

Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 7 March 2019.

AP

Subject:

An application for Outline Planning Permission, including consideration of access, for the construction of 24 assisted living units (C2), Oakville, 1 Keighley Road, Oakworth, Keighley, Bradford.

Summary statement:

A full assessment of the application, relevant planning policies and material planning considerations is included in the report at Appendix 1. Through the attachment of planning conditions and a Section 106 Legal Agreement to secure the occupation of the units on an assisted living basis it is considered that the proposal is acceptable and it is recommended that Planning Permission is granted.

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Portfolio:

Regeneration, Planning & Transport

Overview & Scrutiny Area:

Regeneration and Environment

1. SUMMARY

The Regulatory and Appeals Committee are asked to consider the recommendations for the determination of planning application reference 17/03126/MAO made by the Assistant Director (Planning, Transportation and Highways) as set out in the Technical Report at Appendix 1

2. BACKGROUND

Attached at Appendix 1 is a copy of the Officer's Report which identifies the material considerations of the proposal.

3. OTHER CONSIDERATIONS

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

4. FINANCIAL & RESOURCE APPRAISAL

West Yorkshire Combined Authority has requested a financial contribution of £20,000 for the provision of a bus shelter and a Real Time Passenger Information display at bus stop 21864.

It is proposed to provide electric vehicle charging points to all units in lieu of a contribution towards a residential Metrocard scheme. It is considered that the provision of EV charging points represents a betterment of the scheme as charging points are in situ permanently rather than a MetroCard Scheme which is only for 1 year, with no guarantee that residents will renew after that period.

5. RISK MANAGEMENT & GOVERNANCE ISSUES

None relevant to this application.

6. LEGAL APPRAISAL

The options set out 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

All considerations material to the determination of the application are set out in the technical report at Appendix 1.

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 received 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 reason to conclude that the proposed development would have a significantly detrimental impact on any groups of people or individuals with protected characteristics.

Full details of the process of public consultation undertaken and a summary of the comments made are attached at Appendix 1.

7.2 SUSTAINABILITY IMPLICATIONS

The site is located immediately to the south-west of the main urban area of Keighley and is within 400 metres of a bus route on Keighley Road (B6143). Frequent bus services are available including the 916/917/918 operating between Keighley, Haworth, Stanbury and Oakworth on a circular route. Consequently the site is considered to occupy a sustainable location in line with the criteria set out in national and local policy. No adverse sustainability implications are therefore foreseen.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

The development of new buildings and land for residential purposes will invariably result in an increase in greenhouse gas emissions associated with both construction operations and the activities of future users of the site. Consideration should be given to the likely traffic levels associated with this development. Consideration should also be given as to whether the location of the proposed development is such that the use of sustainable modes of travel would be best facilitated and future greenhouse gases associated with activities of the residents minimised.

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

In order to encourage alternative means of transport Electric Vehicle (EV) charging points will be secured at a rate of 1 per unit with dedicated car parking in line with the Type 1 Mitigation requirements set out in the Bradford Low Emission Strategy.

7.4 COMMUNITY SAFETY IMPLICATIONS

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

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

None

7.7 WARD IMPLICATIONS

The Technical Report at Appendix 1 summarises the material planning issues raised by representations and the appraisal gives full consideration to the effects of the development upon residents within Keighley West Ward.

