

Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 19th July 2018



Subject:

This is a full planning application for the construction of 14 self-contained flats and ancillary staff/carer's accommodation and part demolition and conversion of existing dwelling to form a 3 bed shared house at 100 Hollingwood Lane, Bradford.

Summary statement:

The proposal relates to the construction of a side extension to 100 Hollingwood Lane together with a more substantial extension to the rear that will accommodate 14 self-contained flats and carers' accommodation. The existing dwelling will become a 3 bed shared house.

The original design of the building has been amended through changes to the design of the roof, the reduction in the ridge height and the incorporation of small dormer windows to allow the inclusion of the 3rd floor. The alterations to the building have reduced its original dominance and lessened the impact on the nearby heritage assets. Vehicular access to the site will be taken from the west from Heathfield Grove and will lead to a small parking area containing 15 parking spaces.

Through the attachment of the proposed conditions it is considered that the proposal is acceptable.

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Portfolio:
Regeneration, Planning and Transport

Overview & Scrutiny Area:
Regeneration and Environment

1. SUMMARY

The proposal will provide a much needed care facility within Bradford and is located in a very sustainable location giving easy access to existing and proposed developments including parks and retail facilities.

The impact of the proposal on the streetscene, neighbouring properties and the heritage assets in the locality need to be fully considered. From initial submission amendments have been made to further reduce the impact to the extent that it is now considered acceptable subject to the conditions recommended in Appendix 1.

2. BACKGROUND

Attached at Appendix 1 is the Technical Report of the Assistant Director (Planning, Transportation and Highways). This identifies the material considerations relevant to the application.

3. OTHER CONSIDERATIONS

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

4. FINANCIAL & RESOURCE APPRAISAL

The presentation of the proposal is subject to normal budgetary constraints.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

No implications.

6. LEGAL APPRAISAL

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

7. OTHER IMPLICATIONS

7.1 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.

7.2 SUSTAINABILITY IMPLICATIONS

No significant issues raised. The site is located in a very sustainable location in that it is located within walking distance of a bus route into the centre of Bradford and to the village of Clayton. It is also sited to the immediate south of a site that comprises a retail development currently under construction which provides both convenience and comparison shopping facilities for future occupiers of the site.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

A condition is recommended requiring the inclusion of electric vehicle charging points, in accordance with the Council's Low Emissions Strategy.

7.4 COMMUNITY SAFETY IMPLICATIONS

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

7.5 HUMAN RIGHTS ACT

Article 6 - 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.

7.6 TRADE UNION

None.

7.7 WARD IMPLICATIONS

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

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS

None.

7.9 IMPLICATIONS FOR CORPORATE PARENTING

None.

7.10 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

None.

8. NOT FOR PUBLICATION DOCUMENTS

None.

9. OPTIONS

The Committee can approve the application as per the recommendation contained within Appendix 1, or refuse the application.

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

10. RECOMMENDATIONS

The application is recommended for approval, subject to the conditions included with Appendix 1.

