

Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 24th June 2021

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Subject:

This is a full planning application for the construction of four industrial units and refurbishment of existing industrial building at Bulmer and Lumb Limited, Bulmers Mill, Royds Hall Lane, Bradford.

Summary statement:

The application comprises 2 parts, firstly the refurbishment of part of the existing industrial building and secondly the construction of 4 new industrial units, 3 of which are subdivided into 2 or 4 smaller units. The development will create an additional 2,340 square metres of floor space for B2, B8 and other E(g) uses. Access will be taken via the existing access from Royds Hall Lane.

The layout of the development is such that all future operations, such as deliveries and servicing of the units, can be satisfactorily accommodated within the site and will not therefore impact on highway safety. The level of traffic likely to be generated by the proposal can be satisfactorily accommodated within the surrounding highway network.

The trees along the northern boundary (Halifax Road) of the site will be retained and will provide a screen to the site when viewed from the north. The site will be visible from the east (Royds Hall Lane) but some additional landscaping is proposed and the difference in land levels will further reduce the impact of the buildings. It is considered that the siting of the buildings results in a sufficient separation distance from the adjacent residential dwellings and the design incorporates minimal openings on the elevation facing onto the dwellings. It is not considered that the proposal will have a detrimental impact on the visual character of the immediate locality or on the residential amenities of the occupiers of the neighbouring dwellings.

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

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

This is a full planning application for the construction of four industrial units and refurbishment of existing industrial building at Bulmer and Lumb Limited, Bulmers Mill, Royds Hall Lane, Bradford.

2. BACKGROUND

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

3. OTHER CONSIDERATIONS

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

4. FINANCIAL & RESOURCE APPRAISAL

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

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

No implications.

6. LEGAL APPRAISAL

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

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

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

7.2 SUSTAINABILITY IMPLICATIONS

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

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

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

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

In order to encourage alternative means of transport Electric Vehicle (EV) charging points are to be provided within the main car park serving the development (planning condition) in accordance with the Council's Low Emissions Strategy.

7.4 COMMUNITY SAFETY IMPLICATIONS

Core Strategy Policy DS5 states that development proposals should be designed to ensure a safe and secure environment and reduce the opportunities for crime. Conditions are recommended in relation to matters such as boundary treatment to further enhance the security of the site.

7.5 HUMAN RIGHTS ACT

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

7.6 TRADE UNION

None.

7.7 WARD IMPLICATIONS

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

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS

None.

7.9 IMPLICATIONS FOR CORPORATE PARENTING

None.

7.10 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

None.

7. NOT FOR PUBLICATION DOCUMENTS

None.

8. OPTIONS

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

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

10. RECOMMENDATIONS

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

11. APPENDICES

Appendix 1 Technical Report.

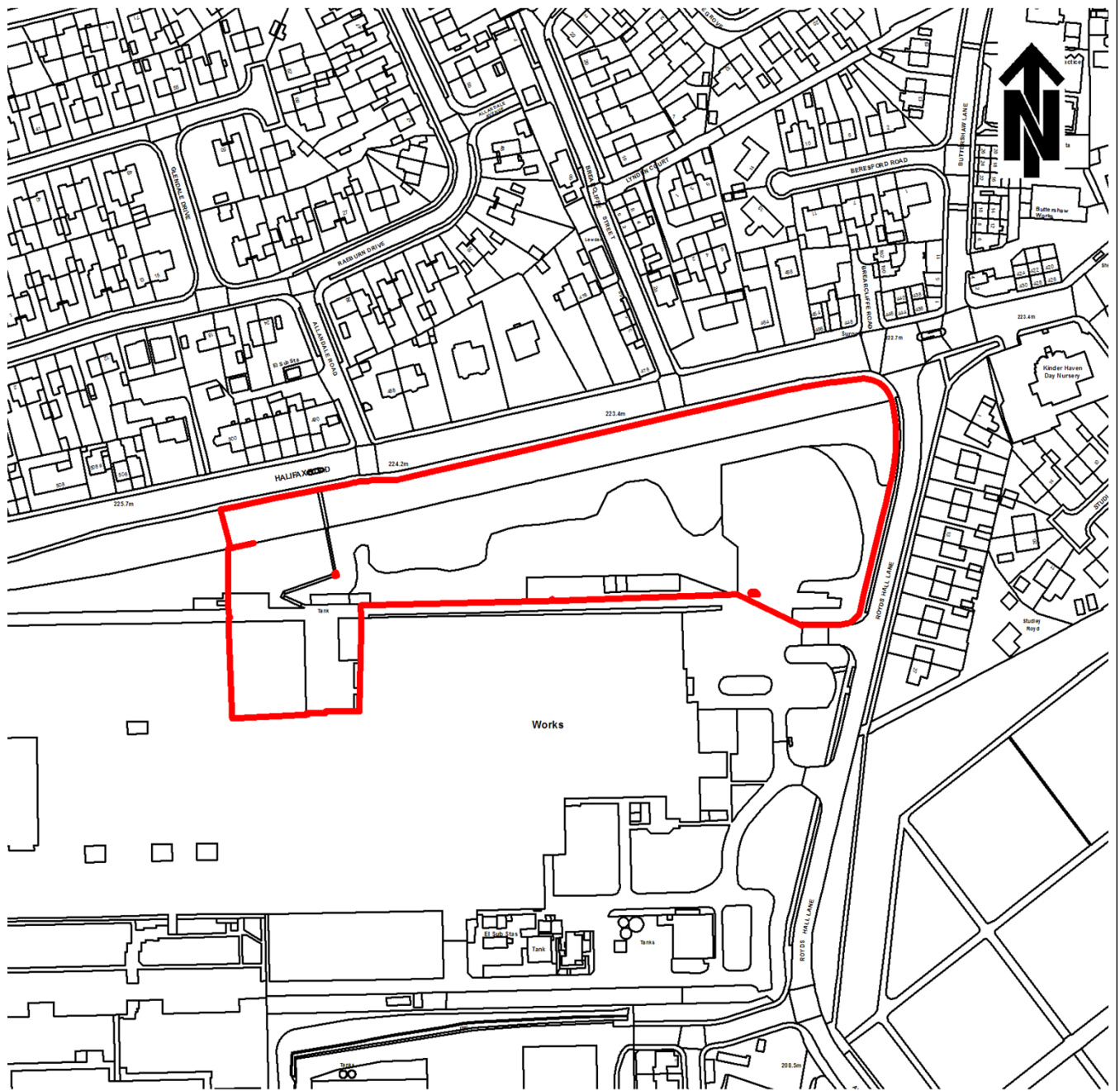
12. BACKGROUND DOCUMENTS

National Planning Policy Framework
Core Strategy
Replacement Unitary Development Plan

