

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

AW

Subject:

Outline application for residential development of up to 700 dwellings, with part means of access; including demolition of buildings and fixed-surface infrastructure associated with existing use.

Summary statement:

The application is for residential development at the site of Bolton Woods Quarry. The application site is identified within a proposal area, BWQ1, in the Shipley Canal Road Corridor Area Action Plan, where housing is promoted.

As an outline application, the principle of housing, along with the means of accessing the site are under consideration. Whilst the principle of housing is agreed, the layout within the site would be subject of reserved matters application. The means of access to the application site has been fully assessed and is considered appropriate.

In view of the scale of the proposed development, there would ordinarily be a detailed masterplan for development of this size. It is proposed to require this through condition, along with details on phasing, character and landscaping.

The application site is within a nil Community Infrastructure Levy zone but the applicant has agreed to a contribution towards other planning obligations through a Section 106 Agreement including– on-site provision of affordable housing; site specific emission reduction measures; and mitigation measures to address the recreational impact on protected habitats.

The application is recommended for approval subject to the completion of the S106 and conditions included within the technical report.

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Portfolio:

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

Regeneration and Economy

1. SUMMARY

This is an outline application for development of up to 700 dwellings, with means of access applied for. The proposed development is for housing, indicated within 5 zones, with vehicular access from Poplars Park Road, Brookwater Drive, Bolton Hall Road and Livingstone Road. It is the principle of development and means of access to the development site that are being considered under the outline application. (The layout would be agreed through subsequent reserved matters application).

The application site includes a stone quarry, associated buildings and land. It is located at an elevated position between Bradford and Shipley. There are spoil heaps around the perimeter of the site and vehicular access is currently taken from Bolton Hall Road.

The adjacent Bolton Old Hall and Bolton Old Hall cottage, located to the north eastern boundary of the application site, are both grade II* listed. An objection has been made by Historic England on the adverse impact of the development on these heritage assets.

There are residential areas surrounding the application site, bar to the immediate south west.

Within the Shipley Canal Road Area Action Plan (adopted 12 December 2017) the application site is within proposal area BWQ1, where a residential-led scheme is promoted. The proposed development contributing substantially to the housing supply in the district and is supported.

Whilst the application site is located within the nil CIL zone, the applicant would be required to provide affordable housing. As a major development, the proposed development has been considered against the Council's Low Emission Strategy and is also required to mitigate against any impacts on air quality. Additionally, due to the application sites proximity to protected habitats, mitigation measures are required to offset any pressure for recreational use on those habitats. All these matters would be dealt with through the Section 106 Agreement.

2. BACKGROUND

In 2012, a masterplan for the central section of the Canal Road Corridor (CRC), the New Bolton Woods Masterplan, was reported to Executive. The aim being to promote the long-term regeneration of the CRC area, which is embedded in strategic policy – the 'Big Plan', the District's Economic Strategy and the Development Plan, including the adopted Shipley- Canal Road Corridor Area Action Plan (SCRC AAP).

The adopted Core Strategy identifies the Shipley and Canal Road Corridor as providing 3200 new homes by 2030. The application site is within proposal area BWQ1, of the SCRC AAP, where - 1000 residential units; supporting non-residential uses to meet day to day needs; new high quality on-site open space, play areas and ecological areas - are promoted.

The quarry is located within the Windhill & Wrose ward, with the access to serve part of the development, off Poplars Park Road within Bolton & Undercliffe ward.

3. FINANCIAL & RESOURCE APPRAISAL

There are no financial implications for the Council arising from matters associated with the report.

4. RISK MANAGEMENT & GOVERNANCE ISSUES

No implications.

5. LEGAL APPRAISAL

The determination of the application is within the Councils powers as the Local Planning Authority.

6. OTHER IMPLICATIONS

6.1 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.

6.2 SUSTAINABILITY IMPLICATIONS

Given the location of the application site, the topography and the previous use as a quarry, there are limited connections to public bus services, with Frizinghall train station some 2km distant. The distance between existing bus services and the proposed residential development results in parts of the site not meeting accessibility standards in the Core Strategy.

Due to the level changes across the quarry, the applicant is unable to provide a connecting route through the site, north to south. Effectively, the development would be a series of cul-de-sac, some served from the north and some from the south. For this reason, it's been confirmed by WYCA, that bus operators would not consider new/extended bus services into the application site. Consequently, there is likely to be a high dependence on car use for travel.

6.3 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 whether the location of the proposed development is such that sustainable modes of travel by users would be 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, the applicant has undertaken an assessment of emissions associated with the scale of development and would provide agreed emission reduction measures. In discussion with Environmental Health, the application includes enhanced electric vehicle charging facilities provided within the development; Personalised Travel Plans; a £220,000 contribution towards strategic mitigation measures to improve air quality in the Canal Road corridor. These measures are considered to contribute towards mitigating against the emissions impact.

6.4 COMMUNITY SAFETY IMPLICATIONS

In regard of public safety, the Health and Safety Executive has an Approved Code of Practice and the Mineral Products Association has guidelines for the management of public safety on non-operational sites.

In the event that the quarry site was developed for housing, part of the southern boundary would retain the significant change in levels from the former quarry floor and the adjoining land. At present there is a boundary fence to the quarry, along the southern boundary. It is understood that public safety at the quarry would be the responsibility of a management company, to be established by the developer.

6.5 HUMAN RIGHTS ACT

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

6.6 TRADE UNION

None.

7. NOT FOR PUBLICATION DOCUMENTS

The applicant has submitted a viability appraisal concerning 106 matters. This is an exempt document, not for publication, as it contains sensitive information.

8. RECOMMENDATION

The application is recommended for approval subject to the completion of a Section 106 Agreement and the conditions included within the technical report.

9. APPENDICES

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

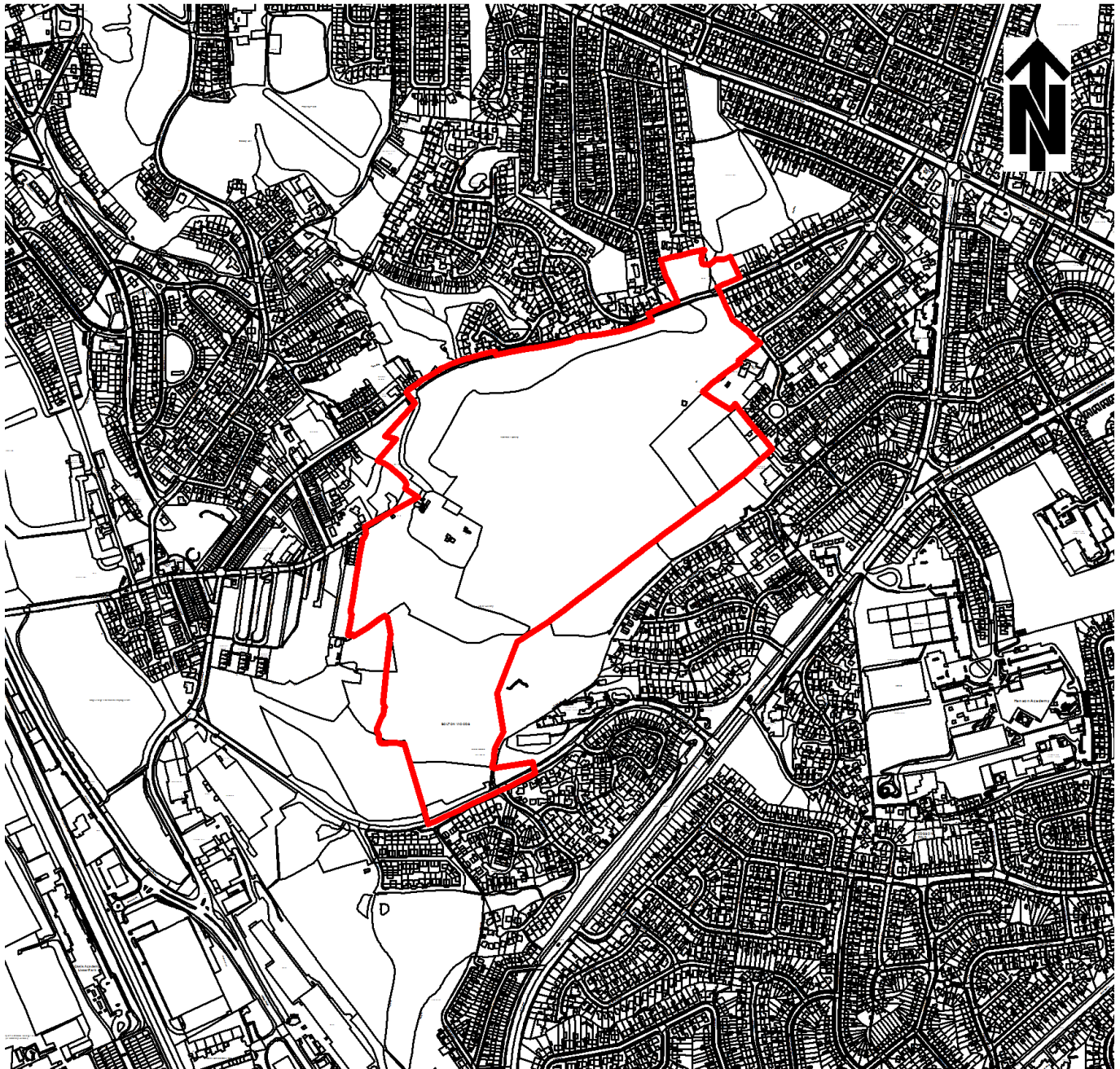
10. BACKGROUND DOCUMENTS

National Planning Policy Framework
Core Strategy
Shipleigh Canal Road Corridor Area Action Plan
New Bolton Woods Masterplan
Design Review report

15/06249/MAO



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



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**Bolton Woods Quarry South
Bolton Hall Road
Bradford**

14 May 2018

Wards:

**Bolton & Undercliffe
Windhill & Wrose**

Recommendation:

The application is recommended for approval subject to the completion of the S106 and conditions included within the technical report.

