.

The Technical Report at Appendix 1 summarises the material planning issues raised in the representations and the appraisal gives full consideration to the effects of the development upon the relevant Wards.

9. NOT FOR PUBLICATION DOCUMENTS

None

10. RECOMMENDATIONS

To refuse planning permission for the reasons set out at the end of the Technical Report at Appendix 1

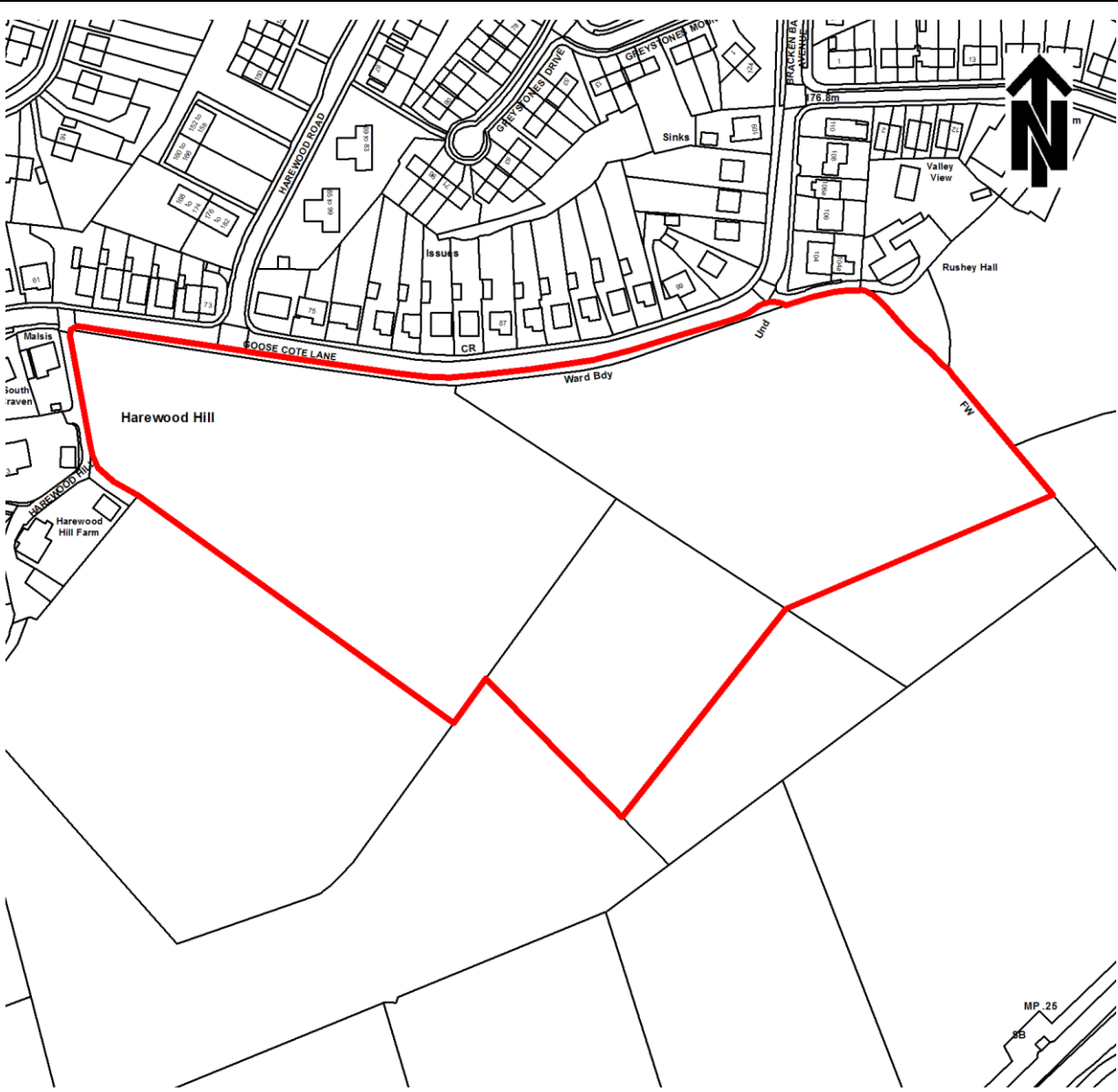
11. APPENDICES

Appendix 1: Technical Report

12. BACKGROUND DOCUMENTS

- Adopted Core Strategy
- National Planning Policy Framework
- Application file 18/00214/MAO

18/00214/MAO



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**Land At Goose Cote Lane,
Keighley,
West Yorkshire**

05 April 2018

Ward: Worth Valley

Recommendation:

To Refuse Planning Permission

Application Number:

18/00214/MAO

Type of Application/Proposal and Address:

Outline planning application (all matters of detail reserved except access) ref.

18/00214/MAO for residential development of land south of Goose Cote Lane, Keighley, with 100 market dwellings, 30 affordable sheltered dwellings and associated infrastructure and landscaping works.

Applicant:

GCL Developments

Agent:

Mr Sam Dewar

Site Description:

The proposal site is a 3.95 hectare greenfield site which has been previously undeveloped other than for agriculture and was last in use as grazing land and comprising part of an area of upland pasture stretching along the sides of the Worth Valley. Goose Cote Lane broadly defines the southern extent of the existing residential development in this area, albeit with a small residential enclave protruding south from Goose Cote Lane to the west of the site. The site slopes down towards the River Worth and the Keighley and Worth Valley Railway line at the valley bottom. Damems Station is located approximately 300 metres east of the site. A caravan park is located on the opposite side of the valley to the proposal site.

Surrounding land uses are primarily residential to the north and north-east and agricultural to the east, south and south-west. The properties to the north-west of the site mainly comprise traditional farmhouse and barn type buildings arranged in an informal pattern. The properties to the north on the opposite side of Goose Cote Lane are arranged in a traditional residential estate format, comprise both art-stone bungalows (along the western part of the frontage) and brick semi-detached 2 storey houses (along the eastern part of the frontage).

The site is transected by several field boundaries comprising dry stone walls and the site frontage on Goose Cote Lane is also formed by a dry stone wall with a field gate access provided. Power lines also transect part of the site. The land has the appearance of rough grazing land, undulating in places and steepening to the south. The Southernmost part of the site appears to have suffered some localised land slippage.

Relevant Site History:

- None.

Development Plan Proposals Map Allocation:

- The proposal site is within the Green Belt as defined by the Proposals Map.

Proposals and Policies

As the site is within the Green Belt saved policy GB1 of the replacement Unitary Development Plan (RUDP) is relevant. The majority of non-allocation related policies within the RUDP have now been superseded by those set out in the Core Strategy. The following adopted Core Strategy policies are considered to be particularly relevant to the proposed development:

- AD1 - Airedale
- EN1 Open Space, Sports and Recreational
- EN2 - Biodiversity and Geodiveristy
- EN3 Historic Environment
- EN4 - Landscape
- EN8 - Environmental Protection Policy
- DS1 - Achieving Good Design
- DS2 - Working with the Landscape
- DS3 - Urban character
- DS4 - Streets and Movement
- DS5 - Safe and Inclusive Places
- TR1 - Travel Reduction and Modal Shift
- TR2 - Parking Policy
- TR5 - Improving Connectivity and Accessibility
- HO1 Scale of Housing Required
- HO2 Strategic Sources of Supply
- HO3 Distribution of Housing Requirement
- HO4 Phasing and Release of Housing Sites
- HO5 Density of Housing Schemes
- HO6 Maximising use of Previously Developed Land
- HO7 Housing Site Allocation Principles
- HO8 Housing Mix
- HO9 Housing Quality
- HO11 Affordable Housing 198

The National Planning Policy Framework (NPPF):

The NPPF sets out the government's national planning polices, which are a material consideration for all planning applications submitted in England. Detailed assessment of specific policies within the NPPF relevant to the proposed development is included in the report below.

Parish Council:

Keighley Town Council – No Comments Received

Publicity and Number of Representations:

The application was advertised as a major planning application through the posting of site notices and neighbour notification letters and the publication of a notice in the Keighley News. The date specified on these notices, by which representations should be submitted, was 01 March 2018.

In response to this publicity 190 written representations have been received 182 of which object to the application and 8 of which support the application. Objectors include Councillors representing both the Worth Valley Ward and the adjacent Keighley West Ward and the local Member of Parliament.

Summary of Representations Received:

Support

- The development would deliver much needed new housing.
- The development would bring about economic benefits.
- The development scheme would bring about environment benefits.
- The way in which the development would be designed will ensure that harm is not caused to the landscape or the local community.

Objection

- The proposed means of access is unsafe.
- The development would increase traffic on inadequate local roads and sub-standard junctions to the detriment of highway safety and amenity.
- At the junction between Goose Cote Lane and Oakworth Road visibility is poor.
- There is inadequate pedestrian footway infrastructure on local roads.
- Goose Cote lane is used as a 'rat run' to avoid congestion on Oakworth Road.
- Committed developments at Occupation Lane, the former Bronte School and Bogthorn will add to traffic congestion.
- The bus service serving the locality is infrequent (1 per hour) and inadequate.
- If this site was developed it would set a precedent for the development of further Green Belt land.
- The development would harm the green belt.
- The development will lead to the coalescence of Oakworth with Keighley and the loss of distinctiveness of Oakworth.
- There are alternative available sites which would not harm the greenbelt, including brownfield sites, as listed in the SHLAA.
- Very special circumstances do not exist which would override green belt protection.
- The development would harm the character of the landscape which forms part of 'bronte country'.
- Local tourism would be harmed as the quality of the landscape would be eroded and the setting of the Keighley and Worth Valley Railway degraded.
- The development would harm the amenities enjoyed by local residents and would not benefit the community.
- Concern that the site currently supports various species of birds and that incorporating bird boxes and a hedge will not lead to lapwings, skylarks and curlews thriving in a housing estate.

