



## **Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of the Regulatory and Appeals Committee to be held on 6<sup>th</sup> December 2018**

**AG**

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### **Subject:**

Demolition of existing canopies, walkways and glasshouse and erection of garden centre shop extension, replacement canopy, events space, indoor play area, store extension, lakeside cabins, lakeside pavilion and improvement of existing lake to form wildlife area.  
Tong Garden Centre, Tong Lane, Tong, Bradford, West Yorkshire, BD4 0RY  
Ref. 18/02997/MAF

### **Summary statement:**

This full application seeks to rebuild, reutilise and extend the garden centre by demolishing some current structures, rebuilding others and creating an extension to the existing buildings. There are also improvements proposed for the redundant lake.

The site is allocated as Green Belt in the Local Plan. This type of development is CIL (Community Infrastructure Levy) exempt.

The planning merits of the proposal are examined in the Officer Report forming Appendix 1 to this report. This considers the various points and outlines consultation advice received. Officers recommend that planning permission should be approved for the reason outlined in the officer report. It is concluded that the proposal provides an appropriately designed development which is limited infilling on previously developed land in the Green Belt; it is within an enclosed area situated on land that is part on an existing garden centre, therefore having no greater impact on the openness of the wider Green Belt.

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### **Portfolio:**

**Regeneration, Planning and Transport**

### **Overview & Scrutiny Area:**

**Regeneration and Environment**

Consequently, it is considered the proposal is not inappropriate development in the Green Belt, as it falls within the exception tests set out in para 145 of the NPPF, which advises that under certain circumstances new built development in the Green Belt is acceptable. It presents no concerns with regards to overall amenity, biodiversity, highway safety, flooding and land quality. The proposal is considered acceptable and, with the attached conditions, satisfies the requirements of the relevant policies within the Local Plan for Bradford, and, the relevant paragraphs of the National Planning Policy Framework.

## **1. SUMMARY**

The Regulatory and Appeals Committee are asked to consider the recommendation for the determination of a full planning application ref. 18/02997/MAF made by the Assistant Director (Planning, Transportation and Highways) as set out in the Technical Report at Appendix 1, which proposes:

Demolition of existing canopies, walkways and glasshouse and erection of garden centre shop extension, replacement canopy, events space, indoor play area, store extension, lakeside cabins, lakeside pavilion and improvement of existing lake to form wildlife area.

Tong Garden Centre, Tong Lane, Tong, Bradford, West Yorkshire, BD4 0RY

The proposal seeks to undertake a number of changes and improvements to the current Garden centre by:

- a) Extending the current Garden indoor shop – involving a ground floor level of 1,301m<sup>2</sup> and a first floor level of 1,1148m<sup>2</sup> (which will incorporate a café) . The extension would be adjacent to the main entrance and on part of an existing hard standing which is currently used for an outdoor display.
- b) Replace an existing canopy – the existing structures with one replacement twin span canopy comprising 1,811m<sup>2</sup> . This is smaller than the existing canopy size of 3,085m<sup>2</sup> , resulting in a reduction in building area of 1274m<sup>2</sup>
- c) Events space - part removal of the existing canopies, walkways and conservatory to create an events space which will comprise 1,155m<sup>2</sup>. Taking the proposed events space and replacement canopy as a whole at 2,966m<sup>2</sup> it is 119m<sup>2</sup> smaller than the buildings which are to be remove. The replacement buildings will increase the height of the existing structures.
- d) Indoor play area - An existing redundant glasshouse comprising 1128m<sup>2</sup> will be removed from this area to facilitate the development.
- e) Storage space – new store shed at 403m<sup>2</sup>
- f) Lakeside works – biodiversity improvements, a lakeside pavilion and 5 small log cabins.

There are no new highway works proposed. The proposals are intended to improve the site, appeal to a wider clientele and retain customers on site. The main use of the site will remain a Garden Centre.

## **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 these applications.

## **3. OTHER CONSIDERATIONS**

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

## **4. FINANCIAL & RESOURCE APPRAISAL**

None relevant to these applications.

## **5. RISK MANAGEMENT AND GOVERNANCE ISSUES**

None relevant to these applications..

## **6. LEGAL APPRAISAL**

The options set out below are within the Council's powers as the Local Planning Authority under the provisions of the Town and Country Planning Act 1990 (as amended).

## **7. OTHER IMPLICATIONS**

### **7.1 EQUALITY & DIVERSITY**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups, in accordance with the duty placed upon Local Authorities by Section 149 of the Equality Act 2010.

The context of the site, the development scheme proposed and the representations which have been made have been reviewed to identify the potential for the determination of this application to disadvantage any individuals or groups of people with characteristics protected under the Equality Act 2010. The outcome of this review is that there is not considered to be any sound basis to conclude that either refusing or approving planning permission would be likely to lead to disproportionate impacts on any groups of people or individuals who possess protected characteristics.

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

### **7.2 SUSTAINABILITY IMPLICATIONS**

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

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; 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; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The report at Appendix 1 explains why the proposed development is considered to acceptable. The application is considered to be for Sustainable Development as defined by the NPPF and is in accordance with policies set out in the NPPF and adopted Core Strategy.

### **7.3 GREENHOUSE GAS EMISSIONS IMPACTS**

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

In relation to these matters it should be noted that the proposed development does not intend to increase vehicle movements, rather the intention of the proposed development is to improve run down areas of the existing site and retain customers on site. Nevertheless the applicant has proposed 14 additional cycle spaces to encourage staff and customers to cycle and noted that a bus stop is 0.3 miles south of the site. A bus route into the site was considered, but due to the bulky nature of garden centre products a new bus stop or route would be unlikely to be attractive to a bus company. Further mitigation is to be secured by EV charging points.

### **7.4 COMMUNITY SAFETY IMPLICATIONS**

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

### **7.5 HUMAN RIGHTS ACT**

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

### **7.6 TRADE UNION**

There are no implications for Trades Unions relevant to these applications.

