

Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 20th August 2020

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Subject:

This is an outline planning application for development of land for mixed use business and industrial units (B1, B2, and, B8) (site area of 4.9ha) with associated parking and servicing space; two primary access points to the site from Parry Lane and Sticker Lane and two secondary access points to the site off Parry Lane, requesting consideration of access on land at Parry Lane, Bradford. Details of the access have been submitted for consideration at this stage.

Summary statement:

The proposal relates to the construction of an employment development scheme comprising B1, B2 and B8 uses on land off Parry Lane, Bradford. The application is in outline form with details of the means of access submitted for consideration at this stage.

Details of the layout of the development have not been submitted for consideration but an indicative layout has been submitted which shows how the site could be developed. The plan shows that the site could potentially be occupied by 10 new buildings with a combined footprint of a maximum of 25,000 square metres. Vehicular access to the site will be taken from a new access road from Parry Lane. Off-site highway works will be undertaken in the form of, amongst other things, the creation of a central reservation along part of Parry Lane to reduce its overall width and improve highway safety.

It is considered that the site is of an adequate size such that a development could be accommodated without having a significantly detrimental impact on the residential amenities of the occupiers of the dwellings adjacent to the site and in the wider vicinity.

Through the attachment of the proposed conditions it is considered that the proposal is acceptable.

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Portfolio:
Regeneration, Planning and Transport

Overview & Scrutiny Area:
Regeneration and Economy



Report to the Regulatory & Appeals Committee

1. SUMMARY

This is an outline planning application for development of land for mixed use business and industrial units (B1, B2, and, B8) (site area of 4.9ha) with associated parking and servicing space; two primary access points to the site from Parry Lane and Sticker Lane and two secondary access points to the site off Parry Lane, requesting consideration of access on land at Parry Lane, Bradford. Details of the access have been submitted for consideration at this stage.

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

The site is located within the urban area and is close to a relatively frequent bus route and is therefore considered to be in a sustainable location.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

New development invariably results 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 this development. Consideration should also be given as to whether the location of the proposed facility is such that sustainable modes of travel by users 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.

In order to encourage alternative means of transport Electric Vehicle (EV) charging points are to be provided within the main car park serving the development (planning condition) 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 ASSESSMENT

None.

8. NOT FOR PUBLICATION DOCUMENTS

None.

9. OPTIONS

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

If the Committee 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 planning considerations.

10. RECOMMENDATIONS

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

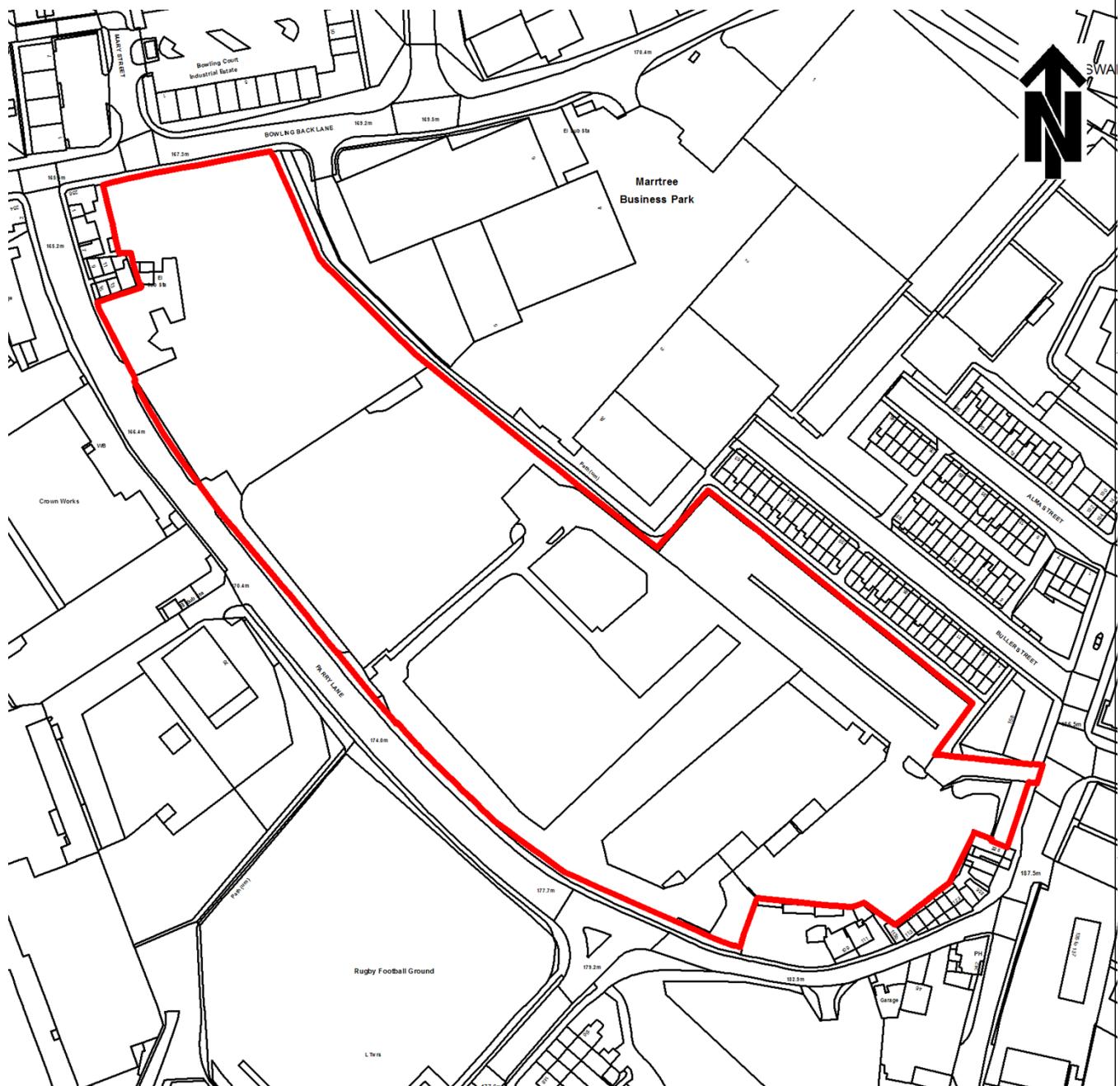
11. APPENDICES

Appendix 1 Technical Report.