- The development would result in unacceptable ecological harm.
- The land is unstable and the development has not properly addressed land stability issues.
- The development would be likely to increase anti-social behaviour in the locality.
- Goose Cote Lane has severe surface water flooding problems which have not been addressed and would be exacerbated.
- The land is very boggy and unsuitable for development.
- Taking the existing drainage capacity of the site away could lead to increased off-site flooding problems.
- The development would result in an unacceptable loss of agricultural land.
- The development would put an unacceptable additional strain on inadequate local infrastructure, including:
 - Insufficient capacity in the main sewer;
 - Congested roads;
 - All local primary schools are full and unable to take extra pupils;
 - Local doctor's surgeries are full.

Consultations:

Children's Services

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

Based on the data available in January 2018 the above housing development may cause concerns on where primary school aged children of families coming to reside in the development might attend school. Parents also usually have an expectation that their children would be able to secure a school place at their local school and minimise the distance they may need to travel.

The following schools are within a reasonable distance of the proposed development:
Primary: Oakworth, Worth Valley, Ingrow, Nessfield, St Joseph's Catholic and Lees
Secondary: Beckfoot Oakbank, The Holy Family and University Academy Keighley

Currently the primary schools are overcrowded or full in most year groups. It may therefore mean that the Council would need to increase the number of primary school places in this area. However, there are currently places available in the secondary schools in this area.

The development is in zone 3, a £20 CIL area, the payment is calculated on the total number of square metres which is non-negotiable. These funds would then be maintained and allocated to communities and departments as shown in the 123 agreement and in line with the decision of the Authority's Executive

Any District Community Infrastructure Levy (CIL), if granted to the Children's Services department, may be used to expand provision where possible to accommodate any additional children.

Drainage/ 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. An assessment of the submitted documentation has been undertaken and if the following details are implemented and secured by way of a planning condition on any planning permission the LLFA have NO OBJECTION to the proposed development.

The development should not begin until details of a scheme for foul & surface water drainage, including any balancing & off site works have been submitted to & approved in writing by the Local Planning Authority. The drainage scheme shall include proposals for the disposal of surface water from the development using sustainable drainage techniques or, proof that such techniques are impracticable in this instance. Only in the event of sustainable drainage techniques proving impracticable will disposal of surface water to an alternative outlet be considered.

Development to be drained via a separate system within the site boundary.

Should sustainable drainage featuring infiltration techniques prove impracticable on this site, the sewerage undertaker Yorkshire Water will specify a restricted surface water discharge rate to sewer, Surface water attenuation may therefore be required & if applicable the developer must submit details & calculations to demonstrate any surface water attenuation proposals are sufficient to contain flows generated in a 1:30 year event plus climate change within the underground system together with details & calculations to demonstrate flows generated in a 1:100 year event plus climate change will be contained within the site boundary without affecting the proposed dwellings or safe egress & access.

Development to incorporate where practicable the precautionary mitigation measures specified in the Flood Risk Assessment for the site submitted by ARP Associates, Ref 800/627 r1.

Environmental Health – Air Quality

The proposed development constitutes a medium development for the purpose of the Bradford Low Emission Strategy (adopted November 2013), addendum to the Bradford Air Quality Action Plan (March 2013) and the West Yorkshire Low Emission Planning Guidance (adopted December 2016)

Under the provisions of the LES planning guidance medium developments are required to provide an exposure assessment and Type 1 and 2 emission mitigation as follows:

Type 1 Mitigation

- Provision of electric vehicles charging facilities
- Adherence to IAQM / London Best Practice Guidance on the Control of Dust and Emissions from Construction and Demolition during all demolition, site preparation and construction activities at the site.
- Type 2 Mitigation
- Provision of a Travel Plan of mitigation measures that will discourage the use of high emission vehicles and facilitate the uptake of low emission vehicles.

- In addition some applications are required to submit an exposure assessment where the development has the potential to increase human exposure to poor air quality.

Exposure

The site is not in an area of existing air quality concern and new receptors at the site are considered unlikely to experience exposure to air pollutants above the national air quality objective levels. This is confirmed by the air quality assessment submitted with the application.

Proposed mitigation

The air quality impact assessment submitted with the report sets out the mitigation requirements of the West Yorkshire Low Emission Planning Guidance (adopted December 2016) for medium sites but there appears to be a lack of commitment to these requirements within the wider application. For example, there is no detail on the levels or type of EV charging proposed for the site or any mention in the outline travel plan of the need to promote the uptake of low emission vehicles on the development.

Should the council be minded to approve this application then as a minimum the following emission mitigation measures will be required:

1. Provision of EV charging points

Every property on the site with a dedicated parking space and/or a garage must as a minimum be provided with an outdoor, waterproof 3pin socket on a dedicated circuit capable of safely providing an overnight a trickle charge to an electric vehicle using a mode 2 charging cable. A minimum of a 16A power supply is recommended for this purpose. The charging point must be within 3m of the parking space and clearly marked as to its purpose. Information about the charging point should be included in the new home welcome pack.

EV charging provision can be improved by incorporating an opportunity to undertake mode 3 charging using a dual headed charging point. Whilst this is currently not a mandatory requirement of the LES planning guidance for medium size developments the cost of providing these units has fallen substantially in recent years and many developers are now choosing to take this approach to future proof their developments. Further information and advice on EV charging provision is available from the council air quality officers.

The provision of EV charging on this development should be conditioned (see below).

2. Construction Environmental Management Plan (CEMP)

The air quality impact assessment submitted includes a dust risk assessment for the construction phase of the development and makes recommendations as to the measures needed to mitigate this impact (Table 23 in the REC Air quality impact assessment). This has been undertaken in accordance with the IAQM guidance on the control of dust from construction and demolition and the findings of this risk assessment and proposed mitigation are acceptable.

Prior to the commencement of development on the site a detailed CEMP will need to be submitted setting out how all the recommended control measures for the site will be delivered in practice. This should take the form of a detailed procedural document specific to this site. Simple replication of table 23 will not be accepted as a CEMP.

3. Low Emission Travel Plan

All medium developments require a detailed travel plan to be provided. This should demonstrate how car based trips to and from the site will be minimised through encouraging the use of more sustainable transport. The travel plan should also set out plans for encouraging car sharing and the use of low emission vehicles at the site. More advice on the development of a suitable travel plan can be found in the following document: <https://www.bradford.gov.uk/media/3591/air-quality-and-emissions-planning-guide.pdf>

It is noted that an interim travel plan has been submitted with this application but it does not adequately address the need to encourage the use of low emission vehicles at the site. The travel plan needs to be updated with further information about the provision of EV charging points on the development and other measures to be taken to promote and monitor the uptake of EVs on the development. The list of key objectives in section 2.2.1 of the interim travel plan should be amended to include:

- encourage the uptake of low emission vehicles at the site

Proposed conditions

If the council is minded to approve this application then it is recommended that the following planning conditions are included on the planning decision notice:

Condition 1: Electric Vehicle Recharging Points

From the date of first occupation every property built on the site with one or more dedicated vehicle parking spaces and/ or a garage shall be provided with access to a fully operation 3 pin socket on a dedicated circuit, capable of providing a safe overnight 'trickle' charge to an electric vehicle using a mode 2 charging cable. Charging points should be provided either within garage space or via outdoor, weatherproof sockets within 3m easy access of the off road parking areas. All EV charging points shall be clearly marked with their purpose and their purpose drawn to the attention of new residents in their new home welcome pack / travel planning advice.

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

Informative: It is the responsibility of the developer to ensure that the provision of EV charging is adequately incorporated into the design of the development such that there are no health and safety matters arising from trailing cables in public areas. If necessary cables may need to be placed beneath footpath areas and brought back to the surface nearer the parking areas. The minimum requirement is an operational weatherproof 3 pin socket on a dedicated 16A circuit with an ability to isolate from inside the property for security reasons. The developer is encouraged to consider upgrading the EV charging facilities to incorporate additional mode 3 charging capability as this will help future proof the development and improve its sustainability.

Condition 2: Construction Environmental Management Plan

Prior to commencement of the development a site specific Construction Environmental Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must be prepared with due regard to the guidance set out in the London Best Practice Guidance on the Control of Dust and Emissions from Construction and Demolition and reflect the level of mitigation identified as necessary in Table 23 of the Air Quality Impact assessment submitted with the application. Purpose: To protect amenity and health of surrounding residents in line with the Council's Low Emission Strategy and the National Planning Policy Framework (NPPF)

Informative: A simplified 'checklist' for the undertaking of CEMPs is now available from the air quality officer at Bradford MDC. It is recommended that the developer familiarises themselves with the content of this checklist before preparing and submitting a detailed CEMP. They should also have due regard to the construction dust mitigation measures recommended in the air quality impact assessment prepared to support this application.