## **7.7 WARD IMPLICATIONS**

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

The Technical Report at Appendix 1 summarises the material planning issues raised in the representations. It is not considered that there are any significant implications for the Ward itself.

## **7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS**

N/A

## **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 approve the application as per the recommendation contained within Appendix 1, or refuse the application.

If the Committee resolve that planning permission should be refused, then they will need to give reasons based on material planning grounds.

## **10. RECOMMENDATIONS**

To approve planning permission with conditions for the reasons set out at the end of the Technical Report at Appendix 1

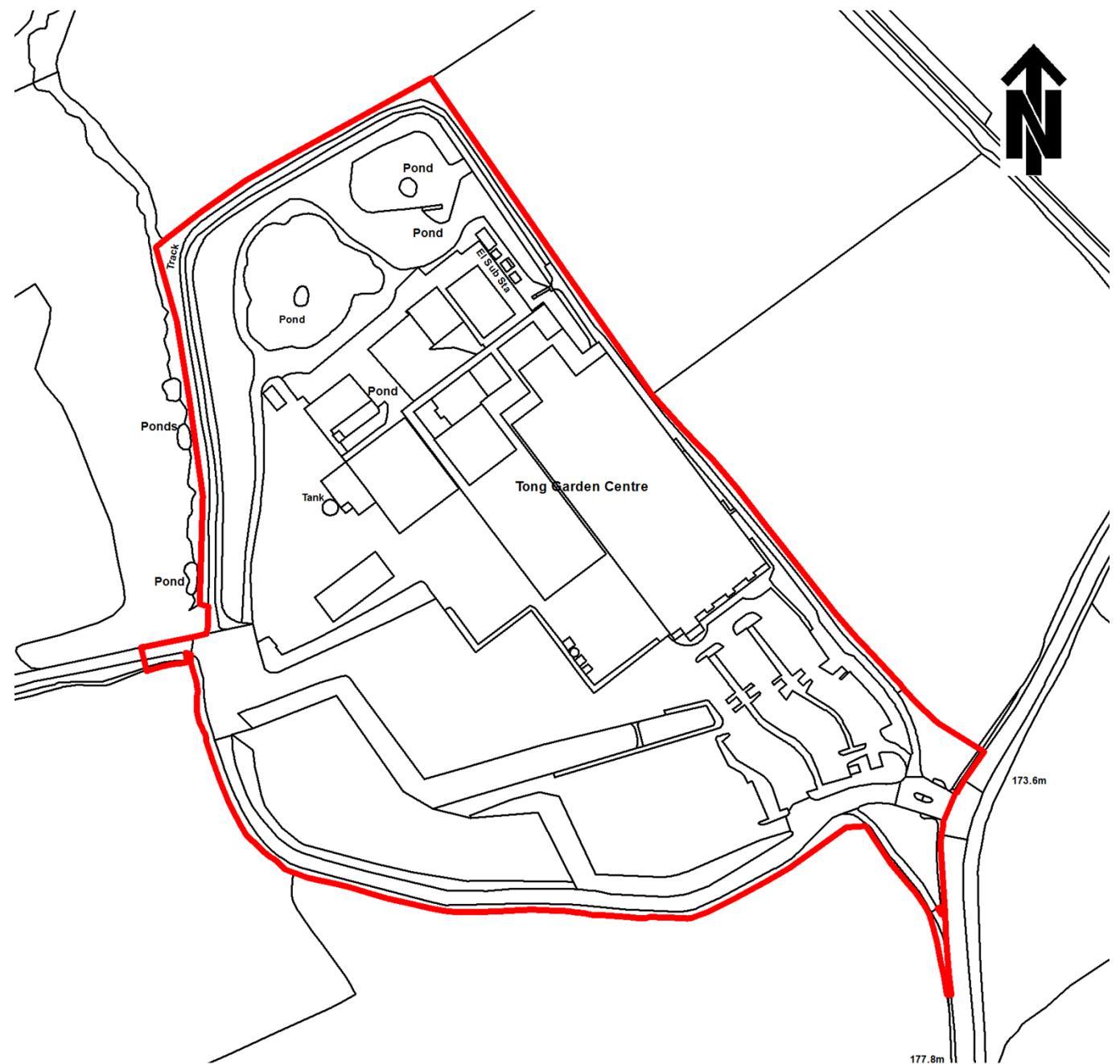
## **11. APPENDICES**

Appendix 1: Technical Report

## **12. BACKGROUND DOCUMENTS**

- Adopted Core Strategy
- National Planning Policy Framework
- 18/02997/MAF

**18/02997/MAF**



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**Tong Garden Centre  
Tong Lane  
Bradford BD4 0RY**

Date : 15 November 2018

**Appendix 1**

**Ward:** Tong (ward 25)

**Recommendation:**

Grant planning permission subject to conditions

**Application Number:**

18/02997/MAF

**Type of Application/Proposal and Address:**

Demolition of existing canopies, walkways and glasshouse and erection of garden centre shop extension, replacement canopy, events space, indoor play area, store extension, lakeside cabins, lakeside pavilion and improvement of existing lake to form wildlife area.

Tong Garden Centre, Tong Lane, Tong, Bradford, West Yorkshire, BD4 0RY

**Applicant:**

Mr Mark Farnsworth of Tong Garden Centre

**Agent:**

Pleydell Smithyman Limited

**Site Description:**

Tong Garden Centre, is an established business which is located on Tong Lane, Bradford, approximately 5.5 km south-east of Bradford City Centre. The Garden Centre is located in the Green Belt, but is surrounded by trees reducing the impact. Tong Village is around 750km to the east/north and the Holiday Inn 600m to the east. The site is also on the edge of the Bradford urban area, where there are various industrial and commercial uses just off the A650/A6135 Bradford and Wakefield Road (including a farm shop, pub/restaurant and further restaurant), with residential areas further to the west.