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS

None

7.9 IMPLICATIONS FOR CORPORATE PARENTING

None

7.10 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

None

8. NOT FOR PUBLICATION DOCUMENTS

None

9. OPTIONS

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

10. RECOMMENDATIONS

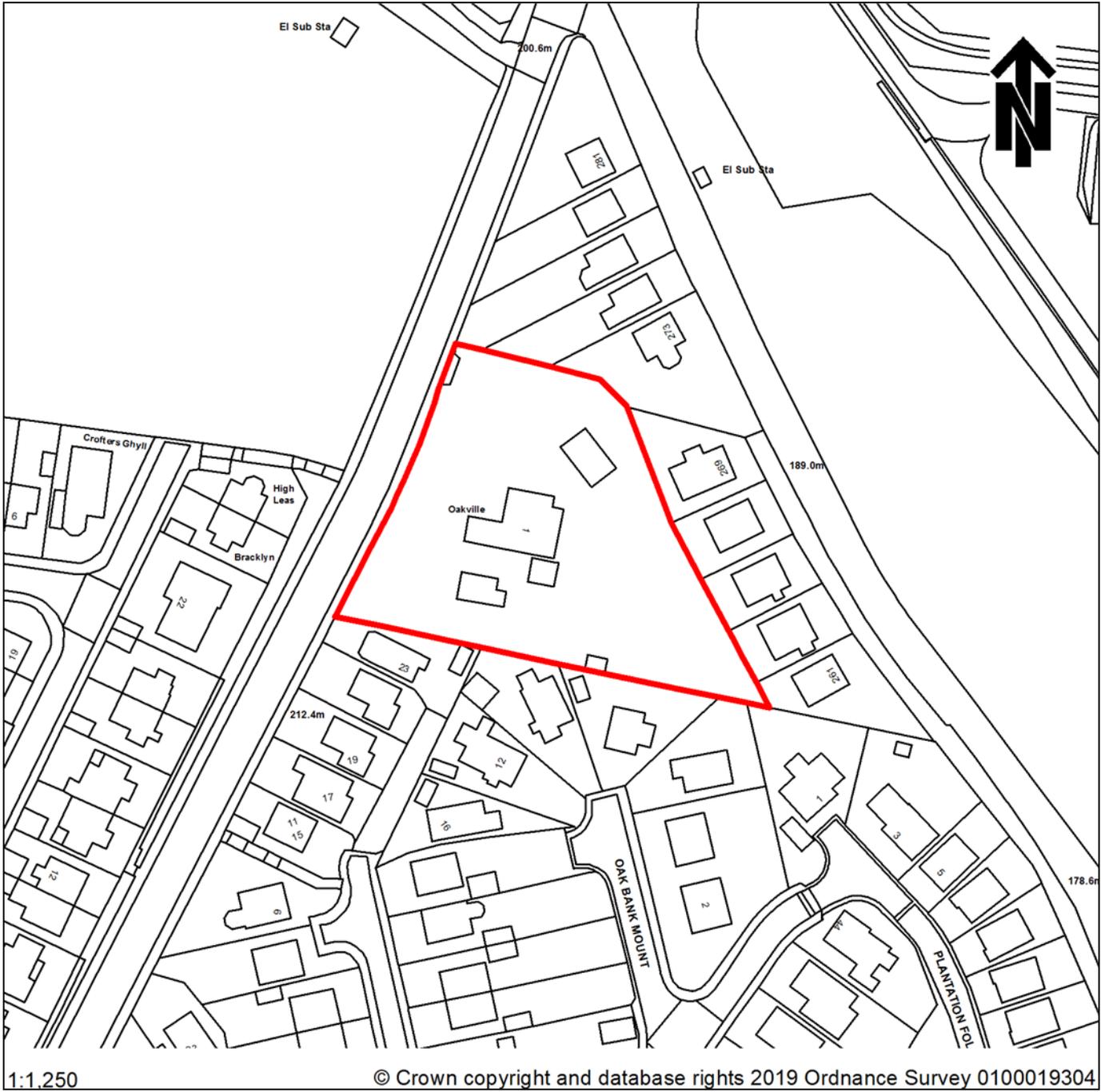
To grant outline planning permission subject to the conditions set out in the report attached at appendix 1 and subject to a Section 106 Legal Agreement to secure the provision of the units on an assisted living basis.

11. APPENDICES

Appendix 1: Technical Report

12. BACKGROUND DOCUMENTS

National Planning Policy Framework (2018)
Local Plan for Bradford
Replacement Unitary Development Plan



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Appendix 1

7 March 2019

Ward: Keighley West (Ward 17)

Recommendation:

TO GRANT PLANNING PERMISSION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Application Number:

17/03126/MAO

Type of Application/Proposal and Address:

An application for Outline Planning Permission, including access, for the construction of 24 assisted living units (C2) at Oakville, 1 Keighley Road, Oakworth, Keighley, Bradford.

Applicant:

Mr and Mrs Addis

Agent:

Mr Roger Lee

Site Description:

The site is comprised of a large detached dwelling set within an extensive landscaped curtilage, with large mature trees to the site boundaries. Access to the site is achieved from Keighley Road via a steeply sloping driveway. The existing dwelling is set below Keighley Road and the curtilage declines steeply towards the rear boundaries of properties on Ingrow Lane. The surrounding area is predominantly residential consisting detached dwellings and bungalows.

Relevant Site History:

00/00726/FUL-Single storey detached building to house private hydrotherapy pool for disabled person-Granted-21.06.2000

06/02130/FUL-Demolition of existing garage and construction of replacement garage with storage over-Granted-22.06.2006

The National Planning Policy Framework (NPPF):

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

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

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

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

Replacement Unitary Development Plan (RUDP):

The site is unallocated within the Replacement Unitary Development Plan.

