

Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 6th February 2020

AC

Subject:

This is a reserved matters application requesting consideration of appearance, landscaping, layout and scale for means of access for employment development B1, B2 and B8 uses (pursuant to outline approval 17/02463/MAO) on land at Grid Ref 419205 434606, Woodhall Road, Bradford.

Summary statement:

The principle of employment development on the site has been established through the granting of outline planning permission (17/02463/MAO). This application seeks approval for the matters previously reserved as part of the outline permission for consideration at a later stage (appearance, landscaping, layout and scale). The outline planning permission related to a much larger site that incorporated land to the west of this application.

The site is accessed from an access running along the eastern boundary of the site that is currently under construction. The road was approved through a planning application submitted to and considered by the City of Leeds Council.

It is considered that the siting and design of the proposed buildings are acceptable and are sufficiently far enough away from the nearest dwellings located on Foston Lane such that they will not impact on the residential amenities of the occupiers of those dwellings. Conditions were imposed on the outline permission requiring the submission of noise reduction measures relating to both the buildings and the associated parking/servicing areas.

It is considered that, subject to the satisfactory compliance with the conditions attached to the outline planning permission and those recommended within this report, the proposal is acceptable and will not have a detrimental impact on residential and visual amenity or highway safety.

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Portfolio:
Regeneration, Planning and Transport

Overview & Scrutiny Area:
Regeneration and Economy

1. SUMMARY

This is a reserved matters application requesting consideration of appearance, landscaping, layout and scale for means of access for employment development B1, B2 and B8 uses (pursuant to outline approval 17/02463/MAO) on land at Grid Ref 419205 434606, Woodhall Road, Bradford.

2. BACKGROUND

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

3. OTHER CONSIDERATIONS

All considerations material to the determination of this planning application are as set out in Appendix 1.

4. FINANCIAL & RESOURCE APPRAISAL

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

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

No implications.

6. LEGAL APPRAISAL

The determination of the application is within the Council's powers as the Local Planning Authority.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

Section 149 of the Equality Act 2010 states that the Council must, in the exercise of its functions "have due regard to the need to eliminate conduct that is prohibited by the Act, advancing equality of opportunity between people who share a protected characteristic and people who do not share it, and fostering good relations between people who share a protected characteristic and people who do not share it. For this purpose section 149 defines "relevant protected characteristics" as including a range of characteristics including disability, race and religion. In this particular case due regard has been paid to the section 149 duty but it is not considered there are any issues in this regard relevant to this application.

7.2 SUSTAINABILITY IMPLICATIONS

No significant issues raised. The site is located within a very sustainable location in that it is located within walking distance of facilities including a defined retail centre.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

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

7.4 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. Conditions are recommended in relation to matters such as boundary treatment to further enhance the security of the site.

7.5 HUMAN RIGHTS ACT

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

7.6 TRADE UNION

None.

7.7 WARD IMPLICATIONS

Ward members have been fully consulted on the proposal and it is not considered that there are any significant implications for the Ward itself.

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS

None.

7.9 IMPLICATIONS FOR CORPORATE PARENTING

None.

7.10 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

None.

8. NOT FOR PUBLICATION DOCUMENTS

None.

9. OPTIONS

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

If the Committee decide that planning permission should be refused, they may refuse the application accordingly, in which case reasons for refusal will have to be given based upon development plan policies or other material considerations.

10. RECOMMENDATIONS

The application is recommended for approval, subject to the conditions included with Appendix 1.

11. APPENDICES

Appendix 1 Technical Report.