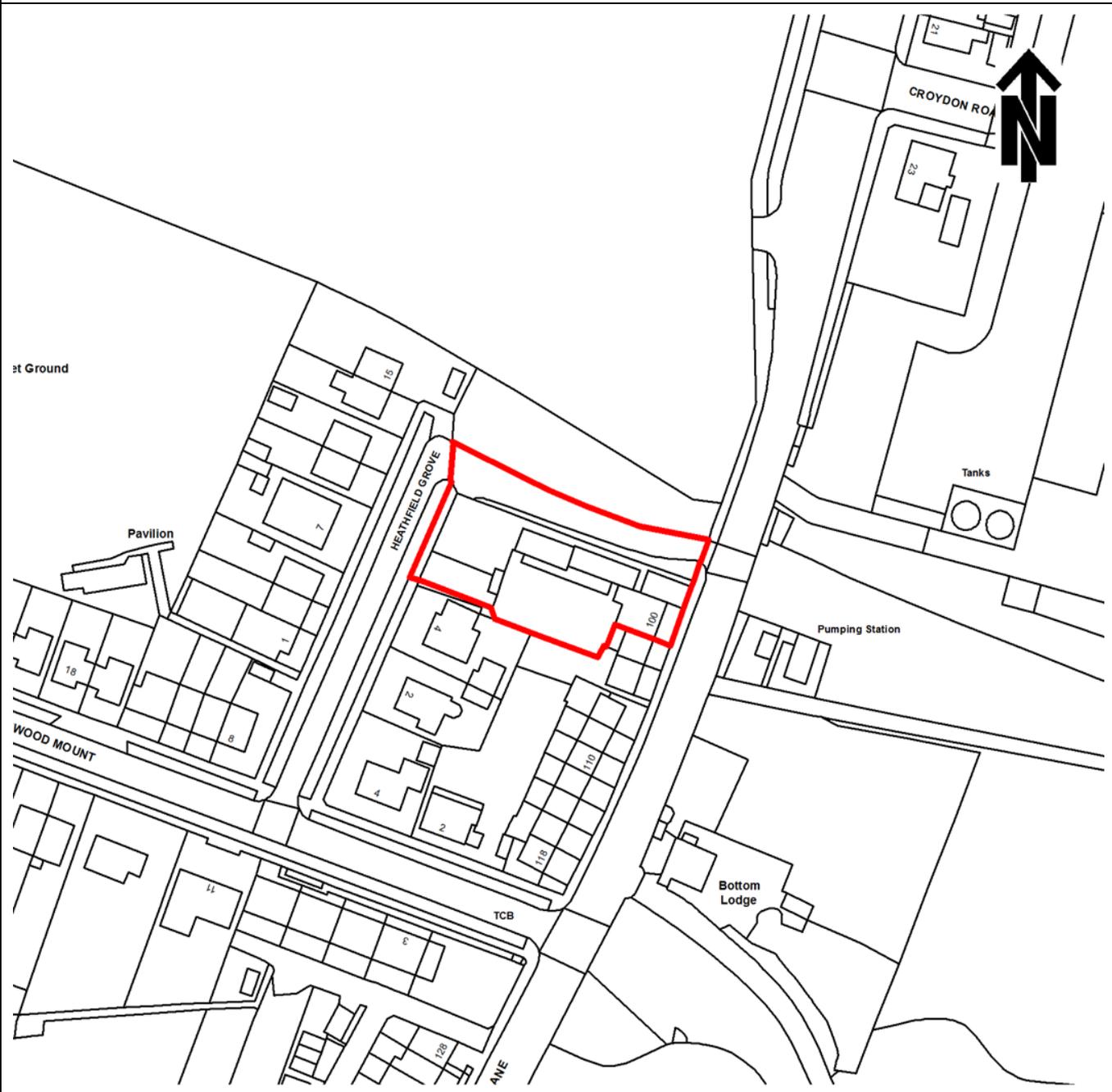
11. APPENDICES

Appendix 1 Technical Report.

12. BACKGROUND DOCUMENTS

National Planning Policy Framework
Core Strategy
Replacement Unitary Development Plan

18/01043/MAF



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**100 Hollingwood Lane
Bradford
BD7 4DF**

19th July 2018

Ward: Great Horton

Recommendation:

GRANT PLANNING PERMISSION

Application Number:

18/01043/MAF

Type of Application/Proposal and Address:

This is a full planning application for the construction of 14 self-contained flats and ancillary staff/carer's accommodation and part demolition and conversion of existing dwelling to form a 3 bed shared house at 100 Hollingwood Lane, Bradford.

Applicant:

Mr C Musson (Specialist Supported Living Ltd)

Agent:

Mr Roger Lee (Roger Lee Planning Ltd)

Site Description:

The site is located to the west of Hollingwood Lane and is currently occupied by a 2 storey dwelling fronting onto Hollingwood Lane together with a single storey extension projection out from the western elevation. To the immediate north is a copse of trees that separates the site from the former Scott Works which is currently being redeveloped as a retail park. To the west (Heathfield Grove) and south (Hollingwood Lane) of the site is existing residential development whilst immediately opposite it to the east is a sub-station. To the north east is an industrial building and further east is an area of public open space. Vehicular access to the site is taken from the rear of the site from Heathfield Grove.

