

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:

A Reserved Matters application for 156 dwellings requesting consideration appearance, landscaping, layout and scale (pursuant to outline approval 16/03804/MAO), on land at the former Riverside Works, Keighley Road, Silsden, BD200EH.

Summary statement:

A Reserved Matters application for 156 dwellings on land at the former Riverside Works, Keighley Road, Silsden, BD200EH. Application reference 19/05267/MAR.

The principle of residential development was established by the granting of outline planning permission under application reference 16/03804/MAO. This application seeks approval of the reserved matters for the internal access arrangements, appearance, landscaping, layout and scale.

The application has been assessed against all Council and national planning policies and has been the subject of amendment to secure required changes to the layout in relation to highway safety requirements.

It is recommended that the reserved matters application is approved. In addition, the Assistant Director of Planning, Transportation and Highways be authorised to agree to the variation of an existing S106 Agreement to secure on-site affordable housing provision rather than a commuted sum of £348,439 as was previously approved at the outline stage.

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Transportation & Highways)

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Portfolio:

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

Overview & Scrutiny Area:

Regeneration and Economy

1. SUMMARY

The Regulatory and Appeals Committee are asked to consider the recommendations for the determination of planning application reference 19/05267/MAR made by the Assistant Director (Planning, Transportation and Highways) as set out in the Technical Report at Appendix 1

2. BACKGROUND

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

3. OTHER CONSIDERATIONS

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

4. FINANCIAL & RESOURCE APPRAISAL

None relevant.

5. RISK MANAGEMENT & GOVERNANCE ISSUES

None relevant to this application.

6. LEGAL APPRAISAL

The determination of this application is within the Council's powers as the Local Planning Authority under the provisions of the Town and Country Planning Act 1990 (as amended).

7. OTHER IMPLICATIONS

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

7.1 EQUALITY & DIVERSITY

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups, in accordance with the duty placed upon Local Authorities by Section 149 of the Equality Act 2010.

The context of the site, the development scheme proposed and the representations received have been reviewed to identify the potential for the determination of this application to disadvantage any individuals or groups of people with characteristics protected under the Equality Act 2010.

The outcome of this review is that there is that there is not considered to be any sound reason to conclude that the proposed development would have a significantly detrimental impact on any groups of people or individuals with protected characteristics. Full details of the process of public consultation undertaken and a summary of the comments made are attached at Appendix 1.

7.2 SUSTAINABILITY IMPLICATIONS

The sustainable location of the site was confirmed with the approval of outline application reference 16/03804/MAO, which confirmed that the site was suitable for residential development. The site is located on the southern edge of Silsden where there are bus services available from Keighley Road and rail links available from

Steeton & Silsden train station. The site is considered to occupy a sustainable location and no adverse sustainability implications are therefore foreseen.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

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

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

In order to encourage alternative means of transport Electric Vehicle (EV) charging points have been secured by the outline planning permission at a rate of 1 per residential unit in line with the Type 1 Mitigation requirements set out in the Bradford Low Emission 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. In this instance, subject to appropriate access control, boundary treatments, being implemented, it is not considered that there are grounds to conclude that the proposed development would create an unsafe or insecure environment or increase opportunities for crime, in accordance with Core Strategy Policy DS5

7.5 HUMAN RIGHTS ACT

Articles 6 and 8 and Article 1 of the first protocol all apply (European Convention on Human Rights). Article 6- the right to a fair and public hearing. The Council must ensure that it has taken into account the views of all those who have an interest in, or whom may be affected by the proposal.

7.6 TRADE UNION

None.

7.7 WARD IMPLICATIONS

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

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS

None

7.9 IMPLICATIONS FOR CORPORATE PARENTING

None

7.10 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

None

8. NOT FOR PUBLICATION DOCUMENTS

None

9. OPTIONS

The Committee can approve the application for reserved matters as per the recommendation in Appendix 1, or refuse the application.

If the Committee decides that the application should be refused, the reason(s) for refusal would have to be given, based upon development plan policies or other material planning considerations.

10. RECOMMENDATIONS

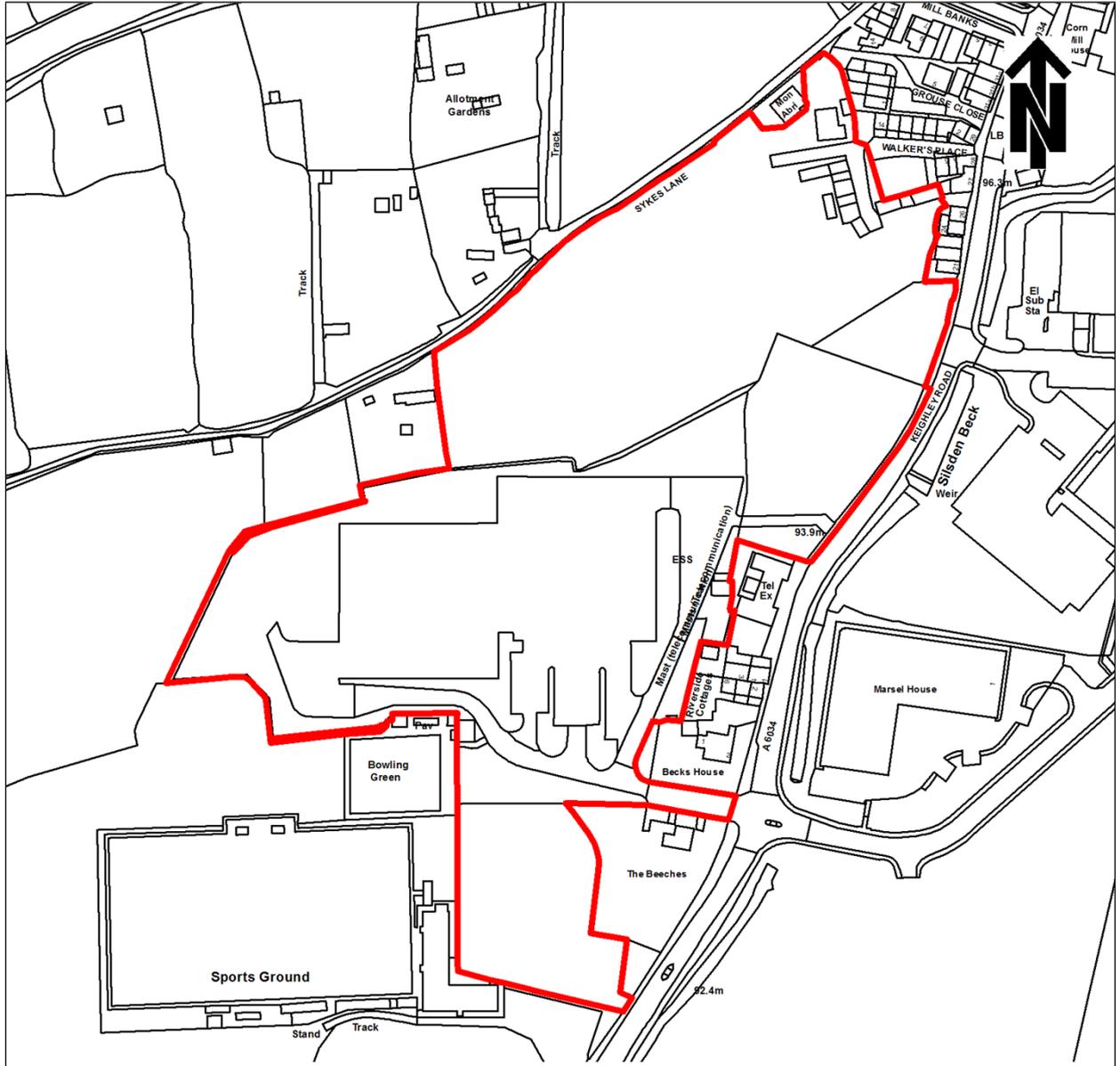
It is recommended that the reserved matters application is approved. In addition, the Assistant Director of Planning, Transportation and Highways be authorised to agree to the variation of an existing S106 Agreement to secure on-site affordable housing provision rather than a commuted sum of £348,439.