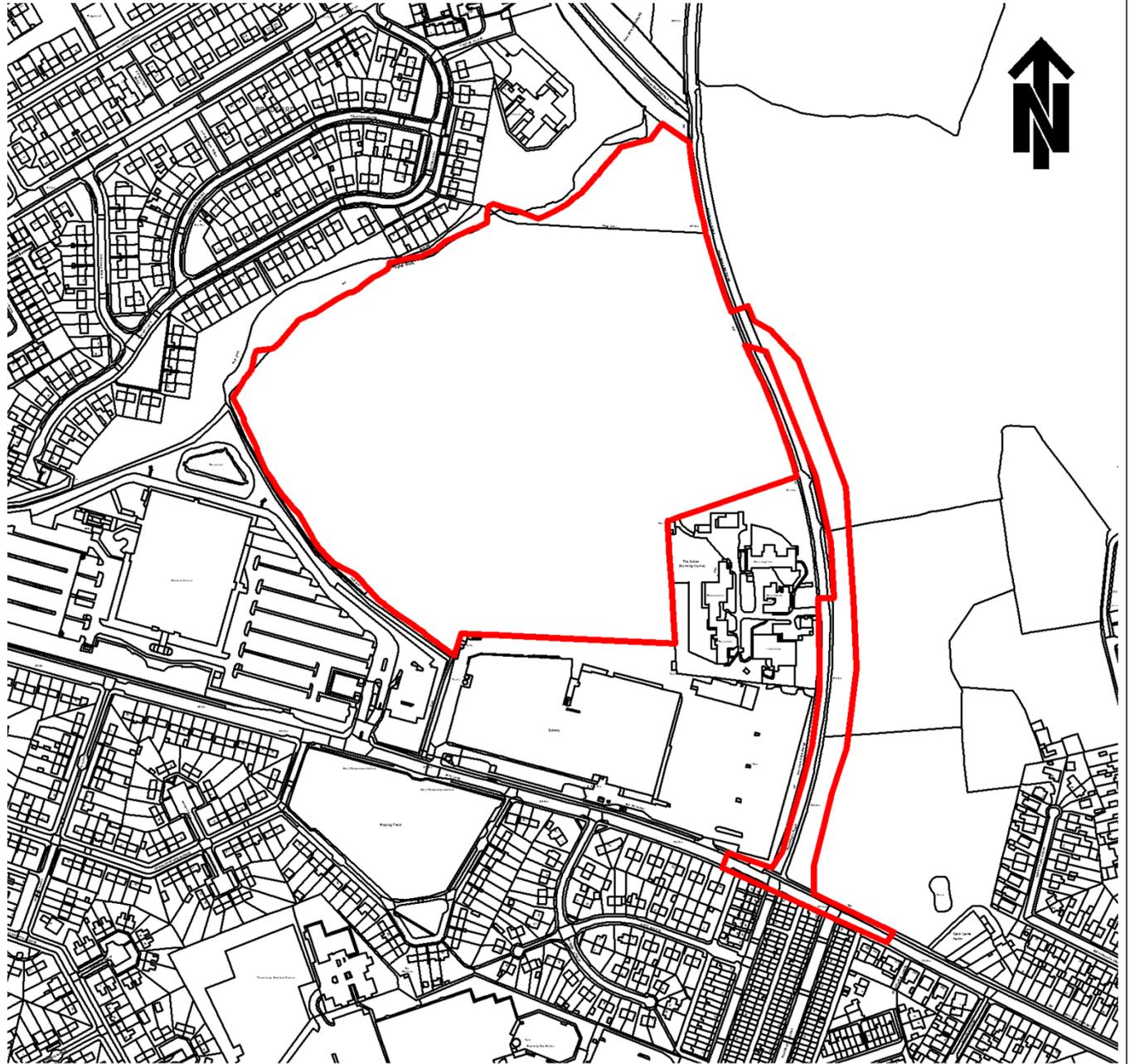
12. BACKGROUND DOCUMENTS

National Planning Policy Framework
Core Strategy
Replacement Unitary Development Plan

19/04818/MAR



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:5,000

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Land At Grid Ref 419205 434606
Woodhall Road
Bradford

Appendix 1

6th February 2020

Ward: Great Horton

Recommendation:

APPROVE THE RESERVED MATTERS

Application Number:

19/04818/MAR

Type of Application/Proposal and Address:

This is a reserved matters application requesting consideration of appearance, landscaping, layout and scale for means of access for employment development B1, B2 and B8 uses (pursuant to outline approval 17/02463/MAO) on land at Grid Ref 419205 434606, Woodhall Road, Bradford.