Relevant Site History:

Planning permission was granted on the 9th January 2017 under reference 16/08873/FUL for the construction of a residential development scheme comprising 5 dwellings.

The National Planning Policy Framework (NPPF):

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

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

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

The Local Plan for Bradford:

The Core Strategy for Bradford was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. The site is not allocated for any specific land-use in the RUDP. Accordingly, the following adopted saved RUDP and Core Strategy policies are applicable to this proposal.

Replacement Unitary Development Plan Policies:

N/A

Core Strategy Policies:

P1 Presumption in Favour of Sustainable Development

SC1 Overall Approach and Key Spatial Priorities

SC4 Hierarchy of Settlements

SC9 Making Great Places

EC4 Sustainable Economic Growth

TR1 Travel Reduction and Modal Shift

TR2 Parking Policy

TR3 Public Transport, Cycling and Walking

HO5 Density of Housing Schemes

HO6 Maximising the Use of Previously Developed Land

HO8 Housing Mix

HO9 Housing Quality

HO11 Affordable Housing

EN2 Biodiversity and Geodiversity

EN5 Trees and Woodland

EN7 Flood Risk

EN8 Environmental Protection

DS1 Achieving Good Design

DS2 Working with the Landscape

DS3 Urban Character

DS4 Streets and Movement

DS5 Safe and Inclusive Places

ID2 Viability

ID3 Developer Contributions

Parish Council:

Not applicable in this instance.

Publicity and Number of Representations:

The application was publicised by press notice, site notice and neighbour notification letters. The expiry date for the publicity exercise was the 13th April 2018.

As a result of the publicity exercise 11 representations have been received objecting to the proposal including one from a local Ward Councillor.

Summary of Representations Received:

Principle:

- There are approximately 4,000 empty homes across Bradford – what is the point of 14 extra flats when this issue is not being tackled
- 2-3 residential houses in keeping with the rest of the street is a viable solution that would not further devalue the houses in this neglected street
- Building of self-contained flats does not appeal well to this street
- Permission of similar houses to those that already exist would not be objected to
- We don't need flats we need green space and bins to be collected not more CO2
- The proposal represents overdevelopment of the site

Highways:

- There are already parking issues with confined road space, this will increase traffic from residents and visitors which is a big issue for young families living in the street
- The proposal to begin with should have kept Heathfield Grove closed off with access to the building from Hollingwood Lane not Heathfield Grove
- The current parking causes missed bin collections and this does result in general waste being collection after a month – the proposal will add to this problem
- Parking problems also occur during times of snow when cars are abandoned on the roadside

Residential amenity:

- The building will impact on the privacy of existing residents by overlooking garden spaces
- Loss of light to existing dwellings/gardens

Visual amenity:

- The plans submitted are not in line with the rest of the street. All of the residential dwellings are individual houses compromising of detached, semi-detached and one set of terraced. The 14 flats will not be in keeping with the rest of the street and will effectively change the view of the street and we would lose the traditional cul-de-sac
- The size of the building will be an eyesore

Other issues:

- The disruption that this would cause to the residents has not been communicated and no form of compensation has been suggested especially when requests for consistent street lighting and road gritting in winter have been rejected due to lack of cash at the council
- It may also attract a different type of resident (i.e. non permanent) which is not in keeping with the area
- We don't get our money's worth in council services so really should listen to the hand that feeds!
- No consultation with the residents of Heathfield Grove

Consultations:

Lead Local Flood Authority – No objection to the principle of the development subject to the imposition of appropriate conditions relating to the disposal of both foul and surface water

Conservation – No objection on the grounds that the revised plans reduce the impact of the proposal on the nearby heritage assets such that the impact on them will be less than significant

Development and Enabling – No objection to the principle of the development but state that the site falls within the Great Horton Council Ward and the number of units proposed are over the threshold so Affordable Housing provision on site would be required. The quota for this ward is 15% Affordable housing provision and this equates to 2 units. Therefore we would require 2 Affordable Housing units developed on site and delivered at affordable rent via a Registered Provider.