The existing Tong Garden Centre occupies the central and eastern parts of the site. This comprises the main garden centre shop, which runs down the eastern edge of the site, along with canopies, walkways and other semi-enclosed and open areas to the north and west, where products are displayed. The garden centre sells a wide range of plant and horticultural related products, which are complemented by a smaller range of garden furniture and accessories, arts/crafts/gifts, pets and pet food/accessories, and garden clothing, as well as a small ancillary food hall. The building housing the main garden centre shop currently contains a restaurant towards its northern end, which offers a range of hot and cold food and beverages. There is extensive customer parking of over 500 spaces to the south, with access off Tong Lane

There is a lake and a smaller pond/lake on the northern edge of the site, set within woodland .

## **Relevant Planning History:**

All granted

- 16/03380 - construction of extension to garden centre warehouse.
- 16/00770/FUL - installation of children's play equipment, retention of marquee over children's play area, retention of three storage containers, use of display conservatory for refreshments area in conjunction with play area (retrospective) and retention of mobile toilet unit (temporary).
- 14/05345/VOC - variation of Condition 5 on Application 00/00259/FUL
- 14/05342/FUL - construction of an extension to garden centre coffee shop.
- 13/03007/FUL - change of use of a pond and area of woodland, within the grounds of an existing garden centre, to use as a dinosaur garden visitor attraction (leisure), including the installation of dinosaur sculptures and the formation of new paths/boardwalk.
- 10/04804/FUL - extension to garden centre for redeveloped cafe.
- 00/00302/FUL - construction of store/potting shed.
- 00/00245/FUL - removal of polytunnels and construction of greenhouse.
- 00/00259/FUL - Replacement of fire damaged garden centre building.

## **The National Planning Policy Framework (NPPF):**

The National Planning Policy Framework was revised in July 2018 and is a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; 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; and
- c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and 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.

**Local Plan for Bradford:**

The Core Strategy Development Plan Document 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. Accordingly, the following adopted Core Strategy policies are applicable to this proposal.

**Core Strategy Policies**

P1 Presumption in Favour of Sustainable Development

SC1 Overall Approach and Key Spatial Priorities

SC2 Climate Change and Resource Use

SC7 Green Belt

SC9 Making Great Places

BD1 City of Bradford including Shipley and Lower Baildon

EC1 Creating a successful and competitive Bradford District economy

EC2 Supporting Business and Job Creation

EC4 Sustainable Economic Growth

EC5 City, Town, District and Local Centres

TR1 Travel Reduction and Modal Shift

TR2 Parking Policy

TR3 Public Transport, Cycling and Walking

EN2 Biodiversity and Geodiversity

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

**Saved RUDP Policies**

The site is located in the Green Belt.

**Parish Council:**

N/A

**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 17 August 2018.

As a result of the publicity exercise, 1 letter of objection from the Tong Village Community Association, 7 individual objects to the proposal and 1 individual representation supporting the proposal. Of the objections, Tong Village Community Association stated they would review their opposition if matters of concern were addressed, they also stated that:

- We applaud the improvements made already to the Garden Centre by the new owners as they have enhanced what had become a somewhat tired and moribund business.

- We also commend them for the increased employment opportunities for local people.
- We are also grateful for the provision of an outdoor play area for children( albeit at a minimal cost), something which the Council has woefully failed to do for the children of Tong Village.
- We would also like to thank the Garden Centre for their support for the local " Tong in Bloom" initiative, for which we are most grateful.

Since the objections were raised in August 2018 the owner of Tong Garden Centre has attended a Village Association meeting on 12th September 2018 to present and discuss the proposals, there have been no objects since the village association meeting, but there has been a letter of support.

### **Summary of Representations Received:**

#### *Objecting*

- Effect of traffic through Tong Village - We in Tong Village have been severely and adversely affected by increased traffic generated by the Garden Centre at each of its development stages.
- The most pressing issue regarding this planning application to the residents of Tong Village is the one of traffic.
- We object most strongly to this speculation on the part of the Garden Centre as the mis-named Holme Wood Urban extension has yet to receive planning approval and the Green Belt in which it would reside is subject to a review. This assertion cannot go unchallenged and in no way can it inform the decision on this planning application.
- It seems that this scheme will result in the Garden centre becoming less of a Garden centre and more of a general shopping centre, predicated on the idea that the much- reviled Holme Wood Urban extension is a done deal!
- We note that the removal of the glasshouse appears to reduce the horticultural offering of the business as many plants ( usually bedding and annuals) are located within it. This would be of concern to us as we would prefer the Garden centre to remain a Garden Centre rather than an out of town retail outfit.
- Permitting large scale developments which effectively turn the garden centre into a retail park rather than a garden centre
- No consultation with the community

#### *In support:*

- I think the proposed redevelopment will enhance the garden centre and improve the facilities for the local public.

### **Consultations:**

#### Biodiversity Officer - No Objection

Advise no objection with three conditions.

#### **Bats**

The updated PEA (Pleydell Smithyman, November 2018) now includes clear references and locations of trees which have bat roost potential and the impact of the development (including tree pruning) to these roosts.

Only one tree, a grey alder has been described as having a low potential of a bat roost (TN1 in the PEA report, T31 in the tree report) and will be impacted by having its crown removed.

A method statement has been submitted for this tree to avoid impacts to bats. This is shown within paragraph 4.14 of the PEA.

This is mostly accepted as valid, however it must be made clear that any inspection of potential roost features must be undertaken by a licenced bat worker and not just an arboriculturalist.

We recommend a suitably worded condition is included in any positive determination of this planning application.

#### Invasive species

Invasive species, listed on Section 14 of the Wildlife and Countryside Act 1981 are present within the site and have been identified as Cotoneaster microphyllus and Cotoneaster horizontalis. These species are part of the current landscape planting within the car park. To avoid any chance of escape into the wild, these shrubs will be removed and disposed of in an appropriate way. It is important that the roots are treated after felling to avoid them reshooting.

We recommend a suitably worded condition is included in any positive determination of this planning application.

#### Biodiversity Enhancements

We recommend that biodiversity net gain is secured via an appropriately worded condition.