Applicant:

Mrs Miranda Bell (Commercial Development Projects Limited (CDP Ltd))

Agent:

N/A

Site Description:

The site is located to the north of Gain Lane and currently comprises open grassed fields. To the north and north west of the site are residential properties (Foston Lane). To the south and south west are offices (Morrisons Headquarters) and a bakery, whilst to the east are open fields and a vacant building that was formerly in use as a nursing home. Vehicular access to the site is taken from Woodhall Road to the east of the site. The site slopes quite considerably with the highest point being towards the southern part of the site and the lowest point being adjacent to the northern boundary. Some trees are located along the boundaries of the site.

Relevant Site History:

Outline planning permission was granted on the 8th December 2017 under reference 17/02463/MAO for the construction of an employment development (B1, B2 and B8 uses). The permission included the means of access.

Planning permission was granted by Leeds City Council for the creation of a new access road leading from Gain Lane to the application site.

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.

The Local Plan for Bradford:

The Core Strategy for Bradford was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. The majority part of the site is allocated for as an Employment Site (Ref: BN/E1.17) whilst the northern strip of the site is allocated as a New Site for Recreation Open Space and Playing Fields (Ref: BN/OS4.17) in the RUDP. Accordingly, the following adopted saved RUDP and Core Strategy policies are applicable to this proposal.

Replacement Unitary Development Plan Policies:

E1 Protecting Allocated Employment Sites
E2 Protecting Large Employment Sites
TM10 National and local cycle network
OS4 New Open Space Provision

Core Strategy Policies:

P1 Presumption in Favour of Sustainable Development
SC1 Overall Approach and Key Spatial Priorities
SC4 Hierarchy of Settlements
SC9 Making Great Places
EC4 Sustainable Economic Growth
TR1 Travel Reduction and Modal Shift
TR2 Parking Policy
TR3 Public Transport, Cycling and Walking
EN1 Protection and improvements in provision of Open Space and Recreation Facilities
EN2 Biodiversity and Geodiversity
EN3 Historic Environment
EN5 Trees and Woodland
EN7 Flood Risk
EN8 Environmental Protection
EN12 Minerals Safeguarding
DS1 Achieving Good Design
DS2 Working with the Landscape
DS3 Urban Character
DS4 Streets and Movement
DS5 Safe and Inclusive Places

Parish Council:

There is no Parish Council in the Bradford Moor Ward.

Publicity and Number of Representations:

The application was publicised by press notice, site notice and neighbour notification letters. The expiry date for the publicity exercise was the 3rd January 2020.

As a result of the publicity exercise 3 representations have been received objecting to the proposal.

Summary of Representations Received:

Residential amenity:

- Impact of noise from the development will impact on the neighbouring residential dwellings
- Many people in the area do not understand what the references B1, B2 and B8 relate to and the impact they will have
- What impact will the uses have on the environment if, for example, they are general industrial or chemical uses
- Fear that the chemicals may disturb the current living environment with risks of contamination
- Should the area become overcrowded with cars and people in the longer run, it will affect the residents in the area, to an extent in which people may feel forced to move elsewhere.

Environment:

- If a chemical unit is constructed what impact will it have on the environment?