Education (Client Team) – No objection as the flats will have only one bedroom they are unlikely to home families and would not therefore affect schools in the area

Sport & Leisure – No objection to the principle of the development but state that should the developer provide open space within the application site they will need to maintain the area themselves or if they want the Council to maintain the area then a commuted sum will be required to maintain the area for a period of 25 years

West Yorkshire Police – No objection to the principle of the development but comments on specific aspects of the development including boundary treatments, surveillance of parking, access control measures, external lighting, and, doors and windows

Yorkshire Water Land Use Planning – No objection to the proposal on the grounds that the Surface Water Drainage Strategy is acceptable but it is highlighted that there is a 375mm diameter public combined sewer recorded to cross the site and whilst this should be taken into account in designing the scheme it appears that it is unlikely that it will be affected by building-over proposals

Landscape Design Unit – No objection on the grounds that the proposal is considered to be sympathetic to the surrounding landscape and retains the established street trees on Heathfield Grove which will help to mask the height of the proposed development

Environmental Health Land Contamination – No objection to the proposal subject to the imposition of appropriate conditions relating to the carrying out of further site investigations and remediation works

Highways Development Control (DC) – No objection subject to the imposition of appropriate conditions

West Yorkshire Combined Authority – No objection to the principle of the development but seeks the provision of a Real Time Passenger Information display at a local bus stop at a cost of £10,000 to the Developer

Summary of Main Issues:

1. Principle of development
2. Visual amenity
3. Residential amenity
4. Highway safety
5. Drainage
6. Trees
7. Secured by design

8. Contaminated land
9. Ecological issues
10. Conservation
11. Affordable housing
12. Community Infrastructure Levy
13. Other issues

Appraisal:

The proposal relates to the construction of 14 self-contained flats and ancillary staff/carer's accommodation and part demolition and conversion of existing dwelling to form a 3 bed shared house. The main building will be 3 storeys in height with the extension to the existing dwelling being split level 2/3 storeys in height. The site will be accessed via Heathfield Grove.

1. Principle of development

The principle of residential development on the site has already been established not only by it currently being in residential use but also through the granting of planning permission under reference 16/08873/FUL for the construction of 5 dwellings in January 2017.

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

The site measures 0.15 hectares and proposes up to 15 residential units. This equates to a density of 100 dwellings per hectare. This is significantly higher than policy norm but it is considered that the site is located in a very sustainable location particularly with the retail park currently under construction on land to the north of the site. It also needs to be noted that the residential units are specialist care units and are only 1 bedroom in size. As a result the site can accommodate a higher number of units than would be the case with units of 2 or 3 bedrooms in size. Overall therefore the proposed density is considered to be acceptable in terms of making the most efficient use of the site.

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

2. Visual amenity

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

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

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

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

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

100 Hollingwood Lane is an end Terraced property of a group of three. The dwellings are 2 storeys in height and constructed of natural stone on the elevations and slate on the roofs. More modern dwellings are located to the west off Heathfield Grove and are constructed of a mix of natural stone, render and pebble dashing on the elevations and tiles on the roofs. These dwellings include bungalows, dormer bungalows and 2 storey semi-detached dwellings.

To the north of the site is a copse of mature trees which currently screen the site when viewed from the north.

The land levels of the site slopes away from east to west and allows the development to incorporate a 2½ storey element to the rear of the existing dwelling. The existing dwelling is 2 storeys in height when fronting onto Hollingwood Lane and the design of the extension is such that the front elevation is 2 storeys (7.5 metres) to mirror the existing dwelling but from the side and rear it does include a semi basement. The main extension is 2½ storeys in height (9.9 metres) with its ridge line slightly higher than the existing dwelling. In terms of materials it is intended to use natural coursed stone on the elevations with blue grey concrete tiles on the roof.

