

Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 6 December 2018

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Subject:

This is an outline planning application for the construction of a residential development scheme (site area 6.87ha) with public open space, landscaping and associated infrastructure, requesting consideration of access on land to the south of Leaventhorpe Lane, Bradford. The application is in outline form with details of the access submitted for consideration at this stage.

Summary statement:

The application relates to the construction of a residential scheme and whilst in outline form it seeks approval for the access to the site. Details of the layout have not been submitted for consideration at this stage but the Applicant suggests that 150 dwellings will be constructed. Of these 150 dwellings there will be 50 to be constructed and sold on the open market with the remaining 100 being constructed as affordable dwellings.

The site is located within an area identified as Urban Greenspace within the Replacement Unitary Development Plan. A parameters plan has been submitted which shows how the site could be developed whilst retaining areas of open land to break up the built form and respect its setting within the Urban Greenspace. The principle of residential development on the site is therefore considered to be acceptable subject to the development being carried out in line with the submitted parameters plan.

The point of access will be taken from Leaventhorpe Lane and no objection is raised to the details of the access. The development will generate a significant amount of additional traffic on the surrounding highway network and this will require improvements to the roads and the Applicant has agreed to pay a commuted sum towards these improvements.

Continued..

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Portfolio:
Regeneration, Planning and Transport

Overview & Scrutiny Area:
Regeneration and Environment

The northernmost section of the site is located within a Flood Zone and in line with policies in the Core Strategy and guidance within the National Planning Policy Framework the proposal should not result in flooding taking place on land outside the application site. The Applicant has submitted a number of schemes to try and overcome the concerns relating to flooding but these have been considered unacceptable by Drainage Services. No evidence has been submitted which suggests that the measures put forward will work and will not result in flooding on land outside the application site.

As a result of the concerns regarding the potential for flooding to take place outside the application site, the proposal is considered unacceptable and is recommended for refusal.

1. SUMMARY

This is an outline planning application for the construction of a residential development scheme (site area 6.87ha) with public open space, landscaping and associated infrastructure, requesting consideration of access on land to the south of Leaventhorpe Lane, Bradford. The application is in outline form with details of the access submitted for consideration at this stage.

A parameters plan has been submitted which shows how the site can be developed to ensure that the layout meets the requirements of policy OS1 of the Replacement Unitary Development Plan through the introduction of large areas of open space breaking up the built form.

Part of the site is located within the Flood Zone and the Drainage Services have objected to the proposal on the grounds that the scheme as submitted could result in flooding taking place on land and dwellings outside the application site and this is therefore contrary to both policy EN7 of the Core Strategy and the paragraph 163 of the National Planning Policy Framework.

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 are raised. The site is located in a sustainable area and a Travel Plan framework has been submitted which aims to introduce travel initiatives for the future users of the development.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

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

7.4 COMMUNITY SAFETY IMPLICATIONS

There are no community safety implications associated with the development.

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 ASSESSMENT

None.

8. NOT FOR PUBLICATION DOCUMENTS

None.

9. OPTIONS

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

If the Committee decide that planning permission should be granted, they may approve the application accordingly, in which case conditions will have to be given based upon development plan policies or other material planning considerations

10. RECOMMENDATIONS

The application is recommended for refusal, subject to the reason included with Appendix 1.

11. APPENDICES

Appendix 1 Technical Report.

