



Report of the Assistant Director - Planning, Transportation & Highways to the meeting of the Regulatory and Appeals Committee to be held on 15 August 2019

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Subject:

Construction of community facility with ancillary accommodation

Summary statement:

This full application seeks to build a Community Centre which will incorporate both sports and learning facilities, designed over 3 (and in parts 4) storeys.

The new community centre would involve a sports hall, a rooftop garden/break out area (under controlled/restricted use) and associated off-street car parking facility. The proposal seeks to incorporate a community development under a use of D1 'Community and Education', D2 'Leisure & Sport', along with portions of A1 'Retail (Bookshop)' and A3 'Café' associated to the main use.

The site is unallocated in the Local Plan for Bradford.

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 principal of such development is supported in the Local Plan, the possible stability issues with the land are addressed and the layout of the proposal is acceptable and presents no significant adverse impacts with regard to visual or residential amenity, highway safety, drainage, flood risks and land contamination, subject to the imposition of the conditions.

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Transportation & Highways)

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Portfolio:
Regeneration, Planning and Transport

Overview & Scrutiny Area:
Regeneration and Environment

1. SUMMARY

The Regulatory and Appeals Committee are asked to consider the recommendation for the determination of a full planning application ref. 18/05541/MAF made by the Assistant Director (Planning, Transportation and Highways) as set out in the Technical Report at Appendix 1, which proposes:

Construction of community facility with ancillary accommodation at Tile Street, Manningham.

2. BACKGROUND

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

3. OTHER CONSIDERATIONS

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

4. FINANCIAL & RESOURCE APPRAISAL

None relevant to this application.

5. RISK MANAGEMENT AND 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 applications 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 development meets the sustainability criteria outlined in relevant national and local planning policies. The proposal itself provides a range of facilities for local residents and is located within close proximity to nearby public transport

connections to access this facility. The proposal is a community based facility that can be easily walked to or cycled to, in a densely populated area. The site is well located in relation to the built-up area. No adverse sustainability implications are foreseen.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

Most new development will result in the release of greenhouse gases associated with both construction operations and the activities of the future users of the site.

Consideration should be given as to the likely traffic levels associated with development and as to whether the location of the proposed development is such that sustainable modes of travel would be best facilitated and future greenhouse gas emissions associated with the activities of the buildings users 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 lower than would be the case for alternative, less sustainable locations, due to the close proximity of the users of the site, the local community who are able to access by foot and cycle. Also, in order to encourage alternative means of transport Electric Vehicle (EV) charging points will be secured by a planning condition in line with the Type 1 Mitigation requirements set out in the Bradford Low Emission Strategy and the applicants submitted Travel Plan, which promotes alternate means of transport, will form part of the decision notice.

7.4 COMMUNITY SAFETY IMPLICATIONS

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 site is within Manningham 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.

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS

None

7.9 IMPLICATIONS FOR CORPORATE PARENTING

None.

7.10 ISSUES ARISING FROM PRIVACY IMPACT ASSESSMENT

None

8. NOT FOR PUBLICATION DOCUMENTS

None

9. OPTIONS

The Committee can 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

This full application is recommended for approval, subject to a S106 and the conditions included within Appendix 1.

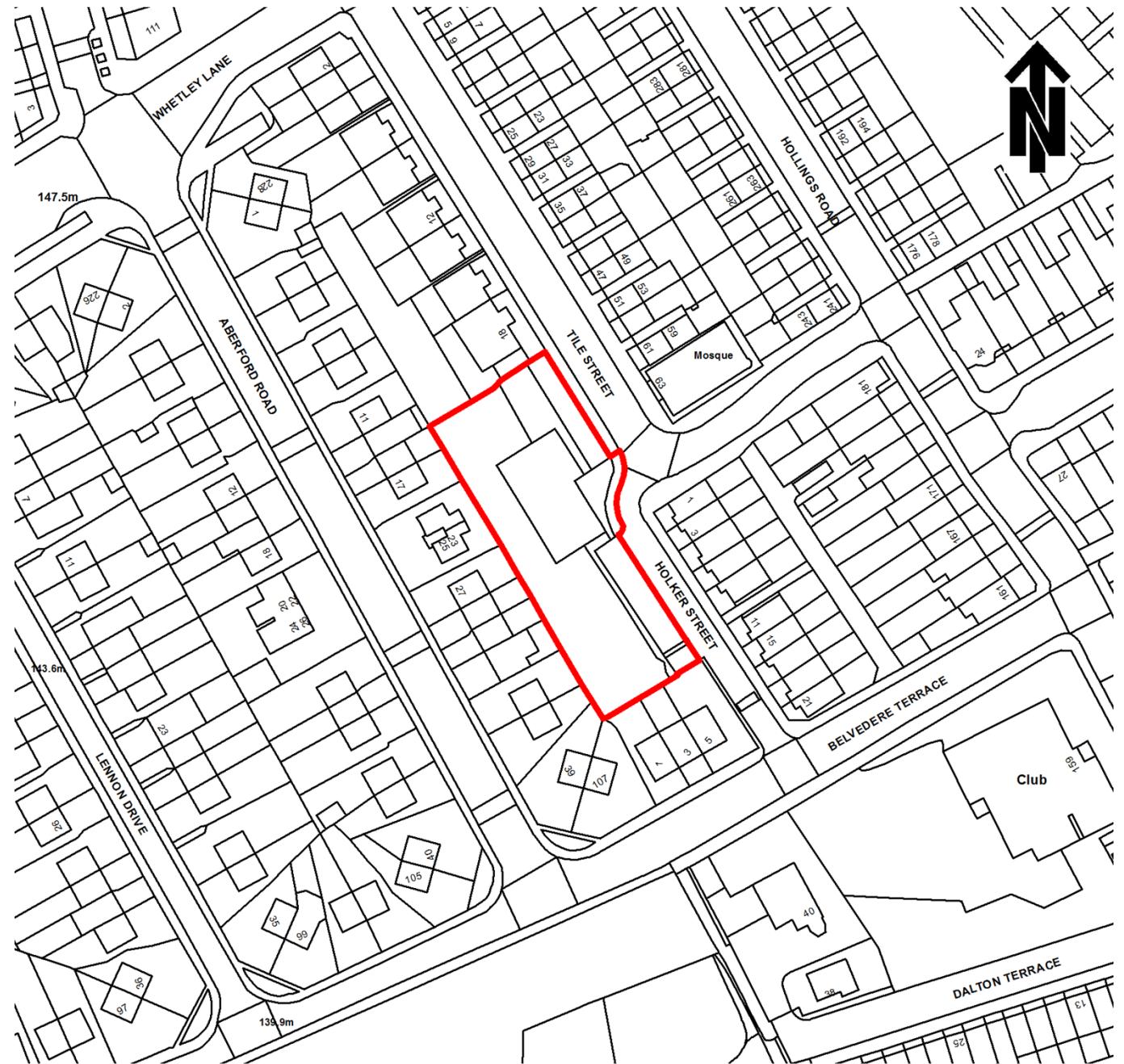
11. APPENDICES

Appendix 1: Technical Report

12. BACKGROUND DOCUMENTS

National Planning Policy Framework
Replacement Unitary Development Plan
Local Plan for Bradford