12. BACKGROUND DOCUMENTS

National Planning Policy Framework
Core Strategy
Replacement Unitary Development Plan

20/00949/MAO



**Land at Parry Lane,
Bradford**

Report to the Regulatory & Appeals Committee

Appendix 1

20th August 2020

Ward: Bowling & Barkerend

Recommendation:

TO GRANT PLANNING PERMISSION

Application Number:

20/00949/MAO

Type of Application/Proposal and Address:

This is an outline planning application for development of land for mixed use business and industrial units (B1, B2, and, B8) (site area of 4.9ha) with associated parking and servicing space; two primary access points to the site from Parry Lane and Sticker Lane and two secondary access points to the site off Parry Lane, requesting consideration of access on land at Parry Lane, Bradford. Details of the access have been submitted for consideration at this stage.

Applicant:

West Yorkshire Combined Authority

Agent:

Mrs Atefah Motamed (BDP)

Site Description:

The site is located in a generally industrial area. Running along the western boundary of the site is Parry Lane whilst both Sticker Lane and Bowling Back Lane form the eastern and northern boundaries of the site. Abutting the north eastern boundary of the site are dwellings that front onto Buller Street and industrial buildings fronting onto Bowling Back Lane. Adjacent to the north western corner of the site is a terrace of mainly residential properties but also a café.

Relevant Site History:

There is no relevant planning history on the 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 site is not allocated for any specific land-use in the RUDP but is located within an Employment Zone (Ref: BN/E6.1 – Bowling). Accordingly, the following adopted saved RUDP and Core Strategy policies are applicable to this proposal.

Replacement Unitary Development Plan Policies:

E6 Employment zones

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

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 Bowling & Barkerend 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 15th May 2020.

As a result of the publicity exercise 9 representations have been received objecting to the application.

Summary of Representations Received:

Principle of development:

- Already a high number of hot food takeaways in the area so do not need any more;
- The site is too close to a school;
- There are a lot of empty units in the area so why is there a need to build more;
- It would make more sense to build housing on the site as it is close to the schools;

Residential amenity:

- Impact on residents through the increase in traffic;
- Loss of privacy to the residents;
- Noise from units due to goods being delivered at unsociable hours and customers being inconsiderate to neighbouring houses;
- Loss of sunlight to adjacent dwellings;
- Impact on outlook from the gardens of the adjacent properties;
- Increase in noise from the development would impact on local residents;

Highways:

- Significant increase in traffic in the area;
- Noise from units due to goods being delivered at unsociable hours and customers being inconsiderate to neighbouring houses;
- Articulated lorries trying to deliver goods to the units and taking wrong turn down Buller Street and then backing out into the main road and causing accidents;
- The alleyway between number 1 Buller Street and the JCT600 call centre will be used as a rat run and would need blocking off

Other:

- Reduction in property values;
- Once the units have been built the Council won't act on complaints from neighbours regarding issues such as fly tipping and littering as they haven't acted on previous complaints;
- This area is already plagued by fly tipping and criminal activity this would only serve to make it much worse;
- Potential increase in litter and vermin through the inclusion of a hot food takeaway;

Consultations:

West Yorkshire Police – No objection to the principle of the development but comments are made with regard to specific aspects of the proposal

Highways DC – No objection to the proposal subject to the imposition of appropriate conditions and the undertaking of various off-site highway works including the provision of a central reservation along a section of Parry Lane

The Coal Authority – No objection to the principle of the development in that the Coal Authority concur with the conclusion/recommendations contained in the Ground Conditions Desk Study that there is currently a significant risk to the proposed development from coal mining legacy and that further site investigations should be carried out to conform the extent of remedial/mitigatory measures to inform the layout of the development. Appropriate conditions are recommended.

Lead Local Flood Authority – No objection to the principle of the development subject to the imposition of appropriate conditions relating to the disposal of foul and surface water drainage

Rights of Way – No objection to the principle of the development but state that Public Bridleway No. 332 (Bradford South) is adjacent to and partly within the site boundary and must not be affected as part of the development and remain available for use

Biodiversity Team – No objection to the proposal subject to there being a net gain in biodiversity value on the site

Yorkshire Water Land Use Planning – No objection subject to the imposition of appropriate conditions

Environment Agency Planning Liaison – No objection to the proposal

Environmental Health Air Quality – No objection to the proposal subject to the imposition of appropriate conditions relating to mitigation measures to minimise the impact on the existing air quality in the vicinity if the site

Environmental Health Land Contamination – No objection to the principle of the development subject to the imposition of appropriate conditions

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. Air quality
10. Biodiversity
11. Other issues

Appraisal:

The application relates to the construction of a mixed-use business and industrial units comprising B1, B2 and B8 uses. The application is in outline form and seeks approval for only the means of access into the site. An indicative layout has been submitted which shows a maximum of 25,000 square metres floorspace and the construction of 10 units ranging in size from 200 square metres to 3,400 square metres floorspace.

1. Principle of development

Paragraph 7 of the National Planning Policy Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. Paragraph 8 goes onto state that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways and these include identifying and co-ordinating the provision of infrastructure (economic objective) 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 (social objective), and, 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 (environmental objective).

Paragraph 11 of the National Planning Policy Framework states that development proposals should be determined in accordance with an up-to-date development plan without delay.

The site is unallocated within the Replacement Unitary Development Plan but is located within an area defined as an Employment Zone (Ref: BN/E6.1 –Bowling) and is therefore subject to consideration against policy E6 of the Replacement Unitary Development Plan.