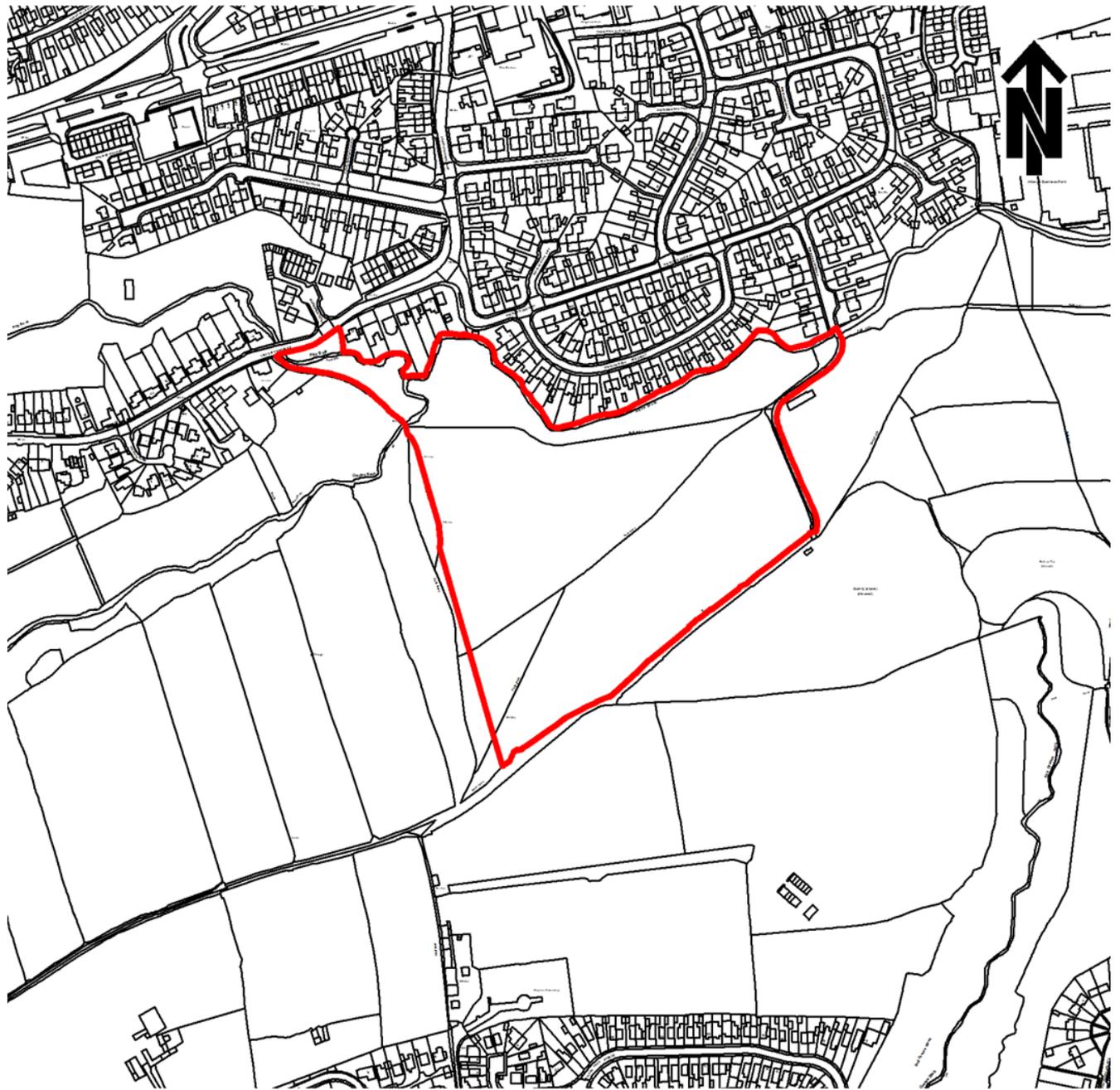
12. BACKGROUND DOCUMENTS

National Planning Policy Framework
Core Strategy
Replacement Unitary Development Plan

17/06897/MAO



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:5,000

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**Land south of Leventhorpe Lane
Bradford**

6th December 2018

**Wards: Clayton and Fairweather Green
Thornton and Allerton**

**Recommendation:
REFUSE PLANNING PERMISSION**

**Application Number:
17/06897/MAO**

Type of Application/Proposal and Address:

This is an outline planning application for the construction of a residential development scheme (site area 6.87ha) with public open space, landscaping and associated infrastructure, requesting consideration of access on land to the south of Leaventhorpe Lane, Bradford. The application is in outline form with details of the access submitted for consideration at this stage.

Applicant:

Alcuin Homes (Bradford) Ltd

Agent:

Mr Paul Butler (PB Planning Ltd)

Site Description:

The site is located to the south of Leaventhorpe Lane and Middlebrook Crescent and currently comprises an open piece of land which gradually slopes upwards from north to south. To the north of the site are residential properties fronting onto both Leaventhorpe Lane and Middlebrook Crescent whilst to the south east of the site is a quarry. To the east, south and west is open grassed land. Pedestrian access to the site exists from Leaventhorpe Lane to the north west of the site. Between the dwellings on Middlebrook Crescent and the site is a beck.

Relevant Site History:

There is no relevant planning history on the site.

The National Planning Policy Framework (NPPF):

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

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

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

The Local Plan for Bradford:

The Core Strategy for Bradford was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. The site is unallocated in the RUDP but is located within the defined Urban Greenspace (Ref: BS/OS1.5 – Scholemoor Cemetery). Accordingly, the following adopted saved RUDP and Core Strategy policies are applicable to this proposal.

Replacement Unitary Development Plan Policies:

OS1 Urban Greenspace
TM10 The National and Local Cycle Network
TM20 Cycleway Improvements

Core Strategy Policies:

P1 Presumption in Favour of Sustainable Development
SC1 Overall Approach and Key Spatial Priorities
SC4 Hierarchy of Settlements
SC9 Making Great Places
TR1 Travel Reduction and Modal Shift
TR2 Parking Policy
TR3 Public Transport, Cycling and Walking
HO5 Density of Housing Schemes
HO6 Maximising the Use of Previously Developed Land
HO8 Housing Mix
HO9 Housing Quality
HO11 Affordable Housing
EN2 Biodiversity and Geodiversity
EN3 Historic Environment
EN5 Trees and Woodland
EN7 Flood Risk
EN8 Environmental Protection
EN12 Minerals Safeguarding
DS1 Achieving Good Design
DS2 Working with the Landscape
DS3 Urban Character
DS4 Streets and Movement
DS5 Safe and Inclusive Places
ID2 Viability
ID3 Developer Contributions

Parish Council:

Clayton Parish Council has objected to the proposal on the following grounds:

- The proposed site is on a flood plain and the houses in the locality are known to have difficulty in getting insurance.
- There are concerns about the wildlife in the vicinity.
- The designated area conflicts with a public footpath.
- There are highway issues associated with narrow roads causing congestion.
- The nearby schools are oversubscribed

Publicity and Number of Representations:

The proposal was advertised by press notice, site notice and neighbour notification letters. The expiry date for the publicity exercise was the 9th February 2018.

As a result of the publicity exercise 201 representations have been received of which 191 are objecting to the proposal and 10 submitted in support. Objection letters have been received from a number of local Councillors. A petition containing 264 signatures has also been submitted objecting to the proposal.

Summary of Representations Received:

Objections:

Principle:

- The Council should develop town centre sites before allowing development on green sites
- There are plenty of brownfield sites available that should be developed first
- The council need to adhere to Government recommendations to prioritise brownfield sites
- There is a need for new housing, but this is the wrong place, it's frustrating that because it's a green space that's "doing nothing" it must be built on. Brownfield first should be the rule
- You should be thankful of the green spaces and they should be protected as assets that other parts of the country don't have the luxury of
- The proposal will result in the loss of a recreational area
- The Council should consider the impact of the collective applications in Thornton and Clayton and the surrounding areas
- If all applications are approved it won't be long until Clayton and Thornton become one village
- This will be the fourth large scale build in the area, all of which have been on green belt land. These are 2 on Allerton Lane/Cote Lane, one proposed at Leaventhorpe Hall and this one
- A number of housing developments have already been approved in the local area. Surely it is time to put the interests of all the residents, old and new, to the top of the agenda
- It is a wonderful urban greenspace suitable for pleasure for all ages
- The site has been designated as an area to be maintained as green space because it is important to have these green corridors reaching in to our city both from a community and an environmental point of view. Once it's gone it's gone. Many green spaces in the area are already being destroyed for housing, this one needs to be protected
- Why should more greenbelt fields be taken away from residents when we are being encouraged to exercise more and get out into the open and fresh air?
- Huge development taking place at Allerton that has not all sold and has decimated green space
- It would be immoral for the Council to remove this open green field site for the sake of houses in a wholly inappropriate area as it the only area of green space in the locality, other areas for walking are along footpaths/roads and users suffer from inhaling car fumes

Highways:

- The access to the site is from a very narrow road
- The roads are already congested and this development will just add to the problem.

