

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

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**Subject:**

Full application for the construction of 61 affordable houses with associated car parking and access, Long Lee Lane, Long Lee, Keighley.

**Summary statement:**

The application site is a former housing allocation in the RUDP, K/H2.17.

An outline planning permission for up to 58 open market houses was approved in 2016.

The layout of the proposed development accounts for the challenges of the topography of the application site and the presence of electricity infrastructure. Similarly, the design of the housing is considered appropriate in the context of the surrounding area.

As such, the proposed development is in conformity with the core principles of the National Planning Policy Framework and Core Strategy policies H9, DS1, DS2, DS3, DS4 and DS5.

The application is recommended for approval subject to a legal agreement to cover the maintenance of a highway drain and public footpath improvements & conditions within the technical report.

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**Portfolio:**

**Change Programme, Housing, Planning and  
Transport**

**Overview & Scrutiny Area:**

**Regeneration and Economy**



## **1. SUMMARY**

This is a full application seeking approval for 61 affordable houses at Long Lee Lane, Keighley.

There have been 11 objections and the application is therefore required to be determined by this Committee.

## **2. BACKGROUND**

The application site was formerly allocated as a Phase 2 housing site in the RUDP, K/H2.17. However, following Counsels advice it has been confirmed that with Policies H1 and H2 not being saved in 2008, the Council effectively has no allocated housing sites.

At the meeting of the Executive, 21<sup>st</sup> November 2011, Executive reaffirmed that it was the Councils intention that the unimplemented housing sites should be protected to meet the Districts housing needs; noted the extensive and robust statutory process through which the sites allocated under Policies H1 and H2 in the RUDP were subjected to and as such all the unimplemented housing sites previously allocated under Policies H1 and H2 should be accorded significant weight when considering their use for residential development.

An earlier planning application at the site was approved for up to 58 houses.

Within the proposed development 66% of the houses would be intermediate tenures (rent to buy and shared ownership) and 34% would be provided as affordable rent.

## **3. OTHER CONSIDERATIONS**

None.

## **4. OPTIONS**

The Committee can approve the application, or refuse the application. If the Committee is minded to refuse the application, reasons for refusal based on material planning grounds and supported by local and or national planning policy must be given.

## **5. FINANCIAL & RESOURCE APPRAISAL**

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

## **6. RISK MANAGEMENT & GOVERNANCE ISSUES**

No implications.

## **7. LEGAL APPRAISAL**

The proposals are within the Council powers as Planning and Highway Authority subject to appropriate consents being granted.

## **8. OTHER IMPLICATIONS**

### **8.1 EQUALITY & DIVERSITY**

Section 149 of the Equality Act 2010 states that the Council must, in the exercise of its functions "have due regard to the need to eliminate conduct that is prohibited by the Act, advancing equality of opportunity between people who share a protected characteristics and people who do not share it, and fostering good relations between people who share a protected characteristic and people who do not share it. For this purpose Section 149 defines "relevant protected characteristics" as including a range of

characteristics including disability, race and religion. In this particular case due regard has been paid to the Section 149 duty but it is not considered there are any issues in this regard relevant to this application.

## **8.2 SUSTAINABILITY IMPLICATIONS**

The application site is located outside the urban area of Keighley. However, the site lies on a public transport route and there are local facilities in Long Lee eg. primary school; doctors surgery. Accordingly, it is not considered there are any adverse sustainability implications.

## **8.3 GREENHOUSE GAS EMISSIONS IMPACTS**

New build development invariably results in the release of greenhouse gases associated with both construction operations and the activities of the future building occupants. However there is a need for new housing within the District and therefore a more relevant consideration is whether the location of the proposed facility is such that sustainable modes of travel by residents would be best facilitated and future greenhouse gas emissions associated with the activities of building users are 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.

As part of the development electricity vehicle charging points would be installed contributing towards a reduction in greenhouse gas emissions.

## **8.4 COMMUNITY SAFETY IMPLICATIONS**

None.

## **8.5 HUMAN RIGHTS ACT**

Article 6 - right to a fair and public hearing. The Council must ensure that it has taken into account the views of all those who have an interest in, or whom may be affected by the proposal.