#### The Coal Authority – No Objection

The Coal Authority's general approach in cases where development is proposed within the Development High Risk Area is to recommend that the applicant obtains coal mining information for the application site and submits a Coal Mining Risk Assessment to support the planning application.

However, when considering this particular proposal; whilst there are recorded and likely unrecorded mining features within the application site, the specific part of the site where new development is proposed actually falls outside the defined Development High Risk Area. Therefore we do not consider that a Coal Mining Risk Assessment is necessary for this proposal and do not object to this planning application.

Whilst there are no shallow recorded mine workings within the specific area proposed for development there is the potential for historic unrecorded coal mining features within coalfield areas. Therefore, if this proposal is granted planning permission, in the interests of public safety the Coal Authority would recommend that the following wording is included as an Informative Note within the Decision Notice:

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Drainage - No objection

I can confirm that we have reviewed the information submitted with the application (Flood Risk Assessment & Drainage Strategy 126866/01) and we have **no objection** to the proposals.

The Environment Agency – No Objection

We have reviewed the information submitted with the application and we have **no objection** to the proposal. Our detailed comments on foul drainage and contaminated land are as follows.

*Foul Drainage*

Foul waste from the application site is indicated to be processed via an existing private treatment plant with an existing discharge permit, permit reference EPREB3499ED.

Based on the information submitted there would be no obvious impacts to the tributary of Pudsey Beck that passes to the immediate west of Tong Garden Centre, or to groundwater. As such we have no objection to the proposal in this regard.

It is however advised that the applicant should satisfy themselves that there is sufficient capacity within the existing package treatment plant system to cope with any additional load from the proposed development.

There are comments re: contamination, but it is advice and suggestion to consult Environmental Health.

Environmental Health – No objection

Historic land use includes agricultural fields and landfill CBMDC ref 23SW07 Tong Garden Centre. Environmental Health has no information on file about this site. However, landfill information for landfill CBMDC Ref. SE 23sw07 Tong Garden Centre states that:

“In December 1994 retrospective planning permission (Ref 93/03220/FUL) was granted for the importation of inert waste and regarding of excavation material to form overspill car parks, lake and ponds with restoration to form a valley side landscaping. This was completed by 1997 and now forms Tong Garden Centre.”

It is understood that Tong Garden Centre has been extended a number of times in the past. The proposals are expected to involve disturbance of the ground therefore the potential for contamination to be present should be considered in relation to health and safety of groundworkers under the Construction Design and Management Regulations 2015.

If land contamination is identified at any time during the redevelopment process, works in that area must cease and a competent person (as defined in the NPPF) should be commissioned to investigate and assess the risks.

If soils and landscaping materials are to be imported to the site, Environmental Health recommends quality control systems are put in place to ensure that contaminated material is not imported to the site.

Environmental Health recommends conditions are included on the decision notice.

Health and Safety Executive – No Objection

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/ pipelines. This consultation, which is for such a development and is within at least one Consultation Distance, has been considered using HSE's planning advice web app, based on the details input on behalf of Bradford District (B).

HSE's Advice: Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

Highways – No objection

I have assessed the proposal and consider that the granting of planning permission would not have adverse implications for highway safety and therefore I raise no objections from a highways point of view.

There is no change to existing site access and there is adequate on-site parking to cater for the proposed development.

Landscape – No Objection

The site is located within the Green Belt. It is also within the Enclosed Pasture of Tong Landscape Character Area.

Landscape have asked for further details for the approved layouts, lakeside areas and wildlife area.

West Yorkshire Police - No objection

Seek boundary treatments, trimming of foliage/trees in car park and recommend high quality CCTV, access control Building Reg standards on doors and windows.

**Summary of Main Issues:**

- 1) Principle
- 2) Design
- 3) Ecology
- 4) Traffic Impacts
- 5) Flooding and Drainage
- 6) Land Quality

**Appraisal:**

The Proposal

The proposal seeks to undertake a number of changes and improvements to the current Garden centre by:

- a) Extending the current Garden indoor shop – involving a ground floor level of 1,301m<sup>2</sup> and a first floor level of 1,1148m<sup>2</sup> (which will incorporate a café) . The extension would be adjacent to the main entrance and on part of an existing hard standing which is currently used for an outdoor display.
- b) Replace an existing canopy – the existing structures with one replacement twin span canopy comprising 1,811m<sup>2</sup> . This is smaller than the existing canopy size of 3,085m<sup>2</sup> , resulting in a reduction in building area of 1274m<sup>2</sup>

- c) Events space - part removal of the existing canopies, walkways and conservatory to create an events space which will comprise 1,155m<sup>2</sup>. Taking the proposed events space and replacement canopy as a whole at 2,966m<sup>2</sup> it is 119m<sup>2</sup> smaller than the buildings which are to be removed. The replacement buildings will increase the height of the existing structures.
- d) Indoor play area - An existing redundant glasshouse comprising 1128m<sup>2</sup> will be removed from this area to facilitate the development.
- e) Storage space – new store shed at 403m<sup>2</sup>
- f) Lakeside works–biodiversity improvements, a lakeside pavilion and 5 small log cabins.

There are no new highway works proposed. The proposals are intended to improve the site, appeal to a wider clientele and retain customers on site. The main use of the site will remain a Garden Centre.

There have been a number of changes and clarification points since the original application, mainly to address concerns raised by the public and some consultees.

In particular the applicant has clarified (by attendance at a meeting with the Tong Village Association) that there is no intention to increase parking provision, the purpose and expectation of the proposal is to retain the public on site longer rather than to increase the number of visitors to the site and there is no proposal to increase the number of HGV deliveries to the site.

The retail elements will remain in the existing main building as previously permitted in 2014, with a minor adjustment to garden clothing (increasing by 300m<sup>2</sup>) but with arts/crafts hobbies decreasing by 300m<sup>2</sup>. The new extension building will be restricted to garden retail only.