- The proposal will create a rat run from Leaventhorpe Lane to Thornton Road via Middlebrook and Thornton Old Road
- If the development is approved Leaventhorpe Lane and Thornton Road should be widened
- The proposal will result in more traffic through Clayton, particularly the narrow point at Town End/Low Lane
- Exiting developments/permissions, such as Cote Lane, and other applications, such as Thornton Road and Westminster Avenue, will result in additional traffic through villages such as Clayton
- People who work in the town centres will drive thus increasing the amount of traffic on the roads
- Leaventhorpe Lane is not always gritted in times of bad weather and for existing householders higher up the hill, getting out is difficult and sometimes impossible
- It is inconceivable that this road can handle such an injection of extra traffic and this is something the developer has tried to glibly dismiss by suggesting they would simply encourage the new residents to use public transport without taking into account local public transport is already filled to capacity with people commuting from places such as Thornton village & Denholme into Bradford and vice versa
- Some parts of Leaventhorpe Lane do not have pavements. Pedestrians already have to walk on the road around parked cars. What will it be like with the new development?
- There would need to be considerable change to the junctions onto Thornton Road or there would be significant delays for drivers trying to enter Thornton Road city bound, it is already difficult and would add to travel time for workers
- Lorries needed at any building stage would present a major hazard and easily cause congestion
- The council would soon have to invest considerable money into the local infrastructure to widen Leaventhorpe Lane and making safer access to and from the main roads for vehicles and pedestrians
- The narrowness of Leaventhorpe Lane makes it dangerous for wheelchair users and through increasing the amount of traffic will increase the danger for such users
- The highways report should be read with great caution as it is misleading and does not represent the nature of Leaventhorpe Lane accurately as the report has been produced using data that is over 12 months old
- The report talks about number of parking spaces as if you could park along the full length of the lane and on both sides. This is clearly not the case. On large sections of the lane you can't park on both sides, in fact people have to park on the pavement to leave sufficient space for cars to pass, never mind buses and delivery vehicles
- Students will be impacted with quiet roads that they use becoming busy and more hazardous
- Concerns about parking spaces due to the already over-crowded nearby streets

Drainage:

- The report attached to the planning application is both misleading and inadequate. It suggests that the site to be developed is at low risk of flooding but that does not take account of the impact of the access route
- The arch of the bridge over the stream on Leaventhorpe Lane is often submerged with water backing up on the north side of the lane. This has the impact of significantly increasing the force and speed of water on the south side of the bridge

- The proposed new bridge across Pitty Beck would have a similar effect and put neighbouring properties at risk. A clearance of 1 metre is simply not sufficient and a higher clearance would be inappropriate as it would raise the level of the access road to an unacceptable level
- The building of the houses will increase the chances of the existing gardens flooding as the beck struggles to cope with the existing heavy rainfall
- The development on Westminster Avenue will result in more water running down the beck and this will impact on the Leaventhorpe area
- Concerns regarding sewage waste
- It is unclear from the plans where the foul sewage from the development will enter the main sewer but the original plans prepared by Barratt Homes indicated that this would be at the end of the access road on Leaventhorpe Lane
- The main combined sewer on Leaventhorpe Lane is not capable of dealing with any additional development
- In 2004 Yorkshire Water also undertook a massive development in the field adjacent to houses to deal with these problems and that still does not seem to have solved problems in the beck
- The existing houses struggle to get insurance because of the flooding of the beck
- At this moment the greenfield area acts as a flood plain, during prolonged periods of rain the middle Brook has been known to flood out onto the site of the proposed new development, If this area is tampered with there is a very clear flooding risk to the proposed new residents as well as the existing residents living next to the middle brook on Middlebrook Crescent & Leaventhorpe Lane
- The council has a responsibility to protect existing homes from increased flood risk as a direct result of any new build. The National Planning Policy Framework (NPPF) (paragraph 103) says "When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere"
- The Flood Risk Assessment Report appears to consider only the impact of flooding within the boundaries of the plans, but certain comments within the report make it clear that there would be an impact externally
- Any large scale building work will also inevitably see rainfall on newly disturbed soil leading to mud being washed downhill into the beck
- The flood risk assessment is almost a year old (and many of the appendices date back to 2016) and so this will not have taken into account the impact the Bracken Hall development has already had on our beck, or the additional potential impact of a number of other new developments that have already been agreed upstream of this area, which will also contribute to this issue
- The "normal" depth of water in the beck as it passes the houses is around half a meter. This rose by approximately 2 meters in the December 2015 floods and as a result destroyed neighbours' retaining walls, flooded gardens and outbuildings, and came perilously close to entering homes

Residential amenity:

- Loss of views over open fields for the existing residents on Middlebrook Crescent
- The proposed houses will overshadow houses already present in the Middlebrook estate
- Loss of privacy to the existing dwellings on the Middlebrook estate
- Increase in pollution from the increase in traffic will impact on the residents
- Plot numbers 147-152 are directly overlooking properties on Middlebrook Crescent and would negatively impact on the privacy of the existing residents. The ground floor view from those houses would look straight into the bedrooms of Middlebrook Crescent properties and overlook the rear gardens

- Impact of noise on local residents during the construction phase of development

Environment/Ecology:

- There are many different types of wildlife on the site that need protecting
- The site contains ancient hedgerows and ancient/mature trees
- The site is of special scientific interest and is a nature habitat and corridor for wildlife
- The site has Himalayan balsam growing in the area which can stop people getting mortgages
- If this development goes ahead all the wildlife habitat will disappear which should not be happening. Wildlife is extremely important for the environment
- There will be increased sewage flowing into the beck which will kill wildlife and increase bad odour
- The estate would certainly change the nature of the area removing the separation between Clayton, Fairweather Green and Thornton which is undesirable. The landscape would be completely urbanised
- The loss of the space for nature would be another negative consequence, it is very popular for horse riding, dog walking and rambling and this would be unlikely to continue if the estate is built
- The site is anything but ideal for housing because of way it slopes down towards the back
- The tree report provided talks about rough vegetation and limited numbers of trees, there were many more trees before the land owner destroyed them three or four years ago
- This is land that has been used as common land for many, many years and is actively used by the local and surrounding communities
- The report on visual impact is disingenuous in its description of the impact of this development. When leaving Bradford it is the first chance you get to see open ground and in the summer the view as you travel down Leaventhorpe Lane really lifts your spirits
- This open space really defines the area and its loss would be deeply distressing. Our cities need open green space that can be accessed easily and this is one such space that should be preserved