21/00842/MAF



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:2,500

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Bulmer and Lumb Limited
Bulmers Mill
Royds Hall Lane
Bradford

Appendix 1

24th June 2021

Ward: Royds
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
21/00842/MAF

Type of Application/Proposal and Address:

This is a full planning application for the construction of four industrial units and refurbishment of existing industrial building at Bulmer and Lumb Limited, Bulmers Mill, Royds Hall Lane, Bradford.

Applicant:
Bulmer & Lumb Group

Agent:
Mr Nick Jones (Kilmartin Plowman & Partners Ltd)

Site Description:

The site is located in the northern section of the larger site occupied by Bulmer and Lumb. It is currently used as a parking area (eastern section) and a grassed landscaped area. There is a row of trees running along the northern boundary of the site and an established hedge and low level stone wall running along the eastern boundary. Access to the site is taken from an existing access off Royds Hall Lane that also serves the larger site. To the north and east of the site are residential dwellings (Halifax Road and Royds Hall Lane) whilst to the south is an existing industrial building.

Relevant Site History:

There have been various planning permissions on the site relating to the existing building.

Planning permission was granted on the 19th April 2021 under reference 21/00892/FUL for the refurbishment of existing building including new external cladding. This proposal is also included within the application under consideration within this report.

The National Planning Policy Framework (NPPF):

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

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;

- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

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

The Local Plan for Bradford:

The Core Strategy for Bradford was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. The site is not allocated for any specific land-use in the RUDP. Accordingly, the following adopted saved RUDP and Core Strategy policies are applicable to this proposal.

Replacement Unitary Development Plan Policies:

TM6 Bus Priority

TM10 The National and Local Cycle Network

Core Strategy Policies:

P1 Presumption in Favour of Sustainable Development

SC1 Overall Approach and Key Spatial Priorities

SC4 Hierarchy of Settlements

SC9 Making Great Places

EC4 Sustainable Economic Growth

TR1 Travel Reduction and Modal Shift

TR2 Parking Policy

TR3 Public Transport, Cycling and Walking

EN5 Trees and Woodland

EN7 Flood Risk

EN8 Environmental Protection

EN12 Minerals Safeguarding

DS1 Achieving Good Design

DS2 Working with the Landscape

DS3 Urban Character

DS4 Streets and Movement

DS5 Safe and Inclusive Places

Parish Council:

There is no Parish Council in the Royds Ward.

Publicity and Number of Representations:

The proposal was advertised by press notice, site notice and neighbour notification letters. The expiry date for the publicity exercise was the 14th May 2021.

As a result of the publicity exercise 20 representations have been received.

A request has been made by a Ward Councillor for the application to be considered by the Regulatory and Appeals Committee with the reasons being that the business development and creation of jobs are welcomed but major concerns are raised

regarding the potential impact of traffic on Royds Hall Lane and the junctions of both Abb Scott Lane with Huddersfield Road and onto Halifax Road.

Summary of Representations Received:

Principle of development:

- For something of this scale to be built more or less at the bottom of someone's garden obviously the only people being considered here is Bulmer and Lumb and not the surrounding area
- What businesses will use the planned site

Residential amenity:

- The location of unit 1 so close to the roadside will reflect the sound of traffic from the road back to the residential properties opposite. Further to this, noise generated by companies occupying the units will add to the issue
- The pollution from this is disgraceful, we are going into an era of anti-pollution with electric vehicle vehicles been promoted to come up against such things as this it's a big no
- Increase in noise disturbance to the residents through the use of fork lift trucks and HGV's visiting the site
- The zero care that has been given to the resident's view that would be opposite unit one as it would go from a view of a hedgerow to what looks like is going to be a large grey wall just shows a lack of care for the residents nearby
- This could impact on people's mental health to have the current view taken away and have to look at a huge building everyday
- Loss of light to existing properties
- Overlooking/loss of privacy to existing dwellings

Visual amenity:

- Unit 1 will obscure views for residents as well as presenting a bleak industrial view directly over the road, the hedge will do little to prevent this
- Unit 1 should be removed from the plan and the area given over to a wooded area

Highways:

- Expansion of this industrial site will lead to heavier traffic, including an increase in the number of industrial and heavy goods vehicles, hence further pollution
- Expansion of this site will lead to longer delays for traffic queuing towards the junction at Halifax Road. Furthermore, it will act as further hindrance for residents pulling into and out of their drive ways as well as pedestrians attempting to cross the road
- It is a commuting route not only to take children to school but to relatives and the traffic increase would have severe consequences
- It would lead to both increased traffic and commuting times for many residents close by and members of the public within this area
- The area is also used for access to a number of schools and nurseries and I believe it is also a matter of safety
- Bulmer and Lumb are letting out parts of their existing buildings, so not only will it increase traffic to access Bulmer and Lumb, but traffic to the additional companies who will be using the already existing buildings
- Considering that Royds Hall Lane is a popular residential area, with access to the park, cemetery, schools, academy and nurseries I think plans to free up or even reduce any use of HGV traffic down this road would be welcomed

- Cars parking on Royds Hall Lane narrows the road and will create problems for HGV's
- All these extra buildings will come extra staff, and with most of the current Bulmer and Lumb car park being replaced with these buildings, these extra staff are going to need somewhere else to park. I fear this will result in them parking outside people's properties or on the road itself, which will cause an issue in itself
- A vehicle entrance to the site to be built via Halifax road, with no heavy goods vehicles to access the site via Royds Hall Lane. As an existing arterial road, Halifax Road is already suitable for the volume of traffic and for heavy goods vehicles to enter and exit the site. This amendment would act to reduce existing traffic, noise and pollution levels on Royds Hall Lane