11. APPENDICES

Appendix 1: Technical Report

12. BACKGROUND DOCUMENTS

National Planning Policy Framework (2019)
Adopted Core Strategy 2017
Replacement Unitary Development Plan 2005
Homes and Neighbourhoods SPD 2020



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Appendix 1

Ward:
Craven

Recommendation: Approve Reserved Matters with Conditions.

In addition, the Assistant Director of Planning, Transportation and Highways be authorised to agree to the variation of an existing S106 Agreement to secure on-site affordable housing provision rather than a commuted sum of £348,439.

Application Number:
19/05267/MAR

Type of Application/Proposal and Address:

A Reserved Matters application for 156 dwellings requesting consideration of layout, scale, appearance and landscaping on land at the former Riverside Works, Keighley Road, Silsden, BD200EH.

Applicant:
Lindum Group and Yorkshire Housing

Agent:
Mr Chris Yorke

Site Description:

The site has an area of approximately 5.8 hectares and is located on the south side of Silsden. The eastern boundary of the site has an extensive frontage onto Keighley Road, which is the main arterial route into Silsden from the south.

The site is currently vacant and predominantly comprised of scrubland and ad hoc areas of hard standing associated with the warehousing and light industrial uses which previously occupied the site.

The site abuts the Silsden Conservation Area on its northern edge to Walker Place and the Leeds-Liverpool canal on its north western edge at Sykes Lane.

The site falls gradually from north to south and part of its south eastern boundary abuts houses which lie in close proximity to Keighley Road. To the north of the existing houses but within the eastern apex of the site lies a long frontage boundary to Keighley Road and part of this land was formally allocated as a phase 1 house site (K/H1.40). To the south lies the green belt and the football and cricket pitches with their associated clubhouse. To the west of the site lies a parcel of safeguarded land (RUDP reference K/UR5.37). To the north lies a parcel of employment land (RUDP reference K/E1.9) which is also within the employment zone. Sykes Lane forms part of the north western boundary of the site. Existing access to the site is via Keighley Road.

Relevant Site History:

16/03804/MAO- Demolition of existing buildings and the construction of upto 142 dwellings- Granted Subject to Section 106 Agreement-26.11.2018

14/01059/MAF - A full application for the (i) demolition of buildings and construction of a food store and petrol filling station with associated car parking, servicing, highway works including formation of vehicular access and cycle/foot way, and hard and soft landscaping and; (ii) formation of all-weather sports pitches and associated car parking.

13/00990/PN – Prior approval granted for demolition of single storey warehouse building.

The National Planning Policy Framework (NPPF):

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

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

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

Replacement Unitary Development Plan (RUDP):

Allocation

A large part of the site is unallocated but lies within a designated employment zone (K/E6.1) within the Replacement Unitary Development Plan. A small part of the site forms part of a much larger parcel of employment land (K/E.19). A small area of land in the south apex of the site lies within the greenbelt. The remainder of the application site is allocated as a former phase 1 housing site (K/H1.40).

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 further Allocations and Area Action Plan development plan documents.

Neighbourhood Planning

The site is located within the Neighbourhood Area Designation of the Steeton with Eastburn and Silsden Neighbourhood Plan. The remaining stages of the adoption process are for the neighbourhood plan to undergo an independent examination and for a referendum to be held after which, if more than half of those voting are in favour, the plan will come into force as part of the statutory development plan for the area

The emerging neighbourhood plan has not yet undergone independent examination or referendum and therefore whilst it is a material consideration in the decision making process it can only be given limited weight at the present-time

The Core Strategy for Bradford Policies

Transport

TR1 Travel Reduction and Modal Shift

TR2 Parking Policy

TR3 Public Transport, Cycling and Walking

TR5 Improving Connectivity and Accessibility

Housing

HO5 Density of Housing Schemes

HO6 Maximising use of Previously Developed Land

HO8 Housing Mix

HO9 Housing Quality

HO11 Affordable Housing

Environment

EN1: Protection and improvements in provision of Open Space and Recreation Facilities

EN3 Historic Environment

EN4 Landscape

EN8 Environmental Protection Policy: Air Quality, Land Contamination and Nuisance

Design

DS1 Achieving Good Design

DS2 Working with the Landscape

DS3 Urban character

DS4 Streets and Movement

DS5 Safe and Inclusive Places

Implementation and Delivery Policies

ID3 Developer Contributions

Homes and Neighbourhoods - A Guide to Designing in Bradford 2020 SPD

(adopted by the Council as a Supplementary Planning Document (SPD) on 4 February 2020).

The following policies in particular apply to this proposed development:

- Housing mix
- Provision of open space within developments
- Appropriate landscaping
- Play: local parks and access to the countryside
- Parking provision
- Cycle parking
- Storage of Waste
- Making a Home: Flats and Apartments – access and circulation, views and aspects, communal facilities, conversions.

- Light and ventilation
- Outdoor space
- Materials and details
- Privacy
- Energy efficiency

Town Council

Silsden Town Council have offered the following comments:

Where is Penistone Road as referred to on page 26 of the Design and Access Statement?

We dispute the information supplied regarding transport links as there is no direct bus from Silsden to Skipton.

Within the development we question the use and length of the shared private road and question bin lorry and emergency vehicles ability to access these properties.

The piece meal approach to highways is concerning given the already congested traffic using Keighley Road and believe a holistic approach should the development go ahead with the 2nd phase develop traffic plan implemented with the 1st phase development.

Due to flooding issues well known in this area the surface water must enter the beck below the culvert and not at the culvert.

There is no new FRA and the original one does taken into account the levels of the houses, this council will forward photographic evidence to the case officer to show the level of flooding possible and request the EA revises its initial assessment to take this local knowledge into account.

Please also refer to your own drainage report regarding the FRA. We strongly question the sustainability of this development as we see no improvements to utilities, infrastructure and employment needs. Bradford's own documentation shows that sewerage and electric capacity has been reached and that both require major improvements to cope with any new housing.

The biodiversity management plan shows planting will hide the proposed pond, which as it's in an open space is a safety risk and the pond should be fenced off or covered with a solid mesh to stop someone falling in unnoticed.

There is no mention at all of the Japanese knotweed which requires strict guidelines and time frames to be followed for its removal.

This council has also been given evidence of the colony of Bee Orchids on this site which is a rare sight and we urge both BMDC and the developers to protect the colony.

This council believes that as outline planning was granted including a s106 contribution which was then subject to amendment this amendment should be signed and the application not be considered under CIL as this application was accepted and determined at outline stage prior to the implementation of CIL with BMDC.

Publicity and Number of Representations:

The application was publicised by press notice, site notice and neighbour notification letters. The expiry date for the submission of comments was 27th February 2020.

A total of ten representations were received consisting of six objections and four general comments.

Summary of Representations Received:

Objections:

The land is unsuitable for residential development because of flood risk.

The new properties will be close to the boundary fence of The Beeches.

Keighley Road is unsafe

Keighley Road is already congested

Access onto Keighley road is dangerous and will worsen as a result of additional traffic

Cottages fronting Keighley Road should be allowed to take access from the internal highway network of the new development.

Silsden needs a bypass

Why should the residents of this proposed estate be able to get out of Silsden (towards the A629) easier than the rest of Silsden residents and through traffic?

At peak times Keighley Road is backed up to the A629, traffic lights at this point will make the situation much worse.

The main entrance / exit to this estate should be a roundabout at the junction of Belton Road /Keighley Road.

The development will increase flooding from Silsden Beck.

Surface water run-off will flood houses on Keighley Road

Brooks Ecological ReportR-3763-01 Dec 2018, Preliminary Ecological Appraisal and the subsequent Biodiversity Management Plan dated 14/11/19 are deeply flawed.