Others:

- Increased traffic on the roads will impact on the health and well-being of both commuters and the general public
- All the local schools are full – where will the children from this development go to school?
- The doctors and dentists are all over-subscribed and cannot cope with the additional population that will be generated by the development
- The application was submitted just before Christmas when it has been subject to conversations over the last 12 months – this is disgusting and the Council should be ashamed of the way it has been handled
- It is truly despicable that Alcuin Homes have spent an inordinate amount of time and effort to collude with various agencies, authorities and businesses over the past few months (or years) and then surreptitiously submit their planning application immediately before Christmas, purely to keep their application concealed from our community
- Over the past year or so, they have generated over 1,000 pages of documentation by liaising with subject matter experts. How can we, as mere residents, undertake to challenge the veracity of their planning documents in a matter of only a few weeks? The process is flawed, prejudicial and potentially illegal.

- This is a large scale development with little regard to the community around it
- This application has been slipped in under the radar, a move that appears to have been colluded in by Bradford Council, and that the deadline for objections must be extended
- The house prices will also drop due to the visual impact the new houses will have
- This development is a case of a developers ambition outweighing all conceivable common sense & practically and it should not be allowed to go ahead
- The possibility of the housing development going ahead is impacting on people's health and general well-being
- Alcuin Homes have not followed due process. No site notices have been placed up, nor have residents been consulted by them
- Alcuin Homes appear to be using Barratt Homes' documentation
- Are Alcuin Homes financially robust to manage such an undertaking as they have only been established for a couple of years and holds an insignificant balance
- There is no reference to social housing or homes for the disabled. It is purely a commercial entity to build these houses with no regard to the potential occupants
- Many Bradfordians will simply not be able to afford these houses, particularly during the austerity period
- Barratt homes decided the site was unsuitable for building after 3 days of test drilling due to close proximity to quarry & old mine workings
- The planning application states that the site cannot be seen from the public road, public footpath, bridleway and other public land but this incorrect as all these can be seen from these places
- Affordable homes are included in this application there is no mention or inclusion in these plans for Homes for Life. This is a major flaw of this application
- Local residents' home and car insurance will be increase
- All the cars which release carbon monoxide. Carbon monoxide is harmful when breathed
- How come that Alcuin is using Barratt's documentation & not their own coupled with no initial consultation to local residents by Alcuin? This shows a disdain for the local community
- The Parish Council weren't consulted by the Planning Department until it was highlighted to them that they had failed to do so
- Lack of natural sunlight which would affect the benefits of having solar panels
- Increase in light pollution

Support:

- There is a need for affordable housing in the area
- The area is much smaller than first applied for. There will only be 150 houses and whilst the concerns are understood more houses are needed
- The fields are currently unsafe to walk alone on due to dog mess and people sleeping rough
- Roads need sorting and flooding issues too, the only way they will get done is if a development company get involved
- This land can't be left wild, just so folk can walk dogs. folk need homes
- The land looks like it is owned by somebody so why can't they do what they want with it? Let's work with these people and make it better for new and old
- The council will receive more council tax so will help make changes to the problems, always ways around problems
- There will still be much green spaces ,compared to many places around the country

Consultations:

Rights Of Way – No objection to the principle of the development providing that the recorded public rights of way (public bridleway 198 and public footpaths 201 and 204 Bradford West) are not obstructed in any way by the development and that public access is maintained and actually enhanced with the additional paths connecting to the wider network

Highways – No objection subject to the imposition of appropriate conditions

West Yorkshire Combined Authority (Highways) – No objection to the principle of the development but state that the Travel Plan should be strengthened to include more incentives and commitments to fund measures to increase the use of public transport through the provision of discounted or free bus travel cards. The provision of MetroCards would equate to £495 per dwelling. There is also a requirement for the provision of a real time bus information display at a nearby bus stop at a cost of £10,000 to the developer

Environmental Health Land Contamination – No objection to the principle of the development subject to the imposition of conditions relating to the carrying out of further site investigation work, appropriate remediation works together with conditions relating to the importation of materials and the discovery of unexpected contamination

West Yorkshire Police – No objection to the principle of the development but comments are made on specific aspects of it including boundary treatments, shared pathway, surveillance of parking bays, visitor parking bays, public open space, external Lighting, and, physical security

Yorkshire Water – No objection to the principle of the development subject to the imposition of an appropriate condition requiring the development be carried out in accordance with the submitted Flood Risk Assessment

Lead Local Flood Authority – Objection on the grounds that the design of the raised access road into the site will impact on the identified flood zone and will increase the risk of flooding to the adjacent land and properties

Environment Agency – No objection to the principle of the development subject to the mitigation measures contained in Section 6.18 of the Flood Risk Assessment. It is also recommended that the finished floor levels be set at 600mm above the modelled 1 in 100 plus climate change level for the site as additional resilience to account or any potential modelling/assessment errors

Trees Section – No objection to the principle of the development and although none of the trees on the site are protected a number have been identified as being of good quality. One is located near the access but is unlikely to be damaged by the access route. However, the indicative layout may impact on some of the better quality tree stock and care should be taken to allow adequate space to be left between the buildings and retained trees

Landscape Design Unit – The amended scheme provides more green open spaces around and within the site. The plan does indicate roads and footpaths ending at the boundary of the proposed site to the south and east suggesting that further phases of development are likely and details of the adjacent development sites should be submitted

West Yorkshire Archaeology Advisory Service – No objection to the principle of the development but state that the developer be required to provide an evaluation of the full archaeological implications of the proposed development. The evaluation should involve a geophysical survey and the excavation of a number of archaeological evaluation trenches. Ideally this should be done pre-evaluation but if this cannot be done an appropriate condition is recommended

Development and Enabling – No objection to the principle of the development but state that the site is located within an area where the affordable housing requirement is up to 20% of the number of units and this equates to up to 30 dwellings

