

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

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**BG**

### **Subject:**

Change of use and conversion of D1 education use of former Old Building to form up to 190 no. C3 residential apartments including 24/7 concierge, media centre, cafe, games room, gymnasium and multi-purpose hall with landscaped communal courtyard, The Old Building, Great Horton Road, Bradford.

### **Summary statement:**

This is a full planning application for change of use of the Old Building for up to 190 flats with ancillary facilities. (The listed building application for the works, 20/01222/LBC, is also on this agenda). Bradford College has confirmed that the Old Building is no longer required, as part of its estate in the City Centre. The buildings have lain vacant for a number of years, other than being used as a Covid vaccination centre. The condition of the building is of concern, with roof leaks causing damage to the fabric of the building.

The proposal would see the re-use of a key listed building within the City Centre, and the further delivery of housing in the City Centre. The application is recommended for approval subject to a Section 106 to provide contract parking at the NCP car park off Thornton Road.

Julian Jackson  
Assistant Director (Planning,  
Transportation & Highways)

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

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**Overview & Scrutiny Area:**  
**Regeneration and Economy**

## **1. SUMMARY**

The proposed development would provide further residential accommodation within the City Centre. The buildings subject of the planning application have been vacant for several years, as the accommodation no longer forms part of Bradford College's plans, the proposed re-use of the buildings is welcomed. The application is recommended for approval subject to the completion of a Section 106 agreement, which provide parking for some residents at the NCP Southgate car park off Thornton Road, and conditions.

## **2. BACKGROUND**

The application is brought to the Committee as it exceeds the scale of development that can be dealt with under delegated powers, 150 units. The application is for up to 190 units.

## **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 Bradford City Centre, with access to numerous services and facilities. Therefore, the site is considered to be located in 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 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 the completion of a Section 106 agreement and conditions contained within the technical report.

#### **11. APPENDICES**

Appendix 1 Technical report.