Bee Orchids were found on the site in April 2019

No play space of children is provided within the development as is required by the Homes and Neighbourhoods Design Guide

Access to The Beeches should not be altered by this development.

Do Bradford Council still own part of this site

What happened to the three listed buildings on this site.

Consultations:

Highways (13.02.2020)

The proposal is now for 156 dwellings, six more than was assessed in the Transport Assessment (submitted and approved under 16/03804/MAO) which accounted for 150. A Transport Note has been submitted considering the additional six dwellings and this is acceptable.

Access to the site has previously been agreed with additional land set aside for a future traffic signal junction, should the Strategic Housing site to the west be developed as a continuation from the spine road proposed through this site. A dashed line is provided on plan to identify that land safeguarded for future traffic signals. It is vague as to where this ties in with Keighley Road and the proposed site access. For clarity, safeguarded land should be shown more accurately on plan.

The spine road would form a Type 1 connector street and guidance is that no frontage access should be taken from a road of this order. However, driveways are proposed with direct access which would be unacceptable and the layout should be amended accordingly

The site plan appears to indicate traffic calming features, (speed humps?) throughout the site. Traffic calming should be in the form of natural bends in the horizontal alignment, or node points with deflection. Therefore, the layout should be reconsidered to design out the requirement for speed humps etc.

There are a number of driveways that meet the carriageway at an angle which would be likely to lead to turning and visibility difficulties. All driveways should be orientated to meet the carriageway at 90 degrees.

There are a number of driveways in close proximity to junctions within the site (plots, 143, 113, 76, 78, 62, 61, 97, 29, 30, 79). Driveway locations should be reconsidered accordingly.

Visitor parking within shared surface areas should be provided in parallel to and within the adoptable carriageway, not perpendicular to it, as proposed.

Those shared surface areas with turning heads to cater for a refuse vehicle should have a minimum width of 5.5m. Some scale from plan at 4.5m which would be unacceptable.

There should be no radius kerbs within shared areas. These should be replaced with taper kerbs.

A number of driveways are proposed adjacent to transitions between type 2 to type 3 (shared surface roads) which would be unacceptable. Driveway locations to be reconsidered.

Transition details between the shared surface to plots 22 to 28 and plot 42 to 56 and the type 2 road are incorrect. A ramp should be provided between the two, with footway continuing 2m beyond the ramp, then tapering down to the hard margin, over the following 2m.

Emergency Access is proposed from a private drive to the rear of plot 22. In order for this to be acceptable for use as an emergency access it would need to be adopted as highway. A 1.8m footway should be provided along the northern side and across the end of this road, linking to that footway proposed continuing to the shared surface area. Details of the proposed removable bollards should be submitted.

A private drive is proposed to plot 131 to 135, with access taken from the corner of a turning head. The angle at which it meets this turning head would be likely to lead to turning difficulties and also construction difficulties. Furthermore, that driveway proposed to plot 135 immediately after/during the turn would be likely to be operationally impracticable. The applicant may wish to consider providing a 'Y' shaped turning head to the adoptable road at this location which may ease the turn and the driveway location should also be reconsidered.

This private drive is approximately 55m long. Normally a new private drive over 45m long should provide a turning area to avoid the need for vehicles to reverse long distances. I have concern regarding visitor parking and as to where visitors would turn. Provision should be made and indicated on plan. Furthermore, I have concern with regard to bin collection for these properties. A refuse vehicle should be able to get within 25m of all bins. Therefore a bin collection point should be provided as close to the adoptable turning head as possible.

Carriageway and footway dimensions should be provided on plan.

Design and Conservation (31.01.2020)

It has previously been stated that it is imperative that development here enhances the setting of the Silsden conservation area, and reinforces the character of the town by restoring the southern gateway to the town. It will be imperative for buildings adjacent to Keighley Road to directly address the road and both by their physical presence, relationship with the road and architectural design, restore the local distinctiveness of this approach to the town. Elsewhere in the development the layout, built form and sense of place of the development should read as a seamless continuation of the character of Silsden, that is an irregular and intimate layout with clusters of buildings of random and varied size, shape and form reflecting piecemeal organic development.

The submitted statement suggests an appreciation of the need for exceptional quality of development here, but unfortunately the layout and building design fails to make this a reality. The layout remains that of a suburban estate with open, sweeping approach into the development, flanked by standard house types. It is considered unlikely that the broad application of standard house types will achieve a successful integration of the development into the local context. This layout, spacing and architecture appears to have limited recognition of the local context or character. The relationship of buildings to the roads and orientation of built form conflicts with local character in the conservation area.

To the north-western edge the site addresses Sykes Lane and the edge of the canal conservation area. Sykes Lane is a historic thoroughfare with distinctive character, flanked by hedgerows. It will be necessary for the development to respect and complement that character, and not turn its back on this right of way. The provision of 1.8m close boarded fencing here is not acceptable.

On the Keighley Road frontage, the houses to the north of the site access do not closely address the road. This spacing is not consistent with the prevailing character along this approach to Silsden where built form closely addresses the road. The inclusion of gables into the house types on this frontage is also not consistent with the simple local vernacular. The chimneys shown are disproportionately small, and the eaves detail unclear. Gutters on this frontage at least should be supported in a traditional manner without fascia boards. Natural stone should be specified, to a compatible finish. Render has no local relevance in the surrounding context. The roofs should be of slate or demonstrating that appearance. A slim leading edge as opposed to a chunky concrete tile is required.

At present the development is assessed as not maintaining or enhancing the setting of the conservation area, and not restoring the fragmented nature of the key approach along Keighley Road. This fails to adequately accord with the NPPF and to satisfy policies EN3, DS3 and SC1 (11)

Trees Team

The tree survey submitted is noted but there is no arb impact assessment demonstrating that the layout has fully considered trees. Further details are required with respects to shading from retained trees and all other issues are defined in BS5837:2012. Evidence showing that the application is acceptable (rather than an unsubstantiated opinion after the fact) would be useful, i.e. submission of the report that accompanied application 16/03804/SUB02 would probably not be sufficient to demonstrate that the layout etc has adequately considered trees.

Full engineering details including levels through and cross are required accompanying an arb MS which should show that any proposed tree protection measures can be implemented to preserve trees that contribute to the semi-rural location (especially to boundaries). The arb MS should provide construction exclusion zones so that there is clarity over what is and is not being proposed in relation to engineering within RPAs.

The engineering to the south of the site will in effect destroy the current line of trees. Whilst some trees are suffering the line of trees ought to be re-instated and a feature of the site, not destroyed.

Some tree retention is misplaced.

Tree planting within wider landscaping proposals should be improved to mitigate the proposed harm and loss of existing trees. Planting in back gardens does not provide any particular mitigation as the retention of this type of tree is not usually enforceable. Tree lined estate road would be especially welcome. The application currently does not meet EN5 and there is a lack of justification and evidence that scheme is arboriculturally acceptable. The above issues are remnant from the lack of clarity on the 16/03804/MAO submission.

Yorkshire Water (28.02.2020)

Based on the information submitted, Yorkshire Water has no objection in principle to:

- 1) The proposed separate systems of drainage on site and off site
- 2) The proposed amount of domestic foul water to be discharged to the public combined sewer network pumped at a rate of 6 litres/second
- 3) The proposed point) of discharge of foul water to the public combined sewer in Keighley Road.

submitted on drawing SILS-AWP-ZZ-ZZ-DR-C-3350 (revision P2) dated 15/11/2019 that has/have been prepared by Alan Wood & Partners.

The submitted drawing shows surface water proposed to be drained to watercourse.