Consultations:

Rights Of Way – No objection in principle to the development but comments are made in relation to the public footpaths that cross and abut the site

Highways – No objection to the principle of the development but concerns are raised in relation to the level of parking provision which is below the standards contained within the Core Strategy

Lead Local Flood Authority – No objection to the proposal in that the Concept Arrangement Drawing submitted with the application appears to be generally in line with the flood risk and drainage conditions included within the outline planning permission

Yorkshire Water Land Use Planning – No comments to make in relation to the information submitted

Environmental Health Air Quality – No objection to the principle of the development subject to the provision of 9 electric vehicle charging points and the submission of a Construction Emission Management Plan (CEMP) (subject to condition 21 of outline permission 17/02463/MAO)

Environmental Health Nuisance – No objection subject to the submission of a noise management plan prior to occupation of any unit

West Yorkshire Police – No objection to the principle of the development but comments are made on specific aspects of the development including boundary treatments, CCTV/external lighting, access control, and, intruder alarm

Summary of Main Issues:

1. Principle of development
2. Visual amenity
3. Residential amenity
4. Highway safety
5. Drainage
6. Trees
7. Secured by design
8. Contaminated land
9. Biodiversity issues
10. Other issues

Appraisal:

The application relates to the construction of 2 industrial units pursuant to outline permission 17/02463/MAO. They are located in the eastern part of the larger site and are accessed off a new access road being created along Woodhall Road.

1. Principle of development

The site forms part of a larger site that was granted outline planning permission under reference 17/02463/MAO for the construction of an employment development comprising B1, B2 and B8 uses. The site is located within an allocated Employment Site within the Replacement Unitary Development Plan under reference BN/E1.17 (Woodhall Road, Thornbury) and would be subject to consideration against policy E1 of the Replacement Unitary Development Plan.

Policy E1 of the Replacement Unitary Development Plan has been superseded by Core Strategy Policy EC4 but it has been saved until the adoption of the Core Strategy and the adoption of the Allocations Development Plan Document and Area Action Plans. The policy supports proposals for employment development on sites shown on the proposals maps as employment sites.

Policy EC4 of the Core Strategy seeks to support economic and employment growth in a sustainable manner.

The principle of employment development on the site has been established through the granting of outline planning permission under reference 17/02463/MAO. This application seeks approval for the matters previously reserved as part of the outline permission for consideration at a later stage (appearance, landscaping, layout and scale). These details are considered at length in the following sections of the report.

2. Visual amenity

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

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

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

Policy DS1 of the Core Strategy states that planning decisions should contribute to achieving good design and high quality places through, amongst other things, taking a holistic, collaborative approach to design putting the quality of the place first, and, taking a comprehensive approach to redevelopment in order to avoid piecemeal development which would compromise wider opportunities and the proper planning of the area.

Policy DS2 of the Core Strategy states that development proposals should take advantage of existing features, integrate development into wider landscape and create new quality spaces. Wherever possible designs should, amongst other things, retain existing landscape and ecological features and integrate them within developments as positive assets, work with the landscape to reduce the environmental impact of the development, and, ensure that new landscape features and open spaces have a clear function, are visually attractive and fit for purpose, and have appropriate management and maintenance arrangements in place.

The 2 buildings comprising the application are located on the eastern edge of the larger employment site and are on the highest part of the site. The buildings are large in terms of floor area (floor spaces of approximately 3760 and 2900 square metres) and have eaves and ridge heights of between 10.5-11.5 metres and 12.5-13.0 metres. They will be constructed using profiled metal cladding on both the elevations and the roofs. A mix of colours is proposed on the elevations to try and break up the overall mass of the building. The design of the buildings is considered acceptable in that it is a traditional design of modern industrial/commercial premises.

There is some limited tree planting located along the northern boundary of the site separating the existing dwellings from the site. A landscaping plan has been submitted

into relation to both buildings that incorporates both trees and shrubs and will further help reduce the overall visual impact of the development.

Overall it is not considered that the proposal will have a detrimental impact on the visual character and appearance of the locality and there is no objection to the proposal. As such it is considered that it satisfies the requirements of policies DS1 and DS2 of the Core Strategy.

3. Residential amenity

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

The larger site is bounded to the north and north west by existing residential development (Foston Lane) and it is important therefore to assess the impact the proposal will have on the residential amenities of the occupiers of this dwellings.