The design of the elevations and the ridge height of the main building have been revised following initial concerns and it is now more in line with those of the existing dwelling with particular reference to the ridgeline. It is acknowledged that it is a large

extension but it is not considered to be overdominant on the streetscene. Through the inclusion of natural stone on the elevations it is considered that the proposal is acceptable and will not have a detrimental impact on the visual character and appearance of either the streetscene or the wider locality.

3. Residential amenity

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

The site is bounded to the west (Heathfield Grove) and south (Heathfield Grove and Hollingwood Lane) by existing residential development and it is important therefore to assess the impact the proposal will have on the residential amenities of the occupiers of this dwellings. To the north is a site that is currently under construction with its end use being a retail park.

To the west of the site are dwellings fronting onto Heathfield Grove (Nos. 7-9). The element of the building closest to these dwellings will be 2 storeys in height. The relationship of the dwellings is main elevation (existing dwelling) to blank gable end (proposed development) with a separation distance of 22 metres. This distance is in excess of the policy requirement and as such it is not considered that the proposal will have a significant detrimental impact on the residential amenities of the occupiers of the existing dwellings.

To the immediate south of the site is a dormer bungalow (4 Heathfield Grove) whose main elevation fronts onto Heathfield Grove. A ground floor window exists in the northern elevation and does overlook the application site but is considered to be a principle window that serves a habitable room. The main rear elevation of the proposed building backs onto the existing dwelling and has living room windows (ground floor), living and bedroom windows (first floor) and corridor windows (second floor) within the elevation. The separation distance is 10½ metres between the 2 elevations. The existing window is located approximately in line with the section of the building where the massing drops from 2½ to 2 storeys. It is considered that due to the nature of the existing window, the internal layout of the proposed development and the separation distance the residential amenities of the occupiers of the existing adjacent dwelling will not be significantly harmed.

To the north of the site is a site that is currently being developed as a retail park. There is a copse of trees separating the 2 sites and within the retail park the main activity, i.e. Car park and shop frontages, will not back onto the application site. As such therefore it is not considered that the residential amenities of the occupiers of the proposed development will be adversely affected.

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

4. Highway safety

Policy TR1 of the Core Strategy seeks to reduce the demand for travel, encourage and facilitate the use of sustainable travel modes, limit traffic growth, reduce congestion and

improve journey time reliability whilst policy TR2 seeks to manage car parking to help manage travel demand, support the use of sustainable travel modes, meet the needs of disabled and other groups whilst improving quality of place.

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

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

The access to the proposed development is to be taken from Heathfield Grove to the west and will lead to an internal access drive with 15 off-street parking spaces served from it. The Highways Department have not raised an objection to the proposal either in terms of the access arrangement or the proposed level of parking and are satisfied that it will not have a detrimental impact on highway safety within the vicinity of the site.

The access to the site will be taken from Heathfield Grove and the level of street lighting along that road needs to be adequate to provide a safe access to the development. The Highways Department have stated that the street lighting is not upto current standard. The cost of upgrading the street lighting will be in the region of £2,500 and the Applicant has agreed to pay this money and an appropriate annotation has been added to the plan to secure this.

Within the objections it has been suggested that access should be taken from Hollingwood Lane and not Heathfield Grove. Due to the layout of the proposal, i.e. the side extension to 100 Hollingwood Lane, it would not leave sufficient room to be able to accommodate an access with the required visibility splays.

The West Yorkshire Combined Authority have not raised an objection to the principle of the development but are seeking the provision of a Real Time Passenger Information display at the closest bus stop (No. 21365) to the application site. The site is located in a very sustainable location particularly with the site to the north currently under construction for a retail park and there being a public park within easy walking distance to the east of Hollingwood Lane. It is therefore hard to justify seeking the provision of a Real Time Passenger Information display when facilities are within walking distance of the site.

Overall the design of the access arrangements and the level of parking provision are acceptable and it is not therefore considered that the proposal would be detrimental to highway safety in the vicinity of the site.