It is understood that a sewer is recorded crossing the site on the public sewer map but this pipe is no longer in service. The developer should make application to Yorkshire Water under formal procedure in accordance with Section 116 Water Industry Act 1991. The developer should also note that the site drainage details submitted have not been approved for the purposes of adoption or diversion. If the developer wishes to have the sewers included in a sewer adoption/diversion agreement with Yorkshire Water (under Sections 104 and 185 of the Water Industry Act 1991), they should contact our Developer Services Team (tel 0345 120 84 82, email: technical.sewerage@yorkshirewater.co.uk) at the earliest opportunity. Sewers intended for adoption and diversion should be designed and constructed in accordance with the WRc publication 'Sewers for Adoption - a design and construction guide for developers' 6th Edition, as supplemented by Yorkshire Water's requirements

Landscape Architect (09.03.2020)

The submitted landscape information is only indicative; no detailed landscape proposals have been submitted.

The present application is for 156 dwellings; which is an increased number on the previous application. The increased number of dwellings will result in an increase in housing density with opportunities of open green areas and screening within the development reduced. As a consequence, this will increase the impact of the development on the surrounding landscape character area.

The site is visible from major transport routes running through the floodplain and from the opposite valley side. The proposals though, do not give sufficient consideration to its impact on views in and out of the site. Mitigations measures are essential for reducing the impact of the development; these should be in the form of open spaces within the development and trees for softening and providing a rural interface appropriate for the local landscape. Generally, the landscape proposals for the site should aim at providing a strong landscape framework, with trees and planting to soften and enhance the environment and contribute positively to the character of the area.

With regards to the hard landscaping across the scheme: there is discrepancy in the information submitted. In fact, the Design and Access Statement suggests incorporating paving blocks for shared areas and for private drives and driveways, whilst the submitted plans indicate bitumen macadam for the same areas. The palette of materials should be chosen to provide strong aesthetic qualities for the development. Also boundary settings to the property curtilages should be considered, to include boundary walls, railings, hedges etc. as appropriate for the location.

Environment Agency Updated Comments 20.07.2020

We have reviewed the following information submitted with the application;

- Technical note discharge of conditions by Weetwood 'proposed residential development former riverside works, Keighley Road, Silsden' dated 8th July 2020

Based on our review of the above we are now in a position to remove our holding objection and approve conditions 6, 7 and 10 as per the outline ref: 16/03804/MAO. Our detailed comments are as follows.

Section 11 of the technical note addresses our previous follow up questions such that these are satisfied. We note that the proposed scenario shows limited flooding at the southern end of the site for the 1% plus 50% allowance for climate change, as stated in section 20, this does not impinge on any built development.

We have also noted the technical note has assessed the residual risk as worst case – which we have no objection to.

Finished floor levels: The technical note provides an assessment of the 'undefended scenario'/ residual risk via wall removal; outputs are shown in Annex F. Section 24 of the technical note states all residential properties shown to remain dry in the modelled 1% annual exceedance probability plus 50% allowance for climate change.

Annex H which shows proposed finished floor levels and modelled flood levels where

all properties are shown to be above the on-site flood levels.

Access/ Egress: During the 1% AEP plus 50% allowance for climate change event the technical note states some shallow flooding can be expected within the gardens (shown on Annex H) with flood depths modelled to show between 60mm and 80mm. Hazard rating is stated to be very low in this event such that the anticipated flood depths are not expected to prevent safe access and egress.

Therefore, the technical note proposal is in line with condition 6 (finished floor levels are set no lower than 300mm above adjacent ground levels).

Pre and Post development Fluvial Flows: The technical note has provided assessment of the 'proposed' vs residual with pre and post development fluvial flows such that in all cases the dwellings are shown to be dry in both the 1% plus 30% and 50% allowances for climate change. Section 33 of the technical note states there is no change in off-site flood risk. We therefore consider condition 7 discharged in line with Annex I.

The above also satisfies condition 10.

Environmental Health Air Quality (15.01.2020)

The following condition was placed on the outline planning permission for the site (16/03804/MAO)

15. Every property built on the site with a dedicated parking space shall be provided with an outdoor, weatherproof electric vehicle charging point readily accessible from the dedicated parking space. The electrical circuits shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF). All EV charging points shall be clearly marked as such and their purpose explained to new occupants within their new home welcome pack / travel planning

Reason: To facilitate the uptake of low emission vehicles by future occupants and reduce the emission impact of traffic arising from the development in line with policy EN8 of the Core Strategy and the National Planning Policy Framework (Paragraph 35).

It is unclear from the reserved matters submission how the applicant intends to meet this requirement on the site. Please ask the applicant to provide further details on this matter.

Dust Management Plan: Condition 16 placed on the outline planning permission for the site (16/03804/MAO) required a Construction Emission Management Plan (CEMP). Specifically the condition required:

“The CEMP 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”.

There does not appear to be a dust risk assessment or construction dust management plan associated with application 19/05267/MAR. These will be required prior to *commencement of works on the site.*

Travel Plan: Condition 17 required implementation of a Travel Plan as follows:

17. The development shall not be occupied prior to implementation of those parts of the approved Travel Plan (ref: BWB Travel Plan; LDT2128, dated 19 April 2016) that are capable of being implemented prior to occupation. Those parts of the approved Travel Plan that are identified therein as only being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as the development is occupied.

Reason: To encourage alternative modes of sustainable transport and build upon existing modes of transport to provide a sustainable development in accordance with paragraphs 17, 29, 32 and 36 of the National Planning Policy Framework and policy TR1 and SC9 of the Core Strategy.

It is recommended that the travel plan covers measures that encourage the uptake and use of low emission vehicles.

Lead Local Flood Authority (20.01.2020)

The LLFA do not have any objections to the developer's proposals, which are outlined in this RM application.

The LLFA do not require any additional drainage conditions to those which are already attached to the outline planning approval 16/03804/MAO, (which I believe we have already discharged).

West Yorkshire Police (24.01.2020)

Boundary treatments: The heights and materials which are shown on the boundary treatment plan are acceptable. Gated access should be an 1800mm high close boarded timber fence with locking mechanism to restrict access to the rear gardens.

The access roads which are adjacent to the areas of public open space at the south of the site and on the east boundary to Keighley Road, installing either a knee rail fence or planting along the edge will prevent any visitor parking directly on the grassed areas. The land to the south shows existing trees, however I'm not sure whether these would prevent any vehicle wheels from mounting the grassed area.

The Sub-station which is shown next to plot 87 shows open access, which could end up being used as a parking area. It would be prudent to fence around this location with a 1000mm high fence, railing to the side of plot 87's parking bay and fence / gate on the front.

Rear parking for plot 1: Plot 1 shows vehicle access from a rear drive that is quite remote from the dwelling and has reduced natural surveillance, which creates more vulnerability to potential vehicle crime or ASB issues. If access is unable to be provided from Keighley Road due to busy traffic or visibility issues, it would be recommended to have parking in tandem to the side of the property. If the internal layout was flipped so that the kitchen and lounge are on the southern side of the elevation, including a small side window in one of these active rooms will increase natural surveillance of the parking bay. Plot 2 should have its rear gate removed and plot 1 would require a small side window in the active room to overlook this entrance to the access road. It should also be lit.

Another option would be to flip the layout as noted above, leave the utility door at the rear ensuring that this is a composite style of door which is more durable. Remove the French doors at the rear and change to a window which allows some surveillance. If the rear garden is moved to the south side of the dwelling, this area could include a French door for access. The garden should include 1800mm high fencing. What was shown as the rear garden could become a parking area, this would reduce the length of the access road and become a private road for this plot only. As noted above, including a side window in plot 4 will increase natural surveillance and plot 2 rear gated access should be removed.

Surveillance of parking: Where parking is shown in tandem there should be a small side window included in one of the active rooms (i.e. kitchen or lounge) that can overlook the parking bay and its neighbour. This would apply to plots; 1 as noted above, 10, 11, 23, 24, 31, 32, 34, 47, 49, 50, 54, 55, 56, 57, 60, 61, 62, 70, 71, 72, 73, 86, 92, 94, 96, 97, 115, 117, 119, 129, 132, 134, 135, 147,

Management plan of public open space: There should be a good management plan of the public open spaces to ensure that these remain tidy and maintained over in the coming years.