Policy E6 of the Replacement Unitary Development Plan has been superseded by Core Strategy Policy EC4 but 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 support proposals for employment development on sites shown on the proposals maps as employment sites and within employment zones.

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

The site is derelict having previously been occupied by industrial buildings that ceased operation in 2008 and were subsequently demolished in 2012. The proposal relates to the construction of new buildings on the site with an indicative layout showing potentially 10 new buildings with a combined footprint of a maximum of 25,000 square metres. The majority of the buildings will be used for B1, B2 and B8 uses. The site is located within an Employment Zone and this supports the principle of industrial development on the site. The use of the buildings for B1, B2 and B8 uses are acceptable and accord with the requirements of policies E6 of the Replacement Unitary Development Plan and EC4 of the Core Strategy.

It is considered that the principle of the construction of industrial buildings on the site is acceptable and satisfies the requirements of both policies E6 of the Replacement Unitary Development Plan and EC4 of the Core Strategy.

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 application is in outline form with only details of the means of access submitted for consideration at this stage. Details of the layout of the development and the design of the buildings have been reserved for consideration at a later stage. An indicative illustrated masterplan has been submitted to show how the site could be developed. It is considered that the site is of a size whereby both an appropriate layout and design of buildings can be achieved that will ensure the development is in keeping with the visual character and appearance of both the streetscene and immediate locality.

The Noise Impact Assessment submitted with the application has suggested the inclusion of a 6 metre high noise barrier at various locations within the site to mitigate against the noise generated by the development. The indicative layout plan for where this barrier should be incorporated does include a stretch along the site frontage onto Parry Lane. A barrier of this height would be unacceptable in this location as it would be too dominant on the streetscene and a more appropriate means of creating a noise attenuation barrier should be considered in the form of, for example, a landscaped strip and 2 metre high acoustic fence. The location of the required noise attenuation barriers will be determined at the Reserved Matters stage when the design of the buildings and the future layout is submitted for consideration.

At this stage therefore, it is considered that the proposal complies with the requirements of policies DS1 and DS2 of the Core Strategy and there is no objection to the proposal on visual amenity grounds.

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 application is in outline form with only details of the means of access submitted for consideration at this stage. Details of the layout of the development and the design of the buildings have been reserved for consideration at a later stage.

Residential properties abut the north eastern boundary of the site (Buller Street), the south eastern boundary (Sticker Lane/Parry Lane) and the north western boundary (Parry Lane). The impact of the proposal on the residential amenities of the occupiers of these properties needs to be considered.

A Noise Impact Assessment has been submitted with the application which identifies that the results of the modelling exercise suggest that unmitigated noise levels across the site will result in exceedances of the proposed criteria with the main contributors to exceedances being noise due to HGV movements and (un)loading activities. Additional scenarios have been modelled to incorporate potential mitigation options would likely to reduce the external noise levels at the nearest properties, namely the inclusion of a 6 metre high noise barrier at various locations near the edges of the site. No details have been submitted as to how the noise barrier will look or what materials it will be constructed of.

Care will need to be taken to ensure that where the noise barrier is located at the rear of existing residential properties it does not have a detrimental impact on the residential amenities of the occupiers of those dwellings by being visually intrusive and a more appropriate form of noise attenuation in the form of a much lower acoustic fence (2 metres high) and associated landscaping strip would be more appropriate to the location. This would be addressed at Reserved Matters stage.

An indicative layout plan has been submitted which shows how the site could potentially be developed. The plan includes a building immediately to the rear of the terrace of dwellings located at the junction of Parry Lane and Bowling Back Lane, and, the dwellings on Buller Street. The relationship of the proposed buildings to the dwellings would be considered unacceptable in that the separation distance is small and the dwellings would look out onto the rear elevation of the buildings. This would not only impact on the outlook from the dwellings but also harm the residential amenities of the occupiers of those dwellings by having industrial processes in close proximity to either the rear elevations of the dwellings or their private garden area.

It is considered that the site is of a size whereby the amount of development (floorspace) sought can be satisfactorily accommodated within the site whilst having full regard to the occupiers of the adjacent dwellings and minimising the impact it would have on their residential amenities. The buildings can also be designed so that any elevation facing onto the residential properties contains minimal openings. Substantial landscaping can also be accommodated within and along the boundaries of the site to

again minimise the impact on the neighbouring properties and soften the visual appearance.

In order to try and minimise the impact on the neighbouring residential properties conditions are recommended relating to noise levels on the site, the submission of a noise and traffic management plan, and, the submission of detailed noise attenuation measures.

At this stage therefore it is considered that the proposed layout, relating only to means of access, will not have a detrimental impact on the residential amenities of the occupiers of the neighbouring dwellings and does meet the requirements of policy D5 of the Core Strategy. However, in designing the layout care needs to be taken to ensure that there is adequate separation between the existing dwellings and proposed buildings to ensure that any impact is kept to a minimum.

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 onto 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.

Policy DS4 of the Core Strategy states that developments should create a network of routes which are well overlooked and convenient and easy for people to understand and move around, and, connect to existing street and path networks and places where

people want to go in obvious and direct ways and where necessary improving existing routes.

The site is bounded by Parry Lane, Bowling Back Lane and Sticker Lane and is considered to be situated in a relatively sustainable location close to bus routes. In support of the application a Transport Assessment and a Travel Plan have been submitted for consideration.

The Transport Assessment is accepted in terms of traffic generation and its impact on the highway network. Industrial developments do not generate significant levels of traffic particularly during highway network peaks. Future year (2025) assessments have taken account of background traffic growth and there are no significant committed developments in this locality that could impact on traffic levels. Traffic generated in the future can be accommodated without having an adverse impact on the highway network. The assessments show no capacity issues at any of the junctions in the vicinity of the application site.