5. Drainage

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

In relation to the disposal of both foul sewage and surface water the Applicant intends to connect to the mains sewer. No objections have been raised to this subject to the imposition of appropriate conditions.

6. Trees

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

There are no trees of any significance within the site but there is a copse of trees located to the north of the site and some in close proximity to the western boundary of the site on Heathfield Grove. These trees are located sufficient distance away from the proposed development such that they will not be impacted on either during the construction phase or on occupation of the development.

7. Secured by design

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

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

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

Boundary treatments: The existing 1.8 metre high stone wall will be retained to the south (rear) and west of the site to secure the rear gardens. There will also be a 1.8 metre high lockable gate positioned on the front building line to the west elevation which will restrict strangers from accessing the rear gardens. The north and east boundary walls are being retained. The boundary treatments are considered to be acceptable.

Surveillance of parking: There are 5 apartments which have good natural surveillance of the front parking area. Whilst ideally windows could be installed in some of the kitchens on the ground floor or first floor, which would allow residents to look out onto

the corridor and out to the parking area/grounds which would create more surveillance these are not considered essential, more desirable. On this basis the proposal is considered to be acceptable.

Other issues raised include access control measures, external lighting, and, doors and windows. However these are not covered by the planning system and are incorporated within Building Regulations Approved Document Q.

8. Contaminated land

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

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

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

A Phase I Desk Study has been submitted in support of the application. The report indicates that the site is currently used for “residential buildings and garages with a gravel access road running through the centre of the site. Mounds of rubble are currently piled at each end of the gravel road in order to prevent vehicular access”. In terms of the sites history the site has always been occupied by a residential dwelling with associated outbuildings.

The report does conclude however that “a number of potential pollution linkages could exist within the site. An intrusive site investigation is recommended to confirm this potential”. The report goes on to state that “the site investigation should cover the full site. A general range of contaminants should be tested for including Heavy Metals, Poly-aromatic Hydrocarbons, Total Petroleum Hydrocarbons Asbestos and Land Gas.”

Based on the information submitted no objection is raised to the proposal subject to the imposition of appropriate conditions requiring the carrying out of further intrusive site investigations together with the submission of an appropriate remediation strategy and subsequent remediation verification report.

9. Biodiversity issues

Policy EN2 of the Core Strategy states that development proposals that may have an adverse impact on important habitats and species outside Designated Sites need to be

assessed against the impact it will have on habitats and species as well as the extent to which appropriate measures to mitigate any potentially harmful impacts can be identified and carried out.

There are not considered to be any features on the site that are of any biodiversity value and therefore no objection is raised on this particular issue.

10. Conservation

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

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

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

The property is neither located within a Conservation Area nor is it listed. However numbers 106-118 Hollingwood Lane are Grade II listed Cottages (Circa 1820-30) and the impact of the setting on these heritage assets needs to be considered.

The Conservation Officer initially objected to the proposal on the grounds that it would impact on the setting of the nearby listed buildings. However amended plans were submitted which included the change in shape of the roof (from hipped roof to traditional gabled roof), the reduction in height of the ridge line, and, the introduction of small dormer windows to create a building 2½ storeys in height rather than the previously submitted 3 storeys. The mass of the building has been broken up so that it doesn’t appear as monolithic as first proposed. The ‘steps’ on the main elevations of the building create some visual interest and depth and small details like in setting the fenestration will also help with this.

Overall therefore, subject to the imposition of conditions relating to the submission of materials and the setting back of the windows by a minimum of 75mm, the Conservation Officer has not raised an objection to the proposal on the grounds that it would not harm the setting of the nearby heritage assets.

11. Affordable housing

Policy HO11 of the Core Strategy states the Council will ensure that there is a sufficient supply of good quality affordable housing distributed throughout the District and, subject to viability, will negotiate up to 20% in towns, suburbs and villages.

This site falls within the Great Horton Council Ward and the number of units proposed are over the threshold for which an element of affordable housing provision would be required. The quota for this ward is 15% of the number of units to be provided as affordable housing and this would equate to 2 units to be delivered at affordable rent via a Registered Provider.

