

Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 14 May 2018

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Subject:

This is a full application for the construction of 128 traditional two storey 2, 3 and 4 bed semi-detached and detached homes, including garages, access roads and general infrastructure on land at Fagley Youth and Community Centre, Fagley Road, Bradford.

Summary statement:

The layout of the development is such that it will not have a significantly detrimental impact on the residential amenities of the occupiers of the adjacent dwellings to the east, south and west whilst the design of the dwellings is considered to be in keeping with the overall character of the area. The access to the site will be taken from Fagley Road and the Highways Authority have not raised any objection to this subject to the imposition of a Traffic Regulation Order at the junction to protect visibility splays.

A Financial Viability Appraisal has been submitted which supports the Applicant's assertion that the scheme cannot support the provision of any affordable housing. The Appraisal has been assessed by the Council's Economic Development Unit who have concurred with the conclusions and no affordable housing is sought.

Through the attachment of appropriate conditions the proposal is considered to be acceptable.

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Transportation & Highways)
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Portfolio:
Regeneration, Planning and Transport

Overview & Scrutiny Area:
Regeneration and Economy

1. SUMMARY

This is a full application for the construction of 128 traditional two storey 2, 3 and 4 bed semi-detached and detached homes, including garages, access roads and general infrastructure on land at Fagley Youth and Community Centre, Fagley Road, Bradford.

2. BACKGROUND

There is no relevant background to this application.

3. OTHER CONSIDERATIONS

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

4. OPTIONS

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

5. FINANCIAL & RESOURCE APPRAISAL

There are no financial implications associated with this proposal.

6. RISK MANAGEMENT & GOVERNANCE ISSUES

No implications.

7. LEGAL APPRAISAL

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

8. OTHER IMPLICATIONS

8.1 EQUALITY & DIVERSITY

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

8.2 SUSTAINABILITY IMPLICATIONS

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

8.3 GREENHOUSE GAS EMISSIONS IMPACTS

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

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

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

8.4 COMMUNITY SAFETY IMPLICATIONS

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

8.5 HUMAN RIGHTS ACT

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

8.6 TRADE UNION

None.

8.7 WARD IMPLICATIONS

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

9. NOT FOR PUBLICATION DOCUMENTS

None.