18/05441/MAF



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**Land At Tile Street
Bradford**

Date : 15 August 2019

Ward: Manningham (ward 19)

Recommendation:

That Members be minded to grant planning permission subject to the conditions included within this report and that they resolve to authorise the Assistant Director, Planning, Transportation and Highways to issue the grant of planning permission upon completion of a Section 106 Agreement.

Terms of a S106 Agreement to include:

- To require highway works through 278 to a) deliver proposed waiting restrictions and permit parking b) re-location the existing prohibition of driving on Holker Street to Tile Street junction to facilitate access from Belvedere Terrace.
- secure £12,000 to be used for post-development traffic/parking surveys and a TRO if required.

Application Number:

18/05441/MAF

Type of Application/Proposal and Address:

Construction of community facility with ancillary accommodation

Applicant:

Jamia Masjid Naqshbandia Aslamia (JMNA)

Agent:

Faum Architecture

Site Description:

The site at Tile Street is located 1.3km to the north-west of Bradford City Centre, on a strip of land which adjoins Tile Street and Holker Street. Tile Street is accessed from both Whetley Lane (part of the Bradford ring road A6177) and Hollings Road. The surrounding area is predominantly flanked by built up residential zones, as well as some industrial areas.

The site is bounded by Tile Street to the north, Holker Street to the east, Belvedere Terrace to the south and Aberford Road to the west. All these streets are made up of residential properties.

The site is circa 1,854 SQ M of area (0.46 ACRES) in size. The site has a flat area accessed off Tile Street, opposite an existing mosque, which once served as an open playground area. The playground has not been in use for many years and the site is now fenced off, unused and overgrown. The site drops from the flat area off Tile Street steeply to Aberford Road, with the land supported by old 'gabion' type structures.

Surrounding the site are mainly residential areas, made up of both two and three storey houses with walling materials being of predominantly Yorkshire stone, with other mixes such as reconstituted stone and brick. Natural slate or concrete roof finishes and further

mixture of timber and upvc windows and doors.

Relevant planning History:

None

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework was revised in Feb 2019 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 following adopted Core Strategy and RUDP policies are applicable to this proposal.

Core Strategy Policies

- P1 Presumption in Favour of Sustainable Development
- SC1: Overall Approach and Key Spatial Priorities
- SC9: Making Great Places
- BD1: The Regional City of Bradford
- EN1: Protection and improvements in provision of Open Space and Recreation Facilities
- EC5: City, Town, District and Local Centres
- TR1: Travel Reduction and Modal Shift

- TR2 Parking Policy
- 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 unallocated in the RUDP.

There are no relevant RUDP policies – the land is located within an area identified by superseded policy CF6 - which stated that planning permission would be granted for community uses where there was a demonstrated need.

Parish Council:

None

Publicity and Number of Representations:

The application was publicised by press notice, site notices and neighbour notification letters. The expiry date for the publicity exercise was the 15 February 2019.

As a result of the publicity exercise 13 representations objecting to the proposal were received.

The application was re-advertised in May 2019 by means of publicised press notice, site notices and neighbour notification letters following material amendments to the proposal.

As a result of the publicity exercise, 6 additional representations were received objecting to the proposal, one representation from a previous objector reiterating their concerns and one representation mixed, in that it stated the proposal overall was ‘great but overly ambitious’.

Statement of Community Involvement - prior the submission of the application the applicant undertook engagement with the surrounding community and contacted ward Councillors. A door to door exercise took place by the agent/applicant to explain the proposal and they obtained 27 signatures from residents in the surrounding streets who supported the application.

Summary of Representations Received:

The majority of the objections related to parking and concern that the existing parking problems would be made far worse. Objectors have stated that there are significant problems with parking on Fridays, when people are attending the mosque opposite the proposal site and when events are taking place at the mosque on Saturdays.

Concerns that the retail element would create antisocial behaviour, noise, litter

Concerns that the building is too big and that the design is not in keeping with the area

Concerns that another food eatery being allowed due to the number of eateries within the

local area and that would create further problems with rodents

State that there are already existing sports facilities within the area and additional ones are not needed.

State that the land has subsidence issues.

The concerns raised by residents are addressed in the body of the report – it should be noted that the proposal has been amended in terms of the retail elements.

Consultations:

The Coal Authority – No Objection

The application site does not fall with the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

Drainage – No Objection

The Lead Local Flood Authority (LLFA) has assessed the documentation relating to the surface water disposal, flood risk and foul water disposal for the proposed development, against the requirements of the National Planning Policy Framework, Planning Practice Guidance and local planning policies.

The proposed drainage scheme as illustrated on Drawing 811/PD/01 dated July 2018 is acceptable. YW have also confirmed that the proposed drainage scheme is acceptable to them.

The LLFA have NO OBJECTION to the proposed development provided that the following details are implemented and secured by the following planning conditions:

Environmental Health – Air Quality – No objection

First response

For the purpose of the Bradford Low Emission Strategy (LES) Planning Guidance and the West Yorkshire Low Emission Strategy (WYLES) planning guidance this is a medium development site. The Bradford LES and WYLES help to ensure that all developments meet the requirements of policy EN8 in the Bradford Local Plan (core strategy) with respect to the protection of local air quality, prevention of human exposure to poor air quality and minimisation of emission growth across the Bradford district.

In accordance with the Bradford LES and WYLES LES planning guidance all medium applications are subject to the following requirements:

Provision of Type 1 emission mitigation

- EV charging facilities
- Adherence to the London Best Practice Guidance / IAQM guidance relating to the control of dust and emissions from construction and demolition

Provision of Type 2 emission mitigation

Provision of a comprehensive low emission travel plan to discourage the use of high emission vehicles, and encourage the uptake of low emission vehicles.