Other:

- The proposal could impact on resident's ability to sell their homes
- The proposal will likely devalue the existing properties
- If it is true that Bulmer and Lumb are doing this purely for financial gain rather than to expand their company than this is not good enough reason to give the planning. I find this very selfish and I doubt the owner would be happy to live opposite this

Consultations:

Conservation – No objection to the proposal

Environmental Protection – No objection subject to the imposition of appropriate conditions relating to the carrying out of further site investigations and the submission of the findings together with the submission, if required, of a Remediation Strategy and Remediation Verification Report

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

West Yorkshire Police – No objection to the principle of the development but comments on specific aspects including boundary/site access, footpath, bicycle storage, lighting and CCTV, security for the units, and, open space

Trees – No objection to the principle of the development. Whilst some of the trees to be removed are of high quality, the majority of the tree cover is to be retained and protected and collectively the amenity the trees provide from public vantage points will remain largely in tact

Sport & Leisure – No comments to make on the proposal

Highways – No objection subject to the imposition of appropriate conditions

Coal Authority – No objection to the principle of the development subject to the imposition of conditions relating to the carrying out of further site investigations assessing the impact of past coal mining activity on the development and subsequent remediation verification report

Landscape Design Unit – No objection to the principle of the development and state that the potential benefit of the proposed landscape design will be beneficial if

managed and maintained to a high standard. Conditions are sought in relation to the submission of full landscape details and a subsequent management plan

Biodiversity Officer – No objection to the proposal subject to the recommendations contained within the Preliminary Ecological Appraisal being secured

Environmental Health (Air Quality) – No objection to the principle of the development subject to the imposition of conditions relating to the provision of electric vehicle charging points within the development together with the submission of a Construction Dust Management Plan

Summary of Main Issues:

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

Appraisal:

The application comprises 2 parts, firstly the refurbishment of part of the existing industrial building and secondly the construction of 4 new industrial units, 3 of which are subdivided into 2 or 4 smaller units. The development will create an additional 2,340 square metres of floor space for B2, B8 and other E(g) uses. Access will be taken via the existing access from Royds Hall Lane.

1. Principle of development

Paragraph 7 of the National Planning Policy Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. Paragraph 8 goes on to state that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways and these include identifying and co-ordinating the provision of infrastructure (economic objective) and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being (social objective), and, to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy (environmental objective).

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

The site is unallocated within the Replacement Unitary Development Plan.

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

The site is currently in employment use and the proposal is to renovate a section of the existing building together with the construction of 4 new industrial buildings all which will provide employment opportunities. Policy EC4 of the Core Strategy does support economic and employment growth.

It is considered that the principle of the construction of industrial buildings on the site is acceptable and satisfies the requirements of policy EC4 of the Core Strategy.

2. Visual amenity

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

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

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

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

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

There are 2 elements to consider with regards to the visual impact of the proposal, firstly the refurbishment of a section of the existing building and secondly the construction of the new industrial units.

With regards to the refurbishment element the application proposes to replace the cement roof with profiled metal cladding and roof lights are to be installed along the length of the roof space, this is acceptable and will not appear out of place within the industrial setting.

Brick walls will be clad in profiled metal cladding also which will be blue in colour. Some sections will be darker in colour than the others, but this is acceptable and will not have any significant impact on the appearance of the surrounding area. The plans show that existing openings will be reconfigured, however the formation of new openings to replace old ones will not result in the unit appearing incongruous or being to the detriment of visual amenity.

The new build element will be more visually prominent due to its location in the north eastern corner of the larger site. A substantial copse of trees runs along the northern boundary of the site and will provide an adequate screen when viewed from Halifax Road. Along the eastern boundary of the site (Royds Hall Lane) is an established hedge and low level stone wall which will provide some degree of screening of the proposed buildings. Some additional landscaping will take place along the eastern boundary. The layout of the site is such that the floor level of the buildings closest to the eastern boundary will be at a significantly lower level than Royds Hall Lane. The design of the buildings includes a very shallow pitched roof thus further reducing the overall visual impact.

In terms of materials for the new build element it is intended to use metal cladding of various profiles and brick work on the elevations and metal profile roof cladding on the roof. The materials are considered to be acceptable and a condition is recommended with regards to the colours to be used.

The Landscape Design Unit have acknowledged that the character of the area will change. However, they state that the scheme has been quite well considered with the retention of most of the existing perimeter planting including the hedge/wall bounding Royds Hall Lane and much of the planting along the Halifax Road boundary. Whilst the removal of trees to facilitate the build is not desirable the applicant has submitted a

significant landscape design, incorporating wildflower meadows and replanting of about twice as many trees due to be removed. One area that requires further detailing is the area to be enhanced with native trees/shrubs to enable a full appreciation of the mitigation measures being carried out as part of this development. Securing these details will be secured through an appropriately worded condition. It is considered that the potential benefit of the proposed landscape design will be beneficial if managed and maintained to a high standard.

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

3. Residential amenity

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

There are existing residential dwellings located to the north (Halifax Road) and east (Royds Hall Lane) of the site and the impact on the residential amenities of the occupiers of these properties needs to be taken into account.

With regards to the properties to the north they are separated from the site by Halifax Road which is a heavily trafficked road. A substantial tree copse runs along the northern boundary of the site and will screen it from views to the north. It is considered that the site circumstances will result in the development having limited impact on the residential amenities of the occupiers of the dwellings fronting onto Halifax Road.

To the east are residential properties facing onto Royds Hall Lane. The dwellings are set back from the highway with good sized front gardens of a depth of approximately 11 metres. The separation distance of the dwellings to the application site boundary is 26 metres. As previously stated some additional landscaping will be undertaken along the eastern boundary and the site levels are such that the floor level of the buildings will be significantly lower than Royds Hall Lane. The design also incorporates a very shallow pitch to reduce their impact. Unit 1 which is nearest to the existing properties has also been designed so the main openings face onto the service yard to the west of the building. The eastern elevation only contains fire exit doors and a small number of windows serving a first floor office. It is not considered that the siting of the buildings will have a detrimental impact on the residential amenities of the occupiers of the neighbouring residents.