Application Number:

15/06249/MAO

Type of Application/Proposal and Address:

Outline application for residential development of up to 700 dwellings, with part means of access; including demolition of buildings and fixed-surface infrastructure associated with existing use, Bolton Woods Quarry, Bolton Hall Road, Bradford.

Applicant:

Berry & Marshall (Bolton Woods) Ltd

Agent:

Kilmartin Plowman and Partners Ltd

Site Description:

The application site comprises a large tract of land, c.29 hectares, partly in use as a stone quarry, located c.2 miles north of Bradford City Centre. There are a number of operational buildings within the site and vehicular access is from Bolton Hall Road. A public footpath runs along part of the southern boundary. The quarry is located on relatively high ground and is seen in long views from the west.

There are residential properties to the north of the application site, Brookwater Drive/Bolton Hall Road and east of the application site - Livingstone Road/Cheltenham Road. To the south of the site, there are residential properties at Wood Lane/Lichfield Mount and Poplars Park Road. Along the southern edge of the quarry there is an area of grassed land between the quarry and housing along Wood Lane. On the western perimeter of the site there are residential properties at Chestnut Grove.

There are a number of trees, along the north western and western boundaries, not protected.

To the northern and western perimeter of the application site, there are spoil heaps which have become grass covered over time.

Bolton Old Hall and Bolton Old Hall cottage, both grade II* listed, are sited to the north eastern boundary of the application site.

A public footpath runs parallel with the southern boundary.

Relevant Site History:

There is a long history of quarrying and associated development at the site.

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is 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 Core Strategy

The Core Strategy was adopted by the Council in July 2017.

There are a number of Core Strategy Policies which should be considered as part of the application, some of these policy areas will be covered in consultation responses to this application:

- P1 Presumption in Favour of Sustainable Development
- SC5 Location of Development
- SC6 Green Infrastructure
- SC9 Making Great Places
- TR1 Travel Reduction and Modal Shift
- TR2 Parking Policy
- TR3 Public Transport, Cycling and Walking
- H05 Density of Housing Schemes
- HO8 Housing Mix
- HO9 Housing Quality
- HO11 Affordable Housing
- EN1 Open Space, Sports and Recreation
- EN2 Bio-diversity and Geo-diversity
- EN4 Landscape
- EN5 Trees and Woodlands
- EN6 Energy
- EN7 Flood Risk
- EN8 Environmental Protection Policy
- DS1 Achieving Good Design
- DS2 Working with the Landscape
- DS3 Urban Character
- DS4 Street and Movement
- DS5 Safe and Inclusive Places

The Shipley Canal Road Corridor Area Action Plan (SCRCAAP)

The SCRC AAP adopted 12 December 2017, identifies the site within proposal area, BWQ1, where the comprehensive redevelopment of the quarry is considered to present

a key opportunity for – delivering a significant level of housing development and environmental improvements in the heart of the Corridor; c.1000 residential units; supporting non-residential uses of a local scale to meet day-to-day needs; new high-quality on-site open space, play areas and ecological areas.

Housing Mix

To deliver a vibrant and sustainable community, development will be expected to - incorporate a mix of house types and sizes, including a high proportion of family sized housing; include specialist housing products for older people and a proportion of accessible homes and custom build/self- build plots; deliver homes built to high standards of sustainable design and construction. The use of innovative low-carbon housing will be supported and encouraged. Local retail and community uses including, supporting community facilities and small shops will be supported, to meet local day-to-day needs, in accordance with Core Strategy Policy EC5.

Green Infrastructure and Ecology

The site is identified as a key opportunity to enhance green infrastructure & ecological assets and provide new green space within the development. Development will be expected to: provide significant improvements to green infrastructure, including the creation of new on-site open space, play areas and wildlife areas, which link to proposals developed as part of New Bolton Woods; protect and enhance the Wildlife Habitat Network in the immediate surrounds of the quarry and contribute to habitat creation as part of the quarry restoration. This should include the creation of heath land habitat/acidic grassland in line with the Ecological Assessment, where feasible. Proposals should be supported by a Green Infrastructure Strategy in accordance with Policy SCRC/NBE1.

Sport, Recreation and Open Space

Development will be expected to - provide new high quality on-site open space and play areas; where appropriate and feasible, take advantage of opportunities to provide active sports and recreation, including mountain biking and climbing, to help deflect pressure on moorland habitats; contribute to off-site provision for playing fields in a suitable location.

Design and Heritage

Due to the size and significance of the site, a Masterplan/Development Brief should be prepared to ensure that the site is developed in a comprehensive manner and that future phases relate well to each other. Proposals should be submitted for independent design review at an early stage. The Masterplan/Development Brief should be based on a thorough understanding of the site and its surroundings and it should set out the approach with regard to: the movement framework; landscape and open spaces; land uses; densities; character areas; townscape, scale and siting; car parking and development parcels. Detailed design code type guidance should be provided for different street types, open space types and character areas. Proposals will be expected to - integrate with new and existing communities and provide safe and attractive links to New Bolton Woods, surrounding communities and areas of green space; demonstrate how the scheme connects to surrounding communities and relates to future development at New Bolton Woods (NBW1). Development should ensure elements which contribute to the character or setting of Grade II* listed Bolton Old Hall and Bolton Old Hall Cottage are preserved. This site lies on the opposite side of the valley to the Grade II Historic Park and Garden at Lister Park. Development proposals

should have regard to the potential impact upon any important views from this Registered Landscape.

Transport and Movement

Any development proposal should be accompanied by a Transport Assessment detailing access and service arrangements and connectivity to the wider highway network. A number of access points may be required to minimise impact on the strategic highway corridor along Canal Road. Appropriate access would be considered from Bolton Hall Road and Livingstone Road to the north and through the adjacent New Bolton Woods site to the south. The development should take account of the adjacent New Bolton Woods Masterplan proposals. A Travel Plan would also be required to ensure the site is sustainable and to minimise traffic impacts. The development will be expected to: provide new/alternative sustainable transport solutions, to ensure the site is sustainable and to minimise traffic impacts; be designed to ensure that bus access is achievable; provide improvements to pedestrian and cycle links within and through the site to existing networks to help to connect the development to the surrounding area and encourage walking and cycling. Improvements to bus infrastructure, including future links to the bus network, may also be required.

Parish Council:

Wrose Parish Council objects to the application, on the grounds that - there has been no public consultation on this proposed build of 700 houses; the access/egress for the site coming from Wrose Road is already at a near standstill during peak hours at Wrose Road, Five Lane Ends and Kings Road; at present, all schools in/around Wrose are full, the doctors are close to full capacity and there are few places for dentists.

Publicity and Number of Representations:

Site notices were displayed at and around the application site, a notice placed in the Telegraph and Argus and individual neighbourhood notifications were also carried out, with the statutory period of expiry being 2 February 2017.

There have been 41 objections and three representations, including representation from a Ward Councillor.

Summary of Representations Received:

Privacy would be destroyed, it would change a very peaceful and private neighbourhood.

Planning permission has been approved for 275 houses in Apperley Bridge and 270 in Cote Farm which will affect this area. The additional 700 houses would not be beneficial for education, the NHS and employment.

Traffic is already bad on Livingstone Road, Wrose Road and Canal Road. This huge housing estate will have a significant impact of the traffic in these areas. Highway safety will be affected by this huge increase in traffic from the residents of these new properties.

The proposed siting of the development is particularly ill-considered. The quarry serves a historic purpose, it should be protected, not destroyed.

Would diminish the striking view and privacy we currently enjoy.

Furthermore, these proposals are in close proximity of both my homes, infilling/major development would ruin the character of this site.

Traffic on Canal Road is like a car park rather than a road. How can the Council even consider building more houses thus more traffic in this area?