Where a development has the potential to introduce new relevant receptors an exposure assessment may also be required.

Exposure Assessment

An exposure assessment is not required for this application as the site is within an existing residential area where there are currently no air quality concerns. It is considered unlikely that users of the facility would be exposed to elevated concentrations of air pollutants.

Type 1 emission mitigation

Electric Vehicle Charging Requirement

I could not find any reference to the intention to provide EV charging facilities within the application. It is recommended that a minimum of one purpose built charging point is provided capable of providing mode 3 fast charge. The most cost effective solution is likely to be an entry level wall mounted workplace style charging point located within the basement parking area with access restricted to site users only. Some organisations (including charities) are eligible for workplace charging point grants to assist with the cost of providing charging facilities.

Type 2 emission mitigation

Low Emission Travel Plan

Medium developments require submission of travel plans which include measures to support and promote the use of low emission vehicles at the site. A travel plan has been submitted covering walking, cycling and public transport measures but this does not currently have adequate coverage of opportunities for the use of low emission vehicles at this site.

A revised plan should be provided which sets out the advantages of low emission vehicle use and which identified further steps that could be taken to promote ownership and use of low emission vehicles by users of the centre.

Heating and Power

Proposals for the provision of heat and power at the site are currently unclear. It should be noted that due to the urban location and introduction of relevant receptors at the site the use of biomass technology is unlikely to be considered appropriate in this location.

Second response following amendments

EV charging provision

It was previously advised that an EV charging point should be provided at the site. The location of the proposed charging point is now identified on the new document entitled "17020-P-04-C UPPER BASEMENT FLOOR PLAN". This location is acceptable but details about the type of charging point and maintenance / access arrangements are still required prior to installation.

I recommend that the following condition is applied to the application (in line with my previous comments on EV charging provision).

Travel Plan

It is noted that the framework Travel Plan has been updated to include some information on why the proposed community facility should seek to promote low emission vehicles. Whilst the factual information provided makes a good case for promoting low emission vehicle use at the site it still does not provide details of how this will be done in practice.

Travel planning, promotional materials and staff induction packs produced for the new facility must include reference to the EV charging facilities and how to access them. There should also be consideration given to holding information sessions for site users on the advantages of low emission vehicles and how to access them. This could include for example, signposting to local dealerships, providing opportunities to try / view low emission vehicles and highlighting the availability of car clubs in Bradford (as an alternative to car ownership).

All other previous comments in relation to this application still apply in full, including the need for a dust risk assessment and dust management plan during the construction phase.

Environmental Health Land Contamination

Environmental Health has considered the application and the Phase 1 Desk Top Study by Arc Environmental Limited.

The report identified that potential sources of onsite contamination include “The made ground below the site associated with previous site history (i.e. quarry spoil/demolition of former buildings on site).” And “Risks posed by hazardous ground gas, associated with the anticipated infill of the quarry below the site, and possible migration from nearby (off-site) sources.”

The report concludes by recommending that a “Phase 2: Ground Investigation (intrusive investigation) is completed for this site before commencing with the construction of the proposed development” and states that “ground contamination testing and gas monitoring will need to be incorporated into the design of any intrusive investigation works.”

Environmental Health agrees with the findings of the Phase 1 Desk Top Study by Arc Environmental Limited. Should the Local Planning Authority be minded to approve the application, we would recommend the following conditions for inclusion on the decision notice.

Environmental Health - Nuisance – No objection

Having read the applicant’s supporting material, I have no pollution-related objections to this application.

Highways

First response

The proposed level of parking provision is 45 spaces, with 37 spaces undercroft in the new building and 8 existing spaces along Tile Street. The level of parking provision is acceptable for this scale of development.

I do have some concerns with dropping off taking place on Holker Street as the turning facilities are limited and therefore the developer should allow dropping off to take place in the car park.

The ramps serving the basement car parks require suitable transition lengths where gradients change. These transition gradients should be sited at the top and bottom to reduce the risk of vehicle grounding. The transition length should be at least 3.00m and its gradient half the gradient of the ramp. The transition lengths should be marked on the

plans.

The scale of proposed highway works requires a S278 agreement. The highway works will require two TROs: one to deliver the proposed waiting restrictions and permit parking, and the other to re-locate the Prohibition of Driving. The TRO details will need to be discussed with the Highway Authority through the S278 process. The developer will be required to fund the highway works at cost through the S278 agreement.

Although the site is situated in a sustainable location it is still expected to generate a significant volume of vehicular traffic which would be likely to impact a wider area surrounding the site. The Highway Authority therefore considers that the developer should make provision for post-development surveys and a TRO if required at a likely cost of £12K. This should be secured up-front through a S106 agreement and any unspent money would be refunded to the developer within a 3 year period.

Once amended plans are submitted showing ramp transition lengths and confirmation that the developer will fund the required highway works, the proposed development will be acceptable in highway terms subject to the following conditions.

Second response following amendments

I refer to the above application and my previous response and would offer the following observations.

The applicant has addressed the concerns I raised previously regarding steep change in ramp gradients in the internal car parking areas; suitable transition lengths are now provided where gradients change. The applicant has also confirmed that dropping off/picking up will be allowed in the car park to address my concerns regarding drop off/pick up taking place on Holker Street as the turning facilities are limited.

I note that car parking will now be provided on the upper basement floor only which reduces the proposed undercroft parking from 37 spaces to 20 spaces. The total level of parking will be reduced from 45 spaces to 28 spaces. I can accept this level of car parking as the site is situated in an accessible location. A Framework Travel Plan has also been submitted which will encourage travel by non-car modes. Notwithstanding this, a low level of off street parking also makes post development traffic surveys more important as discussed below.

The site will be accessed from Holker Street via Belvedere Terrace. The existing prohibition of driving on Holker Street would be relocated to the Tile Street junction to facilitate access from Belvedere Terrace.

The scale of proposed highway works requires a S278 agreement. The highway works will require two TROs: one to deliver the proposed waiting restrictions and permit parking, and the other to re-locate the Prohibition of Driving. The TRO details will need to be discussed with the Highway Authority through the S278 process. The developer will be required to fund the highway works at cost through the S278 agreement.