The access proposals consist of a new link road between Sticker Lane/Broad Lane and Lower Lane/Parry Lane junctions. A new traffic signal controlled junction will be provided at Sticker Lane which will be staggered with Broad Lane. The development site will be accessed from this new link road and also an amended Parry Lane. The existing Parry Lane between Lower Lane and Bowling Back Lane is relatively wide and the applicant has agreed to narrow this by providing a 4 metre wide central planted/seeded verge over a length of around 170 metres from the new Parry Lane/Link Road junction.

The existing substandard section of Parry Lane from Sticker Lane to Lower Lane will be made one way from Sticker Lane with a new priority junction with the proposed link road. An access off the new link road will be provided to serve a car park at the rear of Greggs for residents and businesses.

Traffic Regulation Order's will be required on Parry Lane, Lower Lane, the new link road and on Sticker Lane between the new link road junction and the existing Parry Lane junction. The exact requirements for these Traffic Regulation Orders can be considered and implemented as part of the S278 works and an appropriate condition is recommended with regards to the undertaking of the off-site highway works.

An objection has been received relating to the alleyway between number 1 Buller Street and the JCT600 call centre and it becoming used as a rat run and would need blocking off. The Highways Department have stated that this is an unadopted public highway and goes around the back and out to Buller Street at the bottom whilst there is also a connection in the middle. To close the road would require a road closure order to stop up and it is not considered that there are any significant benefits in doing this.

Subject to the imposition of appropriate conditions the Highways Department are satisfied that the existing highway network can safely accommodate the additional traffic likely to be generated by the proposed development.

The Rights of Way Officer has stated that Public Bridleway No. 332 (Bradford South) is adjacent to and partly within the site boundary. Public bridleways may legally be used by pedestrians, cyclists and horse riders. The route is a wide grass surfaced path which is often overgrown, it is separated from the previously developed area by the existing

boundary fence. As the application is in outline form with details of the proposed layout reserved for consideration at a later stage, it is unclear how the bridleway may be impacted by the development. In designing the layout of the development consideration will need to be given to the bridleway and ensure the route is retained and will provide a safe and secure route for any future users.

As such therefore, subject to the imposition of appropriate conditions there is no objection to the proposal in highway terms and it satisfies the requirements of policies TR1 and TR2 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 proactively 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.

In relation to the discharge of both foul sewage and surface water it is intended to connect to the mains sewer. Both a Drainage Report and Flood Risk Assessment have been submitted in support of the application and have been considered by both the Lead Local Flood Authority and Yorkshire Water. The proposals are considered acceptable subject to the imposition of appropriate conditions.

Overall therefore, subject to the imposition of the conditions requested, there is no objection to the proposal on drainage grounds and the proposal satisfies the requirements of policies EN7 and EN8 of the Core Strategy.

6. Trees

Paragraph 175 (c) of the National Planning Policy Framework states that, when considering planning applications, Local Planning Authorities should consider that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁵⁸ and a suitable compensation strategy exists.

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 scattered throughout the site but they are not considered to be of any visual amenity value and their loss to allow an acceptable layout of the development would be acceptable. However, within any new development proposals adequate new tree planting should be incorporated within the landscaping proposals to compensate for the loss of the trees as well as breaking up the built form of the new development.

There is no objection to the proposal on the grounds of the loss of the existing trees subject to appropriate levels of replacement planting when the final layout is designed. As such the proposal meets the requirements of policy EN5 of the Core Strategy.

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 initially raised a number of site specific issues.

Location of business: This is an outline application at the moment to the level of detail has yet to be determined, however as the industrial units are in close proximity to the existing residential dwellings, there would need to be strict opening hours and closing times so that any deliveries are not occurring before the start times and lorries are not waiting on the surrounding roads with engines running or having deliveries after hours which reduces, this may help reduce any nuisance noise – *appropriate conditions are recommended that will aim to minimise the potential impact on the residential amenities of the occupiers of the neighbouring dwellings.*

Maintenance, upkeep of area: There should be a management/maintenance plan for any plants or shrub planting on site to ensure that these are maintained to a certain height and kept tidy – *as the site is in outline form with all details reserved for consideration at a later stage, details of the proposed landscaping do not need to be considered at this stage. Appropriate conditions can be attached to a subsequent permission in relation to the provision of the landscaping scheme for the development and its future management and maintenance.*

Boundary treatments, gates: The site currently has post and rail mesh fence which is to an approximate height of 1800mm which shows signs of age/wear and tear. This type of fence can easily be breached by cutting through the mesh. The noise impact assessment indicates the location of a 6m high noise barrier to reduce noise impact for existing residential properties. There is a public right of way which is accessed via Bowling back Lane and runs along the east boundary of the site towards the rear of Buller Street, increasing the height to 6 metres in this location where there is already a

dog leg turn in the footpath will reduce natural surveillance which could make this location more secluded – as *the site is in outline form with all details reserved for consideration at a later stage details of the proposed boundary treatments do not need to be considered at this stage. An appropriate condition can be attached to a subsequent permission that will require the submission of the proposed boundary treatments and this will ensure that appropriate treatments are included that will provide a secure and safe environment for the future users of the development.*

External lighting and monitored CCTV: There should be good lighting levels of the car parks and all access doors to the units. Any column lights should include hood protectors to reduce light pollution, warm white led lights will help to illuminate the parking areas. Installing CCTV that covers the vehicle entrances, parking areas, bicycle storage and access doors to each of the units will improve security and surveillance around the site – *an appropriate condition is recommended in relation to any lighting scheme for the proposed car parking areas to ensure that any light from them does not stray onto the adjacent highway. With regards to CCTV this is outside the control of the planning system and it will be the responsibility of the developer to determine whether CCTV is installed on the buildings or the wider site.*

Doors and windows: There are no units to comment on at this stage. Doors and windows for the units should look to achieve an appropriate standard – *the standards of doors and windows to be installed within the buildings is outside the control of the planning system and it is the responsibility of the developer to determine the standards to be installed.*

Bicycle storage: If there is any bicycle storage, this should be located to the front of the units which has good natural surveillance from active windows or main entrance – *the provision of any cycling storage/stands will be determined at Reserved Matters stage when the design of the buildings and layout of the development is submitted for consideration.*

Intruder alarms: Installing monitored alarm within each unit will provide additional security for the businesses located here – *the inclusion of intruder alarms is outside the control of the planning system and it will be for the developer to determine whether or not they are installed within the individual buildings.*

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.

