

Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 15th April 2021.

BF

Subject:

Reserved matters application requesting consideration of access, appearance, landscaping, layout and scale for 32 dwellings (part pursuant to outline approval 17/02809/MAO), Redwood Close, Long Lee, Keighley.

Summary statement:

The application site was subject of a previous outline application, 17/02809/MAO, approved by the Regulatory & Appeals Committee, subject to a Section 106, in 2018. That application was for up to 45 houses. The reserved matters application is for 32 houses, all being affordable. (The applicant has submitted an application at the adjoining site to the south for 9 houses and this is also on the agenda).

The site was formerly identified in the RUDP for development as Safeguarded Land; the application would provide further housing in Long Lee and is recommended for approval subject to conditions.

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Portfolio:
**Change Programme, Housing, Planning and
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Overview & Scrutiny Area:
Regeneration and Economy

1. SUMMARY

The application is recommended for approval subject to conditions included within the Technical Report, Appendix 1.

2. BACKGROUND

The application is reported to Committee at the request of a Ward Councillor and there being 25 objections to the application.

The applicant, Accent Housing, is a registered provider, eg. housing association and has confirmed that it would develop the site for affordable housing.

3. OTHER CONSIDERATIONS

All considerations material to the determination of this planning application are 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 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 characteristics and people who do not share it, and fostering good relations between people who share a protected characteristic and people who do not share it. For this purpose, section 149 defines "relevant protected characteristics" as including a range of characteristics including disability, race and religion. In this particular case, due regard has been paid to the Section 149 duty, it is not considered there are any issues in this regard, relevant to this application.

7.2 SUSTAINABILITY IMPLICATIONS

The application site is located within the settlement of Long Lee, c.1 mile from Keighley. There is a nearby primary school and bus services travel to and from Keighley, connecting Long Lee and the surrounding area. The site is considered to be located at a sustainable location.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

New development invariably results in the release of greenhouse gases associated with construction operations and the activities of the future users of the site. Consideration should be given as to the likely traffic levels associated with development. Consideration should also be given as to whether the location of the proposed development is such that sustainable modes of travel would be best facilitated and future greenhouse gas emissions associated with the activities of building users minimised.

Electric vehicle charging points would be provided to each house within the proposed development.

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

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

None

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS

None

7.9 IMPLICATIONS FOR CORPORATE PARENTING

None

7.10 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

None

8. NOT FOR PUBLICATION DOCUMENTS

None

9. OPTIONS

The Committee can approve the application as per the recommendation contained 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. RECOMMENDATION

This application is recommended for approval subject to conditions contained within the report.

11. APPENDICES

Appendix 1 Technical report.

12. BACKGROUND DOCUMENTS

National Planning Policy Framework 2019
Adopted Core Strategy 2017

APPENDIX 1

Ward

Keighley East

Recommendation

That the Committee grants planning permission subject to conditions.

Application No.

20//05576/MAR

Type of application

Reserved matters application requesting consideration of access, appearance, landscaping, layout and scale for 32 dwellings (part pursuant to outline approval 17/02809/MAO).

Applicant

Accent Housing Ltd and Urban Construction Interiors Ltd

Agent

Brewster Bye Architects

Site Description

The site is broadly rectangular in shape and comprises a grass field, surrounded by housing. To the north, the site adjoins Redwood Close; to the south, it adjoins High Fold Farm, including and properties along Long Lee Lane; to the east, it adjoins properties off Royd House Road; and to the west, it adjoins properties off Linden Rise and an unadopted highway.

The land slopes markedly downwards, from north to south and has previously been used for grazing.

The southern part of the site is crossed by overhead electricity lines.

Background

The application site is smaller in area than that subject of the previous outline application. The area south of the application site, including the former dwellings off Long Lee Lane are part of a separate application for housing, also submitted by the applicant.

The application site was allocated as Safeguarded Land, under policy UR5 of the RUDP. The RUDP policy, UR5, was not saved as part of the Core Strategy and until the Local Plan is adopted, the application site is unallocated.

Outline planning permission was approved at this site in 2018. In view of the previous approval; the former allocation as Safeguarded Land; the shortfall in housing supply and the application providing affordable housing, the principle of development is accepted and the application recommended for approval.

Relevant Site History

17/02809/MAO

RUDP

Allocation

None

Core Strategy

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

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

The National Planning Policy Framework (NPPF).

Local planning authorities are required to approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development, where possible

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

Planning policies and decisions should make more intensive use of existing land and buildings, especially where it would help to meet housing need.

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 users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Publicity and Representations

The application was advertised through site notices and in the local press. There have been 25 letters of objection to the application.

A Ward Councillor has also objected.

Summary of Representations Received

Increased congestion from the neighbouring new site.

Increase on schools and doctors as well.

Limited public transport

Overshadowing

Greenfield loss

biodiversity

Consultations

LLFA/Drainage

Bradford Lead Local Flood Authority (LLFA) comments that the drainage proposals, are in accordance with the drainage conditions attached to the outline planning approval 17/02809/MAO and, as such, are acceptable.

The LLFA does not have any objections to the proposals, as outlined in this RM application.

Biodiversity

As the outline application was approved prior to the NPPF (paragraph 170) stipulating the requirement for biodiversity net gain, a full calculation is not required. However, the ecological appraisal clearly sets out the necessary mitigation for impacts to the semi-natural dry and wet grassland areas. To avoid negative impact to biodiversity, the land under the overhead cable should be seeded and managed as a semi-natural herb rich grassland and wet grassland as stipulated in the appraisal.