Although the site is situated in a sustainable location it is still expected to generate a significant volume of vehicular traffic which would be likely to impact a wider area surrounding the site. The Highway Authority therefore considers that the developer should make provision for post-development traffic/parking surveys and a TRO if required at a

likely cost of £12K. This should be secured up-front through a S106 agreement and any unspent money would be refunded to the developer within a 3 year period.

If the Council is minded to approve this application then the following highway conditions should be included in the decision notice

Landscape Officer – No Objection

First response

The design concept and proposals would improve the character of this neighbourhood, if carried out to a high specification and then was subsequently well maintained.

The main issue is the elevation and uses of the building in relation to the properties on Aberford Road. I would like see how this elevation impacts on the light into the rear gardens and windows.

Visually the design has attempted to address views from Aberford Road with proposed soft landscape (climbers) etc but this would take many years to establish and form a green wall.

If the application is approved we would require to see full details of both the proposed hard and soft landscaping along with a management plan.

Second response following amendments

The design concept and proposals would improve the character of this neighbourhood, if carried out to a high specification and then was subsequently well maintained.

The main issue is the elevation and uses of the building in relation to the properties on Aberford Road. The submitted sun path plan seems to show that the development will not impact significantly on the rear gardens of Aberford Road so that is reasonable.

Visually the design has attempted to address views from Aberford Road with the proposed soft landscape treatments. Given the site elevation the proposals should give a reasonable view but the scale is significant due to the change in height.

If the application is approved we would require a management plan submitted to show how the site will be looked after, including access to the site. The success of the landscape will be determined by the quality of maintenance.

Sports England – No objection

The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case, but would wish to give the following advice to aid the assessment of this application.

General guidance and advice can however be found on our website

If the proposal involves the provision of a new sports facility, then consideration should be given to the recommendations and priorities set out in any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place. In addition, to ensure they are fit for purpose, such facilities should be designed in

accordance with Sport England, or the relevant National Governing Body, design guidance notes:

In line with the Governments NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport Englands Active Design guidance can be used to help with this when developing or assessing a proposal. Active Design provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity.

Trees Team – No objection

There are two trees on site, neither of which are protected and both of which would require removal to accommodate the proposals. If minded to approve the application I would request that a suitable condition requiring a landscaping scheme which contains at least two trees is included in order to mitigate the loss.

West Yorkshire Combined Authority – No objection

After looking at all the relevant information, on this occasion we have no comments to make.

WY Police ALO – No objection

First response

Requested further consideration of collision mitigation measures, car park security, security for the crèche and teaching Area, external lighting and CCTV,

Second response following amendments

Referring to the proposed site plan it's positive to see that bollards have been included in addition to 1100mm high railings which protect the pedestrian areas and the front of the building.

WY Police welcome the inclusion of external lighting, seek CCTV and fob/swipe key access which will allow regular visitors / community member's access and ensure that strangers cannot just wander into the building, seek access control to protect classroom areas and seek laminated glazing in the communal café and book shop and any security shutters should be a brick bond or lattice design ideally fitted to the inside of the shop front.

Yorkshire Water – No Objection

There is a 125mm water main within the red line boundary and Holker Street which appears to be affected by the works and so may require diverting at the developers cost. The line of the main will have to be determined on site under YWS supervision and the applicant should contact the Area Office (see below) ideally before determination of this application, but certainly prior to commencement of construction. There must be at least a 3m easement (6m total) on this main where no structures, trees, planters or levels changes are to be made within this area. (No deeds) Proposed site plan and as on landscape plans, this small area is shown to be pedestrianised with at least 2 new trees in circular seated planters affecting the pipe. It is likely to be acceptable to locate the hard standing over the pipe but locating trees here is NOT acceptable. Any changes to the ground level by more than may necessitate diverting the water main.

Conditions to protect the water main requested by YW.

Summary of Main Issues:

- 1) Principle
- 2) Design/Landscape
- 3) Residential/amenity impacts
- 4) Highway impacts
- 5) Air Quality and Land Quality/Stability
- 6) Flood Risk/Drainage

Appraisal:

The Proposal

The site is a constrained site, which is long and narrow, with former quarrying evident and a sloping angle which has made any development challenging. The proposal requires most of the site to be excavated to allow for a meaningful footprint to be created.

Following excavation, the community centre would be built, with both sports and learning facilities, designed over 3 (and in parts 4) storeys however, the main frontage would appear only two storeys when viewed from 'Tile Street' street level. The remaining two subfloor levels would be below ground and mainly dedicated to off street car parking, recreational games and sports facilities.

The new community centre would involve a sports hall, a rooftop garden/break out area (under controlled/restricted use) and associated off-street car parking facility. The proposal seeks to incorporate a community development under a use of D1 'Community and Education', D2 'Leisure & Sport', along with portions of A1 'Retail' and A3 'Café' associated to the main use.

The proposal has been amended several times to address, in particular, the potential impact on residents on Aberford Road. The applicant has now provided for stepped and cascaded levels of landscaping, to attempt to reduce any undue overbearing and overlooking issues to the residential properties on Aberford Road to the west.

The design is modern, with polished concrete finish, roofing to be in flat concrete finish with incorporated drainage system (no external gutters) and aluminium framed windows and doors.

The gross site area is 1,854 sq m/0.46 acre/0.185 ha. The proposed useable footprint of the ground floor is 743 sq m/0.184 acre/0.074 ha. The existing vacant site has a level difference of 6 metres from the front boundary on Tile Street to the rear boundary of houses at Aberford Road.

The new proposal involves the new building being 'buried' underground to provide both parking arrangements at underground level as well as recreational uses. The underground parking would provide 20 spaces, with 8 spaces at street level on Tile Street. Access would be from Holker Street via Belvedere Terrace, 'closing-up' and creating a pedestrianised zone on the junction of Tile Street and Holker Street.

The Principle

The proposal site is an unallocated site within the Local Plan for Bradford. The Spatial Vision set out in the Bradford Core Strategy seeks under objective 10 to provide “.. a diverse city where socially inclusive and vocal communities live and where the needs of citizens are met through improved access to good quality homes, jobs, shopping, cultural facilities, health and education provision and community facilities for a growing population.” This proposal sits well with the objectives of the Spatial Vision and policies SC1, SC9 BD, EN1 and EC5 of the Bradford Core Strategy as set out below

Policy SC1 seeks to provide sustainable development, supporting local growth with the associated community provision.