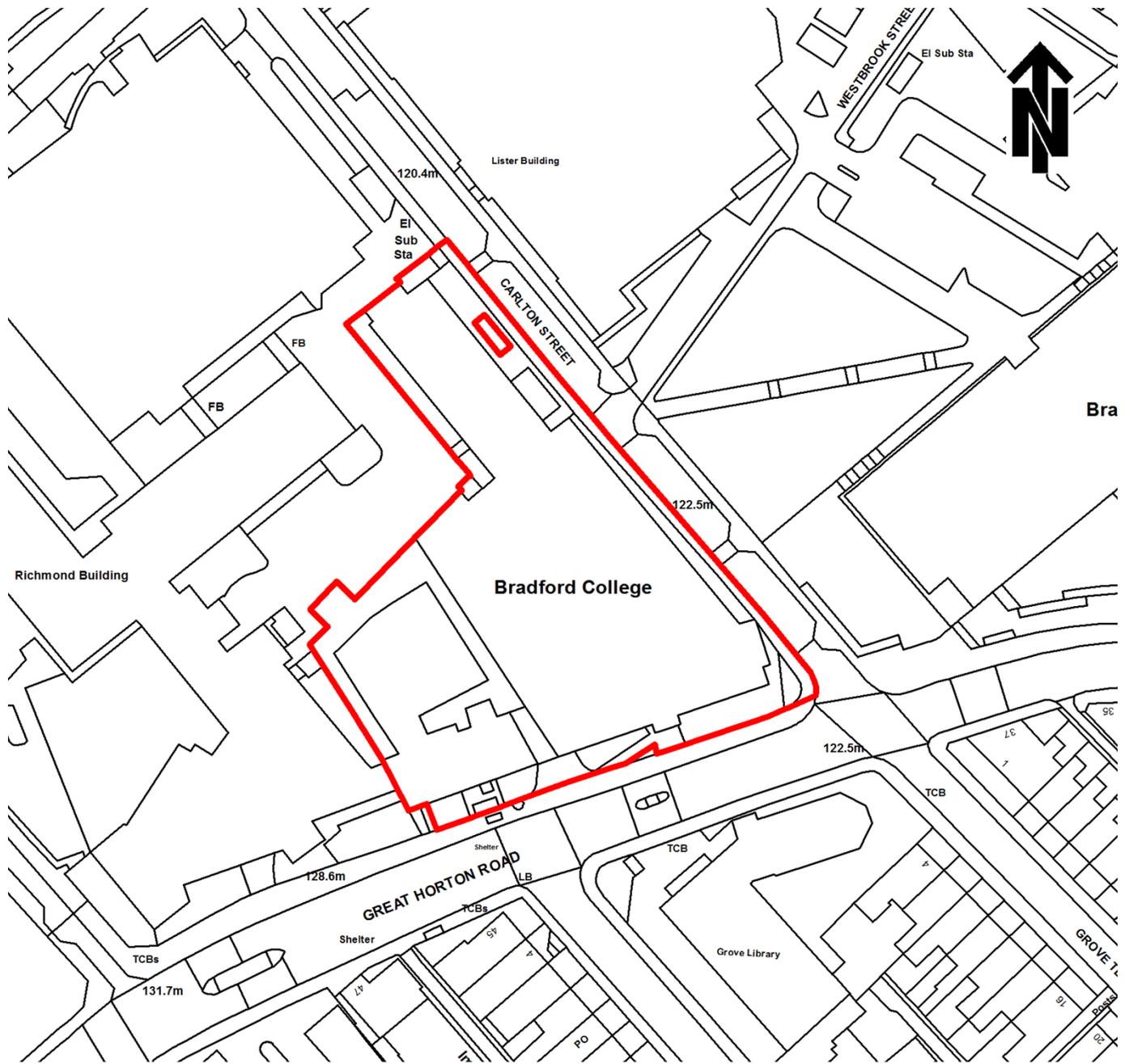
#### **12. BACKGROUND DOCUMENTS**

National Planning Policy Framework 2019  
Adopted Core Strategy 2017  
City Centre Area Action Plan 2017

20/01221/MAF



City of  
**BRADFORD**  
METROPOLITAN DISTRICT COUNCIL



1:1,250

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**The Old Building Room Q6**  
**Bradford College**  
**Great Horton Road**  
**Bradford BD7 1AY**

## **APPENDIX 1**

### **Ward**

City

### **Recommendation**

That the Committee approves the application subject to a Section 106 agreement and conditions included within the report.

### **Application No.**

20/01221/MAF

### **Type of application**

Full planning application for the change of use and conversion of D1 education use of former Old Building to form up to 190 no. C3 residential apartments including 24/7 concierge, media centre, cafe, games room, gymnasium and multi-purpose hall with landscaped communal courtyard.

### **Applicant**

Citywide Investors

### **Agent**

jade3 architecture

### **Site Description**

The application site is located within the College/University campus along Great Horton Road. The application site includes a number of buildings fronting Great Horton Road and Carlton Street. The Old Building in particular is seen as a landmark building on Great Horton Road. A number of ancillary buildings and structures are located to the rear of the principal buildings referred to. These being in some instances more recent additions.

The buildings are not served by any parking, other than that where permitted on-street. Carlton Street has barriers to preclude general use by cars.

As the topography along Great Horton Road rises east to west, the buildings on-site are at differing.

### **Background**

Following Bradford College redeveloping its estate within the campus, the Hockney Building along with the STEM building, the Old Building and associated buildings are no longer required and would not provide accommodation for current standards. The buildings have been vacant for several years and the proposed development would help to maintain the fabric of the buildings, including listed buildings. Therefore, the re-use of the buildings for residential use, providing contemporary accommodation is supported.

### **Relevant Site History**

19/03852/PMJ Pre-application enquiry.

### **RUDP**

#### **Allocation**

RUDP policy BW/CF8 states that applications for planning permission for development within the area shown as the Higher Education Campus should relate to the requirements

of the educational institutions with reference to the following 1) educational uses 2) housing and residential provision for students 3) business uses, leisure and recreational facilities and 4) car parking ancillary to educational uses.

### **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  
DS3 Urban Character  
DS4 Streets and Movement  
DS5 Safe and Inclusive Place

### **City Centre Area Action Plan 2017**

The Area Action Plan will support development within the Learning Quarter for the following uses:

1. Educational Uses,
2. Student Residential Accommodation,
3. Business Uses, Leisure and Recreational Facilities, and
4. Primary / Secondary Education facilities
5. Research and Development

B. If an application for a proposed development is not in support of any of the above provisions, the applicant must provide evidence to demonstrate the site is surplus to the requirements of the educational institutions within the Learning Quarter. The council will then consider the development of sites for the following uses:

1. Residential
2. Supporting Community Provisions

### **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 no representations.

### **Summary of Representations Received**

N/a.

### **Consultations**

#### LLFA

The LLFA does not have any objections to the proposed development, providing that drainage conditions are included with any grant of planning permission.

#### Environmental Health

The plans for this application indicate that the building fully occupies the plot with limited ground disturbance likely to take place during the course of development. The Design and Access Statement indicates that the communal courtyard will be constructed on a flat fibre glass roof and that the floor finishes will have “artificial grass, water feature, decking and artificial plants so that they have less maintenance.” Compliance with Building Regulations should include identification of any potential contamination of the building fabric and its rectification if required.