The proposal to route traffic out of the new development from Bolton Hall Road onto Brookwater Drive is perplexing no considerations have been taken to the residents who only have one means of entry and exit out of the estate, the road conditions currently faced are just about manageable adding extra pressure cannot be a justifiable reason for building 700 new homes just because the quarry is no longer viable.

This is proposed to be built behind my property where there are bats which are protected species.

Local schools and facilities. Potentially 1400 school age children local schools are already oversubscribed. Further strain is unlikely to improve this situation. Local doctors are also difficult to access.

In winter getting up Bolton Hall Road is difficult as it is sloped and has planters to slow traffic which make travel difficult in icy conditions. The junction to Wrose Road already struggles. Kings Road itself often queues most of its length at peak morning times with current traffic levels, and for people going out of the south exits onto Canal Road, the bridge near the garages bottlenecks which would get worse.

The phase 1 seems to be planned above a beck, how will this be dealt with to ensure the plots do not flood?

I appreciate that we need more housing, but there are empty buildings that are spoiling our city, regenerating them would fix more problems than causing them.

The proposed planning application would take 18/24+ months to develop during which there will be increase in noise and in addition the potential dirt/debris will become apparent within the area and road leading into the estate.

Although I have no objection to the new houses being built, I do object to Poplars Park Road being opened to through traffic. Opening up that road would make Poplars Farm estate very dangerous for all residents but children in particular.

One solution is to place bollards halfway down Poplars Park road so that the residents of Poplars Farm would access it from Kings Road and the residents of the newly built part of Poplars Farm could access it from Stanley Road removing the risk of Poplars Park Road becoming a rat run. This would keep us all safe and happy.

Objection to planned development as this could cause crime in the area with cut-throughs for car thieves.

Any proposal to access onto Bolton Hall Road North and Brookwater Drive must not be allowed. Both are already traffic calmed and the north end approaching Livingstone Road is frequently lined with parked vehicles that it is only passable by an ad-hoc priority system.

If the road was to be opened to Stanley Road, would be absolute chaos as people would use it to miss the junction of Queens/Kings Road. Poplars Farm school is awful during peak times, so these additional houses will create more demand for this school, again more traffic along with other local schools in the area.

Object to more housing in this already over populated area. I am also concerned about the detrimental effect on the local green areas which are in rapid decline. Existing home owners in the area will also have to ensure disruption caused by heavy plant traffic, dirt and pollution which will affect residents health during the building.

The quarry would be better placed to be used as a public green area for future generations.

The only people to benefit are the owners of the quarry, building companies and Bradford Council. Why should the general public, in this case the owners of the properties in the affected areas, have this to put up with this for 10 years?

The proposed development overlooks existing properties.

The development would cut out natural sunlight, the site sections suggest that the roof line of the proposed properties would be almost 40 metres above the ground level of our property.

The access road to Site 4 is to the rear of our property and the traffic will cause noise, disturbance and pollution

The access roads to Sites 1, 2 & 4 will cause light pollution to existing properties

The development does not make best use of the local transport and infrastructure services.

No consideration has been made for public transport.

No consideration has been made for safety improvements to the local highway.

Many of the proposed properties to Site 1 would need to reverse onto Brookwater Drive with very poor visibility splays causing serious danger to pedestrians and road users.

The proposed access road to Site 2 is very close to an existing Grade 2* listed building, the building sits within its own grounds enjoying an open aspect, if the development goes ahead it would spoil the important historic value of this building and its surroundings.

The proposed development involves the loss of mature woodland especially in relation to Site 3 and cannot just remove this mature woodland for development, as a local resident we have witnessed in the last 12 years of living in this area many species of birds, foxes, rabbits and bats within the proposed development site

It would be unacceptable to remove the extent of mature trees and landscaping.

Current proposals indicate foul and surface water connections into the drainage infrastructure within Brookwater Drive, the existing drainage system currently runs through residents land and the upkeep of the drainage is the individual landholders responsibility, therefore private property.

No proposals have been put forward for surface water discharge during the works
The existing land has been identified as not free draining therefore sustainable drainage would be an issue.

The current proposals provide no supporting evidence that utility providers would be able to service a development of this size.

The current water supply to the Brookwater Drive development is at full capacity with pressure drops during peak periods.

No documented evidence has been provided proving that the quarry has in fact come to the end of its working life.

Most families have 2 cars another 1400 cars in the area will make the area grind to a halt not to mention extra damage the roads.

Council resources are already minimal regarding cleaning in the area around Swain House/Kings Road/Bolton Hall Road. Adding more houses the service will be stretched resulting in poor service for new home owners and existing owners.

This new development will have huge impact on the lives of local residents that are already living in this area. Cuts in the local youth and library services already have a massive effect.

Consultations:

Minerals & Waste

A revised red-line plan, indicative sections and Design and Access Statement has been provided. It appears that the design concept articulated through the Design and Access Statement and indicative sections remains to develop the site for housing without infilling the site, by utilising quarry face treatment and retention techniques and landscaped buffer zones. The applicant is not proposing any works which would be inconsistent with the quarrying permission. Likewise, the residential development of the site should not result in the loss of substantial economically viable sandstone reserves, considering the limited remaining unworked reserves within the quarry and the constraints on working the allocated extension area adjacent to the current active quarry face (particularly in terms of the location of adjacent HV overhead power lines and an associated pylon).

However it will be expected for any reserved matters application which provides a detailed development scheme for the site to include details of how any remaining viable aggregate and building stone reserves within the quarry are to be recovered as part of any development scheme.

Public Rights of Way

A number of public rights of way are likely to be affected by the proposal. Improvements are requested to Bradford North Public Footpath 153; Public Footpath 154 and an unrecorded route along Bolton Hall Road.

Countryside

The site falls within the above Area Action Plan, for which a detailed Ecological Appraisal was undertaken in 2014. The Phase 1 Habitat plan shown in the developers submitted Ecological Appraisal Oct 2015 shows slight differences to West Yorkshire Ecology's evaluation (Shipley/Canal Road Corridor AAP Appendices Phase 1 Habitats Map 5). There are broad similarities between the two and there are no issues in this respect.

The site is approximately 6.5km from the nearest edge of the South Pennine Moors Special Protection Area (SPA)/ Special Area of Conservation (SAC). The proposals will result in an increase of approximately 700 houses and therefore are likely to have significant impact on the European Site recreational, in respect of increased recreational pressure. In accordance with the Habitat Regulations Assessment of the emerging Core Strategy for the Bradford District, in particular Policy SC8, for any approval of this scheme to be deemed lawful, developer contributions towards mitigation for these increased recreational impacts will be required.

Provided there is suitable protection for the existing woodland areas and significant, robust landscaping and biodiversity enhancement, with sustained long-term management, the principle of development on the site is acceptable.

Environment Agency

No objection to the proposed development.

Advise planning conditions to manage the risks to human health and controlled waters from contamination at the site.

West Yorkshire Archaeology Advisory Service (WYAAS)

The WYAAS recommend that in areas undisturbed by quarrying, the site's archaeological potential is fully evaluated by a pre-determination archaeological evaluation. However, should the guidance given in the NPPF and Policy BH19 be ignored and planning permission is granted the above works can be secured by a suitable condition in accordance with the NPPF para. 141 and with the Department of the Environment's Circular 11/95.

Arboriculture Team

No trees on site are protected by Tree Preservation Order, or within a Conservation Area. The trees, along with the topography, provide good screening to the site, with most trees being on the periphery.

Although many of the trees are to be retained, there appears to be a number proposed to be cleared along Bolton Hall Road, although the plans provided are vague as to the exact number/area of trees to be removed overall.

The Design and Access statement claims that it is "proposed to retain and enhance this element and through the remodelling of the quarry levels". Care should be taken to ensure that levels are not changed around retained trees as this causes irreparable damage. The D&A also goes on to state that more information can be found in the Tree Survey, although this particular document, while relating to the development site, does not relate to the development proposals.

If minded to approve, a robust and detailed landscaping scheme should be submitted including details of species, numbers, size, location and management proposals.

Historic England

Historic England considers that the area of land which remains undeveloped to the south-west of the listed buildings and the rural nature of this part of the application site, contributes strongly to our understanding of the significance of the Hall and Cottage, which are both listed at Grade II*. Whilst this setting has now been compromised to some degree by the quarry and 19th & 20th century residential development to the

south and east, the application site retains its rural character, providing an historic setting which contributes to the significance of the listed buildings. Given the loss of setting elsewhere, this remnant of undeveloped land is particularly important and provides an historic context and rural setting to the listed buildings.

The concept masterplan indicates a substantial residential development which will fundamentally change the landscape character of the land surrounding the Grade II* listed buildings. We previously raised concerns regarding the lack of assessment of the significance of Bolton Old Hall and Bolton Old Hall Cottage and the contribution made by their setting in accordance with para. 128 of the NPPF. In addition and bearing in mind the scale of the proposed residential development and associated infrastructure, we requested that a wider search should be carried out to identify all heritage assets affected by the proposals.