Low Emission Travel Plan

If the application is approved a suitable condition to ensure submission of a detailed low emission travel plan that addresses the need to discourage the use of high emission vehicles and facilitate the uptake of low emission vehicles should be agreed with the travel planning officer and air quality staff with Bradford MDC. The condition should ensure a requirement for monitoring and reporting on the use of low emission vehicles within the travel plan.

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

Subject to these conditions we have no air quality objections to this proposal.

Environmental Health – Land Quality

Environmental Health has considered the application and the Stage 1 Desk Study Assessment by ARP Geotechnical Ltd.

The report identified that historically, the site has been used as "agricultural fields since at least 1852".

The report concludes that "There is no evidence of any previous development on the site. However, made ground is often present on agricultural land, used to provide vehicle access through soft areas, infill hollows, or improve drainage". And goes onto recommend that "a ground investigation on a grid system is implemented, together with sampling and testing of the materials encountered for the potential contaminants of concern"

Environmental Health agrees with the findings of the Stage 1 Desk Study Assessment by ARP Geotechnical Ltd. Should the Local Planning Authority be minded to approve the application, we would recommend the following conditions for inclusion on the decision notice.

Site Investigation Scheme

Prior to development commencing, a Phase 2 site investigation and risk assessment methodology to assess the nature and extent of any contamination on the site, whether or not it originates on the site, must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to comply with policy EN8 of the Local Plan for Bradford.

Site Investigation Implementation

Prior to development commencing the Phase 2 site investigation and risk assessment must be completed in accordance with the approved site investigation scheme. A written report, including a remedial options appraisal scheme, shall be submitted to and approved 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.

Remediation strategy

Unless otherwise agreed in writing with the Local Planning Authority, Prior to construction of the development hereby approved beginning a detailed remediation strategy, which removes unacceptable risks to all identified receptors from contamination, shall be submitted to and approved in writing by the Local Planning Authority. The remediation strategy must include proposals for verification of remedial works. Where necessary, the strategy shall include proposals for phasing of works and verification. The strategy shall be implemented as approved unless otherwise agreed in writing by the Local Planning Authority.

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

Remediation verification

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.

Unexpected contamination

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

implemented in accordance with a scheme also agreed in writing by the Local Planning Authority.

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

Materials importation

A methodology for quality control of any material brought to the site for use in filling, level raising, landscaping and garden soils shall be submitted to, and approved in writing by the Local Planning Authority prior to materials being brought to site.

Reason: To ensure that all materials brought to the site are acceptable, to ensure that contamination/pollution is not brought into the development site and to comply with policy EN8 of the Local Plan for Bradford.

The applicant should have regard to:

- YALPAG (formerly YAHPAC) 'Technical Guidance for Developers, Landowners and Consultants. Development on Land Affected by Contamination'
 - YALPAG 'Verification Requirements for Cover Systems' if remediation or quality control of imported soil materials is required, and
 - YALPAG (2016) guidance on 'Verification Requirements for Gas Protection Systems' if gas protection is necessary.
- Current editions of these documents are available on the Bradford MDC website <https://www.bradford.gov.uk/planning-and-building-control/planning-applications/planning-application-forms/>

Heritage Conservation

The application site is adjacent to Damems Farmhouse and attached cottages, which are grade II listed buildings dating from the seventeenth- and eighteenth-centuries, respectively. The application seeks outline consent for 130 residential units.

The proposal would have further impact on the semi-rural setting of these listed buildings, which has already been compromised to a considerable extent by previous residential development.

I consider the level of harm to the significance of these designated heritage assets to be less than substantial, and consequently, in accordance with paragraph 134 of the National Planning Policy Framework, this harm should be weighed against the public benefits of the proposal. The provision of a substantial number of new residential units may be considered sufficient public benefit to outweigh the limited harm identified.

If that is the case, it will be important in due course to ensure that the layout of the development provides the listed buildings with some sort of buffer zone, in order to retain the maximum spaciousness around them, in-keeping with their former use and isolation.

Highways Development Control

Having reviewed the Transport Assessment and proposed site access locations (as shown on Drawing: 795-101D, dated Oct 17) whilst I have no objections to the principle of the development there are two issues that need to be addressed before highways can fully support this scheme.

1. TRANSPORT ASSESSMENT (TA)

Prior to the planning application being submitted a scoping for the TA was agreed with highways and the current document has been developed in accordance with this.

It has however now come to my attention that Goose Cote Lane is a popular rat-run used by drivers wishing to avoid queuing traffic on Oakworth Road. Therefore the predicted site traffic distribution onto Goose Cote Lane i.e. 60% west & 40% east is likely to be reversed with more traffic choosing to use the rat-run.

The Council is therefore seeking a contribution of £40,000 towards future traffic calming measures to discourage rat-running along this route. Any contribution not spent within 5 years of first occupation of the site will be returned to the applicant / developer. The contribution will be secured by way of a Section 106 Agreement.

2. NEW FOOTWAY

Whilst the provision of a new footway along the site frontage on Goose Cote Lane is welcomed this should be included within red line boundary for this application so that it can be conditioned. It should also continue along the full site frontage including the small strip of land directly to the east of the proposed access serving the proposed 30 units and the plan should be amended to reflect this.

The site plan should also demonstrate what width is to be retained for the existing carriageway along the site frontage on Goose Cote Lane.

The works within the highway will have to be carried out under a Section 278 Agreement and the details of this can be discussed with James Marsh (Section 278 Co-ordination Engineer) on 01274 437308 (email james.marsh @bradford.gov.uk).

3. ACCESS ROADS

The proposed site entrance arrangement to serve the 100 dwellings is to have a width of 6m with 2m wide footways on either side. This is acceptable and meets adoptable standards.

The proposed access for the 30 units will only be adopted to the back edge of the footway on Goose Cote Lane and its width should be increased to 5.5m and this width should be retained around the bend and up to the proposed visitor parking.

It should be noted that whilst the site plan does show internal access arrangements this planning application is an outline application for "Access" only and therefore the internal arrangements will be reviewed in detail at the reserved matters stage. Notwithstanding this some general comments have been provided below.

GENERAL SITE LAYOUT

- If the length of a cul-de-sac exceeds 45m then a full size turning head should be provided. The combined length of the first shared surface road and private drive between the two proposed access points is greater than this and therefore a full size turning head is required.
- The 600mm hard margin should extend around the full extents of any shared surface road.
- An adoptable shared surface road should be provided along the centre of the two parking forecourts shown at the southern end of the site and the proposed parking spaces will not form part of the adoptable area.

Keighley & Worth Valley Railway Preservation Society

I write on behalf of the Railway to lodge our concerns with regard to the above planning application. The Railway, a registered charity, has been operating heritage steam and diesel services for fifty years, contributing significantly to the tourist economy in the district. We have become a centre of excellence for the restoration of steam and diesel locomotives and period rolling stock; and of the preservation of the attendant infrastructure and buildings that are such an important part of the history of the area. We work hard to pass on the heritage skills to future generations to prepare the railway for another five decades of operation.

We are concerned that the application in question will impact negatively on our attractiveness to visitors and therefore impact on our long-term future as well as reducing the amount of tourism revenue generated in the area. In addition, we have worries over the suitability of the infrastructure in the vicinity of the proposed development and the possibility of the density of the housing scheme introducing risks to individuals' safety. In combination with other planning applications and consents, the cumulative impact is, in our view, likely to destroy - or at the very least change for the worse - the character and heritage of the area to the detriment of the many local businesses that depend on the tourism economy.

Visual amenity

The Railway was made famous by being the location for the filming of *The Railway Children* in 1970, and since this time have welcomed nearly five million passengers. We are appealing as a destination because we operate the first complete branch line railway past the mills and open spaces that have become synonymous with the line that travels through 'Bronte Country'. We are one of the few heritage railways that can tell a story of social history, travelling past the mills and open spaces that explain very clearly the history of the railway and the area's role in the industrial revolution. Whilst this may seem like a call to avoid progress and development, it is not. It is a request to respect the past and to respect the importance of learning from history, which developments such as this take us a step further toward obliterating.

Safety of persons

Operating a railway brings risk, which we work hard to mitigate. One of the particular risks we have to manage is the threat to trespassers. We are aware that people have been known to use the railway as what they perceive to be a 'shortcut'. Opening up hitherto undeveloped areas, particularly to developments of the density proposed, increases the

likelihood that residents will use the railway as a route between locations and increase the risk to those individuals. We are not aware that any aspect of the design offers any suggestions on how to minimise risks of this nature.

Suitability of infrastructure

The level crossing facility at Damems, which is close to the proposed development, is a single-carriageway road crossing and leads to the A629 up a very poorly-maintained road. The crossing is currently used infrequently by road traffic, and with the road being closed to traffic every 45 minutes or so on our operational days, could prevent the flow of what is likely to be an increased traffic load. The increase in traffic is also likely to increase the cost of maintenance due to the significant increase in wear from the road traffic loadings.

Impact on the tourism economy and character of the area

We reiterate our concern that developments of this nature will allow the urban to creep further into what was previously green belt and impact negatively on the attractiveness of the area to tourists. Continuing to erode the green belt and open spaces in the area will result in a denuding of the district's distinctive, varied character that blends the urban and the rural. We are unclear how a development of this nature is congruent and compatible with the existing land use, with a housing scheme changing the character of the area beyond recognition.

As a result of the above concerns, we wish to lodge an objection formally against the proposed development.