External lighting: There should be good lighting levels within the site that provide good colour rendition levels to ra 60 or above such as the warm white led lights to standards BS 5489:2:2016. There should also be a lighting located on the access road to plot 1. If the 2 parking bays to plots 2 and 3 are moved slightly to the east, this may allow a light column to be fitted on the approach of the access road. Each plot should include external lights above the front and rear access doors such as photo electric cell or dusk until dawn lights which have warm white led lights that can illuminate the access doors and parking area for plot 1.

West Yorkshire Combined Authority (31.01.2020)

N.B The provision of electric vehicle charging points was secured at the outline planning application stage in lieu of a contribution towards a bus stop information display and residential metrocards scheme.

The site is located within the recommended 400m from the nearest bus routes that operate on Keighley Road. We generally take a pragmatic approach to walk distances to take the size and location of development sites into account. When doing so, we also have to consider the development type and the level and quality of service (frequency and destinations served) at the destination bus stop.

Bus services which operate on Keighley Road include the 62 which operates between Keighley and Ilkley at a 30minute frequency, extending every 60 minutes to Leeds/Bradford Airport, and the 66 which operates between Keighley and Skipton at a 60minute frequency. The bus availability for the site is therefore considered to be acceptable. The size of the development is unlikely to change the bus route of frequency.

The closest bus stop on this corridor 16918 would benefit by the installation of a Real Time Information display at a cost to the developer of £10,000.00. To encourage the use of sustainable transport as a realistic alternative to the car, the developer needs to

fund a package of sustainable travel measures. We recommend that the developer contributes towards sustainable travel incentives to encourage the use of sustainable modes of transport. Leeds City Council have recently introduced a sustainable travel fund. The fund can be used to purchase a range of sustainable travel measures including discounted MetroCards (Residential MetroCard Scheme) for all or part of the site. This model could be used at this site.

The payment schedule, mechanism and administration of the fund would have to be agreed with Bradford Council and WYCA and detailed in a planning condition or S106 agreement. As an indication of the cost should the normal RMC scheme be applied based on a bus only ticket, the contribution appropriate for this development would be £79,794.00. This equates to bus only Residential MCards

Biodiversity

The management plan provided provides a good overview of management of the grasslands and the placement of the integrated features for bats, birds and hedgehogs. However, we requested habitat and possibly SUDs enhancements throughout the site and at the moment it appears that the majority of enhancements are offset to the south. Please can you provide justification to this.

Have all the Invasive species been dealt with as there are no management plans within this application.

We requested a CEMP to be provided. We are particularly concerned that any protected species are protected during construction. Please can you clarify if this is in order. A bat roost was located in one of the buildings. Please confirm that all licencing is in order. (this may have been the subject of a previous application for discharge of conditions).

We were alarmed to read in the comments from the Parish Council that an area of bee orchids are known to be located on the site. This was not picked up by the Ecologists in the PEA (April2019). Generally these will occur in a situation of semi-natural and open habitat. Please can the presence and location be confirmed and any further mitigation provided. There may be opportunities to relocate the soils to the area of biodiversity enhancements to the south.

Summary of Main Issues:

This is a Reserved Matters application seeking approval for the following only:

- Access (other than at the Keighley Road junction and the provision of an internal link road which is shown on drawing SIL-BWB-00-02-DR-TR-100 rev P2) on the outline consent.
- Appearance
- Landscaping
- Layout
- Scale

Appraisal:

Principle

The principle of residential development was established through outline application reference 16/03804/MAO which granted permission for residential development with an indicative plan illustrating a layout of 142 dwellings. The outline planning permission does not include an express condition limiting the upper number of units to 142. This submission seeks reserved matters approval for 156 dwellings. The increase in the number of units is not considered to be significant enough to prevent the development from been carried out under the authority of outline planning permission reference 16/03804/MAO. The principle of residential development remains acceptable.

Members Are reminded that matters dealt with at the outline planning application stage are not the subject of this application and are not for consideration.

Access

Network Capacity

The site benefits from planning permission for the construction of upto 142 dwelling as approved by outline application reference 16/03804/MAO. As part of the outline submission a Transport Assessment (TA) and Transport Assessment Addendum (TAA) were submitted which considered the impact of upto 150 dwellings on the highway network.

This reserved matters submission proposes a layout of 156 dwellings, six more than was considered at the outline application stage.

A Transport Note (BWB Consulting) has been submitted in support of the current application which assesses the impact of the additional dwellings.

The additional six dwellings would be accessed via the arrangements approved as part of the outline planning permission. That is an approved priority controlled T-junction with a central ghost island on Keighley Road for right turning vehicles. The junction was modelled with the impact of 150 dwellings at the outline application stage. The Transport Note submitted in support of the current application has updated the modelling of the junction to consider the impact of 156 dwellings. The updated modelling demonstrates that the junction will operate within capacity during the AM and PM peak periods of traffic flow and that no further mitigation is required.

Accordingly, the site access arrangements are considered to be suitable to serve the number of dwellings proposed and the development is not considered to have a significant impact on the highway network in terms of capacity or congestion.

Internal Layout

The internal road and pedestrian layout of the site has been the subject of discussion and amendment to secure a layout that meets with the requirements of BMDC Highways Development Control.

The elements of the highway layout that were fixed as part of the outline planning permission are included in the proposed layout. Namely, the provision of a spine road which is of a suitable standard to provide future access to the area of safeguarded land (K/UR5.36-Sykes Lane) to the north-west and the provision of a priority T-junction and

ghost island onto Keighley Road with adequate land retained to ensure that the junction can be signalised in the event that the neighbouring safeguarded land is developed.

The layout has been amended so that the units nearest to the junction of the spine road and Keighley Road do not have direct driveway access. This will ensure that the junction can operate safely when signalised, if the neighbouring safeguarded site is developed.

The internal layout has been amended to ensure that an acceptable hierarchy of suitably designed roads is provided within the site with adequate traffic calming and transition arrangements. The positioning of driveways has been considered across the site and amended to ensure that the locations enable the safe access and egress of vehicles. Vehicle tracking information has been submitted which demonstrates that the site can be safely accessed for refuse collection and by emergency vehicles. The proposed emergency access onto Keighley Road has been amended to ensure that it is of an appropriate design and adoptable standard.

The level of parking provision across the site is in accordance with the requirements of Appendix 8 of the Core Strategy which requires the provision of an average of 1.5 spaces per dwelling.

The layout includes a pedestrian link to Keighley Road at the main site access as well as further links at the northern and southern ends of the site. The pedestrian links would ensure that the site is well connected with the existing footpath network providing easy access to local amenities and public transport connections.

In conclusion it is considered that the development would not have a significant impact on the highway network in terms of capacity or congestion and the internal layout of the site has been designed to ensure safe and suitable access for all users whilst forming successful connections to the existing street and path network, local facilities and public transport links.

The proposed development is considered to accord with policies TR1, TR2, TR3, TR5 and DS4 of the Core Strategy, paragraph 108 of the National Planning Policy Framework and the Homes and Neighbourhoods design guide supplementary planning document.

Appearance

The National Planning Policy Framework (NPPF) makes clear 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, as it creates better places in which to live and work and helps make development acceptable to communities.

At the local level the aforementioned objectives of the NPPF are reflected in the Design policies of the adopted Core Strategy. Specifically, policy DS1 of the Core Strategy requires development to be of a good design which is informed by an understanding of the site and its context. Policy DS3 of the Core Strategy requires that development proposals create a strong sense of place and are appropriate to their context in terms of layout, scale, density, details and materials. Policy EN3 of the core strategy is focused on the protection of heritage assets and requires developments to protect and

enhance the character, appearance, and historic value and significance of the District's designated and undesignated heritage assets and their settings.