Environmental Health has no further land contamination comments in relation to the proposal.

#### Education & Learning

Due to the nature of this proposed apartment development at the higher education campus, don't envisage many families coming to reside here, therefore this will have little effect on local school place planning.

#### West Yorkshire Police

In summary, West Yorkshire Police have no objection to the proposal it's good to see such as lovely old building being given a new lease of life and it prevents any neglect which often happens with derelict old buildings. The list of security measures within the crime impact report are really positive to see, as are the measures at the development stage as many building sites become a target for materials and machinery. If the additional recommendations listed above are applied this would increase security and allow the development to achieve SBD approval / certification should the Developer opt to apply for this.

#### Highways DC

The proposal is to fund 45 parking passes for the Southgate NCP car park off Thornton Road. Whilst this is welcomed, this car park is approximately 500m walking distance and therefore the proposal would still be likely to lead to an increased demand for parking closer to the site on-street, particularly for short stay parking (dropping off shopping for instance). The demand for parking in the vicinity of the site is already very high, therefore in order to review the impact this may have on neighbouring streets and amend any Traffic Regulation Orders as seen necessary, in the interests of highway safety and residential amenity, the applicant should also agree in writing to fund a parking review to be carried out by the Council, costing £10,000.

With regard to the way in which NCP car parking passes would be allocated to prospective residents, further information should be provided. Allocating free passes to the first 45 five occupants (or occupants that request them) may not ensure that they are used and therefore may not relieve the demand for on-street parking as intended. It may be more appropriate to offer subsidised parking passes to all apartments, 50% to be funded by the developer, 50% by the resident. It is important to provide passes in a way that would encourage their efficient use. Intentions should be provided in writing for further consideration.

Provision of electric bikes, for approximately 10% of the apartments, with secure internal bike storage (and no direct external access) and charging points would be appropriate for inclusion.

### **Summary of Main Issues**

Principle of residential use  
Design and layout  
Impact on highway

### **Appraisal**

Principle of residential use

The City Centre Area Action Plan Policy ED1 promotes development for certain uses eg. education, student residential research & development. Where those uses are not part of proposed development, an applicant is required to confirm that the building(s) subject of the development are no longer required by the educational institution. The applicant has provided confirmation from Bradford College that the buildings subject of the application, are surplus to requirements, for its estate in the City Centre. On that basis, the Council can then consider the development of sites for either residential use or supporting community use. As the proposal is for residential use, the principle of residential development is accepted.

The City Centre Affordable Housing Supplementary Planning Document sets out the Councils position on affordable housing being provided. In this instance, on-site affordable housing at this location is not advocated by the Housing team. It is considered that the supply and market for affordable housing within the City Centre has been met and further affordable housing in the form of flats is not sought. Where on-site affordable housing is not being provided, it will then be calculated whether a commuted sum for off-site affordable housing is viable.

The applicant is submitting further details concerning viability, if affordable housing was provided. This will be reported verbally at the meeting.

### **Design & Layout**

The proposal includes the conversion of the principal Old Building, fronting Great Horton Road and buildings returning on Carlton Street. This range of buildings would be retained and the existing building and features repaired or replaced, in keeping with the original

fabric of the buildings. There are a number of buildings to the rear of the Old Building, including modern structures with northern lights that would be removed. The purpose of the removal being to create a courtyard and amenity space for residents.

The applicant had originally proposed a greater number of flats within the development. However, the scale of development has been reduced provide accommodation that would “raise the profile and standard of design to form luxury residential apartments that can be leased to both the public sectors and students that is eco-friendly, efficient and sustainable”.

Additionally, with the conversion of existing buildings and the retention of the main fabric of the listed building, the applicant has had to design the accommodation accounting for this. In order to address issues around residential amenity and provide optimum distances to ensure appropriate relationships between flats, the applicant has introduced angled windows to a limited number of flats. This arrangement, whereby there would be no direct overlooking/restricted outlook from flats, due to the position of windows is considered to be an acceptable compromise. It ensures that the buildings can be used and that the residential amenity afforded is not prejudiced to the extent where support for the scheme would not be forthcoming.

The development would include a variety of accommodation, including studio, 1 bed, 2 beds and duplex apartments, with an accessible unit located on each floor, served by a lift, along with stair lifts between blocks, to provide access for all.

The mechanical, electrical and ventilation services would all be consolidated and collected within specific service zones. These services would then exit to the rear of the development. In this way, the main facades facing Great Horton Road and Carlton Street are maintained and remain unaffected. The proposals are considered to minimise any physical alterations that could be harmful to the appearance of the buildings.