10. RECOMMENDATIONS

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

11. APPENDICES

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

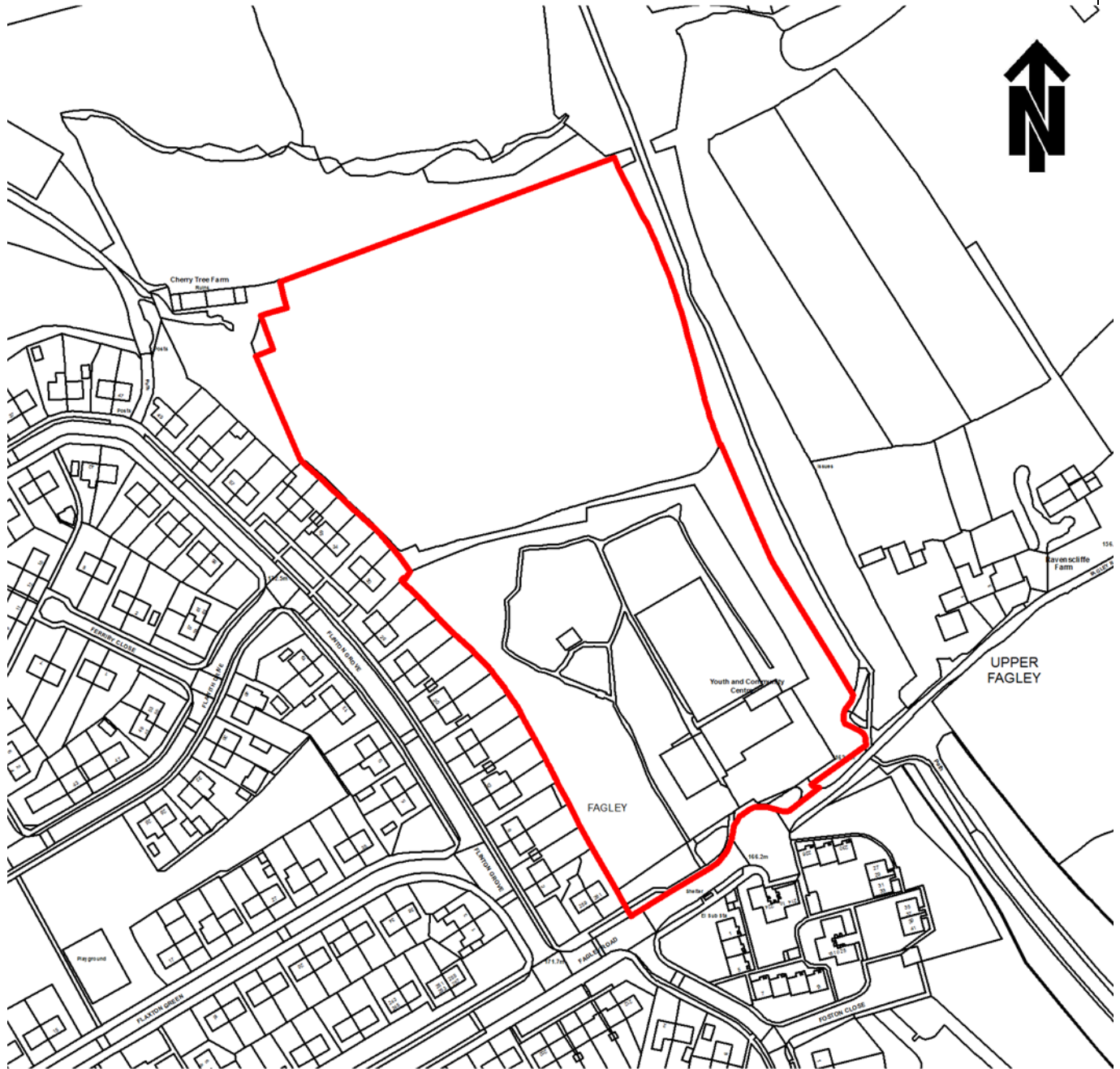
12. BACKGROUND DOCUMENTS

National Planning Policy Framework
The Replacement Unitary Development Plan
Local Plan for Bradford
Planning application: 17/05678/MAF

17/05678/MAF



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:2,500

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Fagley Youth and Community Centre
Fagley Road
Bradford

14th May 2018

Ward: Eccleshill

Recommendation:

GRANT PLANNING PERMISSION

Application Number:

17/05678/MAF

Type of Application/Proposal and Address:

This is a full application for the construction of 128 traditional two storey 2, 3 and 4 bed semi-detached and detached homes, including garages, access roads and general infrastructure on land at Fagley Youth and Community Centre, Fagley Road, Bradford.

Applicant:

Mr Brian Reynolds (Gleeson Regeneration Ltd)

Agent:

N/A

Site Description:

The site is located to the north of Fagley Road and currently comprises a building in the south eastern corner of the site with a hard surfaced MUGA adjacent to its northern elevation. The remainder of the site comprises grassed areas. A number of trees are scattered throughout the site and mainly along the western and eastern boundaries.

To the north of the site are open grazing fields (but which benefit from outline planning permission as part of the larger redevelopment of Fagley Quarry), to the east, beyond the disused railway line, are a row of dwellings fronting onto Fagley Road and open fields, to the west are dwellings fronting onto Flinton Grove whilst to the south is a residential complex accessed directly off Fagley Road.

Access to the site is taken directly from Fagley Road.

Relevant Site History:

There is no relevant planning history on the site.

The National Planning Policy Framework (NPPF):

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

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

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

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

The Local Plan for Bradford:

The Core Strategy for Bradford was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. The southern part of the site is allocated as both Playing Fields and New Sites for Recreation Open Space and Playing Fields whilst the northern part of the site is unallocated within the RUDP. Accordingly, the following adopted saved RUDP and Core Strategy policies are applicable to this proposal.

Replacement Unitary Development Plan Policies:

OS3 Protection of Playing Fields
OS4 New Open Space Provision

Core Strategy Policies:

P1 Presumption in Favour of Sustainable Development
SC1 Overall Approach and Key Spatial Priorities
SC4 Hierarchy of Settlements
SC9 Making Great Places
TR1 Travel Reduction and Modal Shift
TR2 Parking Policy
TR3 Public Transport, Cycling and Walking
HO5 Density of Housing Schemes
HO6 Maximising the Use of Previously Developed Land
HO8 Housing Mix
HO9 Housing Quality
HO11 Affordable Housing
EN2 Biodiversity and Geodiversity
EN5 Trees and Woodland
EN7 Flood Risk
EN8 Environmental Protection
EN12 Minerals Safeguarding
DS1 Achieving Good Design
DS2 Working with the Landscape
DS3 Urban Character
DS4 Streets and Movement
DS5 Safe and Inclusive Places
ID2 Viability
ID3 Developer Contributions

Parish Council:

Not applicable in this instance.

Publicity and Number of Representations:

The application was publicised by press notice, site notice and neighbour notification letters. The expiry date for the publicity exercise was the 24th November 2017.

As a result of the publicity exercise 17 representations have been received objecting to the proposal.

Summary of Representations Received:

Principle:

- Too many houses are being built in the area
- These plans should be dismissed the community centre should be just that a community area for the people living here and much needed as one
- Community facilities need hanging onto and more spaces/places for young people to meet and socialise should be provided
- There's a covenant on the property that says there has to be a community centre on site
- There is already plans for 500 new houses on the old Quarry site on the Eccleshill road side of Fagley which are also not needed and will cause undue problems without adding to it with these

Highways:

- The surrounding road network cannot deal with the additional traffic likely to be generated by the development
- There is only one access road into and out of Fagley which does get very busy at peak times
- Residents don't want more traffic or the problems and issues that come with that
- There is safety of the people to consider with no room for the cars to park potential risk of accidents and very high volumes of traffic on just the one road in and out of Fagley that struggles as it is during peak times

Residential amenity:

- Pollution levels for this area are at an all-time high, building these would set them even higher which will cause health issues more so for the people who live here

Visual amenity:

- There are endangered trees planted on site with Newlands permission, along with over 1000 other trees planted there and an orchard, again with Newlands permission

Others:

- You can't have a sustainable community with enough schools, this will take the number of house to almost 1000
- Where will the children of these homes go to school as a lot of schools that were in the area have closed
- The GP's and dentists are already full
- A new school or doctors or dentists surgery would be a better development on the site to serve the local community
- If we have to have development, it's not houses Fagley needs it's shops, and if all these developers got together they could sort the mess out and have a brilliant development, not a hodgepodge mess that the Council will have to sort out

- Gleeson Homes sent out a survey to garner opinion - but the questions were loaded in their favour. Also as they did not include a reply paid addressed envelope for return there will be little response - hence they will say no one was interested
- There is lots of wildlife in this area

Consultations:

Trees Section – No objection as there are no trees of significance within the site and the proposals appear to adequately allow for the offsite trees

Lead Local Flood Authority – No objection subject to the imposition of appropriate conditions

Highways DC (Transport Assessment) – No objection to the proposal subject to the imposition of appropriate conditions

Education (Client Team) – The proposal will create additional pressures on the existing schools in the area. Bradford Council 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. Currently the primary schools are overcrowded or full. There are currently spaces available in the older year groups in some of the secondary schools but there is significant overcrowding in the lower year groups. It may therefore mean that the Council would need to increase the number of school places in this area.