## **8.6 TRADE UNION**

None

## **8.7 WARD IMPLICATIONS**

None

## **9. NOT FOR PUBLICATION DOCUMENTS**

None

## **10. RECOMMENDATIONS**

The application is recommended for approval for the reasons outlined in Appendix 1, subject to conditions and a Section 106 Agreement to cover maintenance of a highway drain and public footpath improvements.

## **11. APPENDICES**

Appendix 1 technical report

## **12. BACKGROUND DOCUMENTS**

National Planning Policy Framework  
Core Strategy 2017

**Appendix 1**

**7 November 2019**

**Ward:**

Keighley East

**Recommendation:**

To grant planning permission subject to conditions and completion of Section 106 agreement.

**Application Number:**

19/02851/MAF

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

A full application for residential development for 61 affordable houses at Long Lee Lane, Long Lee, Keighley.

**Applicant:**

Yorkshire Housing/Strategic Team Group Ltd

**Agent:**

Acanthus WSM Architects

**Site Description:**

The site comprises c.3 hectares of agricultural land, enclosed by dry stone walls and post & wire fencing. The site lies immediately to the north of Long Lee Lane, west of housing on Willow Tree Close/Elm Tree Close, with agricultural land and woodland to the north and west.

There is an electricity pylon to the northern part of the site, along with electricity cables travelling along the eastern side of the application site.

A public footpath runs, within the application, along the eastern boundary, connecting Long Lee Lane with Park Wood and beyond.

The application site slopes downwards east to west and upwards south to north, markedly in parts.

**Background:**

The application site was previously allocated as a Phase 2 housing site in the RUDP, under Policy K/H2.17.

An outline application for up to 58 dwellings was approved in 2016.

Of the 61 houses, 66% would be intermediate tenures (rent to buy and shared ownership) and 34% would be provided as affordable rent.

**Relevant Site History:**

15/02732/MAO Proposed residential development of up to 58 dwellings, approved August 2016.

### **Replacement Unitary Development Plan (RUDP):**

#### **Allocation**

On the proposals map of the RUDP, the site is allocated as a Phase 2 housing site under the reference K/H2.17. (A greenfield site on the edge of the urban form. Before development of the site is undertaken an ecological survey is required. Access to the development would be dependent on highway constraints at Coney Lane Bridge being resolved. The listed milestone to Park Lane must be incorporated into the development of the site).

However, following Counsels advice, it was confirmed that as Policies H1 and H2 were not saved and the Council effectively has no allocated housing sites. At a meeting of the Executive, it was reaffirmed that it was the Councils intention that the unimplemented housing sites should be protected, to meet the Districts housing needs; and noted the extensive and robust statutory process through which the sites allocated under policies H1 and H2 in the RUDP were subjected to and as such, all the unimplemented housing sites previously allocated under policies H1 and H2, should be accorded significant weight, when considering their use for residential development.

#### **Core Strategy**

There are a number of Core Strategy Policies to be considered in the determination of the application:

SC9 Making Great Places  
TR1 Travel Reduction and Modal Shift  
TR2 Parking Policy  
TR3 Public Transport, Cycling and Walking  
HO1 Scale of Housing Required  
HO3 Distribution of Housing Requirement  
HO5 Density of Housing Schemes  
HO9 Housing Quality  
HO11 Affordable Housing  
DS1 Achieving Good Design  
DS2 Working with the Landscape  
DS3 Urban Character  
DS4 Streets and Movement  
DS5 Safe and Inclusive Place

#### **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.

**Planning (Listed Buildings and Conservation Areas) Act 1990 (the Listed Buildings Act)**

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

**Publicity and Number of Representations:**

The planning application was advertised through site notices and in the local press, the publicity period expired on 15 August 2019. There have been 11 objections and one letter of representation.

**Summary of Representations Received:**

Worried about the extra road traffic during construction and damage to property due to mud and dirt on the road.

There is no line of sight when exiting Glen Lee Lane, especially dangerous turning right due to topology. Traffic regularly exceeds the speed limit, as recorded in the survey which took place at a very quiet time of day.

The access to Keighley for vehicles is over the Coney Lane bridge. K/UR5.20 states that no further housing should be built until this issue is "resolved". Whilst I am aware that this restriction no longer applies, the volume of traffic over the bridge must be at least twice the volume at the initiation.