A Ground Conditions Desk Study report has been submitted in support of the application and this has been considered by the Environmental Health Department. The report identifies that by 1970 the site was developed as a “depot for use by Yorkshire Electricity” with all site buildings being subsequently demolished in 2012 and the site has been disused ever since.

The report states that the previous ground investigations identified “low level soil contamination hotspots in the form of elevated PAH concentrations”. However, it is noted in the report that the investigations were considered to be “limited in data and insufficiently reflects the sites contamination status”. In addition, it is stated that “the most recent investigation on the site containing chemical test data was conducted in 2008 and will be subject to the limitations in the analytical methodologies of the time. Consequently, these data may be considered less reliable than those achieved via current day techniques”.

The report concludes that “based on historical land uses and its current operational use, the overall risk from land contamination at the site is considered to be moderate for the current development, and low (with some specific moderate risks) identified for a redeveloped site, but would need to be confirmed by appropriate intrusive investigation, testing and assessment of the results of the investigation”.

The Environmental Health Department agrees with the recommendations presented in the Ground Conditions Desk Study by Hydrock Consultants and have no objection to the proposal subject to the imposition of appropriate conditions.

Overall therefore there is no objection to the proposal with regards to ground conditions and it is considered that the proposal satisfies the requirements of policy EN8 of the Core Strategy.

9. Air quality

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 EN8 of the Core Strategy states that "in liaison with partner organisations, the Council will take a proactive approach to maintaining and improving air quality within the District in line with National Air Quality Standards, the European Union limit values and the principles of best practice. Through a range of actions, it will seek to secure a reduction in emissions from sources which contribute to poor air quality".

Based on the traffic flow data provided in the air quality impact assessment submitted in support of the application this is considered to be a medium development for the purpose of the Bradford LES and West Yorkshire Low Emission Planning Guidance. Under the provisions of the LES planning guidance medium developments are required to provide Type 1 and 2 emission mitigation as follows:

Type 1 Mitigation:

- Provision of electric vehicles charging facilities at the rates set out in the WYLES planning guidance.
- Adherence to the IAQM Guidance on the Control of Dust and Emissions from Construction and Demolition during all demolition, site preparation and construction activities at the site.

Type 2 Mitigation:

- Inclusion in the Travel Plan of mitigation measures that will discourage the use of high emission vehicles and facilitate the uptake of low emission vehicles.

The majority of the proposal is for B1, B2 and B8 businesses uses which will not introduce any additional relevant receptors for the purpose of City of Bradford MDC's Local Air Quality Management (LAQM) duties. The applicant has submitted a full air quality impact assessment for the business park which considers the impact of the business park vehicle emissions on the wider area. This concludes that the air quality impact of the business park traffic will be negligible.

The maximum predicted increase in annual average nitrogen dioxide concentration as a result of the business park traffic is predicted to be 0.49ug/m³ at a residential receptor on Parry Lane. Air quality at this location is predicted to remain well within air quality objectives both with and without the business park in place. The business park has the potential to impact on other locations where air quality objectives are already exceeded. These include the Shipley Airedale Road and Thornton Road AQMAs. However, the predicted changes in pollutant concentrations as a result of the business park proposal are predicted to be very small (less than 0.18ug/m³ in all cases) and are unlikely to have any significant impact on the wider air quality action plans being drawn up to significantly improve air quality in these areas. There are no locations where the business park traffic is predicted to create additional exceedances of air quality objectives.

With regards to mitigation measures electric vehicle charging points will be required across the development in line with the rates set out in the WY LES planning guidance. This requires 10% of all parking spaces to be equipped with electric vehicle charging capability, 5% of these spaces must be operational at the opening date of the development and a further 5% can be provided as enabling ducting only. These percentages may be varied subject to agreement with Councils Environmental Health Department where high quality fast and rapid charge provision is proposed along with restrictions on the time a vehicle is able to occupy an electric vehicle charging bay.

A comprehensive construction dust risk assessment has been submitted in support of the application which recommends the types of construction dust mitigation to be employed at this site in accordance with the IAQM best practice guidance on control of emissions from construction and demolition sites. Subject to these control measures being fully employed the development of this site should not result in any unacceptable levels of dust emission. However, it is recommended that a detailed site specific dust management plan is conditioned for each reserved matters application across the site.

Finally, an interim travel plan for the development has been submitted which sets out how the use of walking, cycling and public transport will be encouraged at the site. The plan recommends provision of electric vehicle charging points but no details of such proposals are provided. The interim travel plan could be improved to take greater consideration of the need to promote the use of alternatively fuelled and lower emission vehicles on this site. This could include measures such as:

- Detailed electric vehicle charging proposals
- Access to low emission car club vehicles
- Preferential parking bays for car sharers/low emission vehicle users
- Setting of vehicle emission standards for vehicles accessing/servicing the site
- Incentive schemes to encourage site users to purchase low emission vehicles
- Incentives to use low emission vehicle fleets
- Promotion of the Eco-stars vehicle recognition scheme across the site

An appropriate condition is therefore recommended with regards to the submission of a detail Travel plan following the occupation of each building.

Overall therefore, subject to the imposition of the appropriate conditions referred to above, it is not considered that the proposal will significantly impact on the air quality in the locality and it satisfies the requirements of policy EN8 of the Core Strategy.

10. Biodiversity issues

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.