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.*”

Policy BD1 seeks to provide sustainable development, regeneration initiatives, including community infrastructure. The proposal falls into the North West Bradford Area, for which 4,500 new homes are proposed, and for which the provision of associated community facilities and facilities for younger people are sought.

Policy EN1, serves to protect and improve open space and recreation facilities. Part of the site was a former open rough tarmacked playground (with no equipment) linked to a historical housing development. The site has been fenced off for some while (to prevent fly tipping) and consequently the land has not been in use as a playground for some years. The proposal seeks to provide fairly significant recreation facilities in the form of a gym and sports hall and it is considered that such provision outweighs the loss of this small playground. Sports England raise no objections.

Policy EC5 seeks new and an appropriate scale of retail development in Bradford. Small shops within walking distance of residential properties are supported, provided that collectively they would not have an adverse impact on retail in the City centre. The original proposal did provide for more (small scale) retail, including three retail shops, a café and a bookshop, however the majority of the retail has been removed by the applicant following concerns from resident. Only the café and bookshop remain and assurance has been given by the applicant that there will be no ‘fast food’ outlet in the building.

Additionally, concerns have been raised that the proposal will be a school and that gyms and such facilities already exist in the area – the applicant has responding by stating

“We can categorically say that the proposed community centre will in no way, shape or form be used as a school. However, the community centre will provide activities for all age groups and abilities such as a deaf club, various training facilities delivered by professional organisations relating to community issues, crèche services, homework club and many more.

We would like to emphasise that from our door to door visits, residents expressed great interest and ambition in proactively being involved in the services we plan to provide through the proposed community centre, utilising their own knowledge and skills. This is evident from the petition and feedback received from residents.

In addition, this will give the public an opportunity to actively engage in recreational activities and other services, where previously they would not be able to access such facilities due to financial and social barriers, experienced by low-income families.”

Notwithstanding the concerns raised by residents, the proposal is considered acceptable in principle and consistent with policies SC1, SC9 BD1, EN1 and EC5 of the Bradford Core Strategy and the National Planning Policy Framework.

Design/Landscape

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; and policy DS5 sets out policies for promoting the development of safe and inclusive places.

The proposal has been through number of iterations, mainly to address and mitigate impacts to the properties on Aberford Road however, the overall finish and design remains as originally perceived in the early days.

The applicant has provided a document to demonstrate their design concept, referring to influences from other community buildings, the Circles of Zikr and core ethos of Allah Hu, concluding that the modern design integrates and celebrates the success of the organisation and community.

The urban design officer commented on the original design that

“The applicant has submitted a well presented proposal which has a number of positive

aspects. It is a community orientated, multi-functional facility with a bold contemporary Islamic-inspired design which makes optimum use of the site and its levels including parking and facilities underground and a rooftop garden. “

However, both the Urban design officer and Landscape officer did raise concern regarding the original proposals and the potential to impact on Aberford Road properties with large glazed areas to both the front and back which may overlook/look into properties, impacts of retaining walls, the rooftop garden area, the mass of the building and car park ramp on the homes to the rear on Aberford Road (which are set at a lower level).

Additionally, there were concerns that the proposal (although achieving the 17 metre distance to habitable room windows to the surrounding dwellings) was set at a higher level and therefore adversely impacted on the properties on Aberford Road and did not achieve the 25 degree projection requirement (albeit for householder/residential development) from the mid window of the residential properties on Aberford Road.

After meetings between Council Planning officers, the Applicants and their Agents the proposal was amended to address the concerns raised. Amendments included

- Changing the angle of repose of the roof line at the rear of the proposal to minimise impact on Aberford Rd properties – now angled roof line
- Lowering the height of the buildings – including internal roof heights of the building
- Ensuring the ‘rooftop’ open area had obscure glazing, planting and no opportunities to overlook into Aberford Rd properties
- Obscure glazing to rear.
- Removing design details at the rear that created additional massing
- Additional landscaping at the rear/including green walls
- Changes to the parking/parking ramp
- Creation of Green walls
- Obscure glazing on upper floor windows on Holker Street
- Sun path information

Officers, following the material amendments, now state that *“The submitted sun path plan seems to show that the development will not impact significantly on the rear gardens of Aberford Road so that is reasonable. Visually the design has attempted to address views from Aberford Road with the proposed soft landscape treatments. Given the site elevation the proposals should give a reasonable view”* however, it is still noted the scale of the proposed development and the changes in level between Aberford Road and Tile Street do mean that it is difficult to create an ideal solution.

The agent/applicant maintains that they have done everything they can to minimise the impacts on the Aberford properties and that the current outlook from these properties is poor - looking at a concrete retaining structure, with overgrown vegetation that has been subject to fly tipping – and the agent maintains there is an opportunity to improve the outlook and improve the area overall by the high quality built development proposed.

With regards to designing out crime a number of recommendations have been put forward by the WY Police ALO and the applicant has provided a number of proposals. The revised proposal included many of the recommendations of the Police, including bollards, higher railings, external lighting etc. The request for the communal café and book shop to use laminated glazing is noted. With approval of the revised documentation/plans by condition and a condition regarding laminated glazing it is considered the proposal is in accordance

with the required elements of DS5.

Overall, officers concur with the agent/applicant that all possible appropriate steps have been taken and the proposal amended to create a well-designed building and minimise potential negative impacts on what is a tight, narrow site in a residential area. 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; and policy DS5 sets out policies for promoting the development of safe and inclusive places

Residential and Visual Amenity

Policy DS5 of the Core Strategy requires that development proposals should not harm the amenity of prospective users and residents and DS3 states that they should create a strong sense of place and be appropriate to their context in terms of layout, scale, density, details and materials. Additionally, there should be consideration of policy EN8 in the context of adverse impacts from development on residential amenity, e.g noise and light pollution.

As indicated above, there has been due consideration given to the design of the proposal and its setting in the landscape, it is a bold design reflecting an Islamic design and the intention is not to be 'in keeping' with the surrounding architecture (which is mixed in form and not considered distinctive in its own right) but to create a design which engages target users and celebrates the organisation.

Originally, the proposal involved basement level parking, which would have created a higher wall at the rear, ramps to enter into the parking and a need for potentially noisy ventilation equipment - impacting on the residents on Aberford Road. The parking is no longer fully basement based and the ventilation system removed, along with the high wall, assisting in mitigating impacts.