The finishes on a number of buildings has been improved throughout the proposal, to ensure a better finish and coherence across the site, in particular the timber cladding of the new events space, indoor children's play area and storage building. The new extension building will be a mixture of Yorkshire stone and glass, with a glazed roof atrium.

The lake area will be utilised once again, with an emphasis on biodiversity enhancements, with recreational and educational uses in the small lakeside cabins.

#### The Principle

The NPPF directs to approve development proposals that accord with the NPPF and statutory plans without delay.

The site is allocated Green Belt in the Local Plan (RUDP). Policy SC7 of the Core Strategy relates to Green Belt and requires exceptional circumstances to release land from the Green Belt. This is clearly following the line set out in the NPPF, which has five purposes; to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. As set out in the NPPF, inappropriate development should not be approved except in very special circumstances.

However, para 145 of the NPPF references a number of exceptions to what is considered inappropriate development. Section g) of para 145 of the NPPF advises that-  
*"limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*  
*- not have a greater impact on the openness of the Green Belt than the existing development..."*

The actual footprint of the Garden Centre is not proposed to be increased and the proposed new extension to the garden shop is on part of the existing outdoor sales area, however the replacement of some of the existing structures (glasshouses/conservatory) are with higher structures, but at the rear of the site. Consideration has been given to the likely impacts on the Green Belt and the exception set out in para 145 of the NPPF; and taking the existing and proposed development as a whole, it is considered that the proposal constitutes limited infilling on previously developed land in the Green Belt within an enclosed, already existing, garden centre; and the scale, massing, finish and height of the proposed structures is such that it has little or no greater impact on the openness of the wider Green Belt. Furthermore, it is clear that the proposal does not conflict with the purposes of including land in the Green Belt, such as urban encroachment, unrestricted sprawl and merging of towns. The proposal is therefore not considered inappropriate development in the Green Belt.

The Spatial Vision set out in the Bradford Core Strategy seeks under objective 2, 5 and 14 to “...to ensure that the District’s needs for housing, business and commerce are met in full in sustainable locations that reduce the need to travel and are well served by public transport and services, whilst prioritising, the use of deliverable and developable previously developed land.” :“To promote the role of the Bradford District in the Leeds City Region economy by creating conditions for housing growth, city living and enterprise where business thrives, generating opportunity, prosperity and jobs”. ”Provide accessible and varied opportunities for leisure and recreation...”

This proposal sits well with the objectives of the Spatial Vision outlined above and policies SC1, SC2, SC9, BD1, EC1, and EC4 of the Bradford Core Strategy as set out below.

Policy SC1 seeks to provide sustainable development, supporting growth of the economy and retail provision.

Policy SC2 seeks to adapt and provide development resilient to climate change and with carbon reduction, incorporating energy efficiency, and facilitating habitat creation, public transport, walking and cycling. The agent states that sustainable construction will be undertaken (e.g. by using materials that are capable of being recycled at their end of lifetime) and that there will be:

*“The provision of additional and replacement toilet facilities will have associated environmental improvements through the use of low energy lighting, percussion taps, reduced low dual flush WC cisterns and controlled low urinal flushing systems, in accordance with Core Strategy policy 2 (SC2).*

*Rainwater harvesting will be utilised on the site from the new building roof areas for irrigation use.*

*Waste during the construction period will be minimised and the selected contractor will be asked to provide a Site Waste Management Plan in order to demonstrate how this will be achieved. The wider garden centre site already has a waste strategy in place which will be continued as part of the new development.*

*The proposed buildings have been orientated to maximise natural sunlight and heating through the use of glazing and roof lights and enable the use of solar panels.”*

Additionally, 6 Electric Vehicle Charging points are proposed, along with a proposal to extend the existing staff cycle parking on the site and add 14 no. cycle spaces for customer use.

Policy SC9 seeks to create ‘Great Places’, with an “*Understanding the place and wider context, and taking opportunities to improve areas and make them as good as they can be.”* , “*Being place specific by responding to the District’s distinctive features and character, and being appropriate to the local context.* “*Creating a strong sense of place through the design of the buildings, streets and spaces.”* “*Designing places which can adapt to changing circumstances and needs, and which will function well over the long term.”* The proposal provides well designed buildings and facilities that serve/function well. The proposed Event Space is a potentially good example.

The proposal site is outside of, but in proximity of, the sub area identified as the Regional City of Bradford in the Core Strategy (identified in Policy BD1). The area of Holme Wood is also in proximity, in which, through policy BD1 seeks to achieve regeneration and sustainable mixed communities by, amongst others, economic growth and community infrastructure. The proposal provides a narrative in terms of supporting economic growth and providing community related infrastructure. The community involvement is particularly noted by the applicant by the provision of new recreational facilities via the play area, new educational facilities via the lakeside walk/cabins, biodiversity enhancements and the events space. The Tong Village Society in their representation to the application made note of all the current community work/support by the Garden Centre. It is considered that this proposal provides further opportunities and enhances this current community work/support.

Policy EC1 also seeks economic growth, a more entrepreneurial Bradford District and encourages development related to individual employers important to the Bradford District economy where they have specific property requirements. Policy EC2 seeks to deliver 1600 new jobs annually in the District to 2030, primarily through supporting City Centre, town and district centre development. The existing 150 jobs will continue to be maintained by the update and regeneration of the Garden Centre that is proposed through this application, and the proposal will also provide an additional 40/50 new jobs (mixture part and full time), which sits well with policies EC1 and EC2.

Policy EC4 F also encourages economic enterprises which develop or enhance leisure based activities. The proposal links into this policy, in that it provides an enhanced leisure based facilities through not only the garden elements, but the proposed play areas and events spaces.

Policy EC5 seeks new and an appropriate scale of retail development in Bradford. The proposal sits outside the city centre and the District Centre of Tong Street, and therefore there is the potential for the proposal to conflict with this policy. However, a retail assessment submitted with the application, which sets out any potential impacts, concluded that the additions to the Garden Centre will not impact on the vitality and viability of Bradford City Centre or Tong Street District Centre, with these centres not providing like for like goods offered at Tong Garden Centre.