The proposed development would provide 156 dwellings consisting of a variety of house types including detached, semi-detached and terraced properties. The variety is considered to be a positive element of the design and the proposed unit types are considered to be acceptably located across the site to ensure that the development is reflective of the surrounding area.

The site abuts the Silsden Conservation Area to north-east and the Leeds Liverpool Canal Conservation Area to the north-west. A significant proportion of the eastern boundary of the site forms an infill in the built form on the approach into Silsden from the south.

In this regard it is necessary for the dwellings in the north-eastern quadrant of the site, and those fronting onto Keighley Road, to incorporate design details which are of a local vernacular and in keeping with the distinctive characteristics of the area to ensure that the development appears as a logical continuation of the settlement.

The Silsden Conservation Area Appraisal identifies the predominant use of stone for elevations and boundary walls and the use of stone slate and blue/grey slate roofing materials. Chimney stacks are also identified as making a strong contribution to the quality of the roofscape. The dwellings in the north-eastern quadrant of the site and on the eastern boundary would be constructed of stone with dark grey roofs and chimney stacks. A number of terraced properties are proposed in this location in order to reflect the existing terraced housing stock within the adjacent conservation area. A stone wall would be constructed along the eastern frontage of the site enclosing a newly formed area of landscaping. Subject to the approval of sample materials it is considered that an acceptable interface would be achieved between the proposed development and the existing settlement. The development would not detract from the character or setting of the Silsden Conservation area to the north-east, or the Leeds Liverpool Canal Conservation Area to the north-west.

The development would provide a variety of detached, semi-detached and terraced dwellings. Eleven different house types are proposed with nineteen different configurations across the site. Stone elevations and grey slate roofs are the predominant construction materials. In terms of design details the house types would include stone heads and cills to the windows and stone heads to the doors. A variety of entrance canopies are proposed, consisting of flat, mono-pitch and apex designs, to add a degree of variety to the streetscenes across the development.

Subject to the approval of sample materials the proposed development is considered to be acceptable in terms of appearance and it is not considered to detract from the character of the Silsden Conservation Area or the Leeds Liverpool Canal Conservation Area. The development is considered to accord with the requirements of the NPPF and policies DS1, DS3 and EN3 of the Core Strategy, as well as guidance contained within the Homes and Neighbourhoods Supplementary Planning Document.

Landscaping

Policy DS2 of the Core Strategy requires development proposals to take advantage of existing landscape features, integrate development into the wider landscape and create new quality spaces.

The key existing landscape features of the site are considered to be the hedgerows and vegetation on the north, south and west boundaries. These features would be retained as part of the development and additional tree planting is proposed in the rear gardens of plots 48-52 on the western edge of the site. The retention of the existing boundary hedgerows and vegetation and the provision of additional planting on the outer edge of the site is considered to successfully filter long distance views of the development and ensure that the proposal would successfully integrate into the wider landscape.

In respect of the introduction of new landscape features a 0.5ha area of public open space is proposed on the southern edge of the development. The area would consist of flower rich grassland with tree planting and a detention basin. The development includes tree planting and soft landscaping at key locations across the site and within the communal car parking areas. The proposed planting would assist in enhancing the quality of the streetscape and in softening the appearance of the development in longer distance views.

A detailed Biodiversity Management Plan has been provided for the entirety which includes management arrangements for wildflower grassland, proposals to enhance the existing native hedgerows and provision of integrated and tree mounted bat boxes and sparrow boxes. Adherence to the Biodiversity Management can be secured by a planning condition.

In terms of hard landscaping a variety of boundary treatments are proposed across the site including stone walling to the site frontage and close boarded timber fencing to enclose rear garden boundaries. The provision and retention of the boundary treatments can be ensured by a planning condition.

The proposed landscaping details are considered to be acceptable and the development would accord with policy DS2 of the Core Strategy.,

Layout

The development would provide 156 dwellings over an area of approximately 5 hectares resulting in a development density of 31 dwellings per hectare. The density of development is considered to be in keeping with the surrounding area and is sufficient to ensure the efficient re-use of what is predominantly brownfield land.

The east boundary of the site includes a substantial frontage on Keighley Road, which is the main approach road into Silsden from the south. The layout would successfully restore the building line in this location through the introduction of ten dwellings fronting onto Keighley Road. The dwellings have been positioned as close to the existing building line of Keighley Road as possible, whilst also allowing for the retention of land which is safeguarded to enable the future provision of a signalised junction.

The details of the site access and the primary estate road were approved as part of the outline planning permission and they have been fully incorporated into the layout of this reserved matters submission.

In terms of movement, it is considered that the hierarchy of highway and pedestrian routes through the site is appropriate. The development would provide good footpath links to Keighley road with pedestrian access points at the north and south ends of the site, as well as at the primary site access. This is considered to be a positive feature of the layout as it will encourage walking and cycling to both Silsden town centre and to Steeton and Silsden railway station.

The development layout provides sufficient separation distances to ensure that the habitable room windows and rear gardens of the proposed dwellings would not be overlooked, nor would they result in the overlooking of any existing dwelling. Adequate separation is also provided to ensure that no adverse overbearing or overshadowing would occur. The proposed dwellings would benefit from appropriately sized amenity areas and bin storage provision to ensure that prospective residents are afforded an acceptable level of residential amenity.

In conclusion it is considered that the layout would respond sensitively to the site and the surrounding area, ensuring that dwellings, pedestrian routes and open spaces are well related to each other and that they would not detract from the character of the existing settlement. The development is considered to accord with the requirements of policies SC9, DS1, DS2, DS3 and DS4 of the Core Strategy and the Homes and Neighbourhoods Design Guide Supplementary Planning Document.

Scale

The proposed dwellings would be two storeys in height with modestly sized footprints. The scale of the dwellings is considered to be consistent with the scale of existing buildings on Keighley Road to the east and with the scale of buildings within the Silsden Conservation Area to the north. The scale of the proposed dwellings is not considered to appear unduly incongruous when viewed from within the existing settlement or in longer distances views from the south-west of the site. The proposal is therefore considered to accord with policies DS1 and DS3 of the Core Strategy and the Homes and Neighbourhoods Design Guide Supplementary Planning Document.

Other Matters

Housing Mix

Policy HO8 of the Core Strategy seeks to provide a mix of housing to meet the needs of the districts growing and diverse population. The primary strategic objective is the delivery of more family housing followed by the need to deliver affordable housing to meet the needs of people on lower incomes and first time buyers.

The submitted information indicates that the development would consist of 2, 3 and 4 bedroom units with a mix of 34% 2 bedroom, 64% 3 bedroom and 5% 4 bedroom units. All of the proposed dwellings would be made available for a mix Affordable Rent, Shared Ownership and Rent to Buy Tenures.

The proposed development would make a significant contribution towards meeting the need for family housing and the provision of affordable housing to meet the needs of

people on lower incomes and first time buyers. The proposed development would accord with requirements of policy HO8 of the Core Strategy.

Community Safety

Policy DS5 requires that development proposals are design to ensure a safe and secure environment and reduce opportunities for crime. The Police Architectural Liaison Officer has reviewed the submitted proposals and, whilst not objecting in principle to the proposed development, has raised certain concerns and points of detail in relation to matters including:

- The provision and retention of suitable boundary treatments
- Adequate natural surveillance of car parking spaces

The submission has been amended to ensure that plot curtilage boundaries are of an appropriate height and siting to afford sufficient security. The locations of habitable room windows have been adjusted to ensure that on plot parking benefits from sufficient natural surveillance. The north-east quadrant of the development includes a rear parking court, which were required as direct driveway access to the main spine road could not be achieved without resulting in highway safety implications. A condition can be imposed to ensure that details of the secured by design principles to be implemented within the rear parking courts are submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development.