Landscape Design

This application site lies within land designated as 'Green Belt' and it is within the Worth and North Beck Valleys Landscape Character Area as described in the Local Development Framework for Bradford, Landscape Character Supplementary Planning Document, adopted by Bradford Council in October 2008. Within this character area, the site falls within the character type 'mixed upland pasture'.

The policy guidelines relevant to this site are generally against any potential for housing development, with the character being 'very vulnerable to major changes' and the 'density of settlement... already at its capacity.'

The application makes the point that this proposal is for a sustainable development. The justification for this is that it is located on the edge of town and near to existing services. This is true to some extent, but the site is far enough from the centre of Keighley to make the car the preferred mode of transport for most future residents. If it is accepted that it is imperative to release green belt in order to build housing, there may be less sensitive sites around Keighley than this. I am also aware of a number of brownfield sites in the Keighley area that would offer housing development potential without significant green belt loss and consequent damage to landscape character. Such brownfield sites are located within walking distance of Keighley town centre and may be considered more sustainable than this proposal.

The site plan shows trees planted on the north eastern and south eastern boundaries of the site. I would concur that planting on the south eastern side is relevant, as this would help to screen the development and will provide a soft edge to the finger of green that extends up the Worth Valley. When travelling out of Keighley on the Worth Valley Railway, it is important that once past Damens Station, views from the train continue to reinforce the sense of leaving the residential fringe of Keighley behind. This is also true of travelling out of Keighley by road, or on foot via the Worth Way. There can be no doubt that the planting of a generous tree belt will help considerably to mitigate for the loss of open pasture.

Mitigation measures might also include planting a tree belt on the south western side of the development, where the 'new' residential edge will be conspicuous in longer distance views towards Keighley from higher up the Worth Valley (e.g. Viewpoint 4 & Viewpoint 2). The existing dry stone wall that forms the south western site boundary is built along a sloping ridgeline on the hillside, so it is quite prominent when viewed from the Haworth side. New houses built right up to this boundary could be one of the most prominent aspects of this development. In views from Vale Mill Lane the houses will be seen right on the edge of the hillside and partly on the skyline. The addition of built form on the silhouette outline of the hillside will be a particularly noticeable change in the view, more significant than is suggested in the Landscape and Visual Impact Assessment. I would dispute the statement that the views from Vale Mill Lane 'will be experienced by a very limited number of people'. This is close to Oakworth Station and the steam railway, and the whole area around Haworth and the Worth Valley attracts visitors and walkers from all over the world.

The Landscape and Visual Impact Assessment identifies 'Viewpoint 5' as one of those selected that will experience the greatest importance of effect. It is determined that from this position, the proposal will cause a noticeable deterioration in the landscape appearance of the area. I would concur with this, however, it should be noted that 'Viewpoint 5' is representative of views from very many positions on the south side of the Worth Valley. The panoramic view across the valley from the Worth Way (taking in the application site) is enjoyed at all points along at least a one kilometre stretch of the path from where it passes the rear of houses on Hill Top Road to the edge of Cross Roads. A similar panoramic view is on offer from multiple locations along all transport routes on the Hainworth side of the Worth Valley. These include a long section of Bingley Road, Hill Top Road, and Halifax Road. Views from a large number of private properties around the edge of Cross Roads, those on Lingfield Drive, The Three Acres Public House on Bingley Road, and users of the Bronte Caravan Park will all be impacted at a level comparable to, or more significant than, that of 'Viewpoint 5'.

Views towards the site from Halifax Road are at a closer range than those from the Worth Way, and the significance of the impact may be underestimated in the case of 'Viewpoint 3', considering that there is a stretch of the road approximately 300 metres long between the edge of Keighley and Cross Roads that has no tree screening. It should also be noted that any screening due to tree cover will not be as effective during the winter as it is during the summer.

Shown on the site plan are 30 units surrounded by tree planting that appear to take the form of mobile homes/static caravans. If these are static caravans, then they would be only 300 meters away from a significant number of similar homes on the Bronte Caravan Park. The proposed caravan park could be seen as a smaller satellite of the existing one, which is arranged as separate but linked groups of mobile homes on the south side of the valley floor.

As proposed, the site is split into three, the caravan park positioned in isolation on one side of the site, enveloped by trees and isolated. It is difficult to understand the logic to having a mobile home park on the 'Keighley' side of the development with houses wrapping around it. I cannot see any site analysis that explains the reasoning behind the proposed layout and justification for the caravan park. The significant tree planting that is around the mobile homes should be on the outside (southeast) edge of the development, helping to act as a softening and screening buffer between the residential area and the open pasture.

Also separated to some extent is the area of the development with higher density housing in the form of terraces. These are arranged in a block together, with the short streets following the slope rather than aligning with contours. It is a traditional layout that replicates the Victorian terraced housing further within the Keighley core, but in this setting it may be best to disperse the higher density terraces throughout the development to give a varied mix to the whole site, and perhaps have the lowest density housing around the sensitive edges.

The layout plan shows a development that generally turns its back on its setting. The long row of new houses alongside Goose Cote Lane faces south. Rear elevations and rear garden boundaries face the lane. At least there is a better arrangement on the other side of the development where a handful of houses do face Goose Cote Lane. On the south western edge of the site, there are three houses that face out towards the countryside, but others are inward facing. Sense of place, the link between the development and its location that provides a unique sense of identity, may be stronger with more of the properties taking advantage of the surrounding countryside with an outward facing layout.

If this site is developed with housing, there may be future pressure to develop nearby green belt due to the changed pattern of land usage. Specifically, the field alongside Damens Lane and Damens Farm will become enveloped on three sides by housing and it may be seen as a potential infill opportunity. The knock-on implication of further green belt release means that the future potential cumulative negative impact on landscape character could ultimately be more significant than is suggested by this particular application alone.

Parks and Greenspaces Service

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

However, due to the implementation of CIL from 1.7.2017 we hereby comment that the development will result in a significant impact on the existing public open space due to 100 new residential units.

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 Combined Authority(WYCA)

The site is located within the recommended 400m from the nearest bus routes that operate on Harewood Road. We generally take a pragmatic approach to walk distances to take the size and location of development sites into account.

When doing so, we also have to consider the development type and the level and quality of service (frequency and destinations served) at the destination bus stop.

Bus services which operate on Harewood Road include the K10 which operates between Keighley and Oakworth at a 60 minute frequency. The bus availability for the site is therefore considered to be acceptable. The size of the development is unlikely to change the bus route of frequency.

The closest bus stop on this corridor is 21896. As part of this scheme, Real Time Passenger Information displays could be provided at this stop at a cost to the developer of £10,000 to improve the public transport offer. In order to access this stop, safe and direct pedestrian links are required.

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

The payment schedule, mechanism and administration of the fund would have to be agreed with Bradford Council and WYCA and detailed in a planning condition or S106 agreement. As an indication of the cost should the normal RMC scheme be applied based on a bus only ticket, the contribution appropriate for this development would be £49,500.00. This equates to bus only Residential MCards.

West Yorkshire Police

Boundary treatments.

I appreciate that this is an outline application so there will be further changes. I would recommend that rear boundary treatments are installed to a height of 1800mm to secure

the rear of the properties. Materials such as masonry walls or close board timber fencing are suitable to use. Rear plot dividers should be to the same height (i.e. 1800mm) such as 1500mm high close board timber with a 300mm trellis along the top.

Access should be restricted from the front of each plot into the rear gardens with an 1800mm high gate which incorporates some form of lock such as hasp and staple and pad bolt. Gates should be positioned as near to the front of the building line as possible to increase natural surveillance.

For any front corner plots, I would suggest installing a front boundary treatment such as knee rail fencing or planting which will deter any vehicles from parking up along the grassed areas and causing any obstructions.

Front bin storage.

In relation to the central terraced houses, where there is insufficient space to apply a lockable gate to each plot, front bin storage should be provided for these plots.

External lighting.

Any new street lighting should provide good colour rendition levels to help support natural surveillance. Suitable standards are to BS 5489:2013.

External lighting should be installed above the front and rear doorways to each plot to illuminate the entrances. Photocell and dusk until dawn lighting are types of lighting which are energy efficient and cost effective to use. Lighting should allow for visibility and surveillance but not be excessively bright which could cause light overspill. PIR / sensor lighting is not recommended as sensors can be knocked off balance which can disable the lights from working which could reduce visibility. If there is a constant light there is more opportunity to see any suspicious activities which can be reported to the Police.

Parking.

Looking at the site plan, it's positive to see that most of the houses include on plot parking. Where parking is on plot and located to the side of the property there should be a small side window located in one of the active rooms (i.e. kitchen or lounge) to overlook the parking bays.

A few of the corner plots have garages located to the rear of the properties, if close board fencing is used around the garden boundary this should provide some small level of surveillance to the parking area. It would be prudent also to include a gate along the driveway so that any additional vehicle which is parked in front of the garage, gates can be locked to provide security.

I would recommend that the parking bays adjacent to the terraced properties are visibly numbered per plot. This will ensure that residents cannot use more spaces that allocated and deter visitors from parking within marked residents bays, which prevents any parking disputes or calls for service to the Police.

Referring to the site plan, the visitor parking bays do appear limited in comparison to the number of plots on the site. It would be prudent to include more visitor parking bays which will prevent the increase of on street parking.

Play area.

In relation to the location of the play area, it appears to have good surveillance from the adjacent properties, however it is positioned to the side and rear of the properties which could cause noise disturbance to residents who live in these houses.

Doors and windows.