Note the revisions which have been undertaken to the Heritage Statement, the submission of aerial views and also the retention of a landscape buffer identified in the indicative site zoning layout adjacent to the north and south west boundaries of the Grade II* listed buildings. Whilst we welcome the removal of the residential development in this location we note the layout still incorporates the access road across the landscape and it is not clear from the submission why this access cannot be taken from Wood Lane. We remain concerned about the impact of the road and associated infrastructure within the open setting and also the remainder of the residential development forming zone 1 to the south of the listed buildings. We consider the aerial views in particular views 4, 5 & 8 serve to demonstrate the impact the extent and density of the proposed housing will have on the setting of Bolton Old Hall and Cottage. In addition we are also concerned that a mature landscape buffer is being proposed as a substitute for the current open landscape.

In summary, the revisions undertaken do not fully address our concerns and we consider the proposed development will result in harm to the setting of these listed buildings. We advise therefore that zone 1 is removed from the scheme and the area of land surrounding the Hall and Cottage is left as open landscape in order to safeguard the contribution the rural nature of this part of the application site makes to the significance of the two Grade II* listed buildings.

Historic England recommends the application is deferred or refused to allow further amendments to the scheme to better preserve those elements of the site which contribute to the setting of the two Grade II* listed buildings and therefore ensure the proposals constitute sustainable development as defined by the NPPF.

If, notwithstanding our advice, you propose to approve the scheme in its present form, please advise us of the date of the committee and send us a copy of your report at the earliest opportunity.

Conservation

It is considered that the Heritage Statement has adequately assessed the significance of the heritage assets and therefore the proposed development does have the capacity/potential to maintain the setting of the heritage assets, this is heavily dependent on the design quality of the scheme and the subsequent details that are submitted at reserved matters stage. As mentioned previously significant concerns about the use of a heavily landscaped 'buffer' behind the hall and cottage as this would effectively cut off the listed buildings from their wider setting and it would be a lost

opportunity for the development to respond positively to the context of the heritage assets. Presuming that the matters of landscaping could be addressed at Reserved Matters stage, then issues of design, scale and layout would become key in terms of the impact of on the setting of the heritage assets. Whilst I defer to the opinion of the Urban Design Officer, it does appear that there is a lack of local distinctiveness and sense of place demonstrated which would be a basic starting point in addressing how the proposed development would relate to the heritage assets.

In regard to the matters of the access road, it is understood that Historic England maintain its objection to the location of this in relation to the heritage assets. In principle the acceptability of this will come down to the details of how this access road is dealt with in terms of its visual relationship to the heritage assets and as yet these matters are reserved for future consideration and cannot be fully assessed.

Sport & Leisure

Parks and Green Spaces calculates a recreation contribution of £574,960. This would comprise £383,307 capital and £191,653 revenue for 700 houses/units for the provision or enhancement of Recreation Open Space and Playing Fields due to the extra demands placed on the locality by this development. Usually, the money would be used towards for the provision and or enhancement of existing recreational facilities and infrastructure work including but not exclusive to drainage works, footpath works and fencing at Claremont and Windhill Recreation grounds, however, on a development of this size the service would expect that recreation open space, fixed play equipment and playing fields would be provided on site. Should the developer provide the above recreation open space, fixed play equipment and playing fields on site then the Council would request a contribution of £140,000 towards works to playing pitches within the vicinity.

Environmental Health (Nuisance)

No objection, recommend that all operations on site be carried out to conform to BS5288 Parts 1, 2 and 4 (as appropriate) Noise Control on Construction and Open Sites. This will minimise the likelihood of dust and noise complaints from neighbouring properties.

Environmental Health (Pollution)

The proposed development constitutes a major development for the purpose of Appendix 2 (Land use planning and road transport emission guidance) of the Bradford Low Emission Strategy (LES) (adopted November 2013), addendum to the Bradford Air Quality Action Plan (March 2013).

Under the provisions of the LES planning guidance major developments are required to provide:

Type 1 Emission Mitigation

- Provision of electric vehicles charging facilities at a rate of 1 charging point per house with dedicated parking and 1 point per every 10 houses with undedicated parking.
- Adherence to the *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 and 3 Emission mitigation

- Inclusion in the Travel Plan of mitigation measures that will discourage the use of high emission vehicles and facilitate the uptake of low emission vehicles. The types of mitigation proposed should be compatible with lists of suggested measures included in the Bradford LES.

Following a request from Bradford Council air quality staff an emission damage cost calculation has now been submitted which sets out the expected emission damage cost of this proposal. The methodology and assumptions made to generate the emission damage costs are accepted as being suitable for purpose and in line with the requirements of the Bradford LES.

The cumulative emission damage costs from the development proposal are £500,000.

The following has been agreed with CBMDC with regards to mitigating the £500,000 air quality impact value:

- High specification, purpose built rapid car charging point at £350 per unit totalling £245,000.
- Personalised Travel Plans £35,000.
- £220,000 contribution to site specific emission reduction measures.

It is a requirement of the Bradford LES that the type 2 and 3 emission mitigation measures incorporated into these development proposals should be proportionate in value to the emission damage costs to society and be over and above the basic type 1 mitigation required for all developments in Bradford. The type 2 and 3 emission mitigation are expected to be incorporated into the ordinary travel plan for the site and should have a particular emphasis on reducing the use of high emission vehicles and encouraging the use of low emission vehicles.

The £220,000 should be delivered through a S106 agreement.

Policy

Housing Delivery

In regards to delivering a wide choice of high quality homes, the NPPF sets out that the Council should identify sufficient sites to boost significantly the supply of housing. The Council cannot currently demonstrate that there is a 5 year supply of deliverable housing sites. In these circumstances the provisions of NPPF paragraph 14 and 49 apply.

Para. 14 indicates that where the development plan is out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF, or specific policies in the NPPF indicate that development should be restricted.

For decision making this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in

the NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted.

Para. 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

In respect to housing delivery it is considered that the proposal would contribute to the Council's deliverable housing land supply and help to boost significantly the supply of housing in the District.

Minerals

Para.142 of the NPPF states that minerals are essential to support sustainable economic growth and quality of life. It is therefore important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. However, since minerals are a finite natural resource, and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation.

NPPF para.144 states that when determining planning applications, planning authorities should not normally permit other development proposals in mineral safeguarding areas where they might constrain potential future use for these purposes. As the site is identified as an existing minerals extraction site any redevelopment proposals should safeguard any minerals resource by providing for the prior extraction of any remaining mineral resource.

In summary, it is considered that the proposal is in general accordance with the NPPF in respect to the principle of development.

Core Strategy

The proposed development is located in the Shipley and Canal Road Corridor which is identified as a key regeneration priority area and growth area in the Core Strategy.

The Centre Section of the Shipley and Canal Road Corridor has been identified in the Core Strategy as a location for housing growth. The proposed large-scale residential use would support the vision and priorities in the Core Strategy for this area and deliver a significant number of new homes, which would contribute to meeting the Council's housing requirement.

There are a number of Core Strategy policy areas including housing density, sport and recreation and open space, green infrastructure, historic environment, minerals safeguarding and travel reduction and public transport, cycling and walking that will need to be considered as part of the application.

Shipley and Canal Road Corridor Area Action Plan

The Core Strategy sets out that the Shipley and Canal Road Corridor AAP (SCRCAAP) will guide and co-ordinate future development and deliver the Core Strategy policies in the Corridor. A key objective of the AAP is to deliver an Urban Eco-Settlement of over 3100 new homes in the Corridor by 2030.

The proposed development is located in the Centre Section of the AAP. This sub-area is identified in the AAP as the focus for the new Urban Eco-Settlement which would have a diverse and high quality housing offer, supported by the necessary infrastructure and facilities required to deliver truly sustainable development.

The site at Bolton Woods Quarry (BWQ1) is proposed in the AAP for residential redevelopment. As set out in the AAP site proposal statement for BWQ, Bolton Woods Quarry will be suitable for comprehensive redevelopment consisting of:

- approximately 1000 residential units;
- supporting non-residential uses of a local scale to meet day to day needs;
- new high quality on-site open space, play areas and ecological areas.

In principle, the proposed development is considered to be in accordance with the SCRC AAP, in terms of proposed use and location. However, there are a number of policy areas which will need to be considered as part of the application.

The supporting documents do not currently refer to any of the policies or proposal statement in the Core Strategy or Shipley and Canal Road Corridor AAP. The proposed development will need to consider and take account of the relevant policies in the AAP. The proposal should be supported by a planning statement which takes into account the Local Plan including the Core Strategy and Shipley and Canal Road Corridor AAP.

Conclusion

The proposed development is for large-scale residential redevelopment within an existing quarry. This would provide substantive regeneration benefits to the District. The application site is previously developed land and is of strategic scale. The comprehensive redevelopment of the quarry presents a key opportunity for delivering a significant level of housing development and environmental improvements in the heart of the Canal Road Corridor.