Development and Enabling – No objection to the principle of the development but state the site is located in an area where the affordable housing quota is 15% which equates to the provision of 20 units which should be delivered on site and at affordable rent via a Registered Provider

Sport & Leisure – No objection to the principle of the development but state that it will have a significant impact on the existing public open space. If the developer is looking to the Council to maintain any new areas of public open space prior agreement is required and a commuted sum will be required to maintain the areas for the next 25 years.

West Yorkshire Police – No objection to the principle of the development but comments on specific aspects of the layout including boundary treatments, visitor parking/front boundaries, surveillance of parking spaces, public open space, external lighting, doors and windows, and, intruder alarms

Yorkshire Water Land Use Planning – No objection to the principle of the development but state that the developer needs to fund a package of sustainable travel measures to encourage the use of sustainable transport as a realistic alternative to the car. This should include a Residential MetroCard Scheme (bus only) at a cost of £64,845 to the developer

West Yorkshire Combined Authority (Highways) – No objection to the principle of the development but seek the provision of a Bus Only Residential MetroCard Scheme for the future occupiers of the site at a cost of £64,845 to the developer

Environmental Health Air Quality – No objection to the principle of the development subject to the imposition of appropriate conditions relation to the submission of a

Construction Environmental Management Plan and the provision of electric vehicle charging points for the dwellings with a dedicated off-street parking space

Environmental Health Land Contamination – No objection to the proposal subject to the imposition of conditions relating to the undertaking of appropriate remediation work and subsequent verification together with conditions relating to the discovery of unexpected contamination and materials importation

Environmental Health Nuisance – No objection subject to the imposition of a condition relating to the hours of construction/demolition

Airedale Partnership – No comments to make as the proposal is outside the scope of the Airedale masterplan

Rights Of Way – No objection to the principle of the development but would like to see the developer commit to making improvements to the public routes that abut the site such as improvements to the bridle access off Fagley Road, including surfacing works as required and step repairs. In addition a commitment to improve the surface of the route along the site boundary is also sought

Conservation – Concerns regarding the impact the proposal would have to the setting of Cherry Tree Farmhouse and barn further eroding the once entirely rural context. The harm caused should be weighed against the public benefits of the proposal in that the provision of a substantial number of new houses may be considered sufficient public benefit to outweigh the harm caused to the designated heritage assets

Regeneration Team – No objection to the proposal and concur with the findings of the Viability Appraisal in that the development cannot sustain any affordable housing provision

Sport England – No objection

Summary of Main Issues:

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

Appraisal:

The proposal relates to the construction of 128 dwellings with a mix of 2, 3 and 4 bed units. The layout of the development is such that the dwellings will be in the form of both detached and semi-detached dwellings. Access to the site will be via a single point of access from Fagley Road.

1. Principle of development

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

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

The Framework also states in paragraph 111 that the planning system should encourage the effective use of land by reusing land that has been previously developed (brownfield land) provided that it is not of high environmental value. It goes on to state that Local Planning Authorities may make allowance for windfall sites in the five-year supply if there is evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply.

The southern part of the site is allocated as both Playing Fields and New Sites for Recreation Open Space and Playing Fields whilst the northern part of the site is unallocated within the RUDP and as such policies OS3 and OS4 of the Replacement Unitary Development Plan are relevant. Policy OS3 (Protection of Playing Fields) states that development will not be permitted on land shown as playing fields or otherwise used as playing fields unless there is a demonstrable excess of playing field provision in the area and the site could not be used to help meet any deficiency in another type of open space, or, the proposed development only affects land which is incapable of forming a playing pitch. Policy OS4 (New Open Space Provision) states that planning permission will not be granted for the development or use of these areas for any other purpose.

The area of land covered by the two allocations include a hard surfaced multi-use games area (MUGA) and a rough grassed area that has informal footpath routes running through it. Sport England initially objected to the loss of the MUGA unless as a mitigation measure a contribution was made to a Football Association project such as towards Prospect Football Club bringing some land forward for the use as football pitches at the back of Idle Cricket Club.

In response to this objection the Applicant submitted a justification in support of the loss of the pitches. It was stated that the pitch was last used in December 2006 by a local football team and subsequently the pitches were allowed to become derelict when the changing rooms were converted to a computer suite and subsequently the football club could no longer hold matches, compete in a league or attract funding because they didn't have the required facilities. The pitch was tarmacked over in 2006 by the Fagley Youth and Community Centre and replaced with two five-a-side pitches. These pitches are now of poor quality, they slope across the site and do not meet the minimum pitch sizes for a five-a-side pitch for adults or juniors. The area of tarmac in its form falls below the normal standards of a MUGA which is normally a flat, fenced area partially or fully closed with built in goal post units and specialist surfacing for various types of sports games. On this basis the Applicant suggests that the area cannot be considered as a MUGA as it is incapable of being used as either a football pitch or five-a-side pitch or MUGA and is not suitable in either standard or condition to meet the identified deficiency in any other form of open space and is therefore surplus to requirements.

