

Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 26 May 2022

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Subject:

This is an outline application for residential development of land (site area 0.82 ha) for 30 houses requesting consideration of access and scale on land south of 63 To 77 Westfield Lane, Shipley, Bradford.

Summary statement:

The application relates only to the principle of residential development on the site and will consider details including access and scale. When applying for the scale of the development this includes information on the size of the development, including the height, width and length of each proposed building.

The scheme relates to the construction of 30 dwellings with there being a mix of 3 and 4 bed dwellings. The indicative plans show the dwellings to be 2½ storeys in height. It is considered that the number of units proposed together with the height and mass of the proposed dwellings is acceptable and will not impact on the visual character of the area. It is considered that the site is of an adequate size whereby the dwellings can be satisfactorily accommodated within the site without impacting on the residential amenities of the occupiers of the adjacent dwellings.

A Section 106 Legal Agreement is being sought which will secure the provision of 6 affordable housing units, offsite highway works which will entail a Traffic Regulation Order (TRO) on Westfield Lane to protect visibility splays, provide a 20mph Speed Limit Order (SLO) on the access road, and, a financial contribution towards the strategic mitigation of recreational effects on the South Pennine Moors. Subject to the satisfactory completion of the Section 106 Legal Agreement and with the recommended 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 an outline application for residential development of land (site area 0.82 ha) for 30 houses requesting consideration of access and scale on land south of 63 To 77 Westfield Lane, Shipley, 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

No significant issues raised. The site is located within a sustainable location in that it is within walking distance of facilities including retail, education and recreation facilities as well as having access to a bus service along Wrose Road.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

A condition is recommended requiring the inclusion of electric vehicle charging points for each dwelling with an off-street parking space 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. Building Regulations Approved Document Q relates to Secured by Design issues for the individual dwellings.

7.5 HUMAN RIGHTS ACT

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

7.6 TRADE UNION

None.

7.7 WARD IMPLICATIONS

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

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS

None.

7.9 IMPLICATIONS FOR CORPORATE PARENTING

None.

7.10 ISSUES ARISING FROM PRIVACY IMPACT ASSESSMENT

None.

8. NOT FOR PUBLICATION DOCUMENTS

None.

9. OPTIONS

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

If the Committee decide that planning permission should be refused, reasons for refusal will have to be given based upon development plan policies or other material planning considerations. In this regard the Committee should take account of the appeal decision in relation to the previous application. That is dealt with below under the heading Relevant Site History and at various sections of the report addressing objections to the application below.

10. RECOMMENDATIONS

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

11. APPENDICES

Appendix 1 Technical Report.