Bus service via Glen Lee Lane = 2 plus 2 circular to Leeming/Keighley per day. No Sunday service. Crossing the road, Park Lane, in the area of the proposed development when using the bus service is very dangerous for the young, the old and those with disabilities.

Lastly if these are family houses this will affect places at the local primary school which if it had to be extended would take away more Green belt land around here.

My property will be overlooked from some of these houses and I value the privacy of my house.

Another factor is surface water, at the moment the fields soak a lot of the rain but tarmac and buildings do not do this, so where will it all go, as the drains in the area are already overloaded.

Development on this site would hinder the diversity of the wildlife and place additional barriers in the way for native wildlife. The survey does not provide a true representation of the wild bird life found on the site.

As someone who uses the doctors surgery in Long Lee I know that appointments are already hard to get.

The MP has made representation on the application supporting the concerns voiced by residents: serious traffic congestion at the junction of Park Lane and Glen Lee Lane; poor sight lines for traffic emerging into Park Lane and constant flouting of speed limits.

I fear such problems would increase to an unacceptable level with the addition of 61 dwellings and the subsequent potential for vehicles using this route. I support the suggestion by Keighley Town Council that a traffic survey be undertaken to assess the potential impact of this increase.

Furthermore, to permit an application of this magnitude could be viewed as premature given the welcome reduction in Bradford Council's housing target for Keighley by 38% in this year's partial review. This revision should precipitate caution when dealing with developments prior to a full site selection process taking place.

#### Airedale NHS Trust

S106 of the Town and Country Planning Act 1990 (as amended) allows the Local Planning Authority to request a developer to contribute towards the costs it creates on the services. The contribution in the amount £69,236.51 sought will go towards the gap in the funding created by each potential patient from this development in respect of A &E and planned care. The detailed explanation and calculation are provided within the attached document.

Without the requested contribution, the access to adequate health services is rendered more vulnerable thereby undermining the sustainability credentials of the proposed development due to conflict with NPPF and Local Development Plan policies as explained in the attached document.

#### **Consultations:**

##### Keighley Town Council

The previous planning application for 58 houses has expired with a further application submitted for 61 houses, which would create potentially an additional 120 vehicles on an already overstretched highway.

Keighley Town Council recommended refusal due to insufficient knowledge of the existing infrastructure. Also suggest that a traffic survey undertaken for 1 week at peak times to assess the impact of the potential additional 120 vehicles.

##### Metro

Requests that Residential Metrocards, for occupiers of the proposed development, are provided by the applicant.

##### Parks & Greenspaces

Whilst it is not possible for Parks & Greenspaces to secure financial contributions through Section 106 Agreements, the proposed development will have a moderate impact on the surrounding facilities due to 61 new residential units and a financial contribution will be sought from the CIL funds to help mitigate these impacts.

If the developer is looking to provide new public open space they will be required to maintain the areas themselves and a full landscape management plan will need to be produced and agreed as part of the planning process. If the developer is looking to the Council to maintain any new areas of public open space prior agreement is required as part of the planning process and a commuted sum will be required to maintain the areas for the next 25 years.

Environmental Health

Pollution

No objection subject to conditions.

Land Contamination

No objection subject to conditions

Drainage

The FRA & Drainage Strategy are acceptable and subject to a commuted sum for the maintenance of a highway drain there is no objection.

Countryside & Rights of Way

It is positive to see a development which has clearly been designed to take into account ecology constraints & impacts and incorporates avoidance, mitigation and enhancement proposals.

Records indicate that Keighley Public Footpath 80 abuts the site. This footpath runs in conjunction with the vehicular access to properties at Parkwood Farm/Cottage.

As part of this submission a new footpath link is being proposed to connect the new development with Footpath 80. This new footpath link should be constructed to adoptable standards and be inclusive of a sealed tarmac surface at a minimum width of 2m. Appropriately designed barriers should be installed at the paths junction with Footpath 80/access track to ensure pedestrian safety and deter anti-social use.

Comments submitted previously for this site have recommended that the applicant commits to improving the section of Footpath 80 from the new footpath link to High Holly Garth. This route if improved would provide a sustainable transport link for those wishing to access Long Lee Primary School or Park Wood. Works should include suitable improvements to the surface of the existing footpath/access track including the levelling and surfacing of the existing verge as well as improvements to the enclosed section of path connecting to High Holly Garth. If the applicant is unable to carry out these works as part of the overall development request that the applicant commits a sum of £5k towards these works to be carried out by the Council following discussions with the appropriate landowner.