The proximity of the 'roof garden' at the rear also has the potential to impact on the properties of Aberford Road from overlooking, noise and light. However, the proposal has been carefully designed to ensure that there is no overlooking, with obscured glazing to the balustrade and appropriate planting adjacent to the obscured glazed balustrade. An acoustic report has been submitted with the application to address all sources of noise, including plant maintenance, the car park, sports hall, fixed plant and the roof top garden. Additionally, the applicant has proposed restricted hours of usage to the roof garden from 8:30am to 21:00, with the EH officer raising no objection to this.

In terms of hours of operation of the community centre itself, the acoustic report refers to teaching proposed to 20:00, sports hall and gym to 22:00 and the retail (café & bookshop) to 23:00. Although Environmental Health officers have noted the acoustic report and submissions, raising no objections to the proposal in terms of noise and light pollution issues, it is considered that the use of parts of the community centre up until 23:00 is too late in a densely populated residential area additionally, it would be difficult to differentiate between the different uses, consequently a blanket closing time by condition of the whole facility at 22:00 is considered appropriate.

This bold design does have the potential to impact on residential/visual amenity, but there has been considerable discussion and consideration of the potential impacts, particularly

to residents on Aberford Road, with material changes to the proposal (as highlighted above in Design) to mitigate adverse overlooking, massing and over shadowing. The massing and form, distances from the properties and the angle of projection have been altered to try to achieve a solution and although still on the cusp, the residential impacts are not considered too adverse to reject the proposal.

The proposed development, overall, is not considered to result in any adverse residential or visual amenity issues and it accords with policies DS1, DS3 and EN8 of the Core Strategy.

Highway Access and Vehicular Movements

Paragraph 108 of the NPPF requires that in assessing planning applications it should be ensured that:

- appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- safe and suitable access to the site can be achieved for all users; and
- any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 109 of the NPPF makes clear that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

At the Local Plan level 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 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 and to encourage people to walk cycle and use public transport.

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.

The applicant has provided both a Transport Assessment and Travel Plan with the application.

The TA and TP demonstrate that the site is located in a sustainable location for walking, cycling and use by public transport. The topography is relatively flat in nature and walk catchment extends to cover the local residential areas thus useable by a wide catchment area, with existing pedestrian routes in the vicinity of the site that will assist the accessibility of the site for pedestrians. Generally 2km is deemed an acceptable distance to walk and within a 2km radius in a densely populated area capturing a significant number of residential properties. Cycling is normally considered acceptable up to 5km, and the applicant considers it is highly accessible by cycle and extends that this also extends the

catchment area of the population further. In terms of public transport the site is well connected and demonstrated as being within a 45 minute journey for the majority of the Bradford District

The applicant in their Travel Plan has stated that there will be a Travel Plan Co-ordinator who will provide information, lead the development and implementation of the Travel Plan, have responsibility for raising awareness of sustainable travel issues and promote schemes which reduce the use of the private car. A Travel Pack is to be provided to encourage users and staff to travel sustainably, local bus and train timetables will be accessible to all via a newsletter and TP Coordinator will encourage participation in initiatives such as Bike Week and promote the health aspect of not using a car. Eight cycle parking spaces are to be provided.

In terms of parking, the original proposal was to provide more parking spaces, but it was on multi-level, transitions could not be achieved, a ventilation system would have been required and it created a high wall at the rear, creating detrimental impacts for residents on Aberford Road. Consequently, when reviewing the proposal, the applicant amended the parking to minimise the impacts on residents on Aberford Road and provide for the required transitions.

The total level of parking is now 28 spaces, dropping from 45. In support of this, the applicants in their TA has stated that the site does not operate as a series of standalone uses, which would add up to a required figure for parking above that proposed at 28; that the users are shared and community based, and as such a lower figure would be supportable. This, they state, coupled with a 30% internalisation for trips, results in a figure and requirements of 18 to 38 parking spaces.

The applicant's highway engineer has stated that the site offers 28 spaces, which is the midpoint of the 18 to 38 car parking spaces calculated and states furthermore that this is considered acceptable for the accessible location as set out in their TA and TP.

Mitigation is also proposed to assist with parking and the free flow of traffic, this includes (through a S106 and S278) :

- Relocation of the Prohibition of Driving (POD) to allow access from the south.
- Provision of residents only parking spaces allocated for Holker St residents – 10 residential units are affected and 14 spaces provided
- A new POD will be created at the pinch point from Belvedere Terrace to Tile Street – where a new pedestrian area is created.
- No waiting restrictions will be placed from space 6 to space 1 and from the POD to Belvedere Terrace on the west side.

Highway officers have concurred with the applicant highway engineer, raising no objection to the proposal, however, they have stated in response to the submission, TA and TP that:

“... I can accept this level of car parking as the site is situated in an accessible location. A Framework Travel Plan has also been submitted which will encourage travel by non- car modes. Notwithstanding this, a low level of off street parking also makes post development traffic surveys more important as discussed below.

....Although the site is situated in a sustainable location it is still expected to generate a significant volume of vehicular traffic which would be likely to impact a wider area

surrounding the site. The Highway Authority therefore considers that the developer should make provision for post-development traffic/parking surveys and a TRO if required at a likely cost of £12K. This should be secured up-front through a S106 agreement and any unspent money would be refunded to the developer within a 3 year period.”

The applicant has agreed to the provision of a commuted sum of £12k through a S106 and will also enter into a S278 for the other highway works proposed.

It is therefore considered that the proposal is in accordance with the relevant highway policies within the Core Strategy, including policies TR1 and DS4 in that the proposed development is occupies a sustainable location reducing the demand for travel providing sustainable transport options and has significant proposals to encourage walking, cycling and the use of public transport. The inclusion of EV charging points would also promote the use of more sustainable forms of transport.

In terms of parking spaces, the applicant has provided information to demonstrate the number of parking spaces is sufficient and highways have accepted the proposed parking is sufficient , provided that the mitigation proposed is contained within a S106/S278, post development surveys are undertaken and a commuted sum of 12k provided for any TRO that may be required post survey. It is therefore considered with the mitigation in place that parking provisions are sufficient and that the proposal it is accordance with Policy TR2.

Air Quality and Land Quality/Stability

Policy EN8 of the Bradford Core Strategy states that the Council will take a proactive approach to maintaining and improving air quality within the District through a range of actions and that development proposals must not exacerbate air quality beyond acceptable levels; either through poor design or as a consequence of site selection.