Proposals and Policies

The majority of non-allocation related policies within the RUDP have now been superseded by those set out in the Core Strategy. The following adopted Core Strategy policies are considered to be relevant to the proposed development.

P1- Presumption in Favour of Sustainable Development
SC1- Overall Approach and Key Spatial Priorities
SC4- Hierarchy of Settlements
SC5- Location of Development
SC6- Green Infrastructure
SC8- Protecting the South Pennine Moors and their Zone of Influence
SC9- Making Great Places
TR1- Travel Reduction and Modal Shift
TR2- Parking Policy
TR3- Public Transport, Cycling and Walking
HO6- Maximising use of Previously Developed Land
EN2- Biodiversity and Geodiversity
EN4- Landscape
EN5- Trees and Woodland
EN7- Flood Risk
EN8- Environmental Protection
DS1- Achieving Good Design
DS2- Working with the Landscape
DS3- Urban Character
DS4- Streets and Movement
DS5- Safe and Inclusive Places

Parish Council:

Keighley Parish Town Council have offered the following comments:

The town council offer support for the application on condition that Highways Development Control does not raise any objections with regards to access.

Publicity and Number of Representations:

The application was publicised by press notice, site notice and neighbour notification letters. The expiry date for the submission of comments was 19th September 2017.

A total of 10 representations were received consisting of 7 objections, 2 letters of support and 1 general comment.

Summary of Representations Received:

In Objection

General

- Overdevelopment of the site
- numerous areas are unsuitable for the construction of residential properties
- The submitted plan does not include a plant room
- Is there a need for additional assisted living accommodation in the area? Bronte school site is a mainly level site with easy access for the elderly or disabled residents.
- Would family homes be more suitable for this site?
- Construction noise nuisance

Residential Amenity

- Ground floor communal living room, office and other ancillary rooms will open into the undercroft and are not fit for purpose.
- Flats A3 and A11 appear from the plans to be below ground level, with limited amenity
- Overlooking of properties on Oak Bank.
- The development will have an overbearing impact on properties on Ingrow Lane.

Trees

- Loss of existing mature trees
- The conifers adjacent to Keighley Road are unsafe and are a risk to passing pedestrians.

Biodiversity

- The grounds contain many mature trees and shrubs which is a habitat for many wild animals and birds.
- The development will have an adverse impact on bats which are present at the site.

Design

- The building is inappropriate in terms of its height.

Highway and Pedestrian Safety

- Double yellow lines are required on Oakworth Road from Ingrow Lane all the way up past the bus stop.
- Is the level of parking provision adequate to cater for residents, staff and visitors?
- Can service vehicles adequately manoeuvre within the site and leave in a forward gear.
- The site access is unsuitable to serve the development.

Drainage

- The existing drainage infrastructure is not suitable to cater for the proposed development.
- Serious consideration needs to be given with regards the treatment of surface water drainage and existing ground water run-off.
- The public sewer in Ingrow Lane is already running at capacity.
- The existing drainage serving Oakville is located at the rear of 261-267 Ingrow Lane and has been blocked over the years.
- Disposal of surface water by infiltration would damage properties on Ingrow Lane
- The development will mean that the foul water will not drain smoothly through the Ingrow Lane drainage system and will cause the drains to flood on a more regular basis.

In support:

The development is well thought out and is an excellent use of the site.

Consultations:

Trees

No objections are raised subject to planning conditions requiring the submission of an arboricultural method statement, or tree protection plan, before development begins and a condition to ensure that the tree protection measures remain in place for the duration of the development.

Education

As this is a development of assisted living units it is not anticipated that the development will provide a high proportion of family accommodation. The impact on local schools is therefore likely to be negligible and no objections are raised.

Sport and Leisure

The development will result in a minimal impact on the existing public open space. No objections are raised.

Yorkshire Water Lane Use

No objection subject to conditions requiring separate foul and surface water drainage systems and the submission of details of the proposed means of surface water drainage.

Highways Development Control (15.11.2017)

The amended site layout plan (Ref: 1474-100(OP) Rev B) is considered to be acceptable and the development does not raise any highway or pedestrian safety concerns. A condition is required in order to ensure that the proposed means of vehicular and pedestrian access is laid out, hard surfaced, sealed and drained within the site before the development is brought into use.

West Yorkshire Combined Authority (Highways)

As part of this scheme a bus shelter and real time passenger information display could be provided to improve the public transport offer, at a cost of £20,000 to the developer.

Keighley Parish Town Council

The town council offer support for the application on condition that Highways Development Control does not raise any objections with regards to access.