Other enhancements which are appropriate in this area are integrated bird and bat tiles, tubes and boxes, which can be built into the fabric of the houses.

Keighley Town Council

Recommend the application should be refused based on the impact on highways and local infrastructure, such as schools and NHS services

Trees Team

Tree Team has no objections.

Education & Learning

Based on the most recent census data, the above housing development is unlikely to cause any concerns on where children of families coming to reside in the development might attend school, depending on the ages. Parents usually have an expectation that their children may be able to secure a school place at their local school and minimise the distance they may need to travel.

The following schools are within a reasonable distance of the proposed development:
Primary Schools: Eastwood Community School, Holycroft Primary, Ingrow Primary, Keighley St Andrew's CE Primary, Long Lee Primary, Parkwood Primary, St Joseph's Catholic Primary and Victoria Primary.

Secondary Schools: Beckfoot Oakbank Academy, The Holy Family Catholic School and University Academy Keighley.

Current census data for these Bradford primary schools indicate that at Long Lee Primary, Parkwood Primary, St Joseph's Catholic Primary and Victoria Primary there are small number of places across some year groups. However, Eastwood Primary, Holycroft Primary, Ingrow Primary and Keighley St Andrew's CE Primary Schools currently have spaces across all year groups.

The primary school forecasts indicate that there should be sufficient reception places up to 2025/26.

Current census data indicates that there are small numbers of places available in most year groups across these three secondary schools.

The secondary school forecasts indicate that there are very few surplus year 7 places up to 2026/27.

It should be possible to accommodate the relatively low number of additional primary and secondary school aged children who may come to live here.

Yorkshire Water

No objection to the reserved matters application.

West Yorkshire Combined Authority

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.

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 Coal Authority

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

Policy

No comments received.

Summary of Main Issues

Principle of development

Design & Layout

Other Issues

Appraisal

The application is submitted for the reserved matters of outline application 17/02809/MAO, approved in 2018. The reserved matters application seeks permission for 32 houses, 13 two bed and 19 three bed. The outline application was approved for up to 45 houses. The number has been reduced due to the presence of the overhead electricity cables and the requirement for an easement beneath the lines, where no housing is proposed.

The layout of the proposal provides a single spine road with two of cul-de sac served by this road. The proposed layout would not result in any loss of residential amenity, as the distances between existing and proposed housing provides an appropriate relationship.

Issues Raised by Objectors

Impact on highway

Traffic generated by the proposed development has been considered by Highways DC and it is not envisaged that there would be any adverse impact on the local highway network, nor highway safety, as a result of increased traffic from the proposed development.

In regard of previous concerns on Coney Lane bridge and development in the Long Lee area being constrained by the bridge, it should be noted that the proposed development is for 32 houses. The outline application was approved for up to 45 houses, with no proposed changes to the highway at Coney Lane bridge. With the actual number of houses being less than previously approved, there would be less traffic travelling via Coney Lane bridge. On this basis it is considered that the reserved matters application is acceptable in highway terms, without highway works at Coney Lane bridge.

Impact on wildlife

The proposed development would include an area of grassland below the overhead electricity cables, between the two proposed areas of housing, subject of the applications submitted by the applicant. Along with measures that include bat and boxes, it is considered that the proposed development would not have an adverse impact on biodiversity and is acceptable.

Impact on residential amenity

The scheme has been designed to ensure that there are no issues on overlooking, overshadowing or loss of privacy, as a result of the propose development. The distances that would be achieved between existing properties and proposed housing would meet the Councils standards and are considered to address issues on residential amenity.

Lack of school places/GP places

In terms of school places, the consultation response from Education states that census data for primary schools indicates that at Long Lee Primary, Parkwood Primary, St Joseph's Catholic Primary and Victoria Primary there are places across some year groups. However, Eastwood Primary, Holycroft Primary, Ingrow Primary and Keighley St Andrew's CE Primary Schools currently have spaces across all year groups.

The primary school forecasts indicate that there should be sufficient reception places up to 2025/26.

Census data indicates that there are a small numbers of places available in most year groups across secondary schools - Beckfoot Oakbank Academy, The Holy Family Catholic School and University Academy Keighley.

It should therefore be possible to accommodate the relatively low number of additional primary and secondary school aged children who may come to live here.

In terms of NHS services eg. GP'/dentists, this is a matter for the NHS, not the Council and it would be for the NHS to plan for any increased demands on its services.

Limited public transport

There is a half hourly bus service, K5, between Long Lee and Keighley. This is considered to offer appropriate level of public transport, providing access between Long Lee and the nearest public transport hub, Keighley.

Options

The Committee can approve the application as recommended or refuse the application. If the application is refused, reasons for refusal would have to be provided.

Community Safety Implications

None

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.

Not for publication documents

None

Reason for Granting Planning Permission:

The development of formerly allocated safeguarded land for residential development is considered appropriate, providing the opportunity for sustainable development within Long Lee. The development would provide housing and ensure that the character of the surrounding area is maintained. The effect of the proposal on the biodiversity of the site itself, the surrounding locality; and the adjacent neighbouring residential properties has been assessed and is considered acceptable. As such the proposal would meet policies SC9, TR1, TR2, TR3, HO1, HO3, HO5, HO9, HO11, DS2, DS3, DS4 and DS5, EN5.

Community Infrastructure Levy

The application site is in residential zone 4 where the CIL charge is nil.

Conditions of Approval:

Informative: This reserved matters approval may only be implemented in accordance with the development defined on the plans and in the outline planning permission decision notice dated 5 July 2018; reference 17/02809/MAO. It is subject to those conditions imposed under that outline planning permission.