Overall therefore, it is not considered that the proposed development will have a detrimental impact on the residential amenities of the occupiers of the neighbouring dwellings and does meet the requirements of policy D5 of the Core Strategy.

4. Highway safety

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

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

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

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

Policy DS4 of the Core Strategy states that developments should create a network of routes which are well overlooked and convenient and easy for people to understand and move around, and, connect to existing street and path networks and places where people want to go in obvious and direct ways and where necessary improving existing routes.

The proposal relates to the construction of a development of several small commercial units for industrial/warehousing type uses amounting to a total of 2,348sqm gross floor area together with the refurbishment of part of the existing larger commercial premises with no change in built floor space, traffic generation and parking demand. The development will utilise the existing access serving the wider commercial development site. A spur is then taken from the main site access road into the development site which is divided into two sections with separate turning areas serving two units each.

A Transport Statement has been submitted in support of the planning application and has been assessed by the Highways Department who have accepted it in terms of traffic generation and impact.

The Transport Statement states that the development will generate 20 two way trips in the Am peak (13 in and 7 out) and 16 two way trips in the Pm peak (3 in and 13 out). The Highways Department consider that this level of generated traffic will not cause any material impact on the safe operation of the local highway network. It is also noted that this traffic generation is a worst case scenario as the assessment assumes that the whole of proposed development would be B2 industrial.

The Local Plan parking standard for B8 use is 1 space per 250 square metre which equates to 5 spaces and the parking standard for B2 use is 1 space per 50 square metre which equates to 22 spaces. In addition, the minimum disabled parking requirement is 2 spaces which results in a total parking requirement of 29 spaces. The proposed level of parking provision is 30 spaces including 4 disabled spaces which is above the minimum requirement and is therefore considered to be acceptable. Cycle parking/storage facilities are also provided in accordance with the local Plan requirements.

The Transport Statement demonstrates through swept path analysis that the site is capable of accommodating 12 metre rigid service vehicles with provision for loading and unloading within the site which is considered adequate for the type of development proposed and will allow all vehicles to operate within the confines of the application site.

Collision data over a recent 5-year period shows 2 slight injury collisions, one at the site access junction and the second at Halifax Road/Royds Hall Lane junction. This indicates that the road safety record in the vicinity of the site is good and the small increase in traffic resulting from the development proposals would be unlikely to cause a deterioration in this situation.

As part of the publicity exercise comments have been received which suggest amendments to the proposal in the form of a “new vehicle entrance to the site to be built via Halifax road, with no heavy goods vehicles to access the site via Royds Hall Lane. As an existing arterial road, Halifax Road is already suitable for the volume of traffic and for heavy goods vehicles to enter and exit the site. This amendment would act to reduce existing traffic, noise and pollution levels on Royds Hall Lane”. This would result in the loss of a number of trees along the northern boundary and would open up views of the site from the north. There is also a difference in land levels between the site and Halifax Road with the ground sloping steeply away from Halifax Road making access impractical. A knock on effect of this would also be to elevate the units reducing the screening effect of the retained landscape buffers further. The current access arrangements to the site are deemed to be the most appropriate in that the access is well established and has been serving the site for many years.

Overall therefore it is acknowledged that the proposal will result in there being a slight increase in the level of traffic using the immediately surrounding highway network it is not considered that it will be of a level that would have a detrimental impact on the operation of the highway network or highway safety. As such therefore, subject to the imposition of appropriate conditions there is no objection to the proposal in highway terms and it satisfies the requirements of policies TR1 and TR2 of the Core Strategy.

5. Drainage

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

- a) take account of advice from the lead local flood authority;
- b) have appropriate proposed minimum operational standards;

- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- d) where possible, provide multifunctional benefits.

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

A Flood Risk Assessment and Drainage Strategy have been submitted in support of the application and have been assessed by the Lead Local Flood Authority. With regards to the disposal of both foul and surface water it is intended to connect to the mains sewer.

The Lead Local Flood Authority have not raised any objections in principle to the proposed development, but have stated that the developer will need to provide additional drainage information for the existing car park, as outlined below, in order for the proposed discharge rate (=21.5L/s) to be acceptable:

- A plan showing the existing impermeable area and drainage infrastructure.
- CCTV survey, if necessary
- The point of connection for the new drainage system should be into the same drainage system, which the site currently drains to.

The submission of this information can be secured through an appropriately worded condition.

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

6. Trees

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

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

There is a copse of trees running along the northern boundary of the site and it is the Applicants intention to retain as many of these trees as possible. In support of the proposal an Arboricultural Assessment has been submitted.

The Tree Officer has stated that there is a significant amount of vegetation cover on the site which provides a good level of screening from adjacent roads. The proposals do show that a number of trees, some of which are of high quality, will require removal to accommodate the development. However, the majority of tree cover within the site is shown as being retained and protected and will continue to provide a screen to the development. Collectively the amenity the trees provide from public vantage points will

remain largely intact. Some replacement tree planting will take place as part of the landscaping scheme.

There is no objection to the proposal on the grounds of the loss of the existing trees and as such the proposal satisfies the requirements of policy EN5 of the Core Strategy.

7. Secured by design

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

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

The West Yorkshire Police Architectural Liaison Officer has not raised an objection to the principle of the development but initially raised a number of site specific issues.