Paragraph 170 of the National Planning Policy Framework states that “Planning policies and decisions should contribute to and enhance the natural and local environment by.....minimising impacts on and providing net gains for biodiversity”. As such it is important that the development secures the offsets at this stage of the process in order to fulfil the LPA’s requirements under the National Planning Policy Framework. There is a strong desire that the development results in a 10% biodiversity net gain and the following aims are being pursued in order to achieve this:

- 1) Setting aside areas within the development to create additional specialised habitat outside of the individual reserved matter applications.
- 2) Potential central reservation habitat enhancements.
- 3) Habitat creation or restoration projects as offsets elsewhere in the area.

As the application is in outline form with only details of the access submitted for consideration at this stage it is not possible to fully achieve the 10% biodiversity net gain without the inclusion of conditions on a planning permission. The Biodiversity Officer has recommended that any such condition should enable specific details of where and how the revised biodiversity net gain is to be achieved at some point prior to a Reserved Matters application being submitted. It is not considered reasonable to request that the information be submitted prior to the submission of a Reserved Matters application as the layout at that stage may not have determined. With a Reserved Matters details of the landscaping will be required to be submitted and this will indicate how some of the biodiversity net gain will be achieved. Other biodiversity enhancements, such as the inclusion of bat or bird boxes, can be achieved through incorporating an appropriate condition on a planning permission.

The Biodiversity Officer is also seeking conditions relating to the removal of Japanese knotweed and cotoneaster sp from the site, that all site works which may impact breeding birds will be undertaken outside of the bird breeding season, and, the submission of an external lighting plan such as it minimises the impact on bats and other wildlife using the site for foraging or commuting.

The issue of Japanese knotweed will be covered through the site investigation report which should identify its presence on site and the subsequent remediation strategy which will identify how it will be removed from the site.

The Wildlife and Countryside Act 1981 offers protection to breeding birds and it is a criminal offence to deliberately cause harm to the nests during the nesting season. As such therefore, protection is offered to them outside of the planning system.

With regards to the provision of a lighting scheme this will not be known until the layout of the development has been designed in relation to the parking areas and the route of the internal access road. When these plans are submitted at Reserved Matters stage an appropriate condition can be imposed on the approval requiring details of the lighting scheme to be submitted if they haven't been submitted as part of the formal submission.

Overall therefore, it is not considered that the proposal will cause any significant harm to the biodiversity value of the site and the aim of achieving a 10% net gain across the whole site can be dealt with at Reserved Matters stage when issues such as landscaping and external appearance of the proposed buildings are considered. It is considered that the proposal satisfies the requirements of policy EN2 of the Core Strategy.

11. Other issues

A number of other issues have been raised during the publicity exercise that have not been addressed in the above sections of this report, these being as follows:

Reduction in property values – *the issue of devaluation of the adjacent dwellings is not a material planning consideration in the determination of planning applications*

Once the units have been built the Council won't act on complaints from neighbours regarding issues such as fly tipping and littering as they haven't acted on previous complaints – *this is outside the control of the planning system and would be dealt with under separate legislation by the Council's Environmental Health Department*

This area is already plagued by fly tipping and criminal activity this would only serve to make it much worse – *the proposal will bring back into use a vacant site and through the appropriate management of the development the level of fly tipping and criminal activity should be reduced*

Potential increase in litter and vermin through the inclusion of a hot food takeaway – *the proposed take-away element of the original proposal has now been removed from the development*

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 this 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 scheme provides a development on an allocated site that raises no concerns with regard to highway safety. Issues of visual and residential amenity will be considered at the Reserved Matter stage. The proposal is considered acceptable and, with the proposed conditions, satisfies the requirements of policy E6 of the Replacement Unitary Development Plan together with policies P1, SC1, SC4, SC9, EC4, TR1, TR2, TR3, 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 scale

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

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

2. Time scale

The development to which this notice relates must be begun not later than the expiration of two years from the date of the approval of the matters reserved by this permission for subsequent approval by the Local Planning Authority, or in the case of approval of such matters on different dates, the date of the final approval of the last of such matters to be approved.

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

3. Reserved Matters

Before any development is begun plans showing the:

- i) appearance,
- ii) landscaping,
- iii) layout, and,
- iv) scale within the upper and lower limit for the height, width and length of each building stated in the application for planning permission in accordance with article 3(4)

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

Reason: To accord with the requirements of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995.

4. Approved plans

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

Drawing Number SK-B101_P3000850 showing the Site Location Plan and received by the Local Planning Authority on the 28th February 2020;

Drawing Number (SK)B201 REV A showing the Illustrative Masterplan and received by the Local Planning Authority on the 28th February 2020;

Drawing Number 3771-A1-P-100-10 showing the Autotrack Analysis, Broad Lane and received by the Local Planning Authority on the 28th February 2020;

Drawing Number 3771-A1-P-100-05 showing the Possible Access from Parry Lane Option 2 and received by the Local Planning Authority on the 28th February 2020;

Drawing Number 3771-A1-P-100-07 REV A showing the Possible Site Access Layout and received by the Local Planning Authority on the 28th February 2020;

Drawing Number PRY-BDP-ZZ-00-DR-C-30_14-0001 REV P01 showing the Highway Alignment Sheet 1 of 5 and received by the Local Planning Authority on the 22nd July 2020;

Drawing Number PRY-BDP-ZZ-00-DR-C-30_14-0002 REV P01 showing the Highway Alignment Sheet 2 of 5 and received by the Local Planning Authority on the 22nd July 2020;

Drawing Number PRY-BDP-ZZ-00-DR-C-30_14-0003 REV P01 showing the Highway Alignment Sheet 3 of 5 and received by the Local Planning Authority on the 22nd July 2020;

Drawing Number PRY-BDP-ZZ-00-DR-C-30_14-0004 REV P01 showing the Highway Alignment Sheet 4 of 5 and received by the Local Planning Authority on the 22nd July 2020;