It is considered that in principle, the proposal for residential redevelopment on this site is in accordance with national planning policy and the Local Plan, Core Strategy. The principle of residential redevelopment on this site is therefore supported, subject to other relevant policies in the Local Plan being met. As set out above, there are a number of key policy areas which would be addressed as part of this application and for any subsequent detailed planning application stages.

Yorkshire Water

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

Landscape

Note that the latest revisions do take into account some of the original comments related to landscape matters that were made and no further comments at this stage.

Urban Design

The applicant has submitted a Design Code following on from my comments of October 2016 and July 2017 and the requirement set out in the SCRC AAP. This is a step in the right direction but much further work is still required.

The first point is that the code is of little use if it's not based on a good quality Masterplan. My previous comments identified significant concerns with the Masterplan which still haven't been addressed.

In any event the design code is of poor quality. Some selected problems are:

- 2.2.1 Density – No variations in density are proposed across the site.
- 2.2.2 Phasing – The plan only shows development parcels – it doesn't address which parts of the open space and greenways will be delivered/maintained with which phase. The likelihood is that they will just end up as left over areas of land.
- 2.2.3 Building Heights – The code should identify which heights are appropriate on which parts of the site. Given the levels of the site there could be scope for taller and higher density buildings to optimise its potential.
- 3.0 Character Areas – There are no discernible differences in character across the site and the code doesn't provide any firm principles which could be used to guide future design stages.
- 4.0 Street Codes – There is a bit more detail here but the proposed dimensions for the different street types (4.5-4.8) are way in excess of the height to width ratios recommended in the Manual for Streets/Building for Life. The predictable outcome of this will be streets of poor design dominated by frontage parking.
- 5.0 Open Spaces – There are some interesting ideas here but it should be identified on a plan which parts of the green infrastructure will be treated as gateways, plateaus, attenuation basins and landscape pockets otherwise it lacks any real value.
- Quarry Edge – The code proposes that the upper edges of the quarry are lined by back gardens to allow those properties to take advantage of the views and openness. This is not good design – these areas should be opened up for public access to enable everyone to enjoy the views and the homes should face onto it.

As stated previously, this is a very large scheme likely to be developed in phases over many years by different developers and design teams. Therefore it is important to ensure that a strategy is in place to coordinate this and ensure quality over the long term.

Normally for major schemes like this the masterplan and design code would be attached to any outline permission by a condition but the current submission is not good enough in this respect.

However, if minded to recommend for approval, a condition should be included which requires the preparation of a masterplan and design code by suitably qualified persons, to be agreed in writing by the local planning authority before the submission of any reserved matters.

Highways & Transportation

The proposal is for a residential development of up to 700 dwellings, including means of access, demolition of on-site buildings and fixed surface infrastructure associated with the existing quarry use. The proposal is outline with all matters reserved except access.

The proposed development site is located to the south of Bolton Hall Road on the site of the Bolton Woods quarry. Access to the quarry site is currently taken from Bolton Hall Road, however a number of new accesses and connections to the surrounding road network are proposed as part of the development. The site is split into 5 plots. The three phases on the northern part of the site would take access via Brookwater Drive/ Bolton Hall Road and Livingstone Road towards Wrose Road to the north of the site. The number of properties that take access to the north of the site has been limited to 200 units due to the limited capacity at the Wrose Road/Livingstone Road junction.

The phase including 100 units would take access via Bolton Hall Road (from the same location as the existing quarry access) towards Gaisby Lane and the wider network to the west.

The largest phase, providing 400 units, would take access to the south from Poplars Park Road, through the adjacent CRUVL development site. This phase would also include an emergency vehicle access providing a connection from the south/ western area of the site to the northern end of the site, in the event that alternative access routes become blocked.

The site access from Poplars Park Road would be routed through the CRUVL site and would serve up to 400 dwellings and around 150 dwellings within the CRUVL scheme. Although the site access road alignment is indicative at this stage, the applicant has demonstrated that it is achievable. The road is designed as a Type 1 Connector Street as defined in the Leeds Street Design Guide. The road is designed to the recommended maximum gradient of 1 in 15.

A major concern has been the number of dwellings being accessed from Poplars Park Road and whether the vehicular traffic generated can be accommodated on Poplars Park Road and also whether more of these dwellings could be accessed from Livingstone Road/ Wrose Road junction. The vehicle trip generation from this site, based on same trip rates as approved for the CRUVL Masterplan, is set out below according to the access used.

Poplars Park Road (400 dwellings) - Am peak 64 arriving and 156 departing; Pm peak 148 arriving and 92 departing.

The proposed development site is located to the south of Bolton Hall Road on the site of the Bolton Woods quarry. Access to the quarry site is currently taken from Bolton Hall 150 dwellings are built, traffic generated would be Am peak 24 arriving and 59 departing; Pm peak 56 arriving and 35 departing.

Livingstone Road/Wrose Rd (200 dwellings) - Am peak 32 arriving and 78 departing; Pm peak 74 arriving 46 departing.

Bolton Hall Road (100 dwellings) - Am peak 16 arriving and 39 departing; Pm peak 37 arriving and 23 departing.

An assessment of the Poplars Park Road/Kings Road priority junction, using the nationally accepted computer software Picady, shows that the junction would be capable of accommodating all of the traffic generated by the proposed development of 400 dwellings. The assessment also shows that there would be spare capacity to accommodate traffic generated from the CRUVL site. Notwithstanding this, to ensure

that any impact of the proposed development is mitigated and assuming that CRUVL Masterplan 're-opens' Poplars Park Road as a through route, the applicant is willing to provide a contribution towards traffic calming / management on Poplars Park Road in partnership with CRUVL.

The applicant has also assessed the Wrose Road/Livingstone Road/King's Road double junction layout to see if it is capable of accommodating the traffic generated by the proposed 200 dwellings and also whether any spare capacity is available to accommodate traffic from additional dwellings. The assessment using the industry standard software for signal junctions (LINSIG) indicates that this junction layout operates within capacity (with 2015 base traffic flows) in both the AM and PM peak periods although a number of entries are approaching their theoretical capacity, particularly in the PM peak with Degree of Saturation (DoS) exceeding 90%. A future year assessment shows that, in the am peak, the Livingstone Rd arm of the junction would be approaching capacity in 2020 (DOS at 93%) and would become overcapacity with the development traffic (DOS 103%). The junction is physically constrained so limited capacity improvement could take place. The applicant is proposing to widen the Livingstone Road access to two lanes which would mitigate the impact of the proposed development on this junction. The developer would also provide MOVA on the holistic double signal junction which would provide significant benefits to the capacity of the two junctions and would mitigate some of the existing queuing on Livingstone Road. With the mitigation measures in place, capacity of Livingstone Road could be improved to base levels of 93% with the development traffic in 2020. This assessment shows that there is no spare capacity at Wrose Road/Livingstone Road junction to accommodate any significant number of additional dwellings.

The applicant has shown that the site is in a relatively sustainable location even though outside some of the recommended accessibility distances. The guideline figures used by Metro for walking distances are 400m to bus stop and 800m to rail station. The nearest bus stops on Stanley Road and on Kings Road are 450m and 600m respectively from the centre of the site. The two routes provide 9 peak hour bus services which is a good level of service balancing the slightly longer walking distances. The rail station at Frizinghall is located approximately 1.1km from the centre of the site and within an acceptable walking distance to encourage rail patronage.

Examination of personal injury accident records over a five year period from 2009 - 2013 for the network surrounding the site does not show any significant highway safety problems. For instance for the network surrounding the Livingstone Road/Wrose Road/Kings Road junctions, there were no accidents recorded on Livingstone Road during the study period with three accidents recorded on Wrose Road and one on Kings Road. This is not considered to represent a significant road safety issue with an accident rate of less than one accident per year in the vicinity of the Livingstone Road access to the site.

No objections raised on the proposed development in highway terms, subject to conditions.

West Yorkshire Combined Authority

The topography and size of the site makes the permeability of the site difficult , which is reflected in the number of access point to the separate 5 zones.

Zone 1

This zone (35 units) at the north east of the site is accessed from Brookwater Drive. There are currently no services that operate on this section of road. The closest bus services are located on King's Road some 420m from the zone entrance. The walk route does use a footpath onto King's Road with steps. At this point on King's Road there is only the 633 service available which offers a 30-minute headway between Shipley and West Bowling via Bradford Interchange.

Whilst this site is marginally outside the accessibility standards (in terms of distance to the stop) set out in Appendix 3 of the Local Plan, residents can access either Bradford or Shipley respectively every 30 minutes. In addition, Frizinghall station is approximately 2km from the site which is within scope to cycle to the station.

On balance, in isolation, we would accept this part of the site to be accessible by public transport. We suggest that the developer provide funding to a bus shelter with Real Time Passenger Information Display at a cost of £20,000. An additional cost of c.£1000 may be required to provide a hard standing for the shelter at this stop. Any kerbing and bus stop clearway markings would be provided by the Council and are not included in this cost.