Disability Access Forum

As this is an outline application for access only the details are not sufficient at this stage to comment on the detailed layout from a disabled access perspective.

Drainage Authority

No objection subject to a planning condition requiring the submission of foul water drainage details to be approved in writing before the drainage works commence.

Lead Local Flood Authority

No objection subject to planning conditions requiring the submission of details of the proposed means of surface water drainage and a Surface Water Drainage Maintenance and Management document detailing the management arrangements for the lifetime of the development. Details of a temporary drainage strategy outlining the drainage arrangements for different construction phases of the project should also be approved in writing before development commences.

Environmental Health (Land Contamination)

The 'Phase 1 Contamination Report' was not prepared by an identified 'competent person' as required by the National Planning Policy Framework and does not provide a Phase 1 Desk Study which would meet current accepted good practice. However, the councils own records indicate a low likelihood of significant contamination being present. Environmental Health therefore recommend that the application is supported subject to planning conditions detailing how any unexpected contamination will be dealt with and providing a methodology for quality control of any material brought to the site for use in filling, level raising, landscaping and garden soils.

Summary of Main Issues:

Principle of Development
Access
Drainage
Land Contamination
Visual Amenity
Residential Amenity
Biodiversity
Trees
Section 106 Planning Obligations
Other Matters

Appraisal:

Principle of Development

The site is unallocated within the Replacement Unitary Development Plan and it is therefore not protected for any uses other than those that accord with the applicable policies of the Local Plan for Bradford.

The indicative plans indicate a development of 24 assisted living units. Policy HO8 identifies that there is a need for a variety of housing across the district in terms of type, size, price and tenure. Detailed guidance on housing mix is not yet available, as it will be set out as part of the Housing Allocations Development Plan Document. However policy HO8 provides a number overarching strategic priorities to guide housing mix across the district. This proposal would meet with these priorities by contributing towards the provision of specialist accommodation in the form of assisted living units. The proposal is therefore considered to accord with the requirements of policy HO8 of the Core Strategy.

Access

The proposed development would provide 24 assisted living units. Whilst the development is likely to increase the level of vehicle trips to and from the site the increase would not be sufficient to have a severe impact on the highway network in

respect of capacity or congestion. The development would therefore accord with paragraph 108 of the National Planning Policy Framework.

The development would take access from Keighley Road. The existing access would be widened to a width of 5 metres and the initial gradient would be reduced to 1:20 for the first 5 metres. The access would be of a sufficient width to enable two-way vehicle movements and the visibility splays of 2.4 metres by 43 metres would be sufficient to ensure that vehicles can safely enter and exit the site. The site access is therefore considered to be acceptable and is not considered to result in an unacceptable impact on highway safety. The site layout plan includes swept path analysis which demonstrates that the turning area would be of a sufficient size to allow for a large service vehicle (up to 11 metre long rigid vehicle) to enter and exit the site in a forward gear. The turning area is therefore considered to be of an acceptable size to ensure that the assisted living units can be adequately serviced.

The development would provide a total of 23 car parking spaces to serve 24 assisted living units. Appendix 4 of the Core Strategy provides indicative guidance on parking standards, but does not include any specific guidance relating to assisted living units. However, a nursing home would require car parking provision at a rate of 1 space per 5 residents and 1 space per 2 staff members, whilst dwellings require an average of 1.5 spaces per unit across a development. The proposed number of parking spaces is therefore considered to be sufficient to cater for the proposed assisted living units, where car ownership is expected to be less than would be required for a development of dwelling houses, but where spaces will be needed to cater for staff members and visitors. In conclusion it is considered that the proposed level of car parking provision is acceptable and the development would not result in an unacceptable impact on highway safety. The proposed development is considered to accord with the requirements of policies TR1 and TR2 of the Core Strategy.

West Yorkshire Combined Authority have requested a contribution of £20,000 in order to provide a shelter and real time information display to a nearby bus stop (21864) on Keighley Road. It is considered that the site occupies a sustainable location and whilst the requested upgrades would be beneficial they are not necessary to make the development acceptable in planning terms.

The sustainability of the site can be further enhanced by the provision of electric vehicle (EV) charging points, at a rate of 1 charging point per unit with dedicated parking, as set out in the Low Emission Strategy. Subject to a condition to ensure the provision of the EV charging points the proposal is considered to accord with policy EN8 of the Core Strategy.