Boundary/site access: The main vehicle/pedestrian access is shown via Royds Hall Lane. If the new units are to be leased to different companies, the whole site (including the new units) should either have set business operating hours in order to secure the site/vehicle access point/s out of hours or the gates are to be changed to automated gates with a key fob/swipe card access which ensures that the site remains secured, which prevents any unauthorised access/opportunist theft. The existing boundaries appear to be retained which are a mixture of stone walls, mature hedges and planting which provides greenery to the area. As unit 1 is the larger unit which will be more visible from the roadside, especially for the existing dwellings that face towards the site, adding more planting/trees along this boundary may create more of a buffer zone, which can reduce noise/light and provide more greenery on this elevation – *the entire site cannot be subject to a condition restricting the hours of operation because the existing building is not located within the red line and will be subject to its own set of restrictions. Because the proposed development will utilise the same access as the existing business it is very difficult to impose a condition requiring the installation of a gate across the access as the different businesses are likely to have different operating hours*

Footpath: The landscape plans shows a proposed footpath route from the area of open space which leads onto Halifax Road. If the route is included for staff use such as walking, cycling, easy access for public transport, it is recommended installing a 1800mm high lockable gate on the pedestrian entrance with access control measures to ensure that the boundary from this point remains secure and prevents stranger access and any anti-social behaviour problems from this route – *there isn't a formal link from this route to Halifax Road and there is an existing gate within the boundary treatment*

Bicycle storage: The drawing mentions bicycle storage, however I'm unable to see where this is located on the site plan? The cycle storage should be in close proximity to

unit entrances and include good natural surveillance from office windows and CCTV coverage of this location – *the application form suggests that there is no cycle storage and that there will only be vehicle parking spaces but details have been submitted to show the type of cycle storage to be used. A condition is recommended requiring the submission of details with regards to the location of the proposed cycle storage*

Lighting and CCTV: There is no mention in the plans of lighting or CCTV? external lights should cover the access doors of the units, including parking areas, bin/cycle storage and footpaths. Suitable types of light are led low energy lights such as photo electric cell or dusk until dawn which have warm white led bulbs which can provide surveillance of these locations. Fittings and wiring should be vandal resistant and located within inaccessible areas. CCTV should cover the same areas and work in harmony with the lighting plan to provide good quality evidential images in high definition to 10.80p, that can allow any person/s to be identified from the top half of their body or vehicle registration number to be clearly visible, including the colour/make of vehicle – *the installation of external lighting and CCTV is outside the control of the planning system and will be the responsibility of the developer as to whether they are included within the final design of the scheme*

Security for the units: Doors and windows should look to achieve an appropriate standard to achieve Secured by Design status – *the installation of appropriate standards of doors and windows is outside the control of the planning system and will be the responsibility of the developer as to whether they are included within the final design of the scheme*

Open space: The green areas of open space should include a good management and maintenance plan. Seating areas should be sturdy either treated timber or concrete material which is more robust, hardwearing – *a condition is recommended in relation to the future maintenance of the landscaped areas*

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

8. Contaminated land

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

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

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

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

A Phase 1 Desk Top Study & Coal Mining Risk Assessment Report have been submitted in support of the application and been assessed by both the Councils Environmental Health Department and the Coal Authority.

The report identified a number of potential sources of contamination arising from the historical development of the site. The site has been, and currently is a textile and dye work. The sources of contamination include, but are not limited to, made ground, residual hydrocarbon/solvent contamination (spills and leakages), and, hazardous ground gases from shallow mine workings. The report goes on to conclude that “a programme of intrusive Phase 2: Ground Investigation Works are completed for this site, to provide an assessment of the geotechnical and ground contamination characteristics of the site.”

The Environmental Health Department concur with the findings and recommendations within the report and have no objection to the proposal with regards to the ground conditions subject to the imposition of appropriate conditions relating to further site investigations being undertaken and subsequent remediation works if required.

The Coal Authority have stated that the site falls within the defined Development High Risk Area and, therefore, within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. Their records indicate that parts of the application site are underlain by recorded coal mine workings at shallow depth. These areas being in the south eastern corner of the site and the northern boundary of the site. It is recommended that site investigations should target areas of the Development High Risk Area where shallow mine workings are recorded. If workings are encountered with the potential to influence site stability, then an appropriate scheme of remediation should be implemented on site.

The Coal Authority go on to states that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist and these risks should be considered by the Local Planning Authority. The Environmental Health Department have been consulted on the application and their comments reported above.

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

9. Air quality

Policy EN8 of the Core Strategy states that "in liaison with partner organisations, the Council will take a proactive approach to maintaining and improving air quality within the District in line with National Air Quality Standards, the European Union limit values

and the principles of best practice. Through a range of actions, it will seek to secure a reduction in emissions from sources which contribute to poor air quality".

For the purpose of the Bradford and WYLES planning guidance this is considered to be a medium development. This classification is based on the air quality screening assessment submitted with the application (reference J0496/1/F1) which states there will be 2350m³ of new industrial units created, generating an additional 160 light and 15 HGV vehicle movements per day.

Under the provisions of the LES planning guidance medium developments are normally required to provide Type 1 and 2 emission mitigation as follows:

Type 1 Mitigation:

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

The application form states that an additional 26 car parking spaces will be created as part of the development. In line with the requirements of the Bradford and WYLES low emission planning guidance documents 10% of these spaces are required to be electric vehicle ready (5% active at point of opening, 5% passive enabling only). The minimum requirement for charging points on this development will be purpose built units capable of providing a continuous supply of at least 16A (7.5kW) via a mode 3 type 2 connection. These will be suitable for use by staff vehicles where dwell time on the site is likely to be more than 4 hours. If the intention is to allow use of the EV charging infrastructure by staff, customers or contracted transport providers with shorter dwell times (less than 4 hours) Fast (32A, 7-23KW) or Rapid (43kW+) charging points may be more appropriate. If Fast or Rapid charging points are proposed together with restrictions on the period that vehicles are allowed to park in the bays a lower number of charging points on the overall development may be acceptable.

A condition is recommended in order to secure an appropriate number of electric vehicle charging points.

Medium developments are required to adhere to Best Practice Guidance on the Control of Dust and Emissions from Construction and Demolition (as issued by IAQM) during all demolition, site preparation and construction activities. Prior to commencement of any construction works on this site a dust risk assessment and construction dust management plan need to be prepared and submitted to the local authority for approval.

A condition is recommended in order to secure the submission of a dust risk assessment and construction dust management plan.

Type 2 Mitigation:

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

A transport statement has been submitted with the application but this does not detail the measures to be taken to promote the use of low emission vehicles on the site. It is

recommended that the applicant is asked to supply a further statement regards measures to be taken on the site to support the uptake of low emission vehicles by staff and customers. This should include planned EV charging provision.

An appropriate condition is recommended that will secure the submission of a Travel Plan addressing these issues.