It should be noted that the current retail elements will remain as permitted in 2014 in the existing main building, with a minor adjustment to garden clothing (increasing by 300m<sup>2</sup>) but with arts/crafts hobbies decreasing by 300m<sup>2</sup>. The additional floorspace created by the proposal for the retail element will be limited by condition to garden products only, ensuring that the proposal site is not becoming a general retail destination outside the city centre/district areas.

The proposal is therefore considered acceptable in principle and is consistent with policies SC1, SC2, SC7, SC9, BD1, EC1, EC4 and EC5 of the Bradford Core Strategy

### Design

The National Planning Policy Framework (NPPF) confirms that good design is a key aspect of sustainable development 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;
- 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 NPPF also stresses 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.

At the local level Bradford Core Strategy Policy DS1 states that planning decisions should contribute to achieving good design and high quality places. With policy DS2 seeking to work with the landscape; DS3 to create a strong sense of place and the development to be appropriate to their context in terms of layout, scale, density, details and materials; DS4 sets out a set of policies to encourage people to walk cycle and use public transport and policy DS5 sets out policies for promoting the development of safe and inclusive places.

The Urban Design and Designing Out Crime officers have commented on the proposals. In particular it was noted that there was a need to ensure that the building extension and building replacements created a coherent palette, with the design of the extension building being of a high quality, yet reflecting what already existed on site. There have been a number of iterations throughout the application process and design has now been achieved which produces a coherent palette by the use of timber cladding on a number of the buildings, with the extension to the garden centre building which fronts up the site utilising glass, natural stone, timber cladding and appropriately coloured kingspan.

With regards to the development taking opportunities to encourage people to walk, cycle and use public transport, this has been assisted by the proposal to extend the existing staff cycle parking on the site and add 14 no. cycle spaces for customer use. The applicant did consider also consider assisting in providing a bus route directly into the site, but after speaking with the Chamber of Trade (of which they are members) they were advised that given the relatively close proximity of existing bus stops (0.3 miles), the nature of the garden centre business, customers do not generally travel by bus and that a new bus stop or route would be unlikely to be attractive to the bus company. It is correct that the nature of garden centres products are such that goods are not easily transported by public transport, walking or cycling and therefore expectations should be realistic on this point.

With regards to designing out crime a number of recommendations have been put forward by the West Yorkshire Police ALO (Architectural Liaison Officer) and the applicant has provided a number of proposals. A combination of both, with some matters covered by condition is considered sufficient to cover the required elements of DS5.

It is considered that the proposal is in accordance with the relevant design policies within the Core Strategy, including policies DS1 in achieving good design and high quality places; DS2 in working the landscape; DS3 in that the development is appropriate in terms of layout, scale, density, details and materials; DS4 in that opportunities, although limited, have been taken to encourage people to walk cycle and use public transport and policy DS5 sets out policies for promoting the development of safe and inclusive places.

### Ecology

Although the main proposals of the application relate to the replacement of existing buildings and the extension of the existing garden centre, the proposal does also seek to utilise the existing lakeside walks/spaces created by the dinosaur garden visitor attraction in 2013 (13/03007/FUL). There would be a need to undertake some works to the trees in this area as it has become overgrown, but there will also be biodiversity enhancements.

The works would involve felling a small number of trees, thinning and crown lifting of others, there are no objections raised to this and none of the trees are subject of a Tree Preservation Order. As indicated, as part of the development, a number of biodiversity enhancements are proposed, with wildflower planting and creation of a second lake with further appropriate planting. However a management plan, which also includes landscaping details and further details of how biodiversity enhancements will be achieved/maintained on this site, would be required by condition, this would ensure biodiversity net gains in accordance with Policy EN2 E.

This wooded area was also identified as having potential roost features for bats in August 2018, therefore the necessary surveys were required to comply with policy EN2 D of the Core Strategy, which requires that proposals that may have an adverse impact on important habitats and species outside designated sites needs to be assessed and appropriate mitigation if required proposed.

The necessary further detailed bat survey was submitted in November 2018. There is now sufficient information to determine the impact on bats and the biodiversity officer has confirmed following the further detailed survey that there is one tree that *may* have bat roost potential that is proposed to have tree works undertaken (crown lifting). However, provided a condition is attached, which requires inspection of this tree prior to the crown lifting, no objections are raised.

With the identification of bats, detailed surveys and agreed outcomes; and with biodiversity enhancements proposed and to be further agreed by condition, it is considered that the proposal is in accordance with policy EN2.

#### Access and Traffic Impacts

Adopted Core Strategy policy TR1 indicates that through planning decisions the Council will aim to reduce the demand for travel, encourage and facilitate the use of sustainable travel modes, limit traffic growth, reduce congestion and improve journey time reliability through (amongst other things) ensuring that development is appropriately located to ensure that the need to travel is reduced, the use of sustainable travel is maximised, and the impact of development on the existing transport networks is minimal. Core Strategy policy TR2 sets out parking standards and sets out criteria seek 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.

Core Strategy Policy DS4 sets out design criteria for streets, indicating that development should take an approach to highway design which supports the overall character of the place and to take a design led approach to car parking.

In relation to these matters it should be noted that the proposed development does not intend to increase vehicle movements, rather the intention of the proposed development is to improve run down areas of the existing site and retain customers on site. Nevertheless the applicant has proposed 14 additional cycle spaces to encourage staff and customers to cycle and noted that a bus stop is 0.3 miles south of the site. A bus route into the site was considered, but due to the bulky nature of garden centre products a new bus stop or route would be unlikely to be attractive to a bus company. Further mitigation is to be secured by six EV (Electric Vehicle) charging points.

Highway Development Control officers raised no concerns and the parking, with over 500 spaces, is more than sufficient and meets the required standards set out in the policies above.

It is considered that the proposal is in accordance with the relevant highway policies within the Core Strategy, including policy TR1, in that it assists in reducing the demand for travel, that it is in accordance with TR2 in that it provides sufficient parking and TR3/DS4 in that it walking, cycling and public transport are relatively well accommodated for the type of proposal.