The land does slope upwards in a southerly direct away from the existing dwellings on Foston Lane. The siting of the proposed units is such that the northernmost unit (Unit 1) is 124 metres from the nearest dwelling (19 Foston Lane) and the servicing area approximately 100 metres away. These separation distances are considered to be acceptable such that the impact on the residential amenities of the occupiers of the nearest properties will not be adversely affected.

To the south of the site is the Dales Nursing Home which is currently vacant and has been for some time. The separation distance between the nearest building within the nursing home complex and Unit 2 is 37 metres. There are a number of trees along the joint boundary which will reduce the impact on any future users of the nursing home complex. The separation distance is again considered to be acceptable.

The Environmental Health Department have not objected to the proposal but are seeking the submission of a noise management plan prior to occupation of any unit. The issue of noise and the potential impact on the residential amenities of the occupiers of the nearest dwellings was considered at outline stage and a number of conditions were imposed on the outline planning permission (17/02463/MAO). Condition 26 sets noise limits for both day time and night time levels at both Foston Lane to the north and the Dales nursing home to the south. Condition 27 requires the submission of a "noise and traffic management plan for the service yards" and condition 28 also requires the submission of "details of noise mitigation measures to be incorporated within the design of the building and its curtilage". All these conditions are aimed at reducing the potential impact on the residential amenities of the occupiers of the properties to the north.

Objections have been raised to the proposal in relation to the use of the site by companies that use chemicals and what impact this would have on the residential amenities of the occupiers of the dwellings to the north of the site. Any company that uses chemicals would be subject to strict controls from the Health and Safety Executive and this would ensure that the safety of the residents would be ensured.

As such therefore, subject to compliance with the conditions attached to the outline planning permission it is not considered that the proposal would have a detrimental

impact on the residential amenities of the occupiers of the nearest dwellings and the proposal would therefore comply with policy DS5 of the Core Strategy.

4. Highway safety

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

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

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Policy TR1 of the Core Strategy seeks to reduce the demand for travel, encourage and facilitate the use of sustainable travel modes, limit traffic growth, reduce congestion and improve journey time reliability whilst policy TR2 seeks to manage car parking to help manage travel demand, support the use of sustainable travel modes, meet the needs of disabled and other groups whilst improving quality of place.

The site is accessed via a new access road currently under construction. This will provide access from Gain Lane along Woodhall Road with a new improved junction at Gain Lane. This access road is located within the administrative area of Leeds City Council and was subject to planning approval issued by them. The road is considered acceptable to accommodate the level of traffic likely to be generated by the development of the larger site.

The access arrangements into the site are considered acceptable by the Highways Department but concern has been raised in relation to the level of parking for both units. It is calculated that there is a shortfall of 77 spaces (46%) across the site. The buildings do incorporate some offices and the Highways Department have in their calculations categorised them as A2 offices when in fact they will be ancillary offices to the main use of the building as B1/B2/B8 use and will not therefore generate the same level of employment/traffic as a general A2 use. As part of the outline planning permission (17/02463/MAO) condition 19 requires the submission of a Travel Plan for each building and this will promote sustainable travel options for future occupants of the

development and include measures and incentives to reduce their reliance upon the private car.

Whilst there will be a shortfall in the level of parking based upon the requirements of the Core Strategy it has to be pointed out that these are maximum standards and where a shortfall is proposed they need to be justified. In this case it is considered that the shortfall is acceptable and other measures will be put in place through the Travel Plan to try and reduce the reliance on the car and promote alternative means of travel to the site.

The Rights of Way has stated that the development of the eastern part of the site will involve extensive engineering works to level the land to enable two units to be constructed. In order to implement these proposals a Public Path Order will be required to divert a section of Bradford North Public Footpath 65 onto a new route along the northern edge of the site. These proposals have been discussed with the applicant and an application to divert the path under Section 257 of the Town and Country Planning Act has been received by the Rights of Way Section.

Overall therefore it is not considered that the proposal will be detrimental to highway safety and it complies with the requirements of policy TR1 of the Core Strategy.