Landscape Design

The overall landscape plan provides generous green buffer zones to existing boundaries which also act as semi-natural green space and green corridors. These sites may also provide opportunities as local green space which should be protected from future development. Existing dry stone walls are retained wherever possible which helps retain a sense of place. Previous comments appear to have been considered and taken into account with regards this proposal and relevant policies EN1, EN2, EN4, EN5 and DS2 of the adopted Core Strategy.

Transportation & Highways

Following confirmation of sections and parking provision, no objection is raised.

Trees

Trees Team has no objections.

### Childrens Services

Current census data for Bradford District primary and secondary schools suggest that there are little or no surplus places in year groups 3 to 6, but places available in other year groups, which could potentially accommodate children from the proposed housing development. Current forecasts for these primary schools indicate that there are surplus places in reception in future forecast years.

Current forecasts indicate that there will be surplus places in year 7 in all forecast years from 2020 to 2025.

Based on the anticipated timescale for the completion of the development, and data available in July 2019, the above housing development is unlikely to cause concerns regarding where children of families coming to reside in the development might attend school. Parents also usually have an expectation that their children would be able to secure a school place at their local school and minimise the distance they may need to travel.

The following schools are easily accessible by road from the proposed development:

Primary:

- Eastwood
- Holycroft
- Ingrow
- Keighley St Andrew's CE
- Long Lee
- Parkwood
- St Anne's Catholic
- St Joseph's Catholic

Secondary:

- Beckfoot Oakbank
- The Holy Family
- University Academy Keighley

### **Summary of Main Issues:**

- Principle of development
- Design & layout
- Highways
- Planning Obligations
- Other matters

### **Appraisal:**

#### Principle of Development

The site was a formerly allocated housing site in the RUDP, K/H2.17 and along with the presumption in favour of sustainable developments in the NPPF, the principle of housing has been accepted.

Additionally, a previous outline planning application for up to 58 houses was approved in 2016. This included 20% affordable houses. The current application is for 61 houses - 34 two bed and 27 three bed, all of which would be affordable and operated by Yorkshire Housing, a registered provider.

On 1<sup>st</sup> March 2019 the Council made a 5 Year Housing Land Statement. This 5 Year Housing Land Statement (5YHLS) describes the position relating to the scale and

nature of the supply of deliverable housing land within Bradford District and the detailed data and assumptions which underpin it. The Council confirmed that the 5YHLS stood at 2.06 years, which is significantly below the Government stated required position. Therefore, to promote the delivery of new housing to meet the demands of a growing population within the District, sites such as this, which are not located on land designated as green belt and that have been previously determined as suitable for development are critical.

Whilst the Core Strategy Partial Review is underway, this is work in progress and any recommendations for revised housing figures is not a material consideration at this time. The application has to be assessed against any current policy requirement which is the RUDP. The application site is a formerly allocated housing site. The Allocations DPD has yet to be adopted and until it is, as a formerly allocated housing site the proposed use is considered acceptable.

### Design and Layout

The scheme has been designed to make efficient use of the site, which is at a higher level than the adjacent road, Long Lee Lane, and to account for the relationship with neighbouring properties and open countryside. The scheme follows a traditional estate type road layout, with a mix of terraced and semi-detached house types.

As the site is elevated above Long Lee Lane and is seen from distant views, the applicant has attempted to design the scheme to integrate within this setting. This has been achieved by woodland planting to boundaries of the application site and treatment of the housing nearest to Long Lee Lane. The latter being in part, constructed in natural stone, with stone gabions and tree planting.

There would be no housing below the electricity lines. This area is to be maintained as a landscaped corridor between the housing and existing residential properties to the eastern boundary Willow Tree Close/Elm Tree Close.

The scheme is considered simple in layout, with the house types and materials reflective of those in the area. Whilst the application site sits at an elevated position, the proposed development has been designed to respond to this with planting to the boundary to integrate into the landscape.