Flood Risk and Drainage Strategy

Policy EN7 of the Core Strategy states that the Council will manage flood risk by assessing proposals for development.

The site is not in an identified area vulnerable to flooding, but it is over 1ha therefore a Flood Risk Assessment is required. As part of the application the Developer has submitted a detailed Flood Risk and Drainage Strategy report.

Drainage officers have raised no objections, but a condition requiring separate foul and water drainage systems is appropriate.

Provided appropriate drainage conditions are attached, it is considered the proposal is in accordance with policy EN7 of the Core Strategy.

Land Quality and high pressure gas main

Policy EN8 of the Core Strategy states that for development of land which may be contaminated or unstable an appropriate investigation into the quality of the land should be submitted. Where there is evidence of contamination or instability, remedial measures must be identified to ensure that the development will not pose a risk to human health, public safety and the environment.

Environmental Health have indicated that historic land use includes agricultural fields and landfill CBMDC ref 23SW07 Tong Garden Centre. The information in relation to the landfill is that material that was deposited in 1994 was inert and in connection with the creation of car parks and landscaping, however the proposals are expected to involve disturbance of the ground therefore the potential for contamination to be present should be considered in relation to health and safety of groundworkers. Environmental Health raise no objections, but recommend a number of conditions in terms of unexpected contamination and testing if any other materials are imported.

The Coal Authority note that the development is in a High Risk Area, but also note that the specific part of the site where new development is proposed falls outside the defined Development High Risk Area. Therefore they do not consider that a Coal Mining Risk Assessment is necessary for this proposal and do not object to this planning application.

However, the Coal Authority state that if permission is granted, that in the interests of public safety they recommend an informative note within the Decision Notice regarding the requirement to contact the Coal Authority if coal mining features are encountered during redevelopment.

There is a high pressure gas main that runs across part of the existing car park and due to this the Council is required to consult the Health and Safety Executive. The Council has run the required on line system and the HSE advice is they "*Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.*"

It is concluded therefore that provided appropriate land quality conditions are attached as requested by Environmental Health, it is considered the proposal is in accordance with policy EN8 of the Core Strategy.

### **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 proposal provides an appropriately designed development which is limited infilling on previously developed land in the Green Belt; it is within an enclosed area situated on land that is part of an existing garden centre, therefore having no greater impact on the openness of the wider Green Belt. Consequently, it is considered the proposal is not inappropriate development in the Green Belt, as it falls within the exception tests set out in para 145 of the NPPF, which advises that under certain circumstances new built development in the Green Belt is acceptable.

It presents no concerns with regards to overall amenity, biodiversity, highway safety, flooding and land quality. The proposal is considered acceptable and, with the attached conditions, satisfies the requirements of policies P1, SC1, SC2, SC7, SC9, BD1, EC1, EC2, EC4, EC5 TR1 TR2 TR3, EN2, EN7, EN8, DS1, DS2, DS3, DS4 and DS5 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. Approved plans

The development hereby approved shall only be carried out in accordance with:

- (i) M15.155.D.047C PROPOSED ELEVATIONS A1-A1
- (ii) M15.155.D.057 PROPOSED SOUTH WEST EEVATIONS-A1
- (iii) M15.155.D.058 PROPOSED ELEVATIONS OF STORE-A1
- (iv) M15.155.D.063.3D VIEWS-A2

- (v) M15.155.D.054B EXTERIOR COLOUR ELEVATIONS-A1
- (vi) M15.155.D.029F PROPOSED SITE PLAN (COLOUR) A1
- (vii) M15.155.D.061A PROPOSED CABINS & LAKE SIDE PAVILION-A1
- (viii) M15.155.D.062A LANDSCAPE BIODIVERSITY ENHANCEMENTS-A1
- (ix) Flood Risk Assessment & Drainage, Strategy; 126866/01; June 2018
- (x) M15.155.R.001 PEA REPORT REV C
- (xi) M15.155.R.002 TREE SURVEY REPORT OCT 2018

Reason: For the avoidance of doubt as to the terms under which this planning permission has been granted since amended plans have been received.

### 3. Retail uses limited

The development hereby permitted is for a garden centre selling only goods normally sold in a garden centre.

The ground floor of the proposed garden centre shop extension, as shown on drawing M15.155.D.029 Rev F, shall only be used for the sale of garden products.

The floor space permitted for each of the following categories of goods shall not exceed the maximum floor area indicated below, unless the Local Planning Authority has given prior written approval to any variation:

- (i) The existing covered and enclosed accommodation shown as Garden Centre shop on drawing M15.155.D.029 Rev F:-
  - a) Composts, peats, chemicals and other goods associated with plant/garden care, tools, watering equipment and garden machinery: Maximum floor area 5,645m<sup>2</sup>
  - b) Plants and houseplants, seeds and bulbs, dried, artificial and cut flowers and goods associated with their care and maintenance: Maximum floor area 5,645m<sup>2</sup>
  - c) Garden and conservatory furniture and furnishings, garden lighting and heating, barbecues and barbecue accessories: Maximum floor area 1,500m<sup>2</sup>
  - d) Garden clothing and footwear, outdoor and country pursuits, clothing and equipment, camping equipment and accessories: Maximum floor area 300m<sup>2</sup>
  - e) Pet foods, pet cages, fish and accessories including ponds, petcare advice and care products: Maximum floor area 1,250m<sup>2</sup>
  - f) Seasonal products: Maximum floor area 1,200m<sup>2</sup>
  - g) Arts, hobbies, and crafts: Maximum floor area 700m<sup>2</sup>
  - h) Food Hall: Maximum floor area 500m<sup>2</sup>
  - i) Coffee Shop: Maximum floor area 800m<sup>2</sup>
  - j) Ancillary children's play area: Maximum floor area 250m<sup>2</sup>
  - k) Other goods falling within Use Class A1, including an exhibition area for crafts: Maximum floor area 800m<sup>2</sup>
  - l) Garden clothing 300m<sup>2</sup>
- (ii) The proposed canopy area and the external open area as shown on drawing M15.155.D.029 Rev F:-
  - a) Trees and plants of all kinds, rockery and statuary, ponds, pools, fountains and accessories including cold water fish, compost, peat and other garden care products. Garden and conservatory furniture and furnishings, garden lighting and heating, barbecues and barbecue accessories: Maximum floor area 12,199m<sup>2</sup>
  - b) Pets, birds, fish and accessories including aviaries, cages and ponds: Maximum floor area 1,000m<sup>2</sup>

c) Garden buildings, greenhouses, conservatories, gazebos, summerhouses, garden play equipment, swimming pools, spas with all accessories, landscape and building materials, fencing and timber products: Maximum floor area 2,700m<sup>2</sup>