The Air Quality officer has accepted that the proposal is a ‘medium’ proposal in the West Yorkshire Low Emissions Strategy and that a detailed AQ assessment is not required. The EV charging points are now noted and a condition is requested.

The AQ officer also noted the travel plan and its update, requesting that the applicant includes how the information on how low emissions strategy’s will be distributed – this is now detailed in the D&A statement – in which it is stated that staff induction packs will include reference to the EV charging facilities and how to access them. There will be information sessions for site users on the advantages of low emission vehicles and how to access them. This would include, signposting to local dealerships, providing opportunities to try / view low emission vehicles and highlighting the availability of car clubs in Bradford (as an alternative to car ownership)

Additionally, EN8 states that proposals for development should undertake appropriate investigation into the quality of the land, to address contamination and or unstable land. 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.

A Phase 1 Desk Top report has been undertaken which identifies potential sources of onsite contamination include “The made ground below the site associated with previous site history (i.e. quarry spoil/demolition of former buildings on site).” And “Risks posed by

hazardous ground gas, associated with the anticipated infill of the quarry below the site, and possible migration from nearby (off-site) sources.”

The report concludes by recommending that a “Phase 2: Ground Investigation (intrusive investigation) is completed for this site before commencing with the construction of the proposed development” and states that “ground contamination testing and gas monitoring will need to be incorporated into the design of any intrusive investigation works.”

There are also potential issues with stability of the land. The land has formally been quarried and the location of the site is shown on the historical maps as part of a quarry face, with possibly tipping against the face. The land currently has retaining structures (believed to be concrete) which are probably associated with the historical land instability and the need to retain the land as it is in the proximity of housing. It is possible that the land is currently unstable and this is noted in the applicant’s Phase 1 report and raised by a local resident. The proposal will seek to address the stability issues, as the intention is to excavate the existing slope to create a meaningful footprint, with temporary support works whilst excavation is being undertaken. The new proposal (which is partially underground) will form the new retaining structure. The agent has provided an outline of how the engineering works will be undertaken over a 6 to 8 month period and how the impacts of excavation/construction will be mitigated. This information is sufficient for the purpose of the determination of the application, but in order to ensure that the engineering works to address stability are undertaken to the required standard a condition is proposed.

EH officers concur with the Phase 1 report and request a Phase 2 by condition. The Phase 2 report shall, as indicated above, also include the need for the report to include an assessment by a suitably qualified independent engineer detailing the engineering works to be undertaken and any necessary mitigation. This will also require the need to assess potential nuisance issues that may arise from the engineering operation, as highlighted in policy EN8 e.g. noise, vibration, dust.

Subject to the requested land quality conditions and EV charging condition, it is considered that the application adequately deals with air quality, nuisance and land quality (contamination and stability) issues in accordance with Core Strategy policy EN8.

Flood Risks/ Drainage

Core Strategy policy EN7 states that the Council will manage flood risk pro-actively.

The Drainage officer/Lead Local Flood Authority (LLFA) has assessed the documentation relating to the surface water disposal, flood risk and foul water disposal for the proposed development against the requirements of the National Planning Policy Framework, Planning Practice Guidance and Local Plan, and states that the proposed drainage scheme is acceptable. Drainage conditions are requested.

YW have also confirmed that the proposed drainage scheme is acceptable to them, but request a condition to protect a water main that is situated in the footpath on Tile Street.

Subject to conditions it is considered the proposal is in accordance with Policy EN7 of the Core Strategy Local Plan.

Community Safety Implications

Core Strategy Policy DS5 states that development proposals should be designed to

ensure a safe and secure environment and reduce the opportunities for crime. The matter is highlighted in the design section of this report and in this instance, subject to appropriate access control, CCTV and lighting provisions being implemented, it is considered that the proposed development would create a safe and secure environment not increasing opportunities for crime, in accordance with Core Strategy Policy DS5.

Planning Obligations

S106 Agreement to:

- To require highway works through 278 to a) deliver proposed waiting restrictions and permit parking b) re-location the existing prohibition of driving on Holker Street to Tile Street junction to facilitate access from Belvedere Terrace.
- secure £12,000 to be used for post-development traffic/parking surveys and a TRO if required.

The highway officer indicated 3yr payback period if the monies were not required for a further TRO, however the S106 officer has suggested an increase the payback clause to five years, as the money may have to fund TROs and they can take some time to proceed through the due process. The S106 has been progressed with a 5yr payback period.

Community Infrastructure Levy

This proposal is not subject to CIL.

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 scheme provides a community development on a redundant historic quarry site in a residential area. The principal of such development is supported in the Local Plan, the possible stability issues with the land are addressed and the layout of the proposal is acceptable and presents no significant adverse impacts with regard to visual or residential amenity, highway safety, drainage, flood risks and land contamination, subject to the imposition of the conditions listed below.

The proposed development would meet the requirements of Core Strategy policies P1, SC1, SC9, BD1, EN1, EC5, TR1, EN7, EN8, DS1, DS2, DS3, DS4 and DS5 and the application is recommended for approval.

Conditions:**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 & docs

The development hereby approved shall only be carried out in accordance with the following drawings and documents:

- i) 170120-P -01 - Location plan
- ii) 17020-P-02-D Proposed Site Plan
- iii) 17020-P-03-A Lower Basement Floor Plan
- iv) 17020-P-04-C Upper Basement Floor Plan
- v) 17020-P-05-B Ground Floor Plan
- vi) 17020-P-06-B First Floor Plan
- vii) 17020-P-07-B Proposed Roof Plan
- viii) 17020-P-08-B Proposed Front and Rear Elevations
- ix) 17020-P-09-B Proposed Side Elevations
- x) 17020-P-10-B Proposed Site Sections
- xi) 17020-P-11 Proposed Site Sections DD, EE & FF
- xii) 01-377-18-A Landscape Proposal 29.04.19 Sheet1
- xiii) 02-377-18-A Landscape Proposals 29.04.19 Sheet2
- xiv) 03-377-18-A Landscape Proposals 01.05.19 Sheet3
- xv) 05-377-18 Section Detail 30.04.19 Sheet5
- xvi) YYM Services Ltd DRG 811-PD-01A
- xvii) YYM Services Ltd DRG DRG 811-PD-02A
- xviii) YYM Services Ltd DRG DRG 811-PD-03A
- xix) YYM Services Ltd DRG DRG 811-PD-04A
- xx) 10-3D Visualisations May2019
- xxi) 17020-ES-01 [MAY 19] Engineering Statement
- xxii) J995 Community Hall Framework Travel Plan 2019
- xxiii) J995 Community Hall Transport Statement 2019
- xxiv) Design and Access Statement 17020-DA-01 – Rev C [JUL 19]
- xxv) J2747-R3-Faum Arch-Tile Street Community Facility Noise Survey Report
- xxvi) Ventilation Statement July 2018
- xxvii) YMM Service Ltd 811 -DR/ 1 DRAINAGE DESIGN AND STATEMENT

Save where measures are required by the conditions set out elsewhere on this permission, which shall take precedence over the above documents.