Zone 2

This zone (125 units) is located to the east with access taken from Livingstone Road/ Cheltenham Road. No bus services currently operate on this section of road. As in Zone 1, King's Road is the closest bus corridor. Due to the existing residential properties the closest stop is the same as in Zone 1 located a similar 420m to the site entrance. However, Zone 2 extends approximately 100m+ from the site entrance. The total walk distance therefore would be in excess of 500m for most residents which exceeds the accessibility criteria in the Local Plan. Based on the current bus network, this section of the site would not be considered to be compliant with the Council's accessibility standards.

Zone 3

The proposed access is taken from Bolton Hall Road. There are currently no services that operate on this section of road. The closest bus services are located on Stanley Road, some 430m from the zone entrance. It should also be noted that Bolton Hall Road has a steep gradient and therefore would discourage some potential public transport users accessing Stanley Road. At this point on Stanley Road there is the 656 and 675 services available. The 656 provides an hourly service between Baildon and Bradford Interchange, the 675 provides an hourly service between Shipley and Bradford Interchange.

As in Zone 2, there is an additional 50m+ distance from the site entrance. The total walk distance therefore would be in excess of 400m for most residents which exceeds the accessibility criteria in the Draft Local Plan.

Based on the current bus network, this section of the site would not be considered to be compliant with the council's accessibility standards.

Zone 4

This zone (40 units) at the north of the site is accessed from Brookwater Drive. There are currently no services that operate on this section of road. The closest bus services are located on King's Road some 450m from the zone entrance. The walk route does

use a footpath onto King's Road with steps. At this point on King's Road there is only the 633 service available which offers a 30 minute headway between Shipley and West Bowling via Bradford Interchange.

Whilst this site is marginally outside the accessibility standards (in terms of distance to the stop) set out in Appendix 3 of the Local Plan, residents can access either Bradford or Shipley respectively every 30 minutes. In addition, Frizinghall station is approximately 2km from the site which is within scope to cycle to the station.

On balance, in isolation we would accept that this part of the site to be accessible by public transport. The stop improvements required are the same as in Zone 1. We would expect whichever zone came forward first to fund these improvements prior to occupation.

Zone 5

This large zone (400 units) is made up of the western half of the site with the primary access proposed for Poplar Park Road with the optional emergency access onto Brookwater Drive through Zone 4. The master plan doesn't appear to indicate where the access connects in to the existing road network. This needs clarifying to establish what the walk distance is likely to be to access bus services.

In any case, the route is likely to be in excess of 500m to bus stops on Stanley Road. As in Zone 3, on Stanley Road there are only the 656 and 675 services available. The 656 provides an hourly service between Baildon and Bradford Interchange, the 675 provides an hourly service between Shipley and Bradford Interchange. Given the size of this zone, this level of service in terms of frequency and proximity to the site is not considered accessible and does not meet the Local Plan accessibility criteria requirements.

When considering the site as a whole we disagree with the conclusion of the TA that the site is well located in terms of bus services or that the walk distances are appropriate for this level of development. The only realistic means of improving the accessibility of the site would be through either the enhancement of an existing service (656) or introduction of a new service that would need to be funded by the developer. Based on other recent services procured through the planning process, the cost of providing a single bus would be £150,000 per annum (gross cost). As alluded to earlier, we would look for a contribution for 10 years for a development of this size. In order for a bus service to be introduced to the site, it is essential that the site layout be amended to allow a bus to penetrate the site from Zone 4 through to Zone 5.

West Yorkshire Police (Architectural Liaison Officer)

Whilst it's positive to see that the roads have been segregated to prevent any 'potential offenders' from driving stolen vehicles at speed around the whole of the development, there should be good natural surveillance of any footpath routes or areas of public open space to prevent any future crime or anti-social behaviour problems.

Drainage

The Lead Local Flood Authority (LLFA) is a statutory consultee on matters relating to surface water management on all major developments. Drainage will therefore only provide comments on other drainage aspects on major planning applications. Insofar as the following details are implemented and secured by way of a planning condition on any planning permission Drainage has no objection to the proposed development.

The LLFA has assessed the documentation relating to the surface water disposal on the proposed development, against the requirements of the National Planning Policy Framework and Planning Practice Guidance. An assessment of the submitted documentation has been carried out and if the following details are implemented and secured by way of a planning condition on any planning permission the Lead Local Flood Authority has no objection to the proposed development.

Children's Services

For application 15/06249/MAO the calculation for 700 houses based on 2 - 4 bedroomed homes:

Primary

0.02 (yield per year group) \times 7 (year groups) \times 700 (number of dwellings) \times $\pounds 13345$ (cost per place) = $\pounds 1,307,810$

Secondary

0.02 (yield per year group) \times 6 (year groups) \times 700 (number of dwellings) \times $\pounds 20110$ (cost per place) = $\pounds 1,689,240$

Total for 700 houses, $\pounds 2,997,050$.

Summary of Main Issues:

Principle of Development
Highways & Transportation
Planning Obligations
Design
Effect on Heritage Assets
Impact on Residential Amenity
Ecological Issues
Other Planning Issues

Appraisal:

Principle

The SCRC AAP identifies proposal area, BWQ1, which the application site lies within. The comprehensive redevelopment of the quarry is a key opportunity for delivering a substantive level of housing and environmental improvements; c.1000 residential units; supporting non-residential uses to meet day-to-day needs; high-quality on-site open space, play areas and ecological areas. The applicant has responded that the application does not include for non-residential uses as they are unviable and in addition the NBW1 allocation, immediately adjacent to the application site, includes for the provision of ancillary retail, education, employment, sports facilities and open space. The applicant contends that there is no demand for small-scale retail and community uses within the application site. If such demand came forward, the applicant comments that this could be provided within the BWQ1 land that doesn't currently form part of the application site, or could be included within a Reserved Matters application for a future phase of development on the application site.

The principle of this site being developed for residential purposes would be fully compliant with the relevant adopted Core Strategy and Area Action Plan policies designed to promote regeneration through housing growth.

Highways & Transportation

The proposed development would be accessed from two principal roads, Wrose Road and Kings Road. However, due to level differences, the applicant is not able to achieve a through-route within the application site. This would result in a series of culs-de-sac serving the residential development. The development would effectively be two relatively large culs-de-sac which would not meet the bus operators requirements for providing services. As a consequence, whilst WYCA had initially recommended that the applicant make a contribution to provide bus services to serve the application site it has been indicated by WYCA that bus operators would not consider the introduction/extension of bus services to serve the application site.

The routes from the application site to the north east would ultimately take traffic to Wrose Road. The remainder of the site would be accessed via Poplars Park Road, to the south west. The Transport Assessment has been considered and the traffic generated by the proposed development is not seen to adversely impact on these two junctions.

The access required to serve the proposed development, within the former quarry itself, c.400 houses, is proposed to be from Poplars Park Road. This road would be required to be constructed on land outside the control of the applicant, with the land owned by CRUVL. It has now been confirmed that agreement between the two parties has been reached to ensure that this access would be delivered.

Given there is also other planned residential development in the area eg. off Poplars Park Road, it is intended to re-open Poplars Park Road at its western end. This would enable traffic to access the development via Stanley Road and provide a route between Canal Road/Kings Road and beyond.

The means of accessing the site from a number of existing highways would see increased levels of traffic on those roads. As part of the recently approved application off Poplars Park Road, 17/04666/MAF, there would be traffic calming measures along Poplars Park Road. As part of the quarry application site would be served by Poplars Park Road, the traffic calming measures would apply to traffic generated by the quarry application.

The level of traffic along with the effect on the surrounding highway network has been considered and it is not believed that there would be an adverse effect on local residents to the extent of the application not been supported.

Planning Obligations

The Council's Community Infrastructure Levy (CIL) was approved on the 18th July 2017.

CIL is intended to provide infrastructure to support development of an area, rather than making an individual planning application acceptable in planning terms, which is the purpose of the S106 system. The Council has set out a list of those projects or types of infrastructure that it intends to fund through the CIL. This is known as the Regulation 123 List and amongst a number of other things, it includes:

- i) Education, including primary and secondary provision.
- ii) Community sport and recreation facilities.
- iii) Sustainable transport improvement schemes.

However, the application site is within 'Residential - Zone 4' in which the rate is nil. This rate was the result of a modification by the Planning Inspector at the CIL examination, due to viability issues in certain parts of the District. Therefore, there will be no requirement for the applicant/developer to make payment under CIL.

The applicant has submitted a viability statement and advised that due to viability issues, the proposal would provide a 20% profit with a balance of £1,000,000. The applicant has advised that this would be its contribution towards planning obligations.

In discussions on matters of Air Quality the applicant has confirmed the following would be offered:

- Car charging point per household c. £350 per unit totalling c. £245,000.
- Personalised Travel Plans £35,000.
- £220,000 contribution towards site specific emission reduction measures.