Notwithstanding the above, no part of the site shall be used for the sale of the following goods or services without the prior written approval of the Local Planning Authority: carpets and other floor coverings, electrical goods (other than electric garden tools and machinery, and electrical products for garden features), chemists, medical products, jewellery, watches and clocks, DVDs and videos (other than those relating to gardens and gardening), caravans, photographic goods, musical instruments, DIY goods, decorators supplies and hardware (other than products for garden construction, improvement and maintenance) and Post Office services.

#### 4. Means of vehicular access and car park

The vehicular/pedestrian access and car park shall remain as currently set out on drawing M15.155.D.029 Rev F, and shall be kept available for use while ever the development is in use.

Reason: To ensure that a suitable form of access and car park is available to serve the development in the interests of highway safety and to accord with policies TR2, DS4 and DS5 of the Local Plan for Bradford.

#### 5.Bats

Prior to any crown removal work, Tree T1 (Grey alder) identified within the PEA (Pleydell Smithyman, M15.155.R 001 PEA REPORT REV C November 2018) will be climbed by an arboriculturalist and supervised by a licensed bat ecologist to inspect for potential roosting features. Where no features are identified, the crown removal can take place. Where suitable roosting features are identified, these will be inspected by a licenced bat ecologist and tree climber using an endoscope. Should this tree show any evidence of roosting bats (e.g. live or dead bats, dropping, urine staining or grease marks) then this tree will be retained and no crown removal works will take place prior to an EPS licence being obtained from Natural England.

Reason: To ensure protection of bats and their roosts and to accord with policy EN2 of the Local Plan for Bradford

#### 6.Invasive species

All Cotoneaster microphyllus and C. horizontalis will be removed under an invasive species management plan (or as part of the Landscape and Ecology Management Plan below). This shall be undertaken as soon as possible and within two weeks of commencement of development.

Reason: To ensure invasive species are removed and to accord with policy EN2 of the Local Plan for Bradford.

#### 7. Implementation of biodiversity and landscaping

All biodiversity and landscape works shall be carried out in accordance with the approved details. The works shall be carried out in accordance with a programme that shall be submitted for approval in writing to the Local planning Authority within one month of the commencement of the development.

Reason: To achieve a satisfactory standard of landscaping in the interests of visual amenity and to accord with policies SC9, DS1, DS2, DS3, DS4, and, DS5 of the Local Plan for Bradford.

#### 8. Biodiversity and Landscape Enhancements management

A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority within a month of the commencement of the development. The content of the LEMP shall include the following.

- *Description and evaluation of features to be managed.*
- *Mitigation required for bats and birds.*
- *Ecological trends and constraints on site that might influence management.*
- *Aims and objectives of management.*
- *Appropriate management options for achieving aims and objectives (see below).*
- *Prescriptions for management actions.*
- *Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).*
- *Details of the body or organization responsible for implementation of the plan.*
- *Ongoing monitoring and remedial measures.*
- *Maintenance and establishment of any planting for a period of 5 years minimum.*

The LEMP shall also include details of mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

The appropriate management options for achieving aims and objectives shall include, but are not limited to: agreed protected species mitigation and the development of the landscape/biodiversity enhancement scheme as shown in the submitted drawing M15.155.D.062 Revision A.

Reason: To ensure protection and enhancement of biodiversity, to achieve a satisfactory standard of landscaping in the interests of visual amenity and to accord with policies SC9, EN2, DS1, DS2, DS3, DS4, and, DS5 of the Local Plan for Bradford.

#### 9. Separate foul and surface water drainage

The site shall be developed with separate systems of drainage for foul and surface water on and off site.

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

#### 10. Designing out crime

The lakeside cabins should be durable, fire retardant and have locks installed on each cabin.

Reason: To prevent antisocial behaviours, ensure a safe and secure environment and reduce the opportunities for crime in accordance with policy DS5.

#### 11. Designing out Crime

All existing landscaping within the car park area shall be regularly pruned to a height of 900mm and existing trees which have overhanging branches limiting surveillance will be cut back. A high standard of management and maintenance will be adopted to discourage vandalism which will include grass cutting, ground maintenance and litter removal.

Reason: To ensure a safe and secure environment and reduce the opportunities for crime. In accordance with policy DS5.

#### 12. 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.

#### 13. 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.

#### 14. Electric Vehicle Recharging Points

Prior to the occupation/use of the new extension building, events space and indoor children's play area a minimum of 6 car parking spaces shall be marked out as dedicated EV charging spaces as shown on drawing M15.155.D.029 Rev F and equipped with fully operational fast EV charging points capable of supporting both mode 2 and mode 3 charging. All EV charging points shall be clearly marked with their purpose and information about how to use them. The location of the charging points shall be clearly signposted at the entrance to the garden centre and their existence highlighted in staff induction packs.

Purpose: To facilitate the uptake and use of low emission vehicles by future occupants and reduce the emission impact of traffic arising from the development in line with the Council's Low Emission Strategy, Policy EN8 of the Local Plan for Bradford and the National Planning Policy Framework (NPPF)

15. Construction hours

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

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

16. Materials

No development above damp proof course level shall be carried out until arrangements have been 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.

Footnote:

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.