Subject to the aforementioned condition it is considered that the development has generally been designed to reflect the principles of secure by design and that the spaces which would be created by the development would not be unacceptably insecure or susceptible to antisocial behaviour. There are no grounds to conclude that the proposed development would create an unsafe or insecure environment and the proposal is considered to accord with policy DS5 of the Core Strategy.

Further Issues Raised by Representations

The land is unsuitable for residential development because of flood risk.

The principle of residential development was accepted with the approval of outline planning application reference 16/03804/MAO and detailed planning conditions were imposed to deal with issues of flood risk.

The new properties will be close to the boundary fence of The Beeches

The proposed development will be sufficiently separated from all neighbouring dwellings to ensure that no adverse residential amenity implications would be incurred in accordance with policy DS5 of the Core Strategy.

Keighley Road is unsafe

The location of the site access and its detailed design were accepted with the approval of outline planning application reference 16/03804/MAO. An updated Transport Assessment has been submitted which demonstrates that the minor uplift in the number of dwellings proposed would not have an adverse impact on the highway network.

Keighley Road is already congested

The impact of the development in terms of capacity and congestion was considered as part of the outline planning application and it was considered to be acceptable. An updated Transport Assessment has been submitted as part of this application which demonstrates that the minor uplift in the number of dwellings proposed would not have an adverse impact on the highway network.

Access onto Keighley road is dangerous and will worsen as a result of additional traffic
The location of the site access and its detailed design were accepted with the approval of outline planning application reference 16/03804/MAO. The necessary details are included in the layout proposed as part of this reserved matters submission. The access onto Keighley Road is considered to be safe and suitable for all users.

Cottages fronting Keighley Road should be allowed to take access from the internal highway network of the new development.

There is no planning justification to require a third party to be able to take access from the internal highway network of the development.

Silsden needs a bypass

The impact of the development in terms of capacity and congestion was considered as part of the outline planning application and it was considered to be acceptable. An updated Transport Assessment has been submitted as part of this application which demonstrates that the minor uplift in the number of dwellings proposed would not have an adverse impact on the highway network. As such additional off-site highway improvement works cannot be justified.

Why should the residents of this proposed estate be able to get out of Silsden (towards the A629) easier than the rest of Silsden residents and through traffic?

The location of the site access and its detailed design were accepted with the approval of outline planning application reference 16/03804/MAO. This cannot be revisited as part of the current application.

At peak times Keighley Road is backed up to the A629, traffic lights at this point will make the situation much worse.

The impact of the development in terms of capacity and congestion was considered as part of the outline planning application and it was considered to be acceptable. An updated Transport Assessment has been submitted as part of this application which demonstrates that the minor uplift in the number of dwellings proposed would not have an adverse impact on the highway network. The provision of a signalised junction at the site access is contingent on the development of the adjoining safeguarded site. If a signalised junction is provided its detailed design and operation will ensure that there are no adverse highway or pedestrian safety implications incurred.

The main entrance / exit to this estate should be a roundabout at the junction of Belton Road /Keighley Road.

The location of the site access and its detailed design were accepted with the approval of outline planning application reference 16/03804/MAO. This cannot be revisited as part of the current application

The development will increase flooding from Silsden Beck.

The principle of residential development was accepted with the approval of outline planning application reference 16/03804/MAO and detailed planning conditions were

imposed to deal with issues of flood risk. The design details proposed as part of this reserved matters submission meet with the requirements of the outline planning permission and neither the Environment Agency or the Lead Local Flood Authority have objected to the proposal.

Surface water run-off will flood houses on Keighley Road

The principle of residential development was accepted with the approval of outline planning application reference 16/03804/MAO and detailed planning conditions were imposed to ensure that the development would not increase surface water flooding for any neighbouring dwelling. The design details proposed as part of this reserved matters submission meet with the requirements of the outline planning permission and neither the Environment Agency or the Lead Local Flood Authority have objected to the proposal

Brooks Ecological Report R-3763-01 Dec 2018, Preliminary Ecological Appraisal and the subsequent Biodiversity Management Plan dated 14/11/19 are deeply flawed.

The Biodiversity Management Plan is considered to contain sufficient measures ensure that the development would contribute positively towards the overall enhancement of the District's biodiversity resource.

Bee Orchids are present on site

An ecological appraisal of the site has been carried out by a competent person and this did not identify the presence of bee orchids. The developer will be reminded of their duties under section 13 of the Wildlife and Countryside Act 1981 by imposing a footnote

What happened to the three listed buildings on this site

There is no record of any listed building ever occupying this site.

No play space of children is provided within the development as is required by the Homes and Neighbourhoods Design Guide

An area of informal public open space is included in the development to the south for use by residents.

Community Infrastructure Levy

All dwellings on the site will be for a mix of Affordable Rent, Shared Ownership and Rent to Buy tenures. The aforementioned tenures are all forms of affordable housing as defined in Annex 2 of the National Planning Policy Framework. The development is therefore entitled to relief from the CIL charging schedule as set out in section 49 of The Community Infrastructure Levy Regulations 2010. Accordingly, the developer has sought the relevant relief and a CIL exemption is in place.

Equality Act 2010, Section 149:

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups, in accordance with the duty placed upon Local Authorities by Section 149 of the Equality Act 2010.

The context of the site, the development scheme proposed and the representations received have been reviewed to identify the potential for the determination of this

application to disadvantage any individuals or groups of people with characteristics protected under the Equality Act 2010.

The outcome of this review is that there is that there is not considered to be any sound reason to conclude that the proposed development would have a significantly detrimental impact on any groups of people or individuals with protected characteristics.

Reason for Approval:

The proposal provides a satisfactory form of residential development addressing the full requirements of those matters reserved as part of the outline planning permission. The proposals are considered to be acceptable and present no concerns with regard to residential or visual amenity and highway safety or impacts on the adjacent conservation areas. Matters of design, layout and landscaping are fully addressed. The proposal is considered acceptable and, with the attached conditions, satisfies the requirements of the National Planning Policy Framework, policies TR1, TR2, TR3, TR5, HO5, HO6, HO8, HO9, HO11, EN1, EN3, EN4, EN8, DS1, DS2, DS3, DS4 and DS5 of the Core Strategy and the Homes and Neighbourhoods Design Guide Supplementary Planning Document.

Variation to the previously approved Section 106 Agreement for this site

Members are advised that the exiting outline consent for this site is associated with a Section 106 Agreement relating to an affordable housing commuted sum of £348,439. This off-site contribution was in lieu of any on-site affordable housing envisaged at the outline stage. As set out above the development now comprises 100% on-site affordable housing as defined in Annex 2 of the National Planning Policy Framework. It is therefore no longer appropriate for the development to make an off-site contribution. On this basis members are asked to resolve that the Assistant Director of Planning, Transportation and Highways be authorised to agree to the variation of the existing S106 Agreement to secure on-site affordable housing provision rather than a commuted sum of £348,439 as was previously approved at the outline stage.