Education (Client Team) – The schools at primary sector level (Crossley Hall, Dixons Allerton, Ley Top, Lidget Green, St Matthew’s Catholic, St Williams Catholic and The Academy at St James) do have spare capacity however the schools at secondary sector level (Beckfoot Thornton, Dixons Allerton and Dixons Kings) are full. Should planning permission be granted then the Council would need to increase the number of school places in the area

Sport & Leisure – The proposal will result in increased pressure on the existing recreational infrastructure in the vicinity of the site and any monies to improve the infrastructure will be secured through CIL (Community Infrastructure Levy). If the developer is to provide open space within the development a private maintenance agreement will be required for its future maintenance or a commuted sum for a period of 25 years can be offered to the Council for them to maintain it

Summary of Main Issues:

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

Appraisal:

The proposal relates to the construction of a residential development scheme with only details of the access submitted for consideration. Access to the site will be taken from Leaventhorpe Lane. The layout indicates that 150 dwellings will be constructed as part of the development with two thirds of them being affordable houses.

1. Principle of development

Paragraph 7 of the National Planning Policy Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations

to meet their own needs. Paragraph 8 goes on to state that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways and these include identifying and co-ordinating the provision of infrastructure (economic objective) and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being (social objective).

Paragraph 11 of the National Planning Policy Framework states that development proposals should be determined in accordance with an up-to-date development plan without delay.

Policy OS1 of the Replacement Unitary Development Plan relates to land within the defined Urban Greenspaces. The policy has been superseded by policy EN1 of the Core Strategy but is saved until the adoption of the Allocations and Area Action Plan Development Plan Documents.

One of the aims of the Core Strategy is to achieve sustainable housing growth and to achieve this, the following principles apply:

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

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

Policy HO6 of the Core Strategy states that in order to meet both the objectives of delivering housing growth and managing that growth in a sustainable way the Council will give priority to the development of previously developed land and buildings. It also states that District wide there should be a minimum of 50% of total new housing development over the Local Plan period on previously developed land.

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

The site is located within an area defined as Urban Greenspace within the Replacement Unitary Development Plan. Policy OS1 states that development will not

be permitted in the areas identified as Urban Greenspace unless it retains their open and green character, and, through design makes a positive contribution to the character and amenity of such areas. Whilst the application is in outline form with details of the layout reserved for consideration at a later stage a parameters plan has been submitted which shows how the site could be developed for the number of dwellings being applied for. The parameters plan shows the development split into 2 distinct parts with a substantial green corridor separating them together with green corridors along western, northern and southern boundaries. The north western section of the site, through which the proposed access will run, also comprises an open grassed area. Details of these areas, in terms of planting/landscaping, have not been submitted for consideration at this stage.

The parameters plan only restricts the areas of new development together with areas of open space to be provided to try and retain an element of open green space as well as making a positive contribution to the character of the area. The detailed layout of the site will be considered at Reserved Matters stage and could be enhanced through further landscaping and the provision of additional areas of open space. It is considered that, with the inclusion of the green corridor running centrally through the site and the green edges along the western, northern and southern boundaries, all of which could be appropriately landscaped to further minimise the potential impact on the allocated urban greenspace, the overall impact on the openness of the area is acceptable.

Policy H05 states that residential developments should achieve a minimum density of 30 dwellings per hectare which will make the most efficient use of a site and relieve the pressure for future release of green belt sites. The application site is 6.87 hectares in size and proposes 150 units. This equates to a density of 22 dwellings per hectare. Whilst this density is below the policy requirement there are extenuating circumstances which make it acceptable such as the north western part of the site being located within a flood zone and the need to accommodate areas of open space/landscaping to comply with policy OS5 and its siting within an allocated urban greenspace.

Overall therefore the principle of the development is considered to be acceptable.

2. Visual amenity

The National Planning Policy Framework states in paragraph 124 that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 127 states that planning policies and decisions should ensure that developments:

- a) 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;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

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 site is located on the edge of the urban area with residential development to the north on both Leventhorpe Lane and Middlebrook Crescent. Within the area there is a mix of house types including older stone built cottages and more modern detached and semi-detached dwellings. The more modern dwellings are constructed using brick, render and fascia boarding.

Details of the layout of the development and external appearance have not been submitted for consideration at this stage. It is considered that the design of the development could be such that it is in keeping with the character of the area both in terms of the layout and the dwelling types themselves.

As part of the proposal the access road leading into the main body of the site will be located within a Flood Zone and will need to be raised above existing ground levels as part of the flood prevention measures. The indicative plans submitted in relation to the flood defence works show the road to be raised up to 3½ metres above the existing ground level. On the eastern side of the road there will be a banking that slopes down

towards the adjacent land and this will be landscaped to reduce its impact. On the western edge of the road there is insufficient room within the application site to incorporate landscaped banking and therefore a retaining wall is proposed. The sectional plan submitted in relation to the flood alleviation proposals shows that the retaining wall will potentially be up to 4 metres in height. This will be visually prominent when viewed from the open land to the west and potentially from Leaventhorpe Lane to the north west. The Applicant has stated that the plans are only indicative and relate to the proposals submitted to resolve the potential flooding issue and that through detailed design the proposals may change and this could reduce the visual impact of the retaining wall. Appropriate materials could also be used to further minimise the potential impact of the retaining wall.

Overall therefore from a visual impact aspect there is no objection to the proposal.

3. Residential amenity

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

The site is bounded to the north by existing residential development on both Leaventhorpe Lane and Middlebrook Crescent. The application site does slope upwards away from these dwellings which will result in a potentially greater impact on the residential amenities of their occupiers. The application is in outline form and detail of the layout and external appearance of the dwellings has been reserved for consideration at a later stage.

It is considered that the layout is such that a scheme can be devised that will allow an appropriate separation distance to be achieved between existing and proposed dwellings together with some strengthening of the northern boundary of the site to ensure that the residential amenities of the occupiers of both the existing and proposed dwellings are not adversely affected.

At this stage, with regards to residential amenity, there are no objections to the principle of the development.

4. Highway safety

Paragraph 102 states transport issues should be considered from the earliest stages of development proposals such that, amongst other things, the potential impacts of development on transport networks can be addressed, and, opportunities to promote walking, cycling and public transport use are identified and pursued.