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

10. Biodiversity issues

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

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

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

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

A Preliminary Ecological Appraisal has been submitted in support of the application and concluded that:

- Bats nesting birds and reptiles are known to occur in the local area, there was however no conclusive evidence of any specifically protected species regularly occurring on the site or the surrounding areas which would be negatively affected by site development following the mitigation proposed.
- The vegetation to be cleared has a low ecological significance in the local area; the trees close to but outside the development area are generally of low quality.
- The protection of trees on the site boundary and landscaping will promote structural diversity in both the canopy and at ground level and will encourage a wider variety of wildlife to use the site than already occurs.

A number of mitigation measures were included within the report including that new roosting provision for crevice dwelling bats could be incorporated into the buildings on site or bat boxes could be erected in retained trees and that artificial bird nesting sites for swallow could be incorporated into the new buildings under the eaves in suitable locations.

The Biodiversity Officer has stated that the key species concerns are in relation to bats with the site being surveyed in July 2020. The impact on foraging habitat is minimised due to the retention, in the main, of the foraging areas (principally the wooded edge with Halifax Road). The building to be demolished was well-sealed and offered no roosting potential.

The key impact on habitat is from the new build proposed, which is located at the north-eastern corner of the site currently edged by woodland and comprising amenity grassland, poor semi-improved grassland and disturbed ephemeral habitat. There are also areas of hard-standing. This area in general has relatively low ecological value and the Landscape Plan submitted indicates that the wooded edge is to be retained which is supported. The plan also shows a commitment to underplant and enhance existing tree and scrub areas, create a wildflower area and a willow coppice with wildflowers. These measures should be implemented along with a commitment to maintain and manage them going forward.

These measures, along with the inclusion of bird and bat boxes on the new buildings as recommended in the Preliminary Ecological Appraisal, may result in there being a marginal net-gain in biodiversity which should be the overall objective of the Landscape Plan and ecological recommendations.

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

Overall it is not considered that the proposal will cause any significant harm to the biodiversity value of the site. It is considered, therefore, that the proposal satisfies the requirements of policy EN2 of the Core Strategy

11. Conservation

Paragraph 184 of the National Planning Policy Framework states that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 189 states that in determining planning applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Paragraph 190 goes on to state that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or

minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The application proposals have been assessed in relation to the relevant statutory duties, including the Planning (Listed Buildings and Conservation Areas) Act (1990), the National Planning Policy Framework and Replacement Unitary Development Policies. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 are relevant to the determination of the application. Insofar as material the statutory provisions provide: Section 66(1) provides: "In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority, or as the case may be, the Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".

Policy EN3 of the Core Strategy states that the Council will preserve, protect and enhance the character, appearance and historic value and significance of the Districts designated and undesignated heritage assets and their settings.

The site is located in close proximity to the Grade II Listed, former Kings Head Public House. However, the Conservation Officer has stated that there will be no impact on the character or setting of the designated heritage asset. This determination is based on the understanding that the current height of the landscape buffer to Royds Hall Lane is maintained and further strengthened with additional tree planting.

Overall therefore, subject to the imposition of the appropriate conditions there is no objection to the proposal on heritage grounds and the proposal accords with the requirements of Policy EN3 of the Core Strategy and the relevant paragraphs of the National Planning Policy Framework.

12. Other issues

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

The proposal could impact on resident's ability to sell their homes – *this is not a material planning consideration and cannot be taken into consideration in assessing the application*

The proposal will likely devalue the existing properties – *this is not a material planning consideration and cannot be taken into consideration in assessing the application*

If it is true that Bulmer and Lumb are doing this purely for financial gain rather than to expand their company than this is not good enough reason to give the planning. I find this very selfish and I doubt the owner would be happy to live opposite this – *whether the application has been submitted for financial gain is not a material planning consideration. The application has been assessed again what is proposed, i.e. the creation of new industrial units and not the financial implications for the land owner*

Community Safety Implications:

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

Equality Act 2010, Section 149:

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

Reason for Granting Planning Permission:

The proposal provides an industrial development which is considered to be acceptable and presents no concerns with regard to residential or visual amenity and highway safety. The proposal is considered acceptable and, with the attached conditions, satisfies the requirements of policies TM6 and TM10 of the Replacement Unitary Development Plan and policies P1, SC1, SC4, SC9, EC4, TR1, TR2, TR3, EN3, EN5, EN7, EN8, EN12, DS1, DS2, DS3, DS4, and, DS5 of the Local Plan for Bradford, and, the relevant paragraphs of the National Planning Policy Framework.

Conditions of Approval:

1. Time limit

The development to which this notice relates must be begun not later than the expiration of 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. Approved plans

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

Drawing Number 2003 P1 showing the Building 1 Plan and Elevation and received by the Local Planning Authority on the 18th February 2021;

Drawing Number 2004 P1 showing the Building 2 Plan and Elevation and received by the Local Planning Authority on the 18th February 2021;

Drawing Number 2005 P1 showing the Building 4 Plan and Elevation and received by the Local Planning Authority on the 18th February 2021;

Drawing Number 2006 P1 showing the Building 3 Plan and Elevation and received by the Local Planning Authority on the 18th February 2021;

Drawing Number 2007 P1 showing the Bin Store Details and received by the Local Planning Authority on the 18th February 2021;

Drawing Number 2008 P1 showing the Cycle Store Details and received by the Local Planning Authority on the 18th February 2021;

Drawing Number 2011 P1 showing the Existing Refurb Unit Plan and received by the Local Planning Authority on the 18th February 2021;

Drawing Number 2012 P1 showing the Existing Refurb Unit Elevations and received by the Local Planning Authority on the 18th February 2021;
Drawing Number 2013 P1 showing the Proposed Refurb Unit Plan and received by the Local Planning Authority on the 18th February 2021
Drawing Number 2014 P1 showing the Proposed Refurb Unit Elevations and received by the Local Planning Authority on the 18th February 2021;
Drawing Number 2001 P2 showing the Existing Site Plan and received by the Local Planning Authority on the 13th April 2021;
Drawing Number 2009 P2 showing the Proposed Site Sections and received by the Local Planning Authority on the 13th April 2021;
Drawing Number 2010 P2 showing the Proposed Site Plan and received by the Local Planning Authority on the 13th April 2021;
Drawing Number 2015 P2 showing the Site Plan Refurbishment and received by the Local Planning Authority on the 13th April 2021;
Drawing Number 2017 P1 showing the Proposed Landscaping Plan and received by the Local Planning Authority on the 13th April 2021;
Drawing Number 2002 Rev P4 showing the Proposed Site Plan (New Building) and received by the Local Planning Authority on the 28th May 2021; and,
Drawing Number 2000 Rev P3 showing the Location Plan and received by the Local Planning Authority on the 4th May 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. Scheme for foul and surface water

Prior to development commencing on the new build element of the proposal, 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.