5. Drainage

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

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

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

The Lead Local Flood Authority have not raised an objection and have stated that the proposed surface water drainage strategy as illustrated on the Concept Drainage Arrangement (Drawing No. 1410-S2-P03) appears to be generally in line with the Flood Risk and Drainage conditions included within the planning permission for the outline application.

They have also stated that there do not appear to be any flow balancing details submitted for the distributor/access road. The access road was approved under a separate planning permission dealt with by Leeds City Council and as such details of the proposed drainage of the site will be dealt with by that Council.

Subject to the compliance with the conditions attached to the outline planning permission (17/02463/MAO) the proposal complies with the requirements of policies EN7 and EN8 of the Core Strategy and no objection to the proposal is raised on drainage grounds.

6. Trees

Policy EN5 of the Core Strategy states that the Council will seek to preserve and enhance the contribution that trees and areas of woodland cover make to the character of the district.

There are a number of trees located along the northern and western boundaries of The Dales Nursing Home and these will act as both a visual buffer between the 2 sites and a noise attenuation barrier. It is important that these trees are retained and remain undamaged during the construction phase. A condition was imposed on the outline planning permission (17/02463/MAO) that requires the installation of temporary tree protective fencing that will ensure that the trees are not damaged during the construction phase of the development.

Subject to the compliance with the conditions attached to the outline planning permission (17/02463/MAO) the proposal complies with the requirements of policy EN5 of the Core Strategy and no objection to the proposal.

7. Secured by Design

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

Policy DS5 of the Core Strategy states that development proposals should make a positive contribution to people's lives through high quality, inclusive design. In particular they should, amongst other things, be designed to ensure a safe and secure environment and reduce the opportunities for crime.

The West Yorkshire Police Architectural Liaison Officer has not raised an objection to the principle of the development but has raised a number of comments on specific aspects of the proposal with these being as follows:

Boundary treatments: The site layout (drawing no: M2597-01 rev E) shows units 1 and 2, which have a mixture of natural planting in addition to gates, however there are no details supplied to show the style of gates or height of the gates. There is a public right of way which runs around the outer perimeter of the site, if natural boundaries such as planting, hedging/shrubs are proposed and the levels are low as indicated, this can increase vulnerability to crime as the boundaries are accessible. It would be prudent to include a mixture of boundaries such as closed welded mesh or palisade style fencing which is to a minimum height of 1800mm to standards LPS 1175 SR2 or above. Fencing around the sub-station will also provide more security for this location against any damage – *a condition is recommended that requires the submission of boundary*

treatments to ensure an appropriate type of fencing is installed that will provide a safe and secure environment for the future users of the site.

External lighting and CCTV: There is no mention within the information of lighting levels. There should be good lighting that covers the car park, delivery areas, pedestrian footpath routes and all access doors within the units. Low energy photo electric cell or dusk until dawn lights with warm white led bulbs are suitable. Any column lights should point downwards to reduce light pollution. Lighting should work in unison with any CCTV to support both natural and formal surveillance. CCTV should look to cover the same areas noted above, including any internal areas such as main entrance/reception areas – *this is outside the control of the planning system and it is up to the Developer to determine whether or not they wish to install security lighting and CCTV.*

Doors and windows: Should look to achieve an appropriate standard that meets Secured by Design guidance – *this is again outside the control of the planning system and it is up to the Developer to determine the standards of doors and windows they install.*

Access control: Fitting access control measures on the entrance gate (if automated) and the main entrances will allow authorised persons to access the buildings. Swipe card or key fob access which are security encrypted are preferable types of access control which allow the Management to control whom has access into the buildings – *this is again outside the control of the planning system and it is up to the Developer to determine whether or not appropriate access controls are fitted.*

Intruder alarm: Installing an intruder alarm within each of the units will increase security, if alarms are monitored this will allow the key holder/s to be notified of any activations. BS EN 50131 or PD6662 (wired alarm system) or BS 6799 (wire free alarm system) – *this is again outside the control of the planning system and it is up to the Developer to determine whether or not appropriate intruder alarms are fitted.*

As such therefore there is no objection to the proposal will regards to the provision of a safe and secure environment for the future residents and the proposal therefore satisfies the requirements of policy DS5 of the Core Strategy.