Paragraph 109 of the National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. It goes on to state in paragraph 110 that applications for development should:

a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;

- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

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.

Whilst the application is in outline form, details of the means of access have been submitted for consideration. It is proposed to create an access point directly off Leaventhorpe Lane.

A Transport Assessment submitted with the application has been assessed by the Highways Department and was initially based on 170 dwellings. With the application now suggesting 150 dwellings will be constructed on the site, the Transport Assessment is still considered to be robust. It is considered that, based on the calculations and modelling in the Transport Assessment, Thornton Road (west) and Allerton Road operate above absolute capacity with Cemetery Road approaching or just exceeding absolute capacity within the AM peak. As a result some improvement works are required at this junction to mitigate against the likely impact of this development on the highway network by making more efficient use of the green time provided to the Thornton Road (west) approach. This is to be achieved by increasing the right turn lane length through an altered white lining scheme. The layout plan (Ref: 16001/GA/02) submitted would not be acceptable as it makes no allowance for cyclists.

The Council currently has an improvement scheme to radically alter the junction layout and, as part of this, Thornton Road (west) is to be widened from its junction with Lane Ends Close to Cemetery Road. This will require the acquisition of third party land on the north side of Thornton Road. Therefore rather than the applicant carrying out their proposed lining scheme, which will result in abortive work, a contribution will be sought towards the Council's preferred junction improvements that would bring wider benefits to all users.

Concerns are raised regarding the existing levels of traffic on Leaventhorpe Lane, which will be made worse by the proposed development. The traffic engineer has advised that whilst part of this road has been traffic calmed in the vicinity of the school this should be extended to cover the whole of Leaventhorpe Lane and then up Middlebrook Way to Thornton Road. Speed cushions should be provided along this route with the appropriate signing and Traffic Regulation Orders. The existing street lighting will also have to be upgraded as part of this scheme. The works will be carried out by the applicant/developer under a Section 278 Agreement with the Council and this can be appropriately conditioned.

The Applicant has confirmed their acceptance for payment of the contribution towards the off-site highway works and this would normally be secured through a Section 106 Legal Agreement.

As such, therefore, it is considered that the proposal is acceptable and there are no objections in highway terms.

5. Drainage

Paragraph 163 of the National Planning Policy Framework states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Paragraph 165 states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

- a) take account of advice from the lead local flood authority;
- b) have appropriate proposed minimum operational standards;
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- d) where possible, provide multifunctional benefits.

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

With regards to the drainage of the site the Applicant intends to connect to the mains sewer for the disposal of foul sewage and to utilise the existing watercourse for the disposal of surface water. It is stated on the application form that the proposal will not increase the flood risk elsewhere.

The north western corner of the site is located within a flood zone due to the existence of Pitty Beck and therefore the scheme needs to be devised such that it will not result in the flood risk outside the site being increased.

The application is in outline form with only details of the access submitted for consideration at this stage. However, at this stage, because of the existence of the flood zone it is important to see how the access road from Leaventhorpe Lane to the main body of the site will be designed such that it will neither impact on the flood zone nor increase the potential for flooding of the areas of land, including domestic properties, adjacent to the site.

Drainage Services originally objected to the proposal on the grounds that the access road is within a Flood Zone 3 and if an appropriate design for the access road could not be achieved then it could flood thereby leaving any future occupiers of the development without an acceptable and safe means of exit from the development. A meeting was held with the Applicant on the 20th August 2018 where the issue of flooding was considered at length and the Council's Drainage Services advising the Applicant what information was needed to try and achieve an acceptable design for the access road that would not impact on the existing becks (Pitty Beck and Clayton Beck) and cause further flooding of the adjacent dwellings on Leaventhorpe Lane.

The initial information submitted following the meeting did not satisfactorily overcome the concerns raised and Drainage Services again objected to the proposal. The concerns were reported back to the Applicant and further details were submitted which were again considered to be unsatisfactory by Drainage Services.

The latest flood alleviation scheme submitted by the Applicant proposes to raise the road level up above the existing ground levels such that should the land flood then both pedestrians and vehicles will be able to enter and exit the site. This will involve raising the land by up to 3½ metres to create the road with sloping landscaped banking on the eastern side of the road and a retaining wall on the western side. Flood compensation areas are also being created to the east and south east of the proposed access road. The scheme will incorporate new culverts under the proposed access road that will serve both Pitty Beck and Clayton Beck.

Drainage Services are still objecting to the proposal for the following reasons:

- The access to the site is proposed to be gained from Leaventhorpe Lane. At the point of access, Pitty Beck passes beneath Leaventhorpe Lane in culvert. The culvert offers a restriction at this point within the watercourse causing Leaventhorpe Lane to be at risk of flooding. To overcome this flood risk, the proposal is to install a new culvert beneath Leaventhorpe Lane large enough to not impede flows within the watercourse. Conceptually this is acceptable however only if flood risk is not increased downstream. The submission does not assess the downstream flows in detail, including an assessment of the proposed flood mitigation structures, to show flood risk will not be increased elsewhere.
- Overland flows generated within Clayton Beck by the 1% AEP plus climate change event will be impeded by the proposed retaining wall. The applicant has not provided sufficient information to show how these overland flows will be managed through the development site as not to increase flood risk to neighbouring land to the west.
- Overland flows generated within Pitty Beck by the 1% AEP plus climate change event will be impeded by the proposed road embankment. The applicant has not provided sufficient information to show how these overland flows will be managed through the development site as not to increase flood risk to neighbouring land to the north.
- The applicant is proposing to lower ground levels to provide compensatory flood storage. The applicant has not provided sufficient information to show if the compensatory flood storage will operate as expected for all storms up to and including the 1% AEP plus an allowance for climate change.

A 2D hydraulic model will need to be submitted to show that the complex proposals operate as they intend them to. This would need to include blockage scenarios on the proposed culverts. The current level of information simply does not assess the mitigation measures in any detail and therefore do not confirm whether the measures will operate effectively.

The Environment Agency have not raised an objection to the proposal but this is on the basis that any proposed flooding would impact on becks and not rivers and is therefore considered to be an issue to be dealt with by the Lead Local Flood Authority.