Doors and windows should be to one of the following Building Regulations standards; PAS 24:2012, PAS 24:2016, STS 202 issue 3:2011 burglary rating 2 or LPS 1175 issue 7:2010 security rating 2. If doors have 3rd party certification held within their name, any doors which include a euro cylinder lock should be to 3 star rated to standards TS007, STS 217 or Sold Secure Diamond Standards which offer more resistance to crimes relating to lock snapping.

If bespoke wooden doors are to be installed these should be a solid or laminated timber with a minimum density of 600kg/m³ and to 44mm thickness and include a 5 lever mortice lock to standards BS 3621 /8621 with a night latch or rim lock which are tested to the same standards.

I would recommend that all ground floor and accessible doors and windows include attack resistant glazing installed to standards BS EN 356 P1A so that in the event of any damage or attempted entry the glass will remain intact.

Intruder alarms.

I would recommend installing intruder alarm within each plot. Suitable standards are to NSI (National Security Inspectorate) or SSAIB (Security System and Alarms Inspection Board). BS EN 50131 or PD6662 (wired alarm system) or BS 6799 (wire free alarm system).

West Yorkshire Archaeological Advisory Service

Statement of Significance

The application site encompasses an area of previously undeveloped land to the south of Goose Cote Lane overlooking the valley of the river Worth. Although the site is located at c. 200m AOD it is east-south-east facing. The latter is considered to be of significance as this aspect would have made it an attractive location for settlement in prehistoric, Romano-British and early medieval periods.

Excavation at Allerton Lane, Bradford in 2016 uncovered unexpected and well preserved evidence of late Iron Age occupation at 240m AOD on a south facing slope above a water course. This discovery establishes the potential for previously unrecognised archaeological remains on the flanks of valleys to the west of Bradford, where, previously settlement had not been thought to occur.

Two undated earthworks are known from close by the site in the Worth Valley. One, to the east of the site, is described as a possible medieval enclosure whilst a similar “L” or “J” shaped cropmark to the west is described as part of the post medieval field system (National Monument Mapping Programme Nos. 1,359,264 and 1,360,446).

The WYAAS consider the site to have archaeological potential and to have been attractive to communities from the Prehistoric to the early medieval period and, given the scale of the proposals, its archaeological potential should be fully evaluated prior to development.

Impact of Proposed Development

The proposal entails construction of 130 dwellings with associated infrastructure and earthmoving activities. Currently unknown archaeological remains may be uncovered and destroyed by earthmoving associated with the development.

WYAAS Recommendations

The WYAAS recommend that the developer be required to provide the Planning Authority with an evaluation, based on appropriate analytical methods, of the full archaeological implications of the proposed development. We would further recommend that a planning decision be deferred, on the grounds that the planning authority requires further information in order to reach an informed decision, until the results of the evaluation have been received and assessed by WYAAS, as your advisors on archaeological matters.

The evaluation would involve a geophysical survey and the excavation of a number of archaeological evaluation trenches. We recommend that the evaluation should be carried out pre-determination because further archaeological work to mitigate the impact of the development may be required and a pre-determination evaluation will enable the applicant to take account of the full archaeological implications (in terms of cost and programme) of the project.

Any subsequent archaeological advice would depend upon the results of the evaluation, but may vary from: a recommendation to refuse permission (very rare); to modify the design of the proposal to minimise damage to any archaeological deposits; to carry out archaeological recording in advance of development (an excavation), or to have an archaeologist on site during groundworks to record anything of interest that is revealed (a ‘watching brief’). This record can be secured by a suitably worded archaeological condition placed on any grant of planning permission awarded by CBMDC.

Relevant Policies

The National Planning Policy Framework (March 2012), paragraph 128 states that ‘Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation’. This guidance is in accordance with City of Bradford Metropolitan District Environment Policies EN3, F which “Require proposals to protect or enhance the heritage significance and setting of locally identified non designated heritage assets, including [...] archaeological sites [...]”.

The requirement to carry out subsequent works is supported by The National Planning Policy Framework (March 2012). Paragraph 141 states that 'Local planning authorities should... require developers to record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publically accessible'.

Recommended Planning Condition

The WYAAS recommend that the site's archaeological potential is fully evaluated by a pre-determination archaeological evaluation.

However, should the guidance given in the NPPF and Policy EN3 be ignored and planning permission is granted the above works can be secured by the attachment of a suitable condition

"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 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."

Or, as an alternative to the above model condition which was first introduced in 1990, the following condition is suggested by Historic England in their Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision Taking in the Historic Environment 2015 paragraph 37:

No demolition/development shall take place/commence until a written scheme of archaeological investigation (WSI) has been [submitted to and] approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI

Detail of the work

A specification for the archaeological work can be supplied to the developer, on written request, by the West Yorkshire Archaeology Advisory Service, who would be responsible for monitoring the work of an archaeological contractor commissioned by the developer, on behalf of City of Bradford Metropolitan District Council. From the 1st of April 2011 in accordance with the agreement of the Council Committee that oversees our work the WY Archaeology Advisory Service will charge the developer for these and concomitant services. Please note that WYAAS make a charge for the production or validation of specifications.

We can also provide a list of archaeological contractors who may be available to tender for the work. In order to aid the developer to meet the requirements of the above condition I would suggest that it might be helpful to add the following as a note to the planning permission:

“For further information please contact: David Hunter, West Yorkshire Archaeology Advisory Service: 0113 393 9715.”

Yorkshire Water

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

No building or other obstruction including landscape features shall be located over or within 6 metres either side of the centre line of the water main i.e. a protected strip width of 12 metres, that crosses the site. If the required stand -off distance is to be achieved via diversion or closure of the water main, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been undertaken.

(In order to allow sufficient access for maintenance and repair work at all times)

No development shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing works and off -site works, have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed , the information shall include:

- I. evidence that other means of surface water drainage have been properly considered and why they have been discounted ; and
- II. the means by which the discharge rate shall be restricted to a maximum rate of 3.5 litres per second.

Furthermore, unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

(To ensure that no surface water discharges take place until proper provision has been made for its disposal)

The site shall be developed with separate systems of drainage for foul and surface water on and off site. If sewage pumping is required, the peak pumped foul water discharge shall not exceed 5 (five) litres per second.

(In the interest of satisfactory and sustainable drainage)

Water Supply

Although I appreciate that the application is for outline permission only and therefore subject to change at reserved matters stage, the submitted site layout details are NOT

acceptable to Yorkshire Water. It appears that buildings will be located over the line of a water main and this could jeopardise Yorkshire Water's ability to maintain the public water network. I strongly advise the developer to amend the layout prior to submission of reserved matters.

1) The Flood Risk Assessment (prepared by ARP Associates - Report 800/627r1 dated November 2017) requires clarification but the matter can be dealt with via condition if planning permission is granted.

In summary, the report states that surface water will discharge to public combined sewer via storage with restricted discharge if soakaways are not feasible. The proposal site is currently undeveloped no positive surface water is known to have previously discharged to the public combined sewer network within which there is no capacity to accept surface water from this site. If robust evidence is provided to rule out soakaways, as a last resort curtilage surface water may discharge to the 150mm diameter public surface water sewer to the south east of the site, approximately 380 metres away, at a restricted rate of no more than 3.5 (three point five) litres per second.

An off-site surface water sewer may be required. This may be provided by the developer and considered for adoption by means of a sewer adoption agreement under Section 104 of the Water Industry Act 1991. Alternatively, the developer may in certain circumstances be able to requisition off-site sewers under Section 98 of the Water Industry Act 1991.

2) Development of the site should take place with separate systems for foul and surface water drainage. The separate systems should extend to the points of discharge to be agreed. Foul water domestic waste should discharge to the 300mm diameter public combined sewer recorded in Harewood Road.

From the information supplied, it is not possible to determine if the whole site will drain by gravity to the public sewer network. If the site, or part of it, will not drain by gravity, then it is likely that a sewage pumping station will be required to facilitate connection to the public sewer network. If sewage pumping is required, the peak pumped foul water discharge must not exceed 5 (five) litres per second.

3) The public sewer network is for domestic sewage purposes. This generally means foul water for domestic purposes and, where a suitable surface water or combined sewer is available, surface water from the roofs of buildings together with surface water from paved areas of land appurtenant to those buildings. Land and highway drainage have no right of connection to the public sewer network. The developer should contact the Highway Authority with regard to the acceptability of highway drainage proposals. Highway drainage, may however be accepted under certain circumstances. In this event, a formal agreement for highway drainage discharge to public sewer, in accordance with Section 115 of the Water Industry Act 1991, will be required.

Summary of Main Issues:

- 1) Principle
- 2) Landscape/ Tourism
- 3) Heritage/ Archaeology

- 4) Access and Traffic Impacts
- 5) Flooding and Drainage
- 6) Ecology
- 7) Land Quality and Stability
- 8) Community Safety Implications
- 9) Equality Act 2010, Section 149

Appraisal:

1) Principle

The majority of the proposal site is 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 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, which 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.

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 130 residential units 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.

In relation to the harm the development would cause to the purposes of including land within the Green Belt, it should be noted that the NPPF sets out these purposes as follows:

- To check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;

- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The stated purpose of including land in the Green Belt which is considered to be most relevant to the proposed development is the purpose of assisting in safeguarding the countryside from encroachment. It is considered that the proposed development of 130 residential units in the Green Belt would represent significant urban encroachment into the countryside.