The proposed units are not open market units and will provide on-site care for the residents. Because of the special nature of the units, in this instance it is recommended that an element of affordable provision is not sought.

12. Community Infrastructure Levy (CIL)

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

13. Other issues

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

The disruption that this would cause to the residents has not been communicated and no form of compensation has been suggested especially when requests for consistent street lighting and road gritting in winter have been rejected due to lack of cash at the council – *there will inevitably be some disruption to the local residents during the construction phase of the development. However conditions are recommended in relation to issues such as construction hours to try and minimise the impact on the local residents.*

It may also attract a different type of resident (i.e. non permanent) which is not in keeping with the area – *the type of resident who occupies a development is not a material planning consideration*

We don't get our money's worth in Council services so the Council really should listen to the hand that feeds them – *the objections raised during the publicity exercise have been fully assessed during the consideration of the planning application*

No consultation with the residents of Heathfield Grove – *residents on both Hollingwood Lane and Heathfield Grove were sent neighbour notification letters advising them of the planning application and offering the opportunity to submit comments. A number of objections have been received from such residents.*

Community Safety Implications:

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

Equality Act 2010, Section 149:

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

Reason for Granting Planning Permission:

The scheme provides a residential development on a previously-developed land. The layout of the proposal is acceptable and presents no concerns with regard to residential or visual amenity and highway safety. The proposal is considered acceptable and, with the attached conditions, satisfies the requirements of policies P1, SC1, SC4, SC9, EC4, TR1, TR2, TR3, HO5, HO6, HO8, HO9, HO11, EN2, EN5, EN7, EN8, DS1, DS2, DS3, DS4, DS5, ID2, and, ID3 of the Local Plan for Bradford, and, the relevant paragraphs of the National Planning Policy Framework.

Conditions of Approval:

1. Time limit

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

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

2. Materials

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 policy DS1 of the Local Plan for Bradford.

3. Means of access

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

Reason: To ensure that a suitable form of access is made available to serve the development in the interests of highway safety and to accord with Policies DS4 and DS5 and Appendix 4 of the Core Strategy.

4. Vehicle turning area

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

Reason: To avoid the need for vehicles to reverse on to or from the highway, in the interests of highway safety and to accord with Policies DS4 and DS5 and Appendix 4 of the Core Strategy.

5. Car parking facility

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

Reason: In the interests of highway safety and to accord with Policies DS4 and DS5 and Appendix 4 of the Core Strategy.

6. Site Investigation Scheme

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

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

7. Site Investigation Implementation

Prior to construction of the development a Phase 2 site investigation and risk assessment must be completed in accordance with the approved site investigation scheme. A written report, including a remedial options appraisal scheme, shall be submitted to and approved in writing by the Local Planning Authority.

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

8. Remediation strategy

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

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

9. Remediation verification

Unless otherwise agreed in writing with the Local Planning Authority, a remediation verification report, including where necessary quality control of imported soil materials and clean cover systems, prepared in accordance with the approved remediation

strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of each phase of the development (if phased) or prior to the completion of the development.

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

10. Unexpected contamination

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

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

11. Materials importation

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

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

12. Surface water drainage

Notwithstanding the details contained in the supporting information (FRA – 2018 – 000005, Version 2, 23/02/2018), the drainage works shall not commence until full details and calculations of the proposed means of disposal of surface water drainage, based on drainage principles that promote water efficiency and water quality improvements through the use of SuDS and green infrastructure to reduce its effect on the water environment. The development shall thereafter only proceed in strict accordance with the approved drainage details.

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

13. Surface Water Drainage Maintenance and Management

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

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

14. Foul water drainage

Notwithstanding the details contained in the supporting information, the drainage works shall not commence until full details and calculations of the proposed means of disposal

of foul water drainage, have been submitted to and approved by the local planning authority. The development shall thereafter only proceed in strict accordance with the approved drainage details.

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

15. Wheel wash facility

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

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

16. Finished floor levels

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

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