Drawing Number PRY-BDP-ZZ-00-DR-C-30_14-0005 REV P01 showing the Highway Alignment Sheet 4 of 5 and received by the Local Planning Authority on the 22nd July 2020;

Drawing Number PRY-BDP-ZZ-00-DR-C-30_14-1001 REV P01 showing the Vehicle Tracking Plan Sheet 1 of 5 and received by the Local Planning Authority on the 22nd July 2020;

Drawing Number PRY-BDP-ZZ-00-DR-C-30_14-1002 REV P01 showing the Vehicle Tracking Plan Sheet 2 of 5 and received by the Local Planning Authority on the 22nd July 2020;

Drawing Number PRY-BDP-ZZ-00-DR-C-30_14-1003 REV P01 showing the Vehicle Tracking Plan Sheet 3 of 5 and received by the Local Planning Authority on the 22nd July 2020;

Drawing Number PRY-BDP-ZZ-00-DR-C-30_14-1004 REV P02 showing the Vehicle Tracking Plan Sheet 4 of 5 and received by the Local Planning Authority on the 22nd July 2020;

Drawing Number PRY-BDP-ZZ-00-DR-C-30_14-1005 REV P02 showing the Vehicle Tracking Plan Sheet 5 of 5 and received by the Local Planning Authority on the 22nd July 2020; and,

Drawing Number PRY-BDP-ZZ-00-DR-C-50_30-0010 showing the Outline Proposed Highway Linework and received by the Local Planning Authority on the 22nd July 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.

5. Means of access

Notwithstanding the outline approval of the means of access, any subsequent application for the approval of the reserved matters shall include full details of the proposed width, kerb radii, visibility splays, gradient and drainage of the means of access. Such matters shall be submitted to and approved in writing by the Local Planning Authority before development begins and the works so approved shall be implemented prior to any part of the development being brought into use.

Reason: To ensure that the site is connected to existing street and path networks, public transport and places and that a safe and suitable form of access is made available to serve the development in accordance with Policy DS4 of the Local Plan for Bradford.

6. Means of access

Before any development works commence on site, details of the proposed phasing of the development including the intended timetable for the implementation of relevant sections of the means of access, and corresponding vehicle turning facilities shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details of phasing so approved.

Reason: To establish a suitable phased implementation programme for the construction of the means of access, and turning facilities commensurate to the scale of the development proposed and to accord with Policy DS4 of the Local Plan for Bradford.

7. Vehicle turning facility

Notwithstanding the outline approval of the means of access, any subsequent application for the approval of the reserved matters shall include full details of a vehicle turning facility to be provided within the site. Such matters shall be submitted to and approved in writing by the Local Planning Authority before development begins and the works so approved shall be implemented prior to any part of the development being brought into use.

Reason: To ensure that a safe and suitable form of access is made available to serve the development in accordance with Policy DS4 of the Local Plan for Bradford.

8. Closure of existing access

Concurrently with the construction of the new vehicular access and prior to it being brought into use, the existing vehicular access to the site shall be permanently closed off with a full kerb face, and the footway shall be returned to full footway status, in accordance with the approved drawings.

Reason: To ensure that the site is connected to existing street and path networks, public transport and places and that a safe and suitable form of access is made available to serve the development in accordance with Policy DS4 of the Local Plan for Bradford.

9. Construction plan

Notwithstanding the provision of Class A, Part 4 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any subsequent legislation, the development hereby permitted shall not be begun, or each phase if the development is phased, until a Construction Plan specifying proposals for the management of construction site access and the layout of construction site facilities has been submitted to and approved in writing by the Local Planning Authority.

The construction plan shall include the following details:

- i) full details of the position and width of the contractor's means of access to the site including measures to deal with surface water drainage;
- ii) intended hours of construction work, including any works of demolition;
- iii) intended hours of delivery of materials;
- iv) location of materials storage compounds, loading/unloading areas and areas for construction vehicles to turn within the site;
- v) car parking areas for construction workers, sales staff and customers;
- vi) a wheel cleaning facility or other comparable measures to prevent site vehicles bringing mud, debris or dirt onto a highway adjoining the development site;
- vii) the extent of and surface treatment of all temporary road accesses leading to compound/storage areas and the construction depths of these accesses, their levels and gradients;
- viii) temporary warning and direction signing on the approaches to the site

The construction plan details as approved shall be implemented before the development hereby permitted is begun and shall be kept in place, operated and adhered to at all times until the development is completed. In addition, no vehicles involved in the construction of the development shall enter or leave the site of the development except via the temporary road access comprised within the approved construction plan.

Reason: To ensure the provision of proper site construction facilities on the interests of highway safety and amenity of the surrounding environment and its occupants and to accord with policies TR1, TR3, DS4, and, DS5 of the Local Plan for Bradford.

10. Wheel wash facility

Before any development commences on site, or each phase if the development is phased, 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 safe 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: In the interests of amenity and highway safety, and in accordance with Policies DS4 and DS5 of the Local Plan for Bradford.

11. Off-site highway works

Prior to any part of the development being brought into use, the off-site highway works, shown on drawing numbers:

PRY-BDP-ZZ-00-DR-C-50_30-0010 dated 21/07/20 indicating the Outline Proposed Highway Linework

PRY-BDP-ZZ-00-DR-C-30_14-0001 REV P01 showing the Highway Alignment Sheet 1 of 5

PRY-BDP-ZZ-00-DR-C-30_14-0002 REV P01 showing the Highway Alignment Sheet 2 of 5

PRY-BDP-ZZ-00-DR-C-30_14-0003 REV P01 showing the Highway Alignment Sheet 3 of 5

PRY-BDP-ZZ-00-DR-C-30_14-0004 REV P01 showing the Highway Alignment Sheet 4 of 5 and,

PRY-BDP-ZZ-00-DR-C-30_14-0005 REV P01 showing the Highway Alignment Sheet 4 of 5

shall be implemented in full.