In assessing the additional justification Sport England has sought the views of the Football Association who acknowledge that the facility at the site in question is currently not fit for purpose for football and the site operators are not in a financial position to bring the facility up to the required standard. It is also acknowledged that the proposed development cannot financially contribute to off-site provision due to the nature of the scheme and therefore do not wish to pursue this matter any further and accept loss of the area in question. On this basis, Sport England no longer objects to the proposal on the grounds of the loss of the sports pitch.

With regard to the redevelopment of the site for housing one of the aims of the Core Strategy is to achieve sustainable housing growth and to achieve this, the following principles apply:

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

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

Policy HO6 of the Core Strategy states that in order to meet both the objectives of delivering housing growth and managing that growth in a sustainable way the Council will give priority to the development of previously developed land and buildings. It also

states that District wide there should be a minimum of 50% of total new housing development over the Local Plan period will be on previously developed land.

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

Due to the southern section of the site currently being occupied by an existing building and associated external areas, this part of the site does constitute previously developed land and the re-use of such sites for residential development is encouraged. The northern section of the site is unallocated and comprises grassed fields. The site is located within the urban area of Bradford and is in reasonably close proximity to a number of facilities and services including shops, schools, employment and recreational spaces.

The proposed scheme does incorporate a mix of dwelling sizes including 46x2 bed, 75x3 bed and 7x4+bed and will all be private sales on the basis that the site cannot afford to offer any affordable housing units – this is explained further later in Section 10 (Affordable Housing) of this report.

The site measures 3.71 hectares and proposes up to 128 dwellings. This equates to a density of 35 dwellings per hectare which is considered to be acceptable in terms of making the most efficient use of the site.

Overall therefore it is considered that the development of the application site with a residential development scheme accords with the principles of sustainable development articulated through the National Planning Policy Framework and the policies contained within the Core Strategy and that the amount of development proposed would make an efficient use of the land without compromising design imperatives. The principle of residential development is considered acceptable subject to the detailed consideration in the following sections of this report.

2. Visual amenity

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

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

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

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

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

The site is located in an area where to the west, south and east is existing residential development. There is a mix of dwellings in the area including both single and two storey dwellings constructed of both brick and render on the elevations and concrete tiles on the roofs. In terms of design the dwellings are very simple and not of any significant architectural interest. The dwellings are mainly in the form of semi-detached and terraced units.

The layout of the scheme is such that the proposed dwellings are to be in the form of both semi-detached and detached dwellings which is in keeping with the surrounding development. The proposed material on the elevation is principally red brick with both light and dark bricks to be used as contrast. With regard to the roof cover concrete tiles are to be used in the form of double Roman pantile or flat profile. All the proposed materials are considered to be acceptable and will not be out of character with the area. Within the scheme some areas of open space are to be retained which will help break up the built form of the development.

Overall it is considered that the design of the dwellings and the layout is acceptable and will not have a detrimental impact on the visual character and appearance of either the streetscene or the wider locality.

3. Residential amenity

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

Existing residential development is located to the east, south and west of the site but it is only the dwellings to the west on Flinton Grove that face directly onto the site with their rear elevations overlooking it. To the south the site is separated from the nearest dwellings by Fagley Road whilst to the east the former railway embankment separates the site from the nearest dwellings.

With regard to the dwellings to the west the main relationships are main elevation to main elevation (rear to rear) with one instance of gable end (241 Fagley Road) to rear elevation (Proposed plots 1 and 2). The minimum separation distance for the rear to rear elevation relationship is 24 metres whilst for the gable end to rear elevation relationship the separation distance is 19 metres. Both of these distances are in excess of the policy requirement and are therefore considered acceptable.

The separation distances to the south and east are a minimum of 35 metres and 65 metres respectively and are again in excess of the minimum policy requirement and are considered to be acceptable.

Internally within the site the relationships between the proposed dwellings include main elevation to main elevation and main elevation to gable end. In all instances the separation distances are in excess of the policy requirement and are therefore considered to be acceptable.

Overall it is considered that the layout of the development is acceptable in that the separation distances between the proposed and existing dwellings and between the proposed dwellings themselves is acceptable and will not result in the residential amenities of the occupiers of the dwellings being adversely affected.

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

4. Highway safety

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

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

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

The site is accessed via a single point of access from Fagley Road. Within the site the majority of the access road is in the form of a traditional estate road with all dwellings having off-street parking spaces in the form of both garages and driveways. A Transport Assessment has been submitted with the application which assesses the impact of the proposal on the surrounding highway network.

The Highways Department have not raised an objection to the proposed layout and are satisfied that the surrounding highway network will be able to satisfactorily accommodate the additional traffic likely to be generated by the proposal without being detrimental to highway safety. In order to improve the safety of the proposed new junction with Fagley Road the Highways Department are seeking the provision of a Traffic Regulation Order to ensure that appropriate visibility splays are provided and retained. An appropriate condition is recommended to secure this TRO. A number of dwellings also incorporate integral garages to provide a parking space. In order to ensure that the garages are retained as such a condition is proposed to remove the permitted development rights with regard to converting them to habitable accommodation without the need for first obtaining planning permission.

The Rights Of Way Officer has not raised an objection to the principle of the development but would like to see the developer commit to making improvements to the public routes that abut the site such as improvements to the bridle access off Fagley Road, including surfacing works as required and step repairs. In addition a commitment to improve the surface of the route along the site boundary is also sought.