[Reason for pre-commencement condition: It is necessary to secure agreement of effective drainage measures before commencement, in the interests of the amenity of future occupiers, pollution prevention and the effective management of flood risk and to accord with Policies DS5, EN7 and EN8 of the Core Strategy Development Plan Document]

4. Maintenance Plan for surface water

Prior to development commencing on the new build element of the proposal, a Maintenance Plan for the surface water drainage scheme has been submitted to and approved in writing by the Lead Local Flood Authority. Once built, the drainage scheme shall be maintained thereafter, in accordance with the approved Plan.

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

[Reason for pre-commencement condition: It is necessary to secure agreement of the maintenance provisions for the drainage system, before commencement, in the

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

5. Construction Dust Management Plan

Prior to development commencing on the new build element of the proposal, a Construction Dust Management Plan for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The dust management plan must be prepared with due regard to the guidance set out in the IAQM Guidance on the assessment of dust from demolition and construction and include a site specific dust risk assessment. All works on site shall be undertaken in accordance with the approved dust management plan.

Reason: To protect amenity and health of surrounding residents in line with the Council's Low Emission Strategy and the National Planning Policy Framework (NPPF)

6. Electric Vehicle charging points

From the date of first occupation 5% of the total car parking spaces shall be equipped with fully operational purpose built workplace EV charging point(s) capable of providing a continuous supply of at least 16A (7.5kW) via a mode 3 type 2 connection. A further 5% of spaces shall be provided with enabling ducting to allow easy addition of additional charging points in the future. The EV charging point(s) shall be clearly marked with their purpose and information about how to use them. The location of the charging points shall be clearly signposted and their existence highlighted in staff induction packs and customer information. Details of the types of charging points to be provided and planned maintenance schedule shall be provided to City of Bradford MDC for their approval prior to the opening date of the development.

Reason: To facilitate the uptake and use of low emission vehicles by future occupants and reduce the emission impact of traffic arising from the development in line with the council's Low Emission Strategy, policy EN8 of the Core Strategy Development Plan Document and National Planning Policy Framework (NPPF).

7. Low Emission Travel Plan

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

Reason: In the interests of promoting sustainable travel and to accord with policy TR1 of the Core Strategy Development Plan Document.

8. Biodiversity enhancements

The development hereby permitted shall be carried out in accordance with the Mitigation/Recommendations contained within the Preliminary Ecological Appraisal prepared by envirotech (Ref: 6426) and dated 05/08/2020. Prior to construction above damp proof course of the new build units details of the number and location of the bat boxes and artificial bird nesting sites shall be submitted to and approved in writing by

the Local Planning Authority and shall be installed prior to the first occupation of the new build units.

Reason: To ensure that the mitigation measures implemented will satisfactorily safeguard and provide alternative habitat for bats and bat roosts that may be found to exist on the site and to accord with Policy EN2 of the Core Strategy Development Plan Document.

9. Material (new Build)

Before development above damp proof course commences on site on the new build element of the proposal, 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 and DS3 of the Core Strategy Development Plan Document.

10. Landscape implementation

In the first planting season following the completion of the development, or in accordance with an alternative timetable for implementation that has been agreed in writing by the Local Planning Authority, the landscaping proposals forming part of the approved plans schedule shall be implemented in accordance with the submitted specifications and details.

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.

11. Landscape management

Prior to the occupation of any part of the new build element of the proposal, a schedule of landscape maintenance for all amenity and recreation open space areas within the site and covering a minimum period of 25 years shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include a plan to define all communal hard and soft landscaped areas to be maintained under the maintenance regime, an outline of maintenance works to be undertaken and the frequency of those works, together with details of responsibilities for implementing the maintenance regime by a Management Company or other agency. It shall provide email, postal address and telephone contact details of such a company or agency.

Landscape maintenance of the identified areas shall subsequently be carried out in accordance with the approved schedule for the period agreed.

Reason: To ensure effective future maintenance of the landscaped areas in the interests of visual amenity and to accord with Policies DS2, DS3 and DS 5 of the Core Strategy Development Plan Document.

12. Tree protection plans

All trees shown on the approved drawings to be retained, including any trees whose canopies overhang the development site, shall be protected throughout the construction period with tree protection fencing or other tree protection measures that are in accordance with BS 5837:2012 Trees in Relation to Construction.

Notwithstanding any details that were submitted with this planning application, the construction of the new build element of the proposal shall not begin until a detailed Arboricultural Method Statement and/or a Tree Protection Plan, setting out full details of proposals to protect trees within or adjoining the site during the development process, have been submitted to and agreed in writing by the Local Planning Authority. The Arboricultural Method Statement and/or Tree Protection Plan shall accord with recommendations contained in BS:5837.

Following the approval of such tree protection details, the development shall not begin, nor shall there be any demolition, site preparation or ground works, nor shall any materials or machinery be brought on to the site until the tree protection measures have been installed in accordance with the approved details.

Reason for pre-commencement condition: Trees on the site are of high amenity value and implementation of the tree protection measures prior to any development work beginning on the site is essential to ensure that trees are adequately protected in the interests of amenity and to accord with Policy EN5 of the Core Strategy Development Plan Document.

13. Bin storage area

Before the new build premises are brought into use for the purpose hereby permitted, the waste/recycling bin storage facility shall be made available for use in accordance with details shown on the approved site layout plan and, thereafter, shall be retained for this purpose as long as the premises are in use for the purpose permitted.