This leaves c. £500,000 for affordable housing and mitigation measures on the impact on protected habitats. The former being met by a contribution of £441,000 and the latter by a contribution of £49,000.

Design

The applicant presented the proposal to the Integreat Design Review in 2016. The Design Review report, included in the appendix, focussed on – context; access; connectivity; Green Infrastructure and the listed buildings.

After concerns on the quality of the concept masterplan, a revised masterplan was submitted. However, this does not demonstrate how a high quality development would be delivered. A number of areas remain problematic – it is not shown how the development would integrate with surrounding neighbourhoods; how variety and interest would be introduced to create a sense of place; delivery of green infrastructure or how the street hierarchy would provide an attractive development.

In an attempt to allay the concerns on the masterplanning exercise, the applicant submitted a Design Code in November 2017. However, a design code needs to be based on a good quality masterplan, to ensure that the aspirations for quality and quantum of development are realised. In the absence of that it is considered appropriate to condition the requirement for an appropriate masterplan, to ensure that the scale and quality of development can be dealt with comprehensively and across all phases of the proposed development.

In view of the above, it's considered appropriate to condition the requirement for a more detailed masterplan and continually updated phasing plan as development proceeds, to ensure that the eventual scale and quality of development can be dealt with comprehensively and across all phases of the proposed development.

Effect on Heritage Assets

Policy EN3 of the Core Strategy states that the Council will preserve, protect and enhance the character, appearance and historic value and significance of the District's designated and undesignated heritage assets and their settings. Paragraph 132 of the National Planning Policy Framework 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 on to 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 application has been objected to by Historic England (HE), see above. The objection is based on the adverse effect of the proposed development on the setting of the listed buildings. HE considers that the open setting to the listed building would be compromised by an access road and landscaping.

The means of access submitted as part of the outline application is limited to identifying where the adopted highway would connect with the application site. The issue raised by HE is that the access from Livingstone Road to the application site would result in an internal access road running to the western side of the listed buildings. Whilst the internal access arrangements are not part of the outline application, an indicative access road is shown on the application plan. The alternative of an access serving this part of the development, from Wood Lane has been explored by the applicant, but is dependent on land outside of the applicants ownership. Any access to the application site from Wood Lane would have to be the subject of further discussion. However, at the time of the application, the option of access from Wood Lane is not under consideration. (This would not however, rule out the option of Wood Lane being considered for access at a later date with further applications).

If the reserved matters application included the internal access to the western side of the listed buildings, given the levels across the site, it is considered that an appropriate solution could be found to address any adverse impact on the setting of the listed buildings. Similarly, with landscaping being controlled through a subsequent reserved matters application, this would be considered against HE’s concern on maintaining an appropriate open setting to the heritage assets.

On the basis of the above, the Council’s Conservation Officer does not share the concerns of HE the proposed development would be designed to ensure there was no adverse effect on the setting of the listed buildings.

Impact on residential amenity

There are residential properties to the immediate north east boundary and to the north at Brookwater Drive. The quarry and its environs currently sit at an elevated position, in relation to those areas of housing.

Whilst the layout submitted is indicative, the relationship between existing properties and the proposed development can be dealt with once the housing layout is submitted as part of the requisite reserved matters application. There is no reason why appropriate distances between properties could not be achieved through the layout design at reserved matters stage. However, any concerns on the impact of the new development and existing properties would be considered in detail and addressed through reserved matters applications.

There is no right to a view and any effect on house prices is not a planning consideration. It is likely that through construction of the proposed development there could be noise and disturbance associated with construction activities. However, through the use of condition, matters such as hours of working, would be appropriately controlled.

The application has been considered by Drainage/Lead Local Flood Authority and subject to conditions, any issues regarding drainage and flooding would be addressed.

Ecological Issues

The application site is located within 6 km of the South Pennines Special Protection Area and the application is required to mitigate against any potential adverse impacts on habitats, by increased recreational pressures on those habitats. As part of the Section 106, a contribution has been agreed towards requisite mitigation measures.

The application included an ecological appraisal, with bat survey. Whilst the survey was carried out in the month of October, outside of the bat season of April-September, a number of bats were recorded at the site. The fact that bats were recorded at this time of year could indicate that they were under-recorded. However, no bats were recorded roosting within the application site and the bats were recorded as either foraging or commuting. Therefore, without evidence of roosting, it is not considered that a further survey would be required.

Article 12 (1) of the EC Habitats Directive requires Member States to take requisite measures to establish a strict system or protection of certain animal species prohibiting the deterioration or destruction of breeding sites and resting places. The Habitat's Directive is given effect domestically by the Conservation of Habitats and Species 2017, which requires all local planning authorities to have regard to the Habitats Directive so far as they may be affected by those functions. Derogations from the strict protection are allowed only in certain limited circumstances and subject to certain tests being met.

Where a European protected species may be affected by development proposals, planning decisions must be reached in a manner that takes account of and in accordance with the Directives requirements. Planning permission should ordinarily be granted save only in cases where the planning authority concludes that the proposed development would both (a) be likely to offend Article 12 (1) and; (b) be unlikely to be licenced pursuant to the derogation powers.

The application included an ecological appraisal, with a bat survey. Whilst the survey was carried out in the month of October, outside of the optimum time, April- September, a number of bats were recorded at the site. The fact that bats were recorded at this time of year could indicate that they were under-recorded. However, no bats were recorded roosting within the application site and the bats were recorded as either

foraging or commuting. Therefore, without evidence of roosting, it is not considered that a further survey would be required.

Given the application is submitted in outline, with only the means of access being applied for, the layout would be submitted as part of a subsequent reserved matters application. The Council would therefore retain control over the layout, through the reserved matters application, enabling the protection and enhancement of the corridors, where bats have been recorded on-site. In the event that the proposed layout adversely affected those corridors, the reserved matters application would not be approved. As such, it is not believed that the proposed development would offend article 12(1).

Where development involves disturbance to protected species or damage to habitats, a derogation licence is required from Natural England. As outlined above, the habitats would be protected and mitigation measures put in place to avoid any damage. Consequently, there would be no adverse impact on the habitats and it is concluded that a derogation licence would only be required, if the presence of bats was confirmed during construction. Subsequently, work would have to cease and a licence applied for. Any further work would then have to comply with the licence conditions.

Other Matters

As the application site is located within nil CIL zone, the planning obligations met by the applicant/developer would include provision of affordable housing; air quality mitigation measures and mitigation to address impact on protected species.

The provision of school places; recreation/sport facilities would have to be considered outside of this planning application, as the development would not be liable to the CIL.

Public consultation events were held at Bolton Villas Church in December 2015 and January 2016. These along with the notification process are considered to represent appropriate publicising of the application.

Section 106 Agreement

Heads of Terms

A contribution of £245,000 towards car charging points per household.

A contribution of £35,000 towards personalised Travel Plans.

A contribution of £220,000 contribution towards site specific emission reduction measures.

A contribution of £49,000 towards mitigating recreational impacts on protected habitats.

A contribution of £441,000 towards on-site affordable housing.

Reason for Granting Approval:

The proposed development would meet the requirements of Core Strategy policies P1, SC5, SC6, SC9, H05, HO8, HO9, HO11, EN1, EN2, EN4, EN5, EN6, EN7, EN8, DS2, DS3, DS4, DS5 and the application is supported.

Conditions:

1. The development to which this notice relates must be begun not later than the expiration of two years from the date of the approval of the matters reserved by this permission for subsequent approval by the Local Planning Authority, or in the case of approval of such matters on different dates, the date of the final approval of the last of such matters to be approved.

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

2. Application for approval of the matters reserved by this permission for subsequent approval by the Local Planning Authority shall be made not later than the expiration of three years beginning with the date of this notice.

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

3. Before any development works commence on site, full details of the phasing of the development including the proposed timetable for implementation of the means of access, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved.

Reason: To ensure that a suitable form of access, parking and servicing facilities are made available at an appropriate stage throughout the course of the construction works, in the interests of highway safety and to accord with Core Strategy policy TR1.

4. A construction programme to set out the planned sequence in which the following works will be carried out:

- i) tree clearance works
- ii) construction of development phases
- iii) highway works
- iv) surface water drainage works
- v) utility works
- vi) recycling facilities

Reason: In order to ensure a phased programme of development in the interests of proper planning and comprehensive redevelopment of the area.

5. As part of the reserved matters application a Masterplan for the application site shall be submitted to and approved in writing by the LPA containing the following details:

- i) the disposition of the development within the site including the density of development;
- ii) the movement framework including the proposed street hierarchy and the principles of vehicular, pedestrian and cyclist access to the development and connections within it;
- iii) the provision of green infrastructure/open space and the landscaping principles for the development;
- iv) the design principles for the development in response to existing and retained features of the site;
- v) a plan showing the character areas, landmarks and focal points within the site development.