The relationship between existing properties and the proposed development is considered to account for any issues of overlooking and overshadowing. It is not believed that there would be any adverse impact on the residential amenity of existing or prospective residents. Whilst objections have been raised concerning overlooking of existing residential properties and resulting loss of privacy and amenity, the distances between the proposed and existing properties have been fully assessed and comply with Council guidelines.

### Highways

A Transport Statement has been submitted with the application and this has been assessed by the Council Highways team. In view of the topography with the application site sitting at an elevated position above the road, sections were requested to ensure the site could be properly accessed. These were provided and agreed with Highways. No issues concerning traffic movements, traffic generation or traffic safety were raised by Highways.

As part of the sites previous allocation for housing, prior to the site being developed, there is a requirement for highway constraints associated with Coney Lane bridge to be resolved. This bridge being located on a route between the application site and Keighley town centre. The Councils Highways DC team has confirmed that there is no funded programme for improvements to Coney Lane bridge. Notwithstanding the constraint of the bridge, it would need to be shown that a development of 61 houses would cause substantive harm to highway safety to warrant refusal. It is not considered that the impact of the housing, on the highway network would be substantive. Therefore the planning application is supported in highways terms. (This is consistent with the previous position taken on this matter application reference 15/02732/MAO).

### Planning Obligations

There is a requirement for commuted sum towards the future maintenance of a highway drain. Additionally, improvements to the public footpath network have been identified and these would also require a contribution by the developer. These will be delivered through a legal agreement. Heads of Terms to include:

- Commuted sum for the maintenance of a highway drain;
- Contribution towards public footpath enhancements.

### Other Matters

#### Highways

The scheme has been designed to address issues of highway safety and it is considered that the development would not result in detriment to highway safety. There are bus stops on either side of Long Lee Lane and accessing these stops is no different to accessing any other bus stop along a bus route.

As part of the construction process, there would be a management plan and a wheel cleaning facility for the duration of the construction period would be required. This should ensure that there would be no adverse impacts in terms of mud on the highway and highway safety.

#### Biodiversity

The Ecological Assessment concludes that there are no known protected species at the application site. A construction and environmental management plan has been submitted and would apply throughout the lifetime of the development. Thus ensuring there is no adverse impact on wildlife at the site.

#### School Places

Childrens Services has confirmed that the proposed development is unlikely to cause concerns regarding where children of families coming to reside in the development may attend school. As it is unlikely that there would be any requirement to extend Long Lee Primary School, no additional land would be required.

#### Drainage

A drainage strategy has been submitted and reviewed by the Councils Drainage team. Provided the surface water drainage scheme is designed in accordance with the principles outlined in the Flood Risk Assessment and Drainage Strategy, there are no drainage/flooding issues raised.

### Health Facilities

In terms of any impact on the provision of health services, specifically GP practice, this is outside the control of the Council and any additional strain on those services would be for the relevant Clinical Care Commissioning Group to address.

### Heritage Assets

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states, in considering whether to grant planning permission for development which affects a Listed Building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Within the frontage boundary wall there is a listed milestone. This heritage asset would remain in situ, unaffected by the proposed development and consequently special regard to it has been made and there are not considered to be any adverse impact on this heritage asset.

### Options

The Committee can either resolve that planning permission should be granted, subject to conditions, as recommended, and the Section 106, or resolve to refuse the application. If the application were to be refused, reasons for refusal would have to be given.

### Not for publication documents

None

### Reason for Granting Planning Permission:

The development of safeguarded land with residential development is considered an appropriate development that gives the opportunity to provide sustainable development within the urban area of Keighley. The development would provide affordable housing and ensure that the character of the surrounding area is maintained. The effect of the proposal on the heritage assets adjoining the site, the biodiversity of the site itself, the surrounding locality and the adjacent neighbouring residential properties has been assessed and are considered acceptable. As such the proposal would meet policies SC9, TR1, TR2, TR3, HO1, HO3, HO5, HO9, HO11, DS1, DS2, DS3, DS4 and DS5.

### Conditions of Approval:

1. The development hereby approved shall only be carried out in accordance with the amended plans 2649 73 101 E; 2649 73 155 B; 2649 73 115 B; 2649 73 136; 2649 73 120 E; 2649 73 121 D; DR 3766 03; DR 3766 04; 0131 P1; 0136 P1; 0137 P1; 0138 P1.