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. Geotechnical and Phase 2 report

Prior to the development commencing a full Geotechnical, Phase 2 site investigation and engineers report, undertaken by a suitably qualified independent person (s), shall be submitted to and approved by the Local Planning Authority. The report shall present in full detail the engineering works to be undertaken to stabilise and engineer the land for built

development; and shall detail the stages of the engineering operation, how the site will be stabilised, dust, noise and vibration mitigated and the management of associated HGV movements. The report shall also provide site investigation and risk assessment methodology to assess the nature and extent of any contamination on the site, whether or not it originates on the site. Upon approval the report shall be fully implemented and a written report, including a remedial options appraisal scheme, shall thereafter be submitted to and approved in writing by the Local Planning Authority.

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

4. Remediation verification

A remediation verification report, including where necessary quality control of imported soil materials and clean cover systems, prepared in accordance with the approved remediation strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of each phase of the development (if phased) or prior to the completion of the development.

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

5. 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.

6. 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.

7. Materials Samples

Before any development comprising construction of the external walls structure commences, details of the proposed materials for the external walls shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be constructed in the approved materials.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies EN3, DS1 of DS3 of the Core Strategy Development Plan Document.

8. Material Samples:

Before development above damp proof course commences the development, arrangements shall be made with the Local Planning Authority for the inspection of all external facing and roofing materials to be used. 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 Policies DS1 and DS3 of the Core Strategy Development Plan Document.

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. Hours of use

The development shall only be in use between the hours of 08:00 and 22:00 however the outdoor areas/roof top garden area identified on the approved plans shall only be in use between the hours of 08:30 and 21:00.

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

11. YW – protection water main

Prior to development commencing until measures to protect the 125mm water main that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times. If the required stand-off distance is to be achieved via diversion or closure of the water main , the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area , the approved works have been undertaken . No trees shall be planted within 5 metres of the aforementioned water main

Reason: In the interest of public health and maintaining the public water supply

12. Drainage

Prior to development commencing details of a scheme for foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed in accordance with the principles outlined in Drawing 811/PD/01 dated July 2018. The scheme so approved shall thereafter be implemented prior to the

commencement of the development.

Reason: In the interests of the amenity of future occupiers, pollution prevention and the effective management of flood risk and to accord with Policies DS5, EN7 and EN8 of the Local Plan for Bradford.

13. Drainage

The development shall not begin until a Maintenance Plan for the surface water drainage scheme has been submitted to and approved in writing by the Lead Local Flood Authority. Once built, the drainage scheme shall be maintained thereafter, in accordance with the approved Plan.

Reason : In the interests of the amenity of future occupiers, pollution prevention and the effective management of flood risk and to accord with Policies DS5, EN7 and EN8 of the Local Plan for Bradford.

14. EV charging

From the date of first occupation a minimum of 1 purpose built electric vehicle charging point should be provided within 3m of a parking bay belonging to the development. The charging point must be capable of providing a mode 3 fast charge to electric vehicles. The EV charging point shall be clearly marked with its purpose and information about how to use and access it provided at the parking bay. The existence of the charging point should be highlighted in staff induction packs /venue information. Details of the type of charging point, its location and arrangements for upkeep and maintenance shall be provided to City of Bradford MDC approval prior to the opening date of the development.

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

15. Highways layout car park

Before any part of the development is brought into use, the proposed car parking spaces shall be laid out, hard surfaced, sealed, marked out into bays and drained within the curtilage of the site in accordance with the approved plan. The car park so approved shall be kept available for use while ever the development is in use.

Reason: In the interests of amenity and highway safety and to accord with policy TR2 of the Local Plan for Bradford.

16. Obscure glazing balustrade

The acoustic barrier shown on approved drawing 05-377-18 Section Detail 30.04.19 Sheet 5 shall be constructed from obscure glazing.

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

17.Landscape and management plan

Prior to occupation of any part of the development a landscape management plan for a schedule of landscape maintenance for a minimum period of 25 years shall be submitted

to, and be approved in writing by, the Local Planning Authority. The content of the plan shall include the following.

- Description and evaluation of features to be managed and to include all communal hard and soft landscaped areas.
- Ecological trends and constraints on site that might influence management.
- an outline of maintenance works to be undertaken and the frequency of those work
- Aims and objectives of management.
- Preparation of a work schedule (including an annual work plan)
- Details of the body or organization responsible for implementation of the plan. It shall provide email, postal address and telephone contact details of such a company or agency.
- On-going monitoring and remedial measures.
- Maintenance and establishment of any planting for a period of 5 years minimum.

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 landscaping and biodiversity objectives of the originally approved scheme.

Landscape maintenance of the identified areas shall subsequently be carried out in accordance with the approved schedule for the period agreed and in accordance with the approved details.

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

18 .WY Police – laminated glass

The communal café and book shop should include laminated glazing within the windows.

Reason: To provide a safe and secure environment in accordance with DS5 of the Local Plan for Bradford.

Foot notes

Drainage Condition (13) above is only applicable if the developer doesn't intend to offer the system up for adoption to Yorkshire Water via a S.104 Agreement.

Informative: The need to provide the charging point should be considered during the design phase of the scheme to ensure it can be safely provided. The inability to provide charging points due to access and health and safety constraints during the latter stages of development will not be accepted as a reason to remove or vary any conditions relating to the provision of EV charging. If the applicant has any concerns about meeting the EV charging point requirements at this site they are encouraged to enter into an early discussion with City of Bradford MDC air quality staff.

The applicant is reminded that they may be able to seek assistance with the cost of installing a charging point through the government's EV charging point grant scheme

<https://www.gov.uk/government/collections/government-grants-for-low-emission-vehicles>