There are no direct links from the site to the footpaths referred to by the Rights of Way Officer. In order to secure improvements to the footpaths a justification needs to be submitted which proves that they will be a main foot route to/from the houses and not just one that the Rights of Way Team would like upgrading. No evidence has been provided for this and therefore it is recommended that no developer contributions are sought with regards to funding to improve the footpaths.

West Yorkshire Combined Authority (Highways) have not raised an objection to the principle of the development but seek the provision of a Bus Only Residential MetroCard Scheme for the future occupiers of the site at a cost of £64,845 to the developer. Any such contribution would normally be secured by a Section 106 Legal Agreement but in this instance the Applicant has not offered the contribution. A Financial Viability Appraisal has been submitted by the Applicant in support of this and has been assessed by the Council's Economic Development Unit. With regard to both the purchase price for the site and the build costs they are not considered excessive for this location. The end values range from £98,000 for a 2 bed house through to £160,000 for a 4 bed house. The compare favourably to new builds in the surrounding area where new dwellings on the Ravenscliffe Estate can be purchased for £105,000 whilst in Eccleshill new builds are on the market for between £135,000-£170,000. The end values submitted by the Applicant are considered appropriate for the product and the location. The profit level for the development is set at industry accepted 20% and when all is taken into account and with no Section 106 contributions the development will make a small loss. The loss is not at a level where the scheme becomes undeliverable as the completion date for the development is 2025 and this gives time for prices to increase to cover the small deficit. As such, therefore, in this instance it is recommended that the contribution for the MetroCard Scheme is not secured.

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

5. Drainage

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

With regards to the drainage of the site it is proposed to connect to the main sewer in relation to the disposal of both foul sewage and surface water whilst a sustainable drainage system will also be used for the disposal of surface water. A pumping station is proposed within the site along the eastern boundary. No objections have been raised to the proposed methods of drainage subject to the imposition of appropriate conditions.

6. Trees

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

There are no trees of significance within the site and the proposals appear to adequately allow for the offsite trees. As such no objection is raised to the proposal.

7. Secured by design

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

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

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

Boundary treatments: The proposed 1800mm high close board timber fencing is acceptable and should be applied to the north, east and west boundaries to ensure that all rear gardens plots are secure. There doesn't appear to be any gated access showing to restrict stranger access from the front of the properties into the rear gardens and these are recommended. Rear plot dividers should be to the same height and material as the rear boundaries (i.e. 1800mm) which will provide more security and privacy for each plot – *amended plans have been submitted by the Applicant which shows the inclusion of 1500mm timber fencing as plot dividers instead of the post and wire fencing originally shown. Whilst this is not quite in line with the requirements of the*

West Yorkshire Police it is considered acceptable in that it provides security of the rear gardens as well as some natural surveillance.

Visitor parking bays/front boundaries: The site plan doesn't appear to show any visitor parking bays which means that any relatives or family members are likely to park on the roadside which can end up with vehicles parked on the corner of a bends or grassed areas which can cause obstructions – *there is no policy requirement to provide visitor spaces. The road is of a width whereby cars can park within its confines without being detrimental to highway safety.*

Surveillance of parking bays: It is positive to see that all parking is on plot and that garages are included within the scheme. Looking at plots 7, 113 and 122 as the garages are set further back from the building line, it would be prudent to install a side window in the lounge or kitchen which will allow more surveillance of any second vehicles parked in the drive – *the driveways do benefit from natural surveillance from the highway and this is considered satisfactory.*

Public open space (POS): It is recommended that there is a management plan for any areas of public open space so that the land remains tidy and free from littering, fly tipping or tethering of horses – *such a condition is recommended*

External lighting: It is recommended that external lighting is installed above the front and rear exit doors of each property to provide more illumination for the plots – *this is outside the control of the planning system and it is upto the Developer of the future occupiers as to whether external lighting is installed*

Doors and windows: Doors and windows should be to 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 – *this is covered by Building Regulations Approved Document Q and is outside the control of the planning system.*

Intruder alarms: It is recommended that intruder alarms are installed on each plot – *this is covered by Building Regulations Approved Document Q and is outside the control of the planning system.*

8. Contaminated land

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

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

Paragraph 121 of the National Planning Policy Framework advises that planning decisions should ensure that the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards, former activities

such as mining or pollution arising from previous uses. The National Planning Policy Framework also advises that, in cases where land contamination is suspected, applicants must submit adequate site investigation information, prepared by a competent person.

A Phase 1 Desk Study Report has been submitted with the application and assessed by the Environmental Protection Team. The report states that “the earliest map of 1851 shows the site to be a number of fields. The 1893 map shows a pump along the southern boundary of the northern field. The site remains undeveloped today”. Historic land uses in the surrounding area include agriculture, a railway line and a sandstone quarry. The report concludes by recommending that an intrusive investigation is carried out.

An Intrusive investigation detailed in the Phase 2 Geo-environmental Site Investigation Report has also been submitted in support of the application and assessed by the Environmental Protection Team. The Report identifies that made ground was encountered in some areas within the site but only in small areas.

The topsoil analysis results from the north western half of the site (open fields) showed that “no elevated contaminants have been identified” and indicated that “this topsoil is therefore considered to be suitable for reuse on site”. The topsoil analysis results from the 6 samples in the south of the site show that “all samples recorded elevated concentrations of between one and three PAHs. The modified means of all three PAHs are still above the assessment value” and recommends that “where this material is to remain below gardens, it should be capped with a 600 mm permeable capping inclusive of 100 mm of topsoil”.