Drainage

Policy EN7 of the Core Strategy deals with Flood Risk and states that the Council will manage flood risk pro-actively. In assessing development proposals this will require that all sources of flooding are addressed, that proposals will only be acceptable where they do not increase flood risk elsewhere and that any need for improvements in drainage infrastructure is taken into account. Development proposals will also be required to seek to minimise run-off and for Greenfield sites run off should be no greater than the existing Greenfield overall rates.

The Councils Drainage Unit (acting as Lead Local Flood Authority) have advised that they have no objection to the proposed development subject to the imposition of

planning conditions requiring the submission of full details and calculations of the proposed means of foul and surface water drainage. Details are also required of a temporary drainage strategy outlining the drainage arrangements for different construction phases of the project and the provision of a Surface Water Drainage Maintenance and Management document. Subject to the aforementioned conditions the proposed development is considered to accord with policy EN7 of the Core Strategy

Land Contamination

Policy EN8 of the Core Strategy requires that where land may be contaminated or unstable appropriate investigation and remediation is undertaken in order that the development will not pose a risk to human health, public safety and the environment.

The Environmental Health Department have assessed the site and have advised that there is a low likelihood of significant contamination. As such the proposed development is considered to be acceptable subject to planning conditions detailing how any unexpected contamination will be dealt with and for the submission of a methodology for the quality control of any material brought to site. Subject to the aforementioned conditions the proposed development is considered to accord with policy EN8 of the Core Strategy.

Visual Amenity

The indicative site layout plan illustrates a development of up to 24 assisted living units. The design, layout and appearance of the development is subject to detailed approval at the reserved matters application stage. However it is considered that the proposed development of 24 units could be accommodated on site without resulting in any adverse visual amenity implications in accordance with the requirements of policies DS1 and DS3 of the Core Strategy.

Residential Amenity

The indicative site layout plan indicates that the site is capable of accommodating 24 assisted living units, whilst maintaining sufficient separation distances to ensure that no adverse implications would be incurred on existing residents neighbouring the site, or on the future occupants of the proposed houses. The proposal is therefore considered to accord with policy DS5 of the Core Strategy which requires that development does not harm the amenity of existing or prospective users and residents.

Biodiversity

The site is not specifically designated for its biodiversity value. Outside designated sites policy EN2(D) requires consideration of any adverse impact that a development may have on important habitats and species.

A summer bat activity survey has been provided which states that the existing dwelling is a confirmed bat roost.

Given that the proposal is for the demolition of the dwelling it is considered that without appropriate mitigation, the development would result in the disturbance of bats which would be likely to have a detrimental impact. In order to ensure accordance with policy EN2(D) it must therefore be established the extent to which appropriate compensatory measures can be identified and carried out.

The species affected is the common Pipistrelle bat, which are a common crevice dwelling species. The Biodiversity Officer has advised that as this application is for outline planning permission, further survey work will not make any material difference to the outcome of the application, as mitigation measures informed by further surveys can be required as part of the detailed design, at the reserved matters application stage.

A planning condition is therefore required in order to ensure that any application for approval of reserved matters includes a minimum of two further bat activity surveys (one dawn emergence survey and one dusk return survey) and details of appropriate mitigation measures.

Paragraph 175 of the NPPF advises that developments should take the opportunity to incorporate biodiversity improvements and secure net gains for biodiversity. This is considered to be a matter to be addressed at the detailed design stage and condition is therefore suggested in order to ensure that any application for approval of reserved matters relating to appearance, landscaping or layout shall include a biodiversity enhancement plan compiled by a suitably qualified ecologist.

Trees

The site does not contain any trees protected by Tree Preservation Order (TPO). There are a group of trees immediately to the north of the site, at the rear of 273-281 Ingrow Lane, which are protected by a woodland TPO. Whilst the trees are located off-site they are within influencing distance of the development.

The submitted Tree Survey, compiled by James Royston Arboricultural, identifies that the majority of the trees contained within the site are of low amenity value, with the exception of T4 (single tree) and G9 (group) which are of low to moderate value. The protected group of trees beyond the north boundary are not categorised as having high amenity value but would be unaffected by the proposed development.

The Councils Trees Team have assessed the information and recommended that the development is acceptable subject to conditions requiring the submission of a an arboricultural method statement or tree protection plan, as well as conditions to ensure the provision and retention of any agreed protection measures.

In conclusion it is considered that the proposed development would not result in any adverse implications for trees that contribute significantly towards the amenity of the character of the area. The proposal is therefore considered to accord with policy EN5 of the Core Strategy.

Section 106 Planning Obligations

In order to ensure that the units are provided on an assisted living basis the developer is required to enter into Section 106 legal Agreement limiting occupation of the units to people in need of a minimum of 2 hours of personal care per week. Subject to the Section 106 legal agreement the proposed units are accepted as falling within use class C2 (residential institution).