Reason: To ensure provision of appropriate design arrangements for waste handling, recycling and storage to accord with Policy DS5 of the Core Strategy Development Plan Document.

15. Site Investigation Scheme

Prior to development commencing on the new build element of the proposal, a Phase 2 site investigation and risk assessment methodology to assess the nature and extent of any contamination on the site, whether or not it originates on the site, must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to comply with policy EN8 of the Core Strategy Development Plan Document.

16. Site Investigation Implementation

Prior to development commencing on the new build element of the proposal, the Phase 2 site investigation and risk assessment must be completed in accordance with the approved site investigation scheme. A written report, including a remedial options appraisal scheme, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy EN8 of the Core Strategy Development Plan Document.

17. Remediation strategy

Prior to development commencing on the new build element of the proposal, a detailed remediation strategy, which removes unacceptable risks to all identified receptors from contamination, shall be submitted to and approved in writing by the Local Planning Authority. The remediation strategy must include proposals for verification of remedial works. Where necessary, the strategy shall include proposals for phasing of works and verification. The strategy shall be implemented as approved.

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy EN8 of the Core Strategy Development Plan Document.

18. Remediation verification

A remediation verification report, including where necessary quality control of imported soil materials and clean cover systems, prepared in accordance with the approved remediation strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of each phase of the development (if phased) or prior to the completion of the development.

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy EN8 of the Core Strategy Development Plan Document.

19. Unexpected contamination

If, during the course of development, contamination not previously identified is found to be present, no further works shall be undertaken in the affected area and the contamination shall be reported to the Local Planning Authority as soon as reasonably practicable (but within a maximum of 5 days from the find). Prior to further works being carried out in the identified area, a further assessment shall be made and appropriate remediation implemented in accordance with a scheme also agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy EN8 of the Core Strategy Development Plan Document.

20. Materials importation

A methodology for quality control of any material brought to the site for use in filling, level raising, landscaping and garden soils shall be submitted to, and approved in writing by the Local Planning Authority prior to materials being brought to site.

Reason: To ensure that all materials brought to the site are acceptable, to ensure that contamination/pollution is not brought into the development site and to comply with policy EN8 of the Core Strategy Development Plan Document.

21. Means of access

Before any part of the development is brought into use, 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 and completed to a constructional specification approved in writing by the Local Planning Authority.

Reason: To ensure that a suitable form of access is made available to serve the development in the interests of highway safety and to accord with policies DS4 and DS5 of the Core Strategy Development Plan Document.

22. Vehicle servicing area

Before any part of the development is brought into use, the vehicle service areas for loading/unloading, including the turning and manoeuvring space, hereby approved shall be laid out, hard surfaced, sealed and drained within the site, in accordance with details shown on the approved plan. They shall be retained for that purpose whilst ever the development is in use.

Reason: In the interests of highway safety and to accord with policies DS4 and DS5 of the Core Strategy Development Plan Document.

23. Parking provision

Before the development is brought into use, the areas shown allocated for customer and staff parking and the manoeuvring and turning of service vehicles shall be laid out, hard surfaced and drained within the site. Car parking areas shall be marked out to identify each separate parking bay and signed for the approved purpose in accordance with the approved drawings and retained thereafter.

Reason: In the interests of highway safety and to accord with policy TR2 of the Core Strategy Development Plan Document.

24. Construction Plan

Notwithstanding the provision of Class A, Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, or any subsequent legislation, the development hereby permitted shall not be begun until a plan specifying arrangements for the management of the construction site has been submitted to and approved in writing by the Local Planning Authority.

The construction plan shall include the following details:

- i) full details of the contractor's means of access to the site including measures to deal with surface water drainage;
- ii) hours of delivery of materials;
- iii) location of site management offices and/or sales office;
- iv) location of materials storage compounds, loading/unloading areas and areas for construction vehicles to turn within the site;
- v) car parking areas for construction workers, sales staff and customers;
- vi) the extent of and surface treatment of all temporary road accesses leading to compound/storage areas and the construction depths of these accesses, their levels and gradients;
- vii) temporary warning and direction signing on the approaches to the site

The construction plan details as approved shall be implemented before the development hereby permitted is begun and shall be kept in place, operated and

adhered to at all times until the development is completed. In addition, no vehicles involved in the construction of the development shall enter or leave the site of the development except via the temporary road access comprised within the approved construction plan.

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

25. Preventative measures – mud on highway

The developer shall prevent any mud, dirt or debris being carried on to the adjoining highway as a result of the site construction works. Details of such preventive measures shall be submitted to and approved in writing by the Local Planning Authority before development commences and the measures so approved shall remain in place for the duration of construction works on the site.

Reason: In the interests of highway safety and to accord with policies DS4, and, DS5 of the Core Strategy Development Plan Document.

26. Cycle storage

Prior to the occupation of any part of the new build element of the proposal, a plan shall be submitted showing the location of the proposed cycle storage area. The development shall then be implemented in full accordance with the approved details.

Reason: To support the effective regulation of cycle storage provision serving the development, in the interests of amenity and highway safety, and in accordance with Policy TR2 and Appendix 4 of the Core Strategy Development Plan Document.

Informatives:

1) Electric Vehicle charging informative:

- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity.
- The installation must comply with all applicable electrical requirements in force at the time of installation and any other Health and Safety considerations
- Buildings and parking spaces that are to be provided with charging points shall not be brought into use until the charging points are installed and operational.
- Charging points shall be provided within 3m of parking spaces
- Charging points installed shall be retained thereafter.
- The presence of the charging points and how to use them shall be promoted on the site via workplace inductions and in customer / partner information sources.
- Provision of a 32A supply is likely to be more future proof

Please note the government has recently consulted on new national standards for EV charging points. Government proposes specifying a minimum 7 kW charge point both for residential and non-residential buildings and retrofitting of charging points in existing car parks.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/818810/electric-vehicle-charging-in-residential-and-non-residential-buildings.pdf

2) YALPAG

The applicant should have regard to:

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

Current editions of these documents are available on the Bradford MDC website:

<https://www.bradford.gov.uk/planning-and-building-control/planning-applications/planning-application-forms/>