The applicant argues that the harm the development would cause to the Green Belt would be limited by virtue of the fact that the site is surrounded on 3 sides by existing urban development and that the proposal would provide a linear form of development along the road which would 'slot in' and complement the existing development on the opposite side of Goose Cote Lane. However these arguments are not accepted as valid.

In fact less than 1/3rd of the site borders existing urban development, with the other 2/3rds of the site boundary being onto open countryside. Furthermore the illustrated development is an inward looking residential enclave on land which extends some distance south of Goose Cote Lane not a linear development fronting onto Goose Cote Lane. Additionally the development would leave a relatively small remnant of farmland to the east between the site and the existing residential estate to the north of Damems Lane thereby potentially compromising the integrity of further green belt land to the east.

Overall, therefore, it is considered that the development would result in significant harm to the Green Belt in terms of inappropriateness, in terms of loss of openness and in terms of urban encroachment. 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.

In addition to the harm the development would cause to the Green Belt this report finds that the development would also be harmful to the character of the landscape. This is because the site is within an area of mixed upland pasture along the sides of the Worth Valley within the North Beck Valleys Landscape Character Area which is very vulnerable to major changes. The development would cause a significant extension of residential development down the sides of the worth valley, adversely affecting the setting of the Keighley and Worth Valley Railway and causing a noticeable deterioration in the landscape appearance of the area as viewed from many positions on the South side of the Worth Valley.

Therefore it is the harm to the Green Belt and the harm to the character of the landscape and the tourism industry which it supports which are the subjects of the very special circumstances test. Very special circumstances which would mean that Green Belt development restraint should be overridden in this instance can only be considered to exist if the harm described above is *clearly* outweighed by other considerations.

The factors advanced in favour of the development by the applicant include the contribution the development would make to housing land supply within the District, with the Council currently unable to demonstrate a 5 year supply of housing land; the inclusion of the site within the emerging Allocation Development Plan Document and Strategic Housing Land Availability Assessment; the fact that the development is sustainably located; the benefits of the development to the local economy; the deliverability of the site; and the biodiversity and landscape improvements comprised within the scheme.

In relation these factors it should be noted that they are not truly site specific and there is no apparent reason why equivalent (or greater) benefits could not be achieved through the residential development of any other land in and around Keighley. Although the Council accept that it cannot demonstrate a 5 year supply of deliverable housing land this has not been accepted to undermine the national and local policy of Green Belt development restraint. To accept this would set a precedent which could allow the uncontrolled and piecemeal erosion of the Green Belt outside of the statutory Development Plan making process.

The application has been submitted in advance of the preparation of the Allocations Development Plan Document (DPD) and the associated Green Belt Review process, where the need for the release of Green Belt Land for housing and employment within each settlement/ functional area within the District will be properly and robustly considered. Where a need for Green Belt release is identified, all alternative potential green belt release sites will be assessed taking account of factors such as the impact upon the integrity of the Green Belt, the character of the landscape and environmental value and constraints of the potential alternative green belt release sites.

Contrary to the claims of the applicant the Allocations DPD has not yet advanced to a stage where any weight can be attached to any reference to a site within the initial Allocations DPD consultation plan (which was not subject to any site sifting process). Equally the Strategic Housing Land Availability Assessment (SHLAA) is simply part of the evidence base of the adopted Core Strategy which demonstrated the deliverability of the housing distribution proposals and is not a policy document.

At this point in time the status of the site is simply 'Green Belt' with no adopted plans or policies indicating any likelihood of the land being released from Green Belt. In terms of the provisions of the Core Strategy the site is within the area defined as Keighley. Within the Core Strategy Keighley is defined as a Principle Town and is identified for the delivery 4,500 new residential units in the period up to 2030.

The Core Strategy Key Diagram indicates that Potential Localised Green Belt Deletions may be necessary to allow sufficient housing and employment sites to be allocated. However the need for any such Green Belt releases will be further assessed during the preparation of the Allocations DPD and no indication is given of what, if any, parts of the large amount of Green Belt land around Keighley may be most suitable (least harmful) for Green Belt deletion.

National and local planning policies make it clear that substantial weight should be attached to the harm inappropriate development causes to the Green Belt and that 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 any considerations in favour of the development, particularly in terms of the housing land supply factors advanced by the applicant, clearly outweigh the harm the development will cause to the Green Belt and all other harm associated with the development.

After giving due consideration to, and placing substantial weight upon, the harm the development would cause to the Green Belt, as described above, the advice of Planning Officers to the Regulatory and Appeals Committee is that, the benefits of developing the land for residential purposes do not clearly outweigh the harm the development would cause to the Green Belt, either when considering Green Belt harm in isolation or in combination with the harm the development would cause to the character of the landscape. Therefore very special circumstances are not considered to exist which would justify an exception to the policy of development restraint within the Green Belt and consequently the development is considered to be unacceptable in principle contrary to saved RUDP policy GB1 and Section 9 of the NPPF.

2) *Landscape/ Tourism*

Core Strategy policy EN4 states that Development Decisions as well as Plans, policies and proposals should make a positive contribution towards the conservation, management and enhancement of the diversity of landscapes within the District. Core Strategy Policy PN1 sets the objective of promoting sustainable tourism that respects the Bronte heritage of Haworth and Thornton, the Bronte Parsonage Museum and the importance of the Keighley and Worth Valley Steam Railway.

The proposal site is within the Worth and North Beck Valleys Landscape Character Area as described in the Local Development Framework for Bradford, Landscape Character Supplementary Planning Document, adopted by Bradford Council in October 2008. Within this character area, the site falls within the character type 'mixed upland pasture'. The policy guidelines relevant to this site are generally against any potential for housing development, with the character being 'very vulnerable to major changes' and the 'density of settlement... already at its capacity.'

The existing dry stone wall that forms the south western site boundary is built along a sloping ridgeline on the hillside, so it is quite prominent when viewed from the Haworth side. New houses built right up to this boundary could be one of the most prominent aspects of this development. In views from Vale Mill Lane the houses will be seen right on the edge of the hillside and partly on the skyline. The addition of built form on the silhouette outline of the hillside will be a particularly noticeable change in the view, more significant than is suggested in the Landscape and Visual Impact Assessment.

The Landscape and Visual Impact Assessment identifies 'Viewpoint 5' as one of those selected that will experience the greatest importance of effect. It is determined that from this position, the proposal will cause a noticeable deterioration in the landscape appearance of the area. The Council's Landscape Architect concurs with this assessment; however, it should be noted that 'Viewpoint 5' is representative of views from very many positions on the south side of the Worth Valley.

The panoramic view across the valley from the Worth Way (taking in the application site) is enjoyed at all points along at least a one kilometre stretch of the path from where it passes the rear of houses on Hill Top Road to the edge of Cross Roads. A similar panoramic view is on offer from multiple locations along all transport routes on the Hainworth side of the Worth Valley. These include a long section of Bingley Road, Hill Top Road, and Halifax Road. Views from a large number of private properties around the edge of Cross Roads, those on Lingfield Drive, The Three Acres Public House on Bingley Road, and users of the Bronte Caravan Park will all be impacted at a level comparable to, or more significant than, that of 'Viewpoint 5'.

Views towards the site from Halifax Road are at a closer range than those from the Worth Way, and the significance of the impact may be underestimated in the case of 'Viewpoint 3', considering that there is a stretch of the road approximately 300 metres long between the edge of Keighley and Cross Roads that has no tree screening. It should also be noted that any screening due to tree cover will not be as effective during the winter as it is during the summer.

It is therefore considered that the development of 130 new residential units on the site will present significant harm to the character of the landscape in this part of the Worth Valley. The character and attractiveness of this landscape is a key component in the success and on-going viability of the heritage branch railway which runs along the bottom of the Worth Valley; the Keighley and Worth Valley Railway.

The Keighley and Worth Valley Railway Preservation Society have made representation on the application, raising concerns that the proposed residential development of the site will impact negatively on the railway's attractiveness to visitors and therefore impact on their long-term future as well as reducing the amount of tourism revenue generated in the area. The railway raise concerns that, in combination with other planning applications and consents, the cumulative impact is, in our view, likely to destroy - or at the very least change for the worse - the character and heritage of the area to the detriment of the many local businesses that depend on the tourism economy.

The Keighley and Worth Valley Railway Preservation Society contend that developments of this nature will allow the urban to creep further into what was previously green belt and impact negatively on the attractiveness of the area to tourists. Continuing to erode the green belt and open spaces in the area will result in a denuding of the district's distinctive, varied character that blends the urban and the rural.

It is considered that the adverse impact the development would have on the character of the landscape would in turn harm the tourism industry which relies upon this landscape to attract tourists and in particular the Keighley and Worth Valley Railway. In this respect

the development is also considered to run contrary to Core Strategy Policy PN1C3 as well as Policy EC4.

3) *Heritage/ Archaeology*

Core Strategy Policy EN3 states that the Council, through planning and development decisions, will work with partners to proactively preserve, protect and enhance the character, appearance, archaeological and historic value and significance of the District's designated and undesignated heritage assets and their settings. The policy goes on to confirm that the Council will require that all proposals for development conserve and where appropriate, enhance the heritage significance and setting of Bradford's heritage assets, especially those elements which contribute to the distinctive character of the District.

Core Strategy Policy EN3 also requires proposals to protect or enhance the heritage significance and setting of locally identified non designated heritage assets, including buildings, archaeological sites and parks, landscapes and gardens of local interest. Paragraph 128 of the NPPF, advises that 'Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation'.