Further Issues Raised by Representations

The proposal is overdevelopment of the site.

The proposed number of units is considered to be acceptable in principle and would not result in an adverse impact on the surrounding highway network. It is considered that

the indicative layout demonstrates that the number of units can be provided without resulting in adverse visual or residential amenity implications.

Numerous areas are unsuitable for the construction of residential properties

The site layout is indicative only and will require consideration as part of a reserved matters application. In any case it is considered that the development area illustrated on the indicative layout plan is suitable for the construction of the proposed development.

The submitted plan does not include a plant room

The site layout is indicative only and will require consideration as part of a reserved matters application.

Is there a need for additional assisted living accommodation in the area? Bronte school site is a mainly level site with easy access for the elderly or disabled residents.

The applicant is not required to demonstrate need for the provision of assisted living accommodation.

Would family homes be more suitable for this site?

Delivering more family housing across the District is identified as a strategic priority for the council. However, the provision of specialist accommodation to meet people's needs throughout their lives is also an identified strategic priority. There is no planning policy requirement to justify the provision of assisted living accommodation as opposed to residential dwellings.

The Ground floor communal living room, office and other ancillary rooms will open into the undercroft and are not fit for purpose.

The site layout plan is indicative only and would be subject to further consideration at the reserved matters application stage. In any case, the communal living area would benefit from a sufficient outlook from the east elevation. The office, entrance foyer and lobby area are not habitable rooms and therefore they would not require an outlook.

Flats A3 and A11 appear from the plans to be below ground level, with limited amenity

Flats A3 and A11 are at the first floor level. The site layout plan is indicative only at this stage, but habitable room windows could be placed in the north-east, north-west and south-west elevations. The units are therefore considered capable of benefiting from a sufficient level of amenity.

The development will overlook properties on Oak Bank.

The site layout plan is indicative only and will be the subject of future consideration at reserved matters application stage. However, it is considered that the building is sufficiently separated from Oak Bank to ensure that the development would not overlook the private amenity space or habitable room windows of neighbouring properties. It should also be noted that planning conditions can be imposed at the

reserved matters application stage requiring the use of obscure glazed windows, if necessary.

The development will have an overbearing impact on properties on Ingrow Lane.

The site layout plan is indicative only and will be the subject of future consideration at reserved matters application stage. However, it is considered that the indicative layout demonstrates that 23 assisted living units can be provided without resulting in adverse overbearing implications for properties on Ingrow Lane. The indicative plan demonstrates that the two storey aspect of the south-east elevation would be separated from the adjacent property, 265 Ingrow Lane, by a distance of approximately 22 metres to the rear boundary and 28 metres to the rear elevation. The three storey aspect of the building would be separated from the common boundary of 267 Ingrow Lane by a distance of approximately 18.4 metres and the rear elevation of the dwelling by a distance of 25 metres.

Loss of existing mature trees

The site does not contain any protected trees and the specimens on site are noted as having low or low-moderate amenity value. As such the removal of trees from the site is not considered to result in any adverse amenity implications.

The conifers adjacent to Keighley Road are unsafe and are a risk to passing pedestrians.

The submitted tree survey identifies that the conifer hedge (G10) adjacent to Keighley Road has no major defects. The contents of the survey are not disputed by the councils Trees Team and hedge is therefore not considered to constitute a risk to passing pedestrians.

The building is inappropriate in terms of its height.

The scale of the building is reserved for consideration as part of a future reserved matters application. The indicative site sections successfully demonstrate that 23 units can be constructed on site without result in any adverse implications in terms of visual amenity and residential amenity.

Double yellow lines are required on Oakworth Road from Ingrow Lane all the way up past the bus stop.

The site benefits from adequate visibility at the site access. A TRO is not considered to be required at the site entrance.

Is the level of parking provision adequate to cater for residents, staff and visitors?

The level of car parking provision is considered to be sufficient to cater for the residents, staff and visitors.

Can service vehicles adequately manoeuvre within the site and leave in a forward gear.

The submitted swept path analysis demonstrates that the turning area would be of a sufficient size to allow for a large service vehicle (up to 11 metre long rigid vehicle) to enter and exit the site in a forward gear.

The site access is unsuitable to serve the development.

The proposed site access is of an acceptable specification, as confirmed by Highways Development Control.

The existing drainage infrastructure is not suitable to cater for the proposed development.