The Applicant has been afforded every opportunity to submit an acceptable flood alleviation scheme following the initial meeting on the 20th August 2018. Requests were made by the Applicant for further meetings to discuss each submission made with

regards to the flood alleviation scheme but each time a detailed written response was provided to explain why each submission was not acceptable and it was felt that a further meeting was not necessary.

Based on the latest information submitted by the Applicant it is considered that in its current form the proposal will result in potential flooding issues on adjacent land and dwellings outside the application site and is therefore contrary to policy EN7 of the Core Strategy and paragraph 163 of the National Planning Policy Framework.

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 a number of trees on the site but none of them are afforded any protection through, for example, a Tree Preservation Order. A number of trees have been identified as being of good quality in the submitted arboricultural information with one of them being located close to the proposed entrance to the site. However, it is considered that it is unlikely that it would be damaged during the construction process.

The indicative layout provided may impact on some of the better quality tree stock and care should be taken to allow for adequate space to be left between the buildings and the retained trees at reserved matters stage to avoid conflict in future and allow for the long term retention of the trees. However it should be pointed out that the layout submitted is indicative only and shows how the site could be developed. There will be the opportunity to undertake a replanting scheme during the designing of the layout or even enhance the existing tree stock within the site.

Overall therefore, subject to the Applicant taking on board the comments of the Tree Officer in designing the final layout of the proposed development, there is no objection to the principle of the development.

7. Secured by Design

Paragraph 91 of the National Planning Policy Framework states that Planning decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

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 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 based on the indicative layout plan. The comments relate to matters such as boundary treatments, shared pathways, surveillance of parking bays, provision of visitor parking bays, management of public open space, external lighting, doors and windows, and, intruder alarms.

The majority of the issues raised will be dealt with when the detailed layout of the development is drawn up and a Reserved Matters application is submitted. They cannot be addressed at outline planning application stage. The other matters such as external lighting, doors and windows, and, intruder alarms, will be addressed through Building Regulations Approved Document Q – Security in Dwellings – and are outside the control of the planning system.

Overall therefore there is no objection to the principle of the development in terms of providing a safe and secure environment for the future occupiers of the proposal.

8. Contaminated land

Paragraph 178 of the National Planning Policy Framework states that decisions should ensure that:

- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);
- b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
- c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.

Paragraph 179 states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

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.

A Stage 1 Desk Study Assessment has been submitted with the application and has been assessed by the Environmental Protection Team. The assessment indicates that “there is no evidence of any significant structures or buildings previously present on the site, but it is evident that quarrying has taken place over a large area of the site, and adjacent areas off-site. The quarries are no longer evident, presumably having been backfilled.”

The desk study does identify that potential contamination sources are evident on site but concludes that “the existence of the possible contamination sources is not known, and it is recommended that a ground investigation is implemented, involving sampling on a grid system, along with any targeted sampling (particularly focussing on the infilled quarries) and testing. This will enable a refinement of the conceptual model and a full assessment of risks to be undertaken, enabling any Remediation Strategy to be determined.”

In order to identify any potential contamination and its sources further investigation work will need to be undertaken and where appropriate remediation works. These further works would be secured through appropriate conditions.

Subject to the imposition of these conditions there is no objection to the proposal from a land quality perspective.

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.

A Preliminary Ecological Appraisal has been submitted with the application which has concluded that the majority of the application site represents species-poor, semi-improved pasture which is considered to be of relatively low ecological value. It identifies that mature trees and hedgerows within the site represent features of intrinsic value and should be retained. However should any loss of trees or planting happen, then this should be mitigated for by replacement planting of native trees and species-rich hedgerow elsewhere within the site.

The Appraisal identifies that there are a number of becks in close proximity to the site and these are seen as valuable features which require protection and should be a focal point for enhancement. The proposed vehicular access to the site will impact on both Pitty Beck and Clayton Beck in that it will require their culverting. The area around the access will require sensitive design to ensure there is no detrimental impact on wildlife.

In terms of wildlife the Appraisal does not consider that the proposal will have a detrimental impact on species such as bats, crayfish or hedgehogs.

The Appraisal does consider that there are possibilities for the future enhancement of the ecological value of the site through the development and these enhancements include the following:

- Use of native canopy forming and understory trees within the soft landscaping;
- Native woody buffer planting along the northern boundary to protect the watercourse and enhance connectivity;
- Sow and manage areas of wildflower rich grassland within the areas of POS (Public Open Space); and,
- Installation of bird and bat boxes within retained mature trees and suitable new builds.

The findings of the Appraisal are concurred with and in order to ensure that the ecological value of the site is enhanced it is considered that the recommended enhancements be secured and this would be via an appropriate planning condition.

Subject to the imposition of an appropriate condition securing the ecological enhancements there is no objection to the proposal.

10. Conservation

Paragraph 184 of the National Planning Policy Framework states that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 189 states that in determining planning applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Paragraph 190 goes onto state that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 196 states 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, where appropriate, securing its optimum viable use.

Policy EN2 of the Core Strategy states that the Council will work to proactively preserve, protect and enhance the character, appearance, archaeological and historic value and significance of the Districts designated and undesignated heritage assets and their settings.

The West Yorkshire Archaeological Advisory Service has stated that during excavation at Allerton Lane in 2016 the works uncovered unexpected and well presented evidence of late Iron Age occupation on a south facing slope above a water course. This discovery establishes the potential for previously unrecognised archaeological remains on the flanks of valleys to the west of Bradford where previously it had not been thought to occur. It is considered that the application site would have been attractive to communities from the Prehistoric to the early medieval period and given the scale of the proposals its archaeological potential should be fully evaluated prior to development. Whilst ideally the evaluation should take place prior to the determination of the application the West Yorkshire Archaeological Advisory Service has recommended that if this cannot be done then an appropriate condition should be attached to a planning permission.

Subject to the imposition of an appropriate condition requiring the evaluation of the site for its archaeological potential there is no objection to the proposal.

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.

The majority of the site falls within the Clayton and Fairweather Green Ward and the number of units proposed are over the 15 units threshold so an element of Affordable Housing provision on site would be required. The quota for this ward is up to 20% Affordable housing provision and this equates to 30 units and these should be provided on site and delivered at affordable rent via a Registered Provider.