Reason: In order to ensure that a safe access is maintained and to mitigate vehicular movements in the interest of highway safety and to accord with Policies TR2 and DS4 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

12. Separate systems of drainage

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

Reason: In the interests of satisfactory and sustainable drainage and to accord with Policies DS5, EN7 and EN8 of the Local Plan for Bradford.

13. Surface water run-off

Surface water run-off from hardstanding (equal to or greater than 800 square metres) and/or communal car parking area(s) of more than 50 spaces must pass through an oil, petrol and grit interceptor/separator of adequate design that has been submitted to and approved by the Local Planning Authority, prior to any discharge to an existing or prospectively adoptable sewer.

Reason: To prevent pollution of the aquatic environment and protect the public sewer network and to accord with Policies DS5, EN7 and EN8 of the Local Plan for Bradford.

14. No piped discharge of surface water

There shall be no piped discharge of surface water from the development prior to the completion of the surface water drainage works, details of which shall have first been submitted to and approved in writing by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:

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

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal and in the interest of sustainable drainage and to accord with Policies DS5, EN7 and EN8 of the Local Plan for Bradford.

15. Scheme for foul and surface water drainage

The development shall not begin, or each phase if the development is phased, 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 Outline Drainage Strategy Report prepared by BDP (Document Reference: PRY-BDP-RPT-C-002) dated February 2020. 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 Local Plan for Bradford.

16. Maintenance plan for surface water drainage

The development shall not begin, or each phase if the development is phased, 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.

17. Site Investigation Scheme

Prior to the construction of the development, a Phase 2 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, 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 EN8 of the Local Plan for Bradford.

18. Site Investigation Implementation

Prior to construction of the development, the 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 EN8 of the Local Plan for Bradford.

19. Remediation strategy

Prior to construction of the development 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 unless otherwise 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.

20. 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.

21. 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.

22. 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.

23. Electric vehicle charging points

Prior to each individual building becoming operational, a scheme detailing the type and location of EV charging facilities serving that building shall be submitted to and approved in writing by the Local Planning Authority. A minimum of 5% of the total parking bays shall have operational EV charging points at the opening date of the development. A further 5% of the total parking bays will be required to have enabling ducting. The minimum standard for the EV charging points provided will be purpose built standard Electric Vehicle Charging points (minimum output of 32A, 7-23KW) with Type 2, mode 3 capability. Buildings on the site shall not be brought into use until the agreed number of operational charging points have been installed and are fully operational. Charging points installed shall be clearly marked with their purpose and retained in a safe operational state thereafter.

Reason: To facilitate the uptake of low emission vehicles by staff and customers and to reduce the emission impact of traffic arising from the development in line with the council's Low Emission Strategy and National Planning Policy Framework (NPPF).

24. Construction dust management plan

With the submission of each Reserved Matters application a Construction Dust Management Plan for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The dust management plan must be prepared with due regard to the guidance set out in the London Best Practice Guidance on the Control of Dust and Emissions from Construction and Demolition and must include all the mitigation measures recommended in table 20 of the air quality impact assessment submitted by the applicant (Redmore ref: 3192). All works on site shall be undertaken in accordance with the approved CEMP.

Reason: To protect amenity and health of surrounding residents in line with the Council's Low Emission Strategy, policy EN8 of the Local Plan for Bradford and the National Planning Policy Framework.

25. Travel plan

Within 6 months of the first occupation of each building, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall promote sustainable travel options for future occupants of the development and include measures and incentives to reduce their reliance upon the private car. The Travel Plan as approved shall be implemented within 3 months of its approval in writing. The Travel Plan will be reviewed, monitored and amended as necessary on an annual basis to achieve the aims and targets of the Plan.

Reason: In the interests of promoting sustainable travel and to accord with policy TR1 of the Local Plan for Bradford.

26. Noise levels

The level of noise emitted from the application site (excluding vehicles on the public highway) shall not exceed 48 dB LAr (1 hour daytime) and 38 dB LAr (15 minutes night time) at the residential dwellings nearest to the site on Parry Lane and Buller Street.

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

27. Noise and traffic management plan

Prior to the occupation of any building hereby permitted, a noise and traffic management plan for the service yards shall be submitted to and approved in writing by the local planning authority. This should consider noise generated from deliveries, loading/unloading activities, along with general service yard activities, and consideration of any mitigation measures required. The development shall be carried out in accordance with the approved details, which shall be retained and adhered to at all times.

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

28. Noise attenuation measures

Prior to the occupation of any building hereby permitted, details of noise mitigation measures to be incorporated within the design of the building and its curtilage shall be submitted to and approved in writing by the Local Planning Authority. These measures should include, amongst other things, the positioning of any openings in the elevations and roof, the location of any associated plant, and, appropriate fencing. The approved details shall be implemented in full prior to the building being first occupied and shall be retained whilst ever the building is in use.

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

29. Hours of use

Before the occupation of each building details of the proposed hours of use of the building and servicing times should be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

Informatics:

- 1) The local waiting restrictions to be approved and implemented in accordance with condition 11 will require the making of a Traffic Regulation Order. You are advised to contact John Rowley of the Council's Highways Department to discuss the procedure for making the Traffic Regulation Order.
- 2) Reason for pre-commencement condition 15: It is necessary to secure agreement of effective drainage measures before commencement, 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.
- 3) Reason for pre-commencement condition 16: It is necessary to secure agreement of the maintenance provisions for the drainage system, before commencement, 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
- 4) The applicant should have regard to:

- YALPAG (formerly YAHPAC) 'Technical Guidance for Developers, Landowners and Consultants. Development on Land Affected by Contamination'
- YALPAG 'Verification Requirements for Cover Systems' if remediation or quality control of imported soil materials is required, and
- YALPAG (2016) guidance on 'Verification Requirements for Gas Protection Systems' if gas protection is necessary.

Current editions of these documents are available on the Bradford MDC website
<https://www.bradford.gov.uk/planning-and-building-control/planning-applications/planning-application-forms/>