It is the intention of the applicant to provide self-contained apartment type accommodation, with concierge and a variety of on-site facilities and services to be attractive city living for both the open market and students, and assist in promoting the appeal of both Bradford College and the University of Bradford.

The works would be carried out sympathetically to the listed building and provide a positive solution to ensure the re-use of what is an important range of buildings, within the College/University campus and City Centre. The proposed scheme is considered to be an appropriate response to the design & appearance of the existing buildings, which are prominent within this part of the City Centre.

#### Impact on highway

Current parking standards at this location, require development to provide 'minimal operational requirements', which is defined as parking required for the development to operate. The parking assessment section of the Transport Assessment explains that parking would not be required as it is being promoted as “car free” development. Notwithstanding that concept, the fact parking would not be provided within the development does not mean future occupiers would not own cars. As such, details of how parking would be provided has been the subject of lengthy discussion with the applicant.

The curtilage of the buildings subject of the application does not allow any scope for parking. There are parking spaces to the rear of the site and the applicant was asked to explore with the University the possibility of leasing/acquiring parking spaces to serve the development. Unfortunately, the applicant was not able to agree any parking with the University at the site.

Consequently, the application would be limited to providing 3 parking spaces within the site on the Carlton Street frontage, which would be provided with electric vehicle charging points. The applicant is also proposing to provide e-bikes as part of the offer to residents.

Given the limited level of parking at the application site, the applicant was asked to explore other options. The applicant put forward the option of contract parking spaces being provided for residents at the NCP Southgate car park off Thornton Road, c.400m from the application site. This proposal would involve 45 parking spaces being provided by the applicant for residents, 15 contract spaces for each of the 3 phases of development, for a period of 5 years from occupation of each phase. The provision of these parking spaces being agreed by the applicant and delivered through a Section 106 agreement. This is considered to be a suitable means of addressing parking for residents for the initial period of occupancy, without being financially onerous on the applicant.

### **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 the property including Grade II listed buildings and associated buildings for residential development is considered appropriate, providing the opportunity for sustainable development within the City Centre. The effects of the proposal on the buildings and the surrounding locality has been assessed and are considered acceptable. As such the proposal would meet policies SC9, TR1, TR2, TR3, HO1, HO3, HO5, DS3, DS4 and DS5.

### **Section 106**

The applicant has agreed heads of terms and planning permission would be subject to Section 106 for the delivery of:

- 45 contract parking spaces at the NCP car park, Southgate, Bradford

### **Conditions of Approval:**

1. The development to which this notice relates must be begun not later than the expiration of three years beginning with the date of this notice.

Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. The development hereby approved shall only be carried out in accordance with the following plans: 116, 30.03.2020; 101 k, 02.03.2021; 102 d, 02.03.2021; 103 h, 02.03.2021.

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

3. Prior to the commencement of development a phasing plan shall be submitted to and approved in writing by the LPA. The phasing shall include details of further investigation work including a soft strip of each phase and where agreed further evaluation of the listed building.

Reason: In the interests of the heritage asset and to accord with Policy EN3 of the Core Strategy.

4. Prior to their installation, details of the materials, sectional profile and colour of all new or replacement gutters, rainwater downpipes and any other external plumbing to be installed on the building shall be submitted to, and approved in writing by the Local Planning Authority. These items shall then only be installed in accordance with the approved details and these shall be retained in this form thereafter.

Reason: In the interests of visual amenity and the character of the heritage asset and to accord with Policies EN3, DS1 and DS3 of the Core Strategy Development Plan Document.

5. All external joinery and external metalwork shall have a painted/power coated finish.

Reason: In the interests of visual amenity and the character of the heritage asset and to accord with Policies EN3, DS1 and DS3 of the Core Strategy Development Plan Document.

6. Prior to their installation, details of the replacement windows and doors for the listed building, including the materials and finish, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: In order to minimise the impact on the integrity of the heritage asset and to accord with policy EN3 of the Local Plan for Bradford.

7. Prior to the occupation of any part of the development hereby permitted, details of the hard surfacing materials for all external areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be in accordance with the approved details.

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

8. The development shall not begin until a Maintenance Plan for the drainage scheme has been submitted to and approved in writing by the Lead Local Flood Authority. Once built, the drainage scheme shall be maintained thereafter, in accordance with the approved Plan.

Reason: In the interests of the amenity of future occupiers, pollution prevention and the effective management of flood risk and to accord with Policies DS5, EN7 and EN8 of the Core Strategy Development Plan Document.

9. The development shall not begin until details of a scheme for foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The scheme so approved shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of the amenity of future occupiers, pollution prevention and the effective management of flood risk and to accord with Policies DS5, EN7 and EN8 of the Core Strategy Development Plan Document.