The analysis results from the four samples of made ground from the community centre area in the south of the site showed that “two samples recorded marginally elevated concentrations of arsenic”. It is recommended in the report that “a 300 mm clean capping will be required for gardens overlying made ground that is remaining insitu in the community centre area. Alternatively this material could be removed and placed beneath areas of hardstanding or used to raise levels elsewhere on site”.

The report concludes that Ground gas precautions are “not considered to be necessary”.

The conclusions of both the reports are concurred with by the Environmental Protection Officer and subject to conditions relation to remediation and subsequent verification the proposal is considered to be acceptable.

9. Biodiversity issues

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

An Ecological Appraisal was submitted with the application and looked at all aspects of the site including the potential of the buildings on site to be of ecological value as well as the vegetation. The report states that the buildings on site are considered as having

a moderate potential for bats with holes, cracks and cavities within the walls and gaps within the roof tiles. It is recommended that further ecological surveys may be necessary on the building prior to its demolition.

With regards to birds the report states that there is suitable cover in which birds could nest and it is evident that birds do inhabit the area. There are bird boxes attached to the building. However, during the survey there were no active birds' nests discovered.

With regards to reptiles there were some areas identified throughout the site as having moderate potential for their existence and further ecological surveys are considered necessary.

The report goes on to make a number of recommendations including the following:

- All trees within the site that have been assessed as having Potential Roost Features (PRF) need to be specifically surveyed for bats and/or bat roosts if those trees are to be impacted by the future potential development
- Further survey effort is necessary to prove definitively whether bats are present or absent from this building (the old Youth and Community Centre). It is therefore recommended that three further surveys are conducted at the building as is recommended by the national guidance. The guidance suggests that 2 (two) dusk emergence surveys and 1 (one) dawn re-entry survey will suffice. These surveys will need to be conducted at the appropriate time of year (May – Sept), the two emergence surveys to be conducted at least 21 (twenty-one) days apart.
- Further survey effort could be considered beneficial within the site to determine the definitive presence or absence of reptiles. According to the National Guidance, reptile surveys using artificial refugia (such as tin sheets or dark mats, for reptiles to shelter under and bask on top of) laid within a site between April and June and/or again in September (the months reptiles are most active) is by far the most effective method.
- Any buildings, trees and/or shrubs to be impacted or lost to the potential development of the site, need to be removed outside of the bird nesting season (August – March). Where this is not possible, these habitats should be searched for any evidence of birds' nests and nesting birds immediately before work commences. Natural England recommend that the bird nesting season in the UK is April – July, however, birds of various species have been known to nest outside this range if conditions are suitable.

A condition is recommended that the development is carried out in accordance with these recommendations.

10. Affordable housing

Policy HO11 of the Core Strategy states the Council will ensure that there is a sufficient supply of good quality affordable housing distributed throughout the District and, subject to viability, will negotiate up to 15% in towns, suburbs and villages.

The site is located in an area where the affordable housing requirement is the on-site provision of up to 15% of the number of units to a Registered Provider for delivery at affordable rent. The provision of the affordable housing would normally be secured via a Section 106 Legal Agreement. However the Applicant has stated that the

development cannot incorporate the provision any affordable housing as this would make the development unviable.

A Financial Viability Appraisal has been submitted by the Applicant in support of this and has been assessed by the Council's Economic Development Unit. With regard to both the purchase price for the site and the build costs they are not to be considered excessive for this location. The end values range from £98,000 for a 2 bed house through to £160,000 for a 4 bed house. The compare favourably to new builds in the surrounding area where new dwellings on the Ravenscliffe Estate can be purchased for £105,000 whilst in Eccleshill new builds are on the market for between £135,000-£170,000. The end values submitted by the Applicant are considered appropriate for the product and the location.

The profit level for the development is set at industry accepted 20% and when all is taken into account and with no affordable housing provision the development will make a small loss. The loss is not at a level where the scheme becomes undeliverable as the completion date for the development is 2025 and this gives time for prices to increase to cover the small deficit.

Overall therefore based on the assessment of the Financial Viability Appraisal it is accepted that the development cannot accommodate the provision of any affordable housing and this conclusion is accepted.

11. Conservation

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

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

The application proposals have been assessed in relation to the relevant statutory duties, including the Planning (Listed Buildings and Conservation Areas) Act (1990), the National Planning Policy Framework and Replacement Unitary Development Policies. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 are relevant to the determination of the application. Insofar as material the statutory provisions provide: Section 66(1) provides: "In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority, or as the case may be, the Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

The Conservation Officer has stated that there are three groups of listed buildings in close proximity: Cherry Tree Farmhouse and attached barn, immediately to the north of

the site; Throstle Nest Farmhouse and barn, located a short distance to the north-west, and Ravenscliff Farmhouse and barn, situated a short distance to the east.

The development will undoubtedly affect the setting of these listed buildings to some extent, impacting upon views and on the ability to read the original function of the buildings and how they interacted with the surrounding landscape. However, Throstle Nest Farmhouse and barn are not immediately adjacent to the application site and it is likely that the distance and topography will limit the impact of the development of the application site on the setting of these designated heritage assets. Similarly Ravenscliffe Farmhouse and barn are separated from the application site by the embankment of a disused railway, which provides a visual buffer. As such, the impact of the proposed development on the setting of these designated heritage assets will be limited.