The Councils Drainage Unit (acting as Lead Local Flood Authority) has advised that the development is acceptable subject to the approval of full details and calculations of the proposed means of foul and surface water drainage. Further conditions are to be imposed requiring a temporary drainage strategy for the

The public sewer in Ingrow Lane is already running at capacity

Any connections to the public sewer will be subject to the agreement of the sewerage undertaker.

The existing drainage serving Oakville is located at the rear of 261-267 Ingrow Lane and has been blocked over the years.

Full details and calculations of the proposed means of foul and surface water drainage and a drainage strategy outlining the arrangements for different construction phases of the project and the provision of a Surface Water Drainage Maintenance and Management document are required by planning conditions. It is therefore anticipated that the development will benefit from adequate foul and surface water drainage infrastructure, with suitable measures in place for on-going management.

Disposal of surface water by infiltration would damage properties on Ingrow Lane.

The proposed development is subject to a condition requiring the submission of surface water drainage details and calculations, to ensure that no surface water discharge takes place until proper provision has been made for its disposal and in the interest of sustainable drainage.

The development will mean that the foul water will not drain smoothly through the Ingrow Lane drainage system and will cause the drains to flood on a more regular basis.

The proposed development is subject to a condition requiring the submission of foul water drainage details and calculations, to ensure that no foul water discharge takes place until proper provision has been made for its disposal.

Construction noise nuisance

Construction hours for the proposed development can be limited by a planning condition to ensure that construction work does not occur during unsociable hours.

Subject to the aforementioned condition no adverse residential amenity implications are foreseen.

Community Infrastructure Levy

The site is located in a nil CIL zone.

Equality Act 2010, Section 149:

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 received 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 reason to conclude that the proposed development would have a significantly detrimental impact on any groups of people or individuals with protected characteristics.

Reason for Granting Planning Permission:

The proposal is considered to represent a sustainable form of development and is acceptable in principle. The indicative layout demonstrates that the site can accommodate upto 24 assisted living units and a suitable point of access, without resulting in any adverse implications in respect of highway and pedestrian safety, land contamination, residential amenity, drainage, biodiversity, or protected trees. Subject to conditions the proposal satisfies the requirements of policies P1, SC1, SC4, SC5, SC6, SC8, SC9, TR1 TR2, TR3, HO6, HO8, EN2, EN4, EN5, EN7, EN8, DS1, DS2, DS3, DS4, DS5 of the Local Plan for Bradford and the National Planning Policy Framework.

Conditions:

1. Timescale

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

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

2. Timescale

The development to which this notice relates must be begun no later than the expiration of 2 years from the date of the approval of the matters reserved by this permission for subsequent approval by the Local Planning Authority, or in the case of approval of such matters on different dates, the date of the final approval of the last of such matters to be approved.

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

3. Reserved Matters

Before any development is begun plans showing the:

- i) Appearance
- ii) Landscaping
- iii) Layout
- iv) Scale

must be submitted to and approved in writing by the Local Planning Authority.

Reason: To accord with the requirements of Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3. Foul Water Drainage Details

Notwithstanding the drainage details contained in the supporting information, the drainage works shall not commence until full details and calculations of the proposed means of disposal of foul water drainage have been submitted to and approved by the local planning authority. The details should also include but not be exclusive to;

- a) evidence to demonstrate that receiving drainage system is structurally and hydraulically suitable;
- b) evidence of existing positive drainage to public sewer and the current points of connection;

The development shall thereafter only proceed in strict accordance with the approved drainage details.

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

4. Surface Water Drainage Details

Notwithstanding the drainage details contained in the supporting information, the drainage works shall not commence until full details and calculations of the proposed means of disposal of surface water drainage, based on drainage principles that promote water efficiency and water quality improvements through the use of SuDS and green infrastructure to reduce its effect on the water environment, have been submitted to and approved by the local planning authority. The details should also include but not be exclusive to;

- a) evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical;
- b) evidence of existing positive drainage to public sewer and the current points of connection; and
- c) the means of restricting the discharge to public sewer to the existing rate less a minimum 30% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change have been submitted to and approved by the Local Planning Authority.

The development shall thereafter only proceed in strict accordance with the approved drainage details.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal and to accord with policy EN7 of the Local Plan for Bradford

5. Surface Water Drainage Management Plan

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

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

6. Temporary Drainage Strategy

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

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

7. 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.

8. Material 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.

9. Construction Hours

Construction work shall not normally be undertaken outside the following hours:

- Monday to Friday 8.00 a.m. to 6 p.m.
- Saturday 8.00 a.m. to 1 p.m.
- Sundays, Public/Bank Holidays No working.