The application site is adjacent to Damems Farmhouse and attached cottages, which are grade II listed buildings dating from the seventeenth- and eighteenth-centuries, respectively. The application seeks outline consent for 130 residential units. The Council's Heritage Conservation Team has advised that the proposal would have further impact on the semi-rural setting of these listed buildings, which has already been compromised to a considerable extent by previous residential development.

In determining this planning application the Council are aware that it is a legal requirement to have special regard to the desirability of preserving the listed buildings and their settings by virtue of the provisions of Sections 16 and 66 of the Planning (Listed Buildings & Conservation Areas) Act 1990. It is also understood that, in accordance with the guidance set out in paragraph 132 of the NPPF, when considering the impact of the proposed development on the significance of Damems Farmhouse and the attached cottages, as designated heritage assets, great weight should be given to these assets' conservation and that, as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

The Council's Heritage Conservation Team have advised that they consider the level of harm to the significance of Damems Farmhouse and the attached cottages, as designated heritage assets to be less than substantial, and consequently, in accordance with paragraph 134 of the National Planning Policy Framework, this harm should be weighed against the public benefits of the proposal. The provision of a substantial number of new residential units may be considered sufficient public benefit to outweigh the limited harm identified. However it will be important in due course to ensure that the layout of the development provides the listed buildings with some sort of buffer zone, in order to retain the maximum spaciousness around them, in-keeping with their former use and isolation.

In terms of undesignated heritage assets/ archaeology the West Yorkshire Archaeological Advisory Service (WYAAS) have advised that the application site encompasses an area of previously undeveloped land to the south of Goose Cote Lane overlooking the valley of the River Worth. Although the site is located at c. 200m AOD it is east-south-east facing. The latter is considered to be of significance as this aspect would have made it an attractive location for settlement in prehistoric, Romano-British and early medieval periods.

Excavation at Allerton Lane, Bradford in 2016 uncovered unexpected and well preserved evidence of late Iron Age occupation at 240m AOD on a south facing slope above a water course. This discovery establishes the potential for previously unrecognised archaeological remains on the flanks of valleys to the west of Bradford, where, previously settlement had not been thought to occur.

Two undated earthworks are known from close by the site in the Worth Valley. One, to the east of the site, is described as a possible medieval enclosure whilst a similar “L” or “J” shaped cropmark to the west is described as part of the post medieval field system. The site is therefore considered to have archaeological potential and to have been attractive to communities from the Prehistoric to the early medieval period and, given the scale of the proposals, its archaeological potential should be fully evaluated prior to development.

The WYAAS recommend that the developer be required to provide the Planning Authority with an evaluation, based on appropriate analytical methods, of the full archaeological implications of the proposed development. They further recommend that a planning decision be deferred, on the grounds that the planning authority requires further information in order to reach an informed decision.

The evaluation would involve a geophysical survey and the excavation of a number of archaeological evaluation trenches. WYAAS recommend that the evaluation should be carried out pre-determination because further archaeological work to mitigate the impact of the development may be required and a pre-determination evaluation will enable the applicant to take account of the full archaeological implications (in terms of cost and programme) of the project.

Any subsequent archaeological advice would depend upon the results of the evaluation, but may vary from: a recommendation to refuse permission (very rare); to modify the design of the proposal to minimise damage to any archaeological deposits; to carry out archaeological recording in advance of development (an excavation), or to have an archaeologist on site during groundworks to record anything of interest that is revealed (a ‘watching brief’).

The applicant has been made aware of this issue and the need to provide an archaeological evaluation of the site. No such archaeological evaluation has been forthcoming. It is therefore considered that the planning application is deficient and unacceptable in terms of the provisions of Core Strategy Policy EN3 and Section 12 of the NPPF as it contains insufficient information to properly understand the archaeological potential of the site, the potential impact of the development upon any archaeological remains and the ways in which this potential impact may be mitigated.

4) Access and Traffic Impacts

Adopted Core Strategy policy TR1 indicates that through planning decisions the Council will aim 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 through (amongst other things) ensuring that development is appropriately located to ensure that the need to travel is reduced, the use of sustainable travel is maximised, and the impact of development on the existing transport networks is minimal. Paragraph 32 of the NPPF confirms that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The Council's Highways Development Control Team have been consulted on the application and have advised that, whilst they have no objections to the principle of the development there, are certain issues that need to be addressed before the scheme can be fully supported in terms of highways issues.

The first issue is that Goose Cote Lane is a popular rat-run used by drivers wishing to avoid queuing traffic on Oakworth Road. Therefore the predicted site traffic distribution onto Goose Cote Lane i.e. 60% west & 40% east is likely to be reversed with more traffic choosing to use the rat-run. The Council is therefore seeking a contribution of £40,000 towards future traffic calming measures to discourage rat-running along this route. Any contribution not spent within 5 years of first occupation of the site will be returned to the applicant / developer. The contribution will be secured by way of a Section 106 Agreement.

The second issues is that, whilst the provision of a new footway along the site frontage on Goose Cote Lane is welcomed this should be included within red line boundary for this application so that it can be conditioned. It should also continue along the full site frontage including the small strip of land directly to the east of the proposed access serving the proposed 30 units and the plan should be amended to reflect this. The site plan should also demonstrate what width is to be retained for the existing carriageway along the site frontage on Goose Cote Lane.

The third issue relates to the proposed separate access for the 30 none-house units. The proposed access for the 30 units will only be adopted to the back edge of the footway on Goose Cote Lane and its width should be increased to 5.5m and this width should be retained around the bend and up to the proposed visitor parking.

The above issues have been raised with the applicant however the planning service are not yet in receipt of any form of response indicating whether the applicant is prepared to provide for the requested off-site works or adjust the footway and access as required. Therefore it is considered that the application currently insufficiently addresses highways matters contrary to Core Strategy Policy TR1 and paragraph 32 of the NPPF.

5) Flooding and Drainage

Core Strategy policy EN7 states that the Council will manage flood risk pro-actively and in assessing proposals for development will:

- 1) Integrate sequential testing into all levels of plan-making
- 2) Require space for the storage of flood water within Zones 2 and 3a

- 3) Ensure that any new development in areas of flood risk is appropriately resilient and resistant
- 4) Safeguard potential to increase flood storage provision and improve defences within the Rivers Aire and Wharfe corridors
- 5) Manage and reduce the impacts of flooding within the beck corridors, in a manner that enhances their value for wildlife
- 6) Adopt a holistic approach to flood risk in the Bradford Beck corridor in order to deliver sustainable regeneration in LDDs and in master planning work
- 7) Require that all sources of flooding are addressed, that development 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
- 8) Seek to minimise run-off from new development; for Greenfield sites run off should be no greater than the existing Greenfield overall rates
- 9) Require developers to assess the feasibility of implementing and maintaining SUDS in a manner that is integral to site design, achieves high water quality standards and maximises habitat value
- 10) Use flood risk data to inform decisions made about Green Infrastructure. Only support the use of culverting for ordinary water courses, and additional flood defence works that could have adverse impacts on the environment, in exceptional circumstances.

The proposal site is not within an area which is considered to be at significant risk of flooding. Therefore the main issue associated with these matters is ensuring that the site drainage system is designed around the principles of SUDS and will not increase off-site flood risks and ensuring that the development does not adversely affect existing drainage and water infrastructure. The Council's Drainage Unit, acting in their capacity as lead local flood authority, have confirmed that they have no significant objection to the application on flooding or drainage grounds, subject to the imposition of suitably worded conditions requiring full details and approval of a site drainage system based upon the principles of SUDS.

Yorkshire Water have also commented upon the planning application, confirming that the submitted (indicative) site layout details are NOT acceptable to Yorkshire Water. It appears that buildings will be located over the line of a water main and this could jeopardise Yorkshire Water's ability to maintain the public water network. Yorkshire Water strongly advise the developer to amend the layout prior to submission of reserved matters.

Yorkshire Water have also commented that the Flood Risk Assessment (FRA) requires clarification but that they consider that the matter can be dealt with via condition if planning permission is granted. The FRA states that surface water will discharge to public combined sewer via storage with restricted discharge if soakaways are not feasible. The proposal site is currently undeveloped no positive surface water is known to have previously discharged to the public combined sewer network within which there is no capacity to accept surface water from this site.

Yorkshire Water have confirmed that, if robust evidence is provided to rule out soakaways, as a last resort, curtilage surface water may discharge to the 150mm diameter public surface water sewer to the south east of the site, approximately 380 metres away, at a restricted rate of no more than 3.5 (three point five) litres per second. An off-site surface water sewer may be required. This may be provided by the developer and considered for adoption by means of a sewer adoption agreement under Section 104 of the Water Industry Act 1991. Alternatively, the developer may in certain circumstances be able to requisition off-site sewers under Section 98 of the Water Industry Act 1991.

In terms of foul drainage, Yorkshire Water have advised that foul water domestic waste should discharge to the 300mm diameter public combined sewer recorded in Harewood Road. From the information supplied, it is not possible to determine if the whole site will drain by gravity to the public sewer network. If the site, or part of it, will not drain by gravity, then it is likely that a sewage pumping station will be required to facilitate connection to the public sewer network. If sewage pumping is required, the peak pumped foul water discharge must not exceed 5 (five) litres per second.