8. Contaminated land

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

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

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

Policy EN8 of the Core Strategy states that proposals which are likely to cause pollution or are likely to result in exposure to sources of pollution (including noise, odour and light pollution) or risks to safety, will only be permitted if measures can be implemented to minimise pollution and risk to a level that provides a high standard of protection for health, environmental quality and amenity.

The issue of ground conditions and the potential for contamination was dealt with at outline stage and conditions were imposed on the permission (17/02463/MAO) and these related to the carrying out of further site investigations and appropriate remediation where necessary.

Subject to the compliance with the conditions attached to the outline planning permission (17/02463/MAO) the proposal complies with the requirements of policy EN8 of the Core Strategy and no objection to the proposal is raised in relation to ground conditions.

9. Biodiversity

Paragraph 175 of the National Planning Policy Framework states that when determining planning applications, Local Planning Authorities should ensure that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Policy EN2 of the Core Strategy states that development proposals that may have an adverse impact on important habitats and species outside Designated Sites need to be assessed against the impact it will have on habitats and species as well as the extent to which appropriate measures to mitigate any potentially harmful impacts can be identified and carried out.

An Ecological Appraisal was submitted as part of the outline application which identified a number of ecological enhancements that would need to be implemented to enhance the ecological value of the site. A condition was imposed on the outline planning permission (17/02463/MAO) which required, amongst other things, the submission of a timetable to secure the ecological enhancements incorporated within the Appraisal.

Subject to the compliance with the condition attached to the outline planning permission (17/02463/MAO) the proposal complies with the requirements of policy EN2 of the Core Strategy and no objection to the proposal is raised in relation to ground conditions.

10. Other issues

One other issue has been raised during the publicity exercise that has not been addressed in the earlier sections of this report. This issue, together with the response, is as follows:

If a chemical unit is constructed what impact will it have on the environment? – *Any company that uses chemicals would be subject to strict controls from the Health and Safety Executive and this would ensure that the impact on the environment would be heavily controlled and minimised.*

Community Safety Implications:

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

Equality Act 2010, Section 149:

Section 149 of the Equality Act 2010 states that the Council must, in the exercise of its functions “have due regard to the need to eliminate conduct that is prohibited by the Act, advancing equality of opportunity between people who share a protected characteristic and people who do not share it, and fostering good relations between people who share a protected characteristic and people who do not share it. For this purpose Section 149 defines “relevant protected characteristics” as including a range of characteristics including disability, race and religion. In this particular case due regard has been paid to the Section 149 duty but it is not considered there are any issues in this regard relevant to this application.

Reason for Granting Planning Permission:

The proposal provides a new industrial development which is considered to be acceptable and presents no concerns with regard to residential or visual amenity and highway safety. The proposal is considered acceptable and, with the attached conditions, satisfies the requirements of policies E1, E2, TM10, and, OS4 of the Replacement Unitary Development Plan and policies P1, SC1, SC4, SC9, EC4, TR1, TR2, TR3, EN1, EN2, EN3, EN5, EN7, EN8, EN12, DS1, DS2, DS3, DS4, and, DS5 of the Local Plan for Bradford, and, the relevant paragraphs of the National Planning Policy Framework.