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

2. Before any work above damp proof course level takes place, a sample panel showing the method and depth of coursing of the proposed walling materials and the type and method of pointing to be used shall be constructed on site for inspection by the Local Planning Authority. The details shall then be approved in writing by the Local Planning Authority and the development constructed in accordance with those approved details.

Reason: To assist the selection of appropriate materials in the interests of visual amenity and the character of the heritage asset and to accord with Policies EN3, DS1 and DS3 of the Core Strategy Development Plan Document.

3. Development shall not begin until a scheme showing full details of the contractor's means of access, vehicle parking facilities, loading/unloading areas for materials, location of the site compound, together with internal turning facilities, temporary warning and direction signs on the adjacent highway, levels, gradients, construction, surface treatment and means of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme so approved shall be implemented and be available for use before the commencement of any construction works on the site. Any temporary works, signs and facilities shall be removed and the access reinstated on completion of the development.

Reason: In the interests of highway safety and to accord with Policy TM19A of the Replacement Unitary Development Plan.

4. Before any development commences on site, full details of arrangements for wheel cleaning of construction vehicles and equipment, including the location of such a facility in relation to the highway and arrangements for disposal of contaminated surface water shall be submitted to and approved in writing by the Local Planning Authority. The details and measures so approved shall be installed, maintained in good operational condition and used for wheel cleaning whilst ever construction or delivery vehicles are leaving the site.

Reason: To prevent mud being taken on to the public highway in the interests of highway safety and to accord with Policy TM19A of the Replacement Unitary Development Plan.

5. The development shall not begin until details of a scheme for foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be designed in accordance with the principles outlined in the Flood Risk Assessment and Drainage Strategy, Doc Ref. 08.17011, by ADEPT, dated, 21st January 2019. The maximum surface water discharge rate, off-site, shall not exceed 5.0 (five) litres per second. The scheme so approved shall thereafter be implemented in accordance with the approved details.

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 Core Strategy Development Plan Document.

6. 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 Core Strategy Development Plan Document.

7 Prior to development commencing, a proportionate Phase 2 intrusive 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, including

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to comply with policy UR3 of the Replacement Unitary Development Plan.

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

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy UR3 of the Replacement Unitary Development Plan.

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

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy UR3 of the Replacement Unitary Development Plan.

10 A remediation verification report 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 UR3 of the Replacement Unitary Development Plan.

11. 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 UR3 of the Replacement Unitary Development Plan.

12. 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. Relevant evidence and a quality control verification report shall be submitted to and is subject to the approval in writing by the Local Planning Authority.

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 UR3 of the Replacement Unitary Development Plan.

13. The development shall not commence until details of the facilities to permit the recharge of electric battery-powered vehicles, which complies with IEE regulations and BSEN 62196-1, have been submitted to and approved in writing by the Local Planning Authority. Once approved the scheme shall be incorporated into the development and implemented no later than the first occupation of the development, and shall be retained thereafter.

Reason: To facilitate the uptake 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 and National Planning Policy Framework (paragraph 35).

14. The approved and agreed tree protection measures shall remain in place, and 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 areas without the written consent of the Local Planning Authority.

Reason: To ensure that trees are adequately protected during development activity on the site which would otherwise harm trees to the detriment of visual amenity. To accord with Policy EN5 of the Bradford Local Plan Core Strategy.

15. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no fences, gates, walls or other means of enclosure shall be erected within the curtilage of any dwelling comprising the approved development without the prior express written permission of the Local Planning Authority.

Reason: To ensure the retention of the open character of the area and to accord with policies DS2 and DS3 of the Core Strategy Development Plan Document.

16. Prior to the occupation of any part of the development, a schedule of landscape maintenance for all amenity and recreation open space areas within the site and covering a minimum period of 25 years shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include a plan to define all communal hard and soft landscaped areas to be maintained under the maintenance regime, an outline of maintenance works to be undertaken and the frequency of those works, together with details of responsibilities for implementing the maintenance regime by a Management Company or other agency. It shall provide email, postal address and telephone contact details of such a company or agency.

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

Reason: To ensure effective future maintenance of the landscaped areas in the interests of visual amenity and to accord with Policies DS2, DS3 and DS 5 of the Core Strategy Development Plan Document.

## **Appendices**

Core Strategy 2017

National Planning Policy Framework