The details comprised in the reserved matters shall comply in all respects with the approved Masterplan;

and a Design Code based on the principles in the approved Masterplan shall be submitted to and approved in writing by the LPA setting out design principles in relation to the following:

- i) a built-form strategy establishing the principles of layout, permeability, street enclosure, scale, massing and palette of materials for each character area. This shall include an analysis of how these principles inform character;
- ii) mix of dwelling types;
- iii) hard and soft landscaping strategy including boundary treatments;
- iv) a strategy for the design of the public realm including public space and areas for play;

- v) a lighting strategy;
- vi) a parking strategy;
- vii) integration of utility requirements;
- viii) public art.

Thereafter all reserved matters applications shall be submitted in accordance with the approved Masterplan and Design Codes, as may be varied by written agreement with the LPA.

Reason: To enable the LPA to exercise appropriate control of the design of the development in accordance with Core Strategy policy DS1.

7. As part of the reserved matters application a Phasing Strategy which shows the phases in which development is to be carried out shall be submitted to and approved in writing by the LPA. The Phasing Strategy shall include the following:

A Planning Submission Programme which shall set out the sequence for the submission of the Masterplan, Design Code, Reserved Matters, strategies and other details referred to in other conditions attached to this permission.

Phasing Strategy Plans which shall include the following details:

- i) location of each phase of development
- ii) the order in which works are to be completed in the development phases
- iii) Landscape, utility and highway works for each phase

Reason: In order to ensure a phased programme of development in the interests of proper planning and comprehensive redevelopment of the area.

8. From the date of first occupation of each housing unit a high specification electric vehicle charging point shall be provided. The charging points shall be purpose-built with 3kw charge capability and must be readily accessible from the dedicated parking space using a maximum of a 3m charging cable. All EV charging points shall be clearly marked as such and their purpose explained to new occupants within the travel planning advice.

Reason: To facilitate the uptake and use of low emission vehicles by future occupants and reduce the emission impact of traffic arising from the development in line with the Council's Low Emission Strategy, policy EN8 of the Core Strategy and National Planning Policy Framework .

9. 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 prior to the first occupation of the approved development.

Reason: To ensure the appropriate management of surface water drainage infrastructure.

10. Before the commencement of development shall take place until the site is investigated for its potential for the use of sustainable drainage techniques in disposing of surface water from the development. Consideration should be given to discharge surface water to soakaway, infiltration system and watercourse in that priority order. Only in the event of such techniques proving impracticable would disposal of surface water to an alternative outlet be considered. In the event of infiltration drainage techniques proving unviable the maximum pass forward flow of surface water from the development shall be restricted to a rate agreed with the Lead Local Flood Authority.

Reason: To ensure the proper consideration of appropriate sustainable drainage techniques.

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

Reason: In the interests of proper drainage arrangements.

12. The development shall not begin 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 approved development to be carried out in accordance with the approved details and calculations.

Reason: To ensure the site is properly drained.

13. No phase of development shall commence until full details and calculations of the proposed means of disposal of surface water drainage for that phase, based on sustainable drainage principles to provide water quality treatment to be agreed with the Lead Local Flood Authority, have been submitted to and approved by the Local Planning Authority.

Reason: To ensure proper means of surface water drainage.

14. Prior to the commencement of development an Ecological Design Strategy (BS 42020:2013 D.4.3) shall be submitted to and approved in writing by the Local Planning Authority to include:

- Protection of existing woodland areas - including the frontage to Bolton Hall Road to maintain foraging/commuting for bats and other nocturnal wildlife and to screen the development from the housing to the north.
- Additional planting of predominantly native (including fruit) trees.
- Shrubs/herbaceous plants which benefit invertebrates and pollinator species, in particular species-rich grassland - eg wildflower verges.
- Heather planting - as recommended in the SCRC AAP.
- Wetland details.
- Bare earth areas for invertebrates - as informed by invertebrate surveys.
- Bat roosting and bird nesting opportunities in the built part of the scheme.

Reason: To ensure the development incorporates appropriate ecological measures.

15. Prior to the commencement of development a Lighting Design Strategy to BS 42020:2013 shall be submitted to and approved in writing by the LPA to demonstrate bat commuting/foraging networks such as trees and hedgerows are not affected by light spill. The lighting proposals shall be endorsed by an ecological consultant.

Reason: To ensure no adverse impact on protected species.

16. Prior to the commencement of development a Landscape and Ecological Management Plan to (BS 42020:2013 D.4.5) shall be submitted to and approved in writing by the LPA. The approved development shall be carried out in accordance with the approved Plan.

Reason: To ensure then proper management of the landscape and ecology.

17. Prior to the commencement of development details of a scheme for the mitigation of the impact of increased recreational access on the SPA/SAC in accordance with

the Habitat Regulations Assessment shall be submitted to and approved in writing by the LPA.

Reason: To ensure the protection of habitats in accordance with Core Strategy policy EN2.

18. The proposed redevelopment of the site shall provide for the prior extraction of any remaining viable stone reserves,

Reason: To ensure the proper use of natural resources in accordance with Core Strategy policy ENV12.

19. Prior to the commencement of the development the applicant/developer shall submit for written approval of the Local Planning Authority a Travel Plan, containing additional elements that encourage the use of low emission vehicles. The approved Travel Plan will be implemented, monitored and reviewed annually by an appropriately qualified person.

Reason: To facilitate the uptake of low emission vehicles by future occupants and reduce the emission impact of traffic arising from the development in line with the National Planning Policy Framework (NPPF), Core Strategy policy EN8 and the Council's Low Emission Strategy.

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

Reason: To prevent mud being taken on to the public highway in the interests of highway safety.

21. Construction work shall only be carried out between the hours of 0730 and 1800 on Mondays to Fridays, 0730 and 1300 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.

22. No phase of development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological recording relating to that phase. 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.

Reason: To provide for an appropriate archaeological record of the site.

23. Before any works towards construction of the development commence on site, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced, sealed and drained within the site to base course level in accordance with the approved plan numbered and completed to a constructional specification approved in writing by the Local Planning Authority.

Reason: To ensure that a suitable form of access is made available to serve the development in the interests of highway safety.

24. Before any development commences on site full details of the proposed means of access, layout of buildings, car parking and servicing arrangements shall be submitted to and approved in writing by the Local Planning Authority. Such works shall be implemented prior to the development being brought into use.

Reason: To establish a suitable form of access, parking and servicing facilities commensurate to the scale of the development proposed and to accord with Policy TR1 of the Core Strategy.

25. Before any part of the development is brought into use the proposed highway serving the site shall be laid out, hard surfaced, sealed and drained within the site to base course level and to a constructional specification approved in writing by the Local Planning Authority. As and when a phase or the whole development is completed the final road surfacing and drainage relating to that phase or the whole development, whichever shall apply, shall be laid out and the street lighting installed.

Reason: To ensure that adequate and safe access is provided in the interests of highway safety.

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

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Core Strategy policies SC9 and, DS1.

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

Reason: To protect amenity and health of surrounding residents in line with the and National Planning Policy Framework (NPPF), Core Strategy policy EN8 and the Council's Low Emission Strategy.

28. The development shall not begin until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall show the following details:

- i) Position of trees to be felled, trees to be retained, proposed trees and defined limits of shrubs and grass areas.
- ii) Numbers of trees and shrubs in each position with size of stock, species and variety.
- iii) Proposed topsoil depths for grass and shrub areas.
- iv) Types of enclosure (fences, railings, walls).
- v) Types of hard surfacing (pavings, tarmac, etc).
- vi) Regraded contours and details of changes in level

Reason: In the interests of visual amenity and to accord with Core Strategy policy SC9.

29. 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 concurrent approval in writing with the landscaping scheme. 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 Core Strategy policy SC9.

30. No development shall take place until a schedule of landscape maintenance for a minimum period of 10 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Landscape maintenance shall be carried out in accordance with the approved schedule.

Reason: To ensure proper maintenance of the landscaped areas in the interests of amenity and to accord with Core Strategy policy SC9.

31. Prior to the commencement of development an energy demand assessment shall be submitted to and approved in writing by the LPA. This shall demonstrate -

a) that before taking account of on-site renewable energy production the proposed development will reduce carbon dioxide emissions by at least 10% against target emission rate as set out in Part L of the Building Regulations (2006).

b) A proportion of the developments energy requirements will be provided from on-site renewable energy production which shall be at least 10%.

The buildings thereafter constructed shall be in accordance with the approved assessment and be retained thereafter.

Reason: In the interests of sustainability and efficient use of resources in accord with policy EN6 of the Core Strategy.

32. The vehicular access to the site from Poplars Park Road serving both the approved residential development and the development approved under planning permission ref. 14/04818/MAF shall include an appropriate highway specification (gradients, width of carriageways, footways and margins) to accommodate the total number of residential units this access would serve within both approved developments.

Reason: To ensure an acceptable means of access & egress is provided as part of the approved development.