Conditions of Approval:

1. Time limit

The Development to which this notice relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

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

2. Approved plans

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

Drawing number LL01 Rev A showing the Landscape Proposals – Unit 1 and received by the Local Planning Authority on the 19th November 2019;

Drawing number LL02 Rev A showing the Landscape Proposals – Unit 2 and received by the Local Planning Authority on the 19th November 2019;

Drawing number M2597-(1)-01 Rev B showing the Unit 1 Proposed Floor Plan and received by the Local Planning Authority on the 19th November 2019;

Drawing number M2597-(1)-02 Rev B showing the Unit 1 Proposed Elevations and received by the Local Planning Authority on the 19th November 2019;

Drawing number M2597-(1)-03 showing the Unit 1 Proposed Roof Plan and received by the Local Planning Authority on the 19th November 2019;
Drawing number M2597-(2)-01 Rev C showing the Unit 2 Proposed Floor Plan and received by the Local Planning Authority on the 19th November 2019;
Drawing number M2597-(2)-02 Rev C showing the Unit 2 Proposed Elevations and received by the Local Planning Authority on the 19th November 2019;
Drawing number M2597-(2)-03 Rev A showing the Unit 2 Proposed Roof Plan and received by the Local Planning Authority on the 19th November 2019;
Drawing number M2597-03-1 showing the Proposed Site Sections Sheet 1 and received by the Local Planning Authority on the 19th November 2019;
Drawing number M2597-03-2 showing the Proposed Site Sections Sheet 2 and received by the Local Planning Authority on the 19th November 2019;
Drawing number 4892-JPG-SW-XX-DR-Z-1338 S2 P01 showing the Proposed Earthworks Level Site Sections and received by the Local Planning Authority on the 19th November 2019;
Drawing number 4892-JPG-SW-00-DR-D-1411 S2 P01 showing the Unit 1 – Drainage Layout and received by the Local Planning Authority on the 19th November 2019;
Drawing number 4892-JPG-SW-00-DR-D-1412 S2 P01 showing the Unit 2 – Drainage Layout and received by the Local Planning Authority on the 19th November 2019;
Drawing number 4892-JPG-SW-00-DR-D-1410 S2 P03 showing the Concept Design Arrangement and received by the Local Planning Authority on the 19th November 2019;
Drawing number 4892-JPG-SW-XX-DR-Z-1329 S2 P04 showing the Cut/Fill Analysis and received by the Local Planning Authority on the 19th November 2019;
Drawing number 4892-JPG-SW-XX-DR-Z-1337 S2 P05 showing the Proposed Earthworks Levels and received by the Local Planning Authority on the 19th November 2019;
Drawing number M2597-01 Rev F showing the Proposed Site Layout (Units 1 & 2) and received by the Local Planning Authority on the 13th January 2020.

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. Implementation of landscaping

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason: To achieve a satisfactory standard of landscaping in the interests of amenity and to accord with Policy DS1 of the Local Plan for Bradford.

4. Landscape management plan

Notwithstanding the details submitted, no development shall take place above damp-proof course until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than privately owned domestic gardens, shall be submitted to the Local Planning Authority for concurrent approval in writing with the landscaping scheme. The landscape management plan shall be carried out as approved.

Reason: To ensure proper maintenance of the landscaped areas in the interests of amenity and to accord with Policy DS1 of the Local Plan for Bradford.

5. Boundary treatment

No development shall take place above damp-proof course until a plan showing the positions, design, height and materials of boundary treatments has been submitted to and approved in writing by the Local Planning Authority. The boundary details so approved shall then be provided in full prior to the first occupation of the development and shall thereafter be retained as long as the development is in use.

Reason: In the interests of amenity and privacy and to accord with Policies DS2, DS3 and DS5 of the Local Plan Core Strategy.

6. Parking provision

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

Reason: In the interests of amenity and highway safety, and in accordance with Policies TR2, DS4 and EN7 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

7. Servicing & turning area area

Before any part of the development is brought into use, the vehicle servicing and turning area shall be laid out, hard surfaced and drained within the site, in accordance with details shown on the approved plans and retained whilst ever the development is in use.

Reason: To ensure that a safe and suitable form of access is made available to serve the development in the interests of highway safety and to accord with Policies TR2 and DS4 of the Core Strategy Development Plan Document and the National Planning Policy Framework.