Reason: To protect the amenity of the occupants of nearby dwellings and to accord with policy DS5 of the Core Strategy Development Plan Document.

10. Method Statement/Tree Protection Plan

The development shall not begin, nor shall there be any demolition, site preparation, groundwork, materials or machinery brought on to the site, nor shall there be any work to any trees to be retained until tree protection measures are installed in accordance with an arboricultural method statement or tree protection plan to BS5837:2012 to be approved in writing by the Local Planning Authority.

Reason: To ensure that trees are adequately protected prior to development activity on the site which would otherwise unacceptably harm trees to the detriment of public visual amenity and to accord with EN5 of the Core Strategy.

11. Tree Protection Confirmation

The development shall not begin, nor shall there be any demolition, site preparation, groundwork, materials or machinery brought on to the site, nor shall there be any work to any trees to be retained until the LPA has inspected and given its written approval to confirm that the agreed tree protection measures are in place in accordance with the approved arboricultural method statement or tree protection plan.

Upon completion of the development written verification/evidence of contemporaneous supervision and monitoring of the approved tree protection during the whole construction period shall be submitted to the Local Planning Authority by a suitably qualified and pre-appointed tree specialist and the Local Planning Authority shall have confirmed its agreement to that verification prior to occupation of the dwellings.

Reason: To ensure that trees are adequately protected prior to development activity on the site which would otherwise unacceptably harm trees to the detriment of public visual amenity and to accord with EN5 of the Core Strategy.

12. Tree Protection Retention

The approved tree protection measures shall remain in place, shall not be moved, removed or altered for the duration of the development without the written consent of the Local Planning Authority. There shall also be no excavations, engineering or landscaping work, service runs, or installations, and no materials will be stored within any construction exclusion zones or tree protection without the written consent of the Local Planning Authority.

This tree condition may only be discharged on completion of the development subject to satisfactory written evidence of contemporaneous supervision and monitoring of the tree protection during construction by a suitably qualified and pre-appointed tree specialist.

Reason: To ensure that trees are adequately protected during the construction period in the interests of visual amenity and to accord with EN5 of the Core Strategy.

13. Access Before Use

Before any part of the development is brought into use, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced, sealed and drained within the site in accordance with the approved plan reference 1474-100(OP) Rev B) and completed to a constructional specification approved in writing by the Local Planning Authority.

Reason: To ensure that the site is connected to existing street and path networks, public transport and places and that a safe and suitable form of access is made available to serve the development in accordance with Policy DS4 of the Core Strategy Development Plan Document and Paragraph 108 of the National Planning Policy Framework.

14. Visibility Splays

Before any part of the development is brought into use, the visibility splays hereby approved on plan reference 1474-100(OP) Rev B) shall be laid out and there shall be no obstruction to visibility exceeding 900mm in height within the splays so formed above the road level of the adjacent highway.

Reason: To ensure that visibility is maintained at all times in the interests of highway safety and to accord with Paragraph 108 of the National Planning Policy Framework.

15. Parking before Use

Before the use commences, the off street car parking spaces hereby approved shall be laid out, hard surfaced, sealed, marked into bays and drained within the curtilage of the site in accordance with the approved plan reference 1474-100(OP) Rev B). The car park shall be kept available for use whilst ever the use subsists.

Reason: In the interests of highway safety and to accord with Policy TR2 of the Core Strategy Development Plan Document and Paragraph 108 of the National Planning Policy Framework.

16. Domestic Electric Vehicle Recharging Points

Unless otherwise agreed in writing with the Local Planning Authority, from the date of first occupation, every assisted living unit on site with dedicated parking shall be provided with access to a fully operation 3 pin socket on a dedicated 16A circuit, capable of providing a 'trickle' charge to an electric vehicle. Charging points should be provided via outdoor, weatherproof sockets within easy access of the parking areas or within dedicated garage space. All EV charging points shall be clearly marked with their purpose and drawn to the attention of new residents in their new home welcome pack/travel planning advice.

Reason: To facilitate the uptake and use of low emission vehicles by future occupants and reduce the emission impact of traffic arising from the development in line with the West Yorkshire Low Emission Strategy and the National Planning Policy Framework.

17. Bat Mitigation Measures

Any application for the approval of reserved matters relating to appearance, layout and/or landscaping shall include a minimum of two further bat activity surveys (one dawn emergence survey and one dusk return survey) which shall be carried out by a competent person. Full details of any necessary mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall then be retained whilst ever the development subsists.

Reason: To safeguard protected species and to accord with Policy EN2 of the Core Strategy.