The Applicant, however, is proposing to provide 100 units to be used as affordable housing. This is in excess of the policy requirement and is considered to be acceptable subject to the provision being secured through a Section 106 Legal Agreement. As such no objection is raised to the proposal in relation of the provision of affordable housing.

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:

Increased traffic on the roads will impact on the health and well-being of both commuters and the general public – *the public footpaths that run along the boundaries of the site will still be available for use allowing the local residents to walk along them and use them for recreational activities. The proposal will result in an increase in the level of traffic but sustainability improvements would normally be secured in the development through the inclusion of electric vehicle charging points to encourage the use of electric vehicles to potentially reduce the emissions from cars*

All the local schools are full – where will the children from this development go to school? – *contributions towards education infrastructure enhancements are no longer secured via Section 106 money and are done through Community Infrastructure Levy (CIL)*

The doctors and dentists are all over-subscribed and cannot cope with the additional population that will be generated by the development – *the issues of doctors/dentists being full is not a material planning consideration and they will generally respond to demand in regard to providing additional spaces*

The application was submitted just before Christmas when it has been subject to conversations over the last 12 months – this is disgusting and the Council should be ashamed of the way it has been handled – *the Council have no control over when a planning application is submitted. It has been publicised in accordance with the Council's own protocol for publicity for planning applications. Discussions have been held with the Applicant following the receipt of some of the consultation responses to try and overcome the concerns raised. This is normal practice for all applications where it is considered that the concerns can be overcome*

It is truly despicable that Alcuin Homes have spent an inordinate amount of time and effort to collude with various agencies, authorities and businesses over the past few months (or years) and then surreptitiously submit their planning application immediately

before Christmas, purely to keep their application concealed from our community – *the Council have no control over when a planning application is submitted and it has been publicised in accordance with the Council's own protocol on the publicity of planning applications*

Over the past year or so, they have generated over 1,000 pages of documentation by liaising with subject matter experts. How can we, as mere residents, undertake to challenge the veracity of their planning documents in a matter of only a few weeks? The process is flawed, prejudicial and potentially illegal – *the Applicant is entitled to discuss the scheme prior to the application being submitted to try and overcome any potential concerns that may be raised. The supporting information that has been submitted is a requirement for Major planning applications and is to help both the statutory consultees and the general public understand how the scheme has been developed*

This is a large scale development with little regard to the community around it – *The Applicant submitted a Community Engagement Statement that was undertaken by Barratt Homes in September 2016 for a scheme of 151 dwellings. The Statement summarised that 125 people attended the exhibition and 40 completed feedback forms were received and commented upon*

This application has been slipped in under the radar, a move that appears to have been colluded in by Bradford Council, and that the deadline for objections must be extended – *the Council have no control over when a planning application is submitted and it has been publicised in accordance with the Council's own protocol on the publicity of planning applications*

The house prices will also drop due to the visual impact the new houses will have – *the impact on the valuation of adjacent dwellings is not a material planning consideration*

This development is a case of a developer's ambition outweighing all conceivable common sense & practicality and it should not be allowed to go ahead – *the application will be assessed against the relevant policy considerations and the comments raised as part of the publicity and consultation exercises*

The possibility of the housing development going ahead is impacting on people's health and general well-being – *the public footpaths that run along the boundaries of the site will still be available for use allowing the local residents to walk along them and use them for recreational activities. The proposal will result in an increase in the level of traffic but sustainability improvements would normally be secured in the development through the inclusion of electric vehicle charging points to encourage the use of electric vehicles to potentially reduce the emissions from cars*

Alcun Homes have not followed due process. No site notices have been placed up, nor have residents been consulted by them – *there is no requirement on the Applicant to publicise the application through the putting up of site notices or letters to residents. As previously stated the application has been publicised in accordance with the Council's own protocol on the publicity of planning applications*

Alcun Homes appear to be using Barratt Homes' documentation – *who produces the supporting information is not a material planning consideration*

Are Alcuin Homes financially robust to manage such an undertaking as they have only been established for a couple of years and holds an insignificant balance – *this is not a material planning consideration*

There is no reference to social housing or homes for the disabled. It is purely a commercial entity to build these houses with no regard to the potential occupants – *the proposal is to incorporate 100 affordable houses and these will be constructed to Life Time Homes standards*

Many Bradfordians will simply not be able to afford these houses, particularly during the austerity period – *this is not a material planning consideration*

Barratt Homes decided the site was unsuitable for building after 3 days of test drilling due to close proximity to quarry & old mine workings – *this was a decision made by Barratt Homes and is not a relevant consideration*

The planning application states that the site cannot be seen from the public road, public footpath, bridleway and other public land but this incorrect as all these can be seen from these places – *the site can be seen from public footpaths/bridleways but this statement does not have any bearing on the consideration of the application*

Affordable homes are included in this application there is no mention or inclusion in these plans for Homes for Life. This is a major flaw of this application – *the dwellings will be built to Life Time Homes standards*

Local residents' home and car insurance will be increase – *this is not a material planning consideration*

All the cars which release carbon monoxide. Carbon monoxide is harmful when breathed – *sustainability improvements would normally be secured in the development through the inclusion of electric vehicle charging points to encourage the use of electric vehicles to potentially reduce the emissions from cars*

How come that Alcuin is using Barratt's documentation and not their own coupled with no initial Consultation to local residents by Alcuin? This shows a disdain for the local community – *the Applicant is entitled to use documentation prepared by other companies providing it is relevant to the application that has been submitted and not significantly different*

The Parish Council weren't consulted by the Planning Department until it was highlighted to them that they had failed to do so – *the Parish Council have been consulted on the application and submitted their comments and these are highlighted in the relevant section of the report*

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 Refusal:

1. Flooding

The northern part of the application site is located within a flood zone. The access to the proposed development will be located within the identified flood zone and it is not considered that an acceptable flood alleviation scheme has been submitted which will show how the proposed development will not result in localised flooding on land adjacent to and outside the application site. The proposal is therefore considered to be contrary to EN7 of the Core Strategy and paragraph 163 of the National Planning Policy Framework.