The Cherry Tree Farmhouse and barn are currently in a ruinous condition it is important that the proposed development does not prejudice any future opportunities for their restoration. It is therefore pleasing to see that the current application shows amendments to the layout, whereby a degree of open space is retained adjacent to these listed buildings which will allow some views of the listed buildings from within the development site. However it is considered that the proposal would impact on the setting of Cherry Tree Farmhouse and barn by further eroding their once entirely rural context. That said it is considered the level of harm is 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. It also has to be considered that to the north of this site outline planning permission exists for the construction of up to 600 dwellings on the Fagley Quarry site and adjacent land which again will reduce the rural setting of Cherry Tree Farmhouse and barn.

Whilst it is acknowledged that the proposed development is sited in close proximity to the listed Cherry Tree Farmhouse and barn they are not Grade I or II* or listed buildings. It also has to be acknowledged that they have fallen into a state of disrepair with no signs of any repairs being carried out to restore it to its former glories. The housing layout has incorporated an area of open space adjacent to the listed building to preserve its setting as much as possible and to offer views of it from within the development site. Overall therefore it is not considered that the harm created to the listed buildings is so significant that it would justify a refusal of this proposal.

12. Community Infrastructure Levy (CIL)

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

13. Other issues

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

You can't have a sustainable community with enough schools, this will take the number of house to almost 1000 – *It is accepted that the majority in the schools are operating at at least 95% capacity and with a growing population additional pressure is placed on*

the educational infrastructure to accommodate the additional pupils. Any expansion of the schools will need to be done through moneys secured through the CIL process

Where will the children of these homes go to school as a lot of schools that were in the area have closed – *It is accepted that the majority in the schools are operating at at least 95% capacity and with a growing population additional pressure is placed on the educational infrastructure to accommodate the additional pupils. Any expansion of the schools will need to be done through moneys secured through the CIL process*

The GP's and dentists are already full – *unfortunately the issues of doctors/dentists being full is not a material planning consideration and they will generally respond to demand in regard to providing additional spaces*

A new school or doctors or dentists surgery would be a better development on the site to serve the local community – *whilst the local community may consider a new school or dentist/doctors as a more appropriate use for the site the application being considered is for residential use and there is a demand for new housing throughout the Bradford District to meet the housing need. A refusal reason for an alternative use could not be justified*

If we have to have development, it's not houses Fagley needs it's shops, and if all these developers got together they could sort the mess out and have a brilliant development, not a hodgepodge mess that the Council will have to sort out – *there is a need for new residential development sites to come forward to meet the housing needs of the District. A new retails development has been granted planning permission on the Union Mills site as well as as part of the redevelopment of Fagley Quarry so the new houses that are planned for the area will have an appropriate increase in services available for them*

Gleeson Homes sent out a survey to garner opinion - but the questions were loaded in their favour. Also as they did not include a reply paid addressed envelope for return there will be little response - hence they will say no one was interested – *A Community Consultation Exercise was undertaken but the Local Planning Authority have no control over the content of a questionnaire/survey or whether a pre-paid envelope is provided for the return of any comments*

Community Safety Implications:

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

Equality Act 2010, Section 149:

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

Reason for Granting Planning Permission:

The scheme provides a residential development on a part previously-developed site. The layout of the proposal is acceptable and presents no concerns with regard to residential or visual amenity and highway safety. The proposal is considered acceptable and with attached conditions, satisfies the requirements of policies OS3 and OS4 of the Replacement Unitary Development Plan and policies P1, SC1, SC4, SC9, TR1, TR2, TR3, HO5, HO6, HO8, HO9, HO11, EN2, EN5, EN7, EN8, EN12, DS1, DS2, DS3, DS4, DS5, ID2, and, ID3 of the Local Plan for Bradford, and, the relevant paragraphs of the National Planning Policy Framework.

Conditions of Approval:

1. Time limit

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

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

2. Remediation strategy

Unless otherwise agreed in writing with the Local Planning Authority, prior to construction of the development, 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.

3. 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.

4. 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.

5. 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.

6. 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 3 metres 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)

7. Construction Environmental Management Plan

Prior to commencement of the development a Construction Environmental Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation 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. It must include a site specific dust risk assessment and mitigation measures that are proportional to the level of identified risk.

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)

8. Biodiversity enhancements

The development shall be carried out in accordance with the biodiversity enhancement recommendations contained with the Preliminary Ecological Appraisal Survey Report prepared by Wildlife Discovery Ecological Consultants and dated 2nd October 2017. A timetable for the implementation of the recommendations shall first be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted commences on site.

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

9. Materials

Within 6 months of the development hereby permitted commencing on site, arrangements shall be made with the Local Planning Authority for the inspection of all facing and roofing materials to be used in the development hereby permitted. The samples shall then be approved in writing by the Local Planning Authority and the development constructed in accordance with the approved details.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with policy DS1 of the Local Plan for Bradford.

10. Root protection plan

The development shall not be begun, nor shall there be any demolition, site preparation, groundworks, tree removals, or materials or machinery brought on to the site until Temporary Tree Protective Fencing is erected in accordance with the details submitted on a tree protection plan to BS 5837 (2012) (or its successor) approved by the Local Planning Authority.

The Temporary Tree Protective Fencing shall be erected in accordance with the approved plan, or any variation subsequently approved, and remain in the location for the duration of the development. No excavations, engineering works, service runs and installations shall take place between the Temporary Tree Protective Fencing and the protected trees for the duration of the development without written consent by the Local Planning Authority.

Reason: To ensure trees are protected during the construction period and in the interests of visual amenity. To safeguard the visual amenity provided by the trees and to accord with policy EN5 of the Local Plan for Bradford.