Conditions:

1. Approved Plans

Site Plan Drawings

3LG1-MHA-FS-XX-DR-A-01010-S2-P6_ProposedSiteLayout
3LG1-MHA-FS-XX-DR-A-01011-S2-P4_HardandSoftLandscapePlan
3LG1-MHA-FS-XX-DR-A-01020-S2-P4_BoundaryTreatmentSitePlan
3LG1-MHA-FS-XX-DR-A-01030-S2-P4_ParkingStatisticsSitePlan
3LG1-MHA-FS-XX-DR-A-01040-S2-P6_ProposedSiteLayoutTenure
3LG1-MHA-FS-XX-DR-A-01050-S2-P4_LandscapeStrategySitePlan
3LG1-MHA-FS-XX-DR-A-01070-S2-P4_ProposedMaterialIdentification
3LG1-MHA-FS-XX-DR-A-01080-S2-P1_DemolitionSitePlan

3LG1-MHA-XX-01-DR-A-00001_P2_Housetype01Plans
3LG1-MHA-XX-01-DR-A-00002_P1_Housetype01Elevations
3LG1-MHA-XX-01-DR-A-00003_P3_Housetype01PlansFeature
3LG1-MHA-XX-01-DR-A-00004_P3_Housetype01ElevationsFeature

3LG1-MHA-XX-02-DR-A-00001_P2_Housetype02Plans
3LG1-MHA-XX-02-DR-A-00002_P1_Housetype02Elevations
3LG1-MHA-XX-02-DR-A-00003_P3_Housetype02PlansFeature
3LG1-MHA-XX-02-DR-A-00004_P3_Housetype02ElevationsFeature
3LG1-MHA-XX-02C-DR-A-00001_P2_Housetype02CPlans
3LG1-MHA-XX-02C-DR-A-00002_P2_Housetype02CElevations
3LG1-MHA-XX-03-DR-A-00001_P2_Housetype03Plans
3LG1-MHA-XX-03-DR-A-00002_P1_Housetype03Elevations
3LG1-MHA-XX-03-DR-A-00003_P3_Housetype03PlansFeature
3LG1-MHA-XX-03-DR-A-00004_P3_Housetype03ElevationsFeature
3LG1-MHA-XX-03R-DR-A-00001_P2_Housetype03RPlans
3LG1-MHA-XX-03R-DR-A-00002_P1_Housetype03RElevations
3LG1-MHA-XX-04-DR-A-00001_P2_Housetype04Plans
3LG1-MHA-XX-04-DR-A-00002_P2_Housetype04Elevations
3LG1-MHA-XX-04-DR-A-00003_P3_Housetype04PlansFeature
3LG1-MHA-XX-04-DR-A-00004_P3_Housetype04ElevationsFeature
3LG1-MHA-XX-05-DR-A-00001_P2_Housetype05Plans
3LG1-MHA-XX-05-DR-A-00002_P2_Housetype05Elevations
3LG1-MHA-XX-06-DR-A-00001_P2_Housetype06Plans
3LG1-MHA-XX-06-DR-A-00002_P2_Housetype06Elevations
3LG1-MHA-XX-06-DR-A-00003_P3_Housetype06PlansFeature
3LG1-MHA-XX-06-DR-A-00004_P3_Housetype06ElevationsFeature
3LG1-MHA-XX-08-DR-A-00001_P1_Housetype08Plans
3LG1-MHA-XX-08-DR-A-00002_P1_Housetype08Elevations
3LG1-MHA-XX-08-DR-A-00003_P1_Housetype08PlansFeature
3LG1-MHA-XX-08-DR-A-00004_P1_Housetype08ElevationsFeature
3LG1-MHA-XX-09-DR-A-00001_P3_Housetype09Plans
3LG1-MHA-XX-09-DR-A-00002_P3_Housetype09Elevations
3LG1-MHA-XX-10-DR-A-00001_P2_Housetype10Plans
3LG1-MHA-XX-10-DR-A-00002_P1_Housetype10Elevations

2. Materials Samples

Before development above damp proof course commences on site, arrangements shall be made with the Local Planning Authority for the inspection of all external facing and roofing materials to be used in the development hereby permitted. The samples shall then be approved in writing by the Local Planning Authority and the development constructed in accordance with the approved details.

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

3. Boundary wall sample.

Prior to the construction of the boundary wall to the site frontage as identified on drawing references 3LG1-MHA-FS-XX-DR-A-05001 Revision P2 and 3LG1-MHA-FS-XX-DR-A-01020 a sample of the construction material shall be submitted to and approved in writing by the Local Planning Authority. The wall shall be constructed in accordance with the approved materials.

4. Permitted Development Rights Removed A-E

Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no development falling within Classes A to E of Part 1 of Schedule 2 of the said Order shall subsequently be carried out to the development hereby approved without the prior express written permission of the Local Planning Authority.

Reason: To safeguard the amenities of occupiers of adjoining properties and to accord with Policies DS3 and DS5 of the Core Strategy Development Plan Document.

5.Retaining Wall Details

No retaining walls shall be constructed on the site to which this decision notice relates, except where details have been submitted to and approved in writing by the Local Planning Authority of the precise location, height and face treatment of the retaining wall. All retaining walls shall only be constructed in accordance with the approved details.

Reason: To ensure that only appropriate retaining walls are constructed, to accord with Policies DS1, DS3 and EN5 of the Core Strategy.

6.Landscaping Implementation

In the first planting season following the completion of the development, or as may otherwise be agreed in writing by the Local Planning Authority, the landscaping proposals and new tree planting shall be implemented at the site in accordance with a detailed planting schedule which must first be submitted to and approved in writing by the local planning authority.

Any trees or plants comprising the approved landscaping that become diseased or die, or which are removed or damaged within the first 5 years after the completion of planting shall be removed and a replacement landscape planting using the same or similar species/specifications shall be planted in the same position no later than the end of the first available planting season following the demise of the original landscape planting.

Reason: In the interests of visual amenity and to accord Policies EN5, DS2 and DS3 of the Core Strategy Development Plan Document.

7.Biodiveristy Mitigation Implementation

Before any part of the development is occupied the biodiversity enhancement measures detailed in the submitted Biodiversity Management Plan by Brooks Ecological- (Reference R-4024-03) dated 14.11.2019 shall be implemented in full and retained.

Reason: To ensure that the development would contribute positively towards the overall enhancement of the District's biodiversity resource in accordance with policy EN2 of the Core Strategy.

8. Boundary Treatments

The plot curtilage boundary treatments as detailed on drawing reference 3LG1-MHA-FS-XX-DR-A-05001 Revision P2 and 3LG1-MHA-FS-XX-DR-A-01020 shall be provided in full prior to the first occupation of the development and shall thereafter be retained as long as the development subsists.

Reason: In the interests of amenity and privacy and to accord with Policies DS1 and DS5 of the Core Strategy.

9. Vehicular and Pedestrian Access Provision

Before any part of the development is occupied, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced, sealed and drained within the site in accordance with the approved plan numbered and completed to a constructional specification approved in writing by the Local Planning Authority.

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.

10. Turning Areas Provision

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

Reason: To ensure that adequate turning facilities are 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.

11. Footpath Provision

Before any part of the development is occupied, the footway hereby approved shall be laid out in accordance with details shown on the approved drawings and street lighting installed to a specification to be submitted to and approved in writing by the Local Planning Authority.

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.

12. Traffic Regulation Order

The development shall not be brought in to use until a Traffic Regulation Order (TRO) prohibiting parking on Keighley Road, protecting visibility at the site access junction and the emergency access junction. A drawing indicating the extents and full details of the TRO shall be submitted to and approved in writing by the Local Planning Authority.

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.

13. Tree Protection Measures

The development shall not begin until tree protection fencing and other tree protection measures have been installed around trees to be retained on or adjoining the site. These measures shall be in strict accordance with an Arboricultural Method Statement or Tree Protection Plan prepared in accordance with recommendations in BS5837:2012, details of which shall be submitted to and approved in writing by the Local Planning Authority before any demolition, site preparation or ground works are begun, and before any materials or machinery are brought on to the site.

Reason: To ensure that trees are adequately protected prior to development activity beginning on the site in the interests of amenity and to accord with Policy EN5 of the Core Strategy Development Plan Document.

14. Parking Court Security Measures

Prior to the first use of the communal parking court located at the north-east end of the site details of the secured by design principles to be included in the parking court shall be submitted to and approved in writing by the local planning authority.

Reason: To provide a safe and secure environment for residents of the development and to reduce the opportunities for crime in accordance with policy DS5 of the Core Strategy.

Informative: The developer is alerted of their responsibilities under Section 13 of the Wildlife and Countryside Act (1981) which prevents the unauthorised and intentional uprooting of any wild plant included in Schedule 8 of the Act.