Overall it is considered that there is no reason to conclude that the proposed development of the land with 130 residential units is likely to be unacceptable on drainage or flood risk grounds. However this is subject to the imposition of planning conditions requiring approval of a suitable site layout which protects existing water infrastructure and which require approval of details of appropriate separate foul and surface water drainage systems, designed around the principles of Sustainable Urban Drainage Systems (SUDS).

6) Ecology

Core Strategy policy EN2 states that proposals should contribute positively towards the overall enhancement of the District's biodiversity resource. They should seek to protect and enhance species of local, national and international importance and to reverse the decline in these species. The Council will seek to promote the creation, expansion and improved management of important habitats within the district and more ecologically connected patchworks of grasslands, woodlands and wetlands. Core Strategy policy SC8, seeks to protect the South Pennine Moors Special Protection Area (SPA) and Special Area of Conservation (SAC) from adverse impacts. Paragraph 109 of the NPPF confirms that one of the government's objectives for the planning system is to minimise impacts on biodiversity and provide net gains in biodiversity where possible.

The applicant has provided a preliminary ecological appraisal to support their application which advises that there are no statutorily protected nature conservation sites located within 2 km of the site. There are four Local Wildlife Sites (LWS) within 2 km of the application site, with the nearest site being Whins Wood LWS 0.42 km to the east. There are fifteen 3rd Tier Bradford Wildlife Area (BWA) within 2 km of the application site, with the nearest site being Haworth – Oakworth Sewage Works BWA 170 m to the south.

With the River Worth and the Keithley and Worth Valley Railway located between the application site and Haworth – Oakworth Sewage Works BWA it is considered unlikely that the development will have a significant impact on this site. However the report recommends that a landscape screen/buffer is provided between the application site and Haworth – Oakworth Sewage Works BWA.

The report also advises that the application site includes three agricultural fields of similar size (1.2 ha – 1.9 ha) on the south facing slope of the River Worth Valley. The fields all contain semi-improved agricultural farmland with boundary dry-stonewalls. The dominant habitat within the application site is semi-improved grassland (no evidence or livestock grazing or hay-cutting in 2017).

The report found that the botanical species composition was similar in each of the three fields that form the application site, with minor variation in species dominance. Dominant species included Cock's foot *Dactylis glomerata*, common bent *Agrostis capillaris*, red fescue *Festuca rubra*, white clover *Trifolium repens*, red clover *Trifolium pratense*, Yorkshire fog *Holcus lanatus*, perennial rye-grass *Lolium perenne*, ribwort plantain *Plantago lanceolata*, dandelion *Taraxacum*, cow parsley *Anthriscus sylvestris* and meadow buttercup *Ranunculus acris*.

The report notes encroaching scrub, due to a lack of management, along the edges of several of the fields within the application site. Species included hawthorn *Crataegus monogyna*, blackthorn *Prunus spinosa*, dog-rose *Rosa canina*, ivy *Hedera helix*, holly *Ilex aquifolium*, bramble *Rubus fruticosus*, elder *Sambucus nigra* and ash *Fraxinus excelsior*. Several mature sycamore *Acer pseudoplatanus* trees are located to the north of the site within the garden of a neighbouring property.

Given the close proximity Haworth – Oakworth Sewage Works BWA, which holds features of botanical interest, the report recommends that a detailed botanical survey be undertaken on the application site between May – August to determine the importance of the semi-improved grassland habitat within the application site.

To enhance the ecological value of the site the report further recommends that native/biodiversity beneficial species be used within the landscaping of the site, with specific measures included within the scheme to benefit local Biodiversity Action Plan Habitats and Species. The report advises that the development presents an opportunity for biodiversity gains through planting and the creation of features to support wildlife.

The report finds that there are no records of great crested newt or other amphibian species within 2 km of the site and that it is considered unlikely that the development will impact great crested newts. Equally no evidence of badger activity was observed within the site; however the report recommends that a pre-start badger survey is undertaken prior to the commencement of any construction works. This survey should be undertaken 1-2 days before construction works commence and should cover the application site and those accessible habitats within 30 m of the site boundary.

The report advises that the habitats within the site provide potential habitat for open-ground nesting birds and could support a number of declining farmland bird species throughout the year including UK BAP priority species. To determine the value of the habitats within the site to breeding birds the report recommends that a standard breeding bird survey is undertaken on the site.

The report also recommends that provision for nesting birds (e.g. house sparrow terrace boxes) should be made within the development scheme, ideally these should be permanent features built into the dwellings. Opportunities should also be sought for enhancing the site's value for breeding birds, e.g. provision of barn owl boxes attached to poles and bird-friendly planting and hedgerow creation. Compensation input, in the form of artificial nest boxes, should be included within the new dwellings for species such as common swift, house martin and house sparrow.

The report recommends that, where possible, any works affecting potential bird nesting areas (scrub and grassland) should be undertaken outside the main bird nesting period of March to August (inclusive). If this is not possible, any such works undertaken within the bird nesting period (March to August inclusive) should be supervised by a suitably qualified ecologist. The supervising ecologist will advise all site personnel of the potential presence of nesting birds, their legal protection and the need to minimise disturbance of nesting birds. If active nests are present, they must be retained in situ undisturbed until the nests are no longer active.

Overall it is considered that, subject to a requirement to implement the further survey work and ecological mitigation and enhancement measures recommended within the applicant's ecological report, there is no basis to conclude that the proposed development would be likely to result in unacceptable ecological impacts. The report does not include any reference to the potential for the residential development of the site to impact upon the South Pennine Moors Special Protection Area through increased recreation pressures, as identified within Core Strategy Policy SC8. However it is considered that this issue could potentially be addressed through mitigation provided for through the Community Infrastructure Levy and through a requirement to provide an appropriate level of public open space on the site.

7) *Land Quality and Stability*

Core Strategy Policy EN8 advises that proposals for development of land which may be contaminated or unstable must incorporate appropriate investigation into the quality of the land. Where there is evidence of contamination or instability, remedial measures must be identified to ensure that the development will not pose a risk to human health, public safety and the environment. Investigation of land quality must be carried out in accordance with the principles of best practice.

As advised by the Environmental Health Land Quality Team it is considered that land contamination risks have been sufficiently assessed at this stage for the Planning Authority to be reasonably confident that any contamination problems associated with the site can be addressed through the imposition of suitably worded planning conditions. However there is evidence of some land slippage on part of the proposal site and therefore land stability issues must also be considered.

The application is supported by a Desk Based land contamination and stability risk assessment report. In relation to land stability the report advises that there is a large area (approximately 1.6ha) in the centre of the site which is indicated to comprise mass movement (slip material). This is evidence that at least some areas of the site are at significant risk from slope instability.

The report advises that, at the earliest stage, this will need to be assessed in more detail, as it may have significant impact on the viability of the proposed development. A full ground investigation of the site should be implemented, including appropriate in situ ground penetration testing, laboratory testing, in order to allow a slope stability analysis to be carried out. Given the slopes and historic instability on the site, the use of retaining walls or other stabilisation structures are likely to be required across the site. It is possible that remedial measures, to improve slope stability, may be required.

Given the apparent significance of the slope stability issue both in terms of the viability/deliverability of the development and the potential implications for the layout of the development and the potential need for significant retaining structures which may be unacceptable in terms of landscape impact, it is considered necessary for the recommended land stability assessment to be provided pre-determination to ensure that a properly informed planning decision is made.

It is considered that insufficient information has been provided to be confident that the land is sufficiently stable to accommodate the proposed development or that land stability issues can be viably mitigated within an acceptable development scheme without a requirement for an excessive and unacceptable number of retaining structures. The application is therefore considered to be contrary to the provisions of Core Strategy Policy EN8 in this respect.

8) Community Safety Implications:

Adopted Core Strategy Policy DS5 states that development proposals should be designed to ensure a safe and secure environment and reduce the opportunities for crime. In this instance, subject to appropriate access control, boundary treatments, CCTV and lighting provisions being implemented, it is not considered that there are grounds to conclude that the proposed development would create an unsafe or insecure environment or increase opportunities for crime, in accordance with adopted Core Strategy Policy DS5.

9) 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 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 which have been made 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 basis to conclude that either refusing or approving planning permission would be likely to lead to disproportionate impacts on any groups of people or individuals who possess protected characteristics.

Reasons for Refusing Planning Permission:

- 1) The proposal is for inappropriate development within the Green Belt. The considerations in favour of the development are not considered to counterbalance the harm the development would cause to the Green Belt, either when considered in isolation or in combination with the other harm the development would cause. The proposal is contrary to saved policy GB1 of the replacement Unitary Development Plan and Section 9 of the National Planning Policy Framework.
- 2) The development would unacceptably harm the character of the landscape to the detriment of the local tourist industry and the adjacent heritage railway line. The proposal is contrary to Core Strategy Policies PN1 and EN4.
- 3) The application does not properly and fully assess land stability issues associated with the site or how land stability may affect the development viability, layout, design and requirement for retaining structures. The proposal is contrary to Core Strategy Policy EN8.
- 4) The application does not properly assess the archaeological potential of the site or the potential archaeological impact of the development and how this may be mitigated. The proposal is contrary to Core Strategy Policy EN3.
- 5) The application does not fully and adequately address highways issues associated with 'rat running' on local roads and the means of access as currently proposed is not satisfactory. The proposal is contrary to Core Strategy Policy TR1 and paragraph 32 of the National Planning Policy Framework.