11. Finished floor levels

Within 6 months of the development hereby permitted commencing on site, plans of the site showing details of the existing and proposed ground levels, proposed floor levels, levels of any paths, drives, garages and parking areas and the height of any retaining walls within the development site have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in complete accordance with the details so approved and shall be so retained thereafter.

Reason: To ensure that the works are carried out at suitable levels in relation to adjoining properties and highways in the interests of visual amenity and to accord with policy DS1 of the Local Plan for Bradford.

12. Traffic Regulation Order

The development shall not be brought into use until all reasonable endeavours have been undertaken to promote a Traffic Regulation Order to restrict parking at the junction of Fagley Road and the proposed access road. Reasonable endeavours shall constitute instructing the Council to proceed with the required Traffic Regulation Order and paying all reasonable costs incurred in processing the aforementioned Order.

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

13. Means of access

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

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

14. Off-street car parking

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

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

15. Gates

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

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

16. Construction Plan

Notwithstanding the provision of Class A, Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, or any subsequent legislation, the development hereby permitted shall not be begun until a plan specifying arrangements for the management of the construction site has been submitted to and approved in writing by the Local Planning Authority. The construction plan shall include the following details:

- i) full details of the contractor's means of access to the site including measures to deal with surface water drainage;
- ii) hours of construction work, including any works of demolition;
- iii) hours of delivery of materials;
- iv) location of site management offices and/or sales office;
- v) location of materials storage compounds, loading/unloading areas and areas for construction vehicles to turn within the site;
- vi) car parking areas for construction workers, sales staff and customers;
- vii) temporary warning and direction signing on the approaches to the site

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

Reason: To ensure the provision of proper site construction facilities on the interests of highway safety and amenity of the surrounding environment and its occupants and to accord with policies TR1, TR3, DS4, and, DS5 of the Local Plan for Bradford.

17. Wheel wash facility

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

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

18. Removal of permitted development rights regarding the conversion of garages
Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) the integral garages within the dwellings hereby permitted shall remain available for the purposes of garaging and no subsequent alterations to convert these garages to primary residential accommodation addition shall be carried out without the express written permission of the Local Planning Authority.

Reason: To ensure these facilities remain for parking purposes, in the interests of amenity and highway safety and to accord with Policies TR2, DS4 and DS5 of the Local Plan for Bradford.

19. Driveway surface to be agreed

Within 6 months of the development hereby permitted commencing on site, details of the proposed surfacing for the driveways serving each dwelling shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then be carried out in full accordance with these details prior to the occupation of each dwelling the driveway serves.

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

20. Hard margin and transition ramp construction details

Within 6 months of the development hereby permitted commencing on site, details of the hard margin and transition ramp construction specifications shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance of the approved details.

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

21. Management plan for open areas

Within 6 months of the development hereby permitted commencing on site, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than privately owned domestic gardens, shall be submitted to the Local Planning Authority for approval in writing. The landscape management plan shall be carried out as approved.

Reason: To ensure proper management and maintenance of the landscaped areas in the interests of amenity and to accord with Policies EN5 and DS3 of the Local Plan for Bradford.

22. Construction hours

Construction work shall only be carried out between the hours of 07:30 and 18:00 on Mondays to Fridays, 07:30 and 13:00 on Saturdays and at no time on Sundays, Bank or Public Holidays, unless specifically agreed otherwise in writing by the Local Planning Authority.

Reason: To protect the amenity of the occupants of nearby dwellings and to accord with policies SC9, DS1, DS2, DS3, DS4, and, DS5 of the Local Plan for Bradford.

23. Boundary treatments

Notwithstanding the details submitted, within 6 months of the development hereby permitted commencing on site, a plan showing the positions, design, height and materials of boundary treatments to the plot curtilages shall be submitted to and approved in writing by the Local Planning Authority. Where timber fencing is proposed it shall be of the closed boarded timber type. The boundary details so approved shall then be provided in full prior to the first occupation of the dwellings to which they relate and shall thereafter be retained as long as the development is in use.

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

24. Surface water drainage

Notwithstanding the details contained in the supporting information, the drainage works shall not commence until full details and calculations of the proposed means of disposal of surface water drainage, based on drainage principles that promote water efficiency and water quality improvements through the use of SuDS and green infrastructure to reduce its effect on the water environment., have been submitted to and approved by the local planning authority. The development shall thereafter only proceed in strict accordance with the approved drainage details.

Reason: To ensure proper drainage of the site and to accord with policy EN7 of the Local Plan for Bradford.

25. Surface Water Drainage Maintenance and Management

The surface water drainage infrastructure serving the development shall be managed in strict accordance to the terms and agreements, over the lifetime of the development, as set out in a Surface Water Drainage Maintenance and Management document to be submitted to the Lead Local Flood Authority for approval.

Reason: To ensure proper drainage of the site and to accord with policy EN7 of the Local Plan for Bradford.

26. Temporary drainage strategy

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

shall thereafter only proceed in strict accordance with the approved temporary drainage strategy.

Reason: To ensure proper drainage of the site and to accord with policy EN7 of the Local Plan for Bradford.

27. Culvert structure

Notwithstanding the details contained in the supporting information, the drainage works shall not commence until the downstream culvert structure is proven hydraulically acceptable to accept the maximum pass forward flow of surface water from the development restricted to a rate agreed with the Lead Local Flood Authority.

Reason: To ensure proper drainage of the site and to accord with policy EN7 of the Local Plan for Bradford.

28. Disposal of foul water drainage

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

Reason: To ensure proper drainage of the site and to accord with policy EN7 of the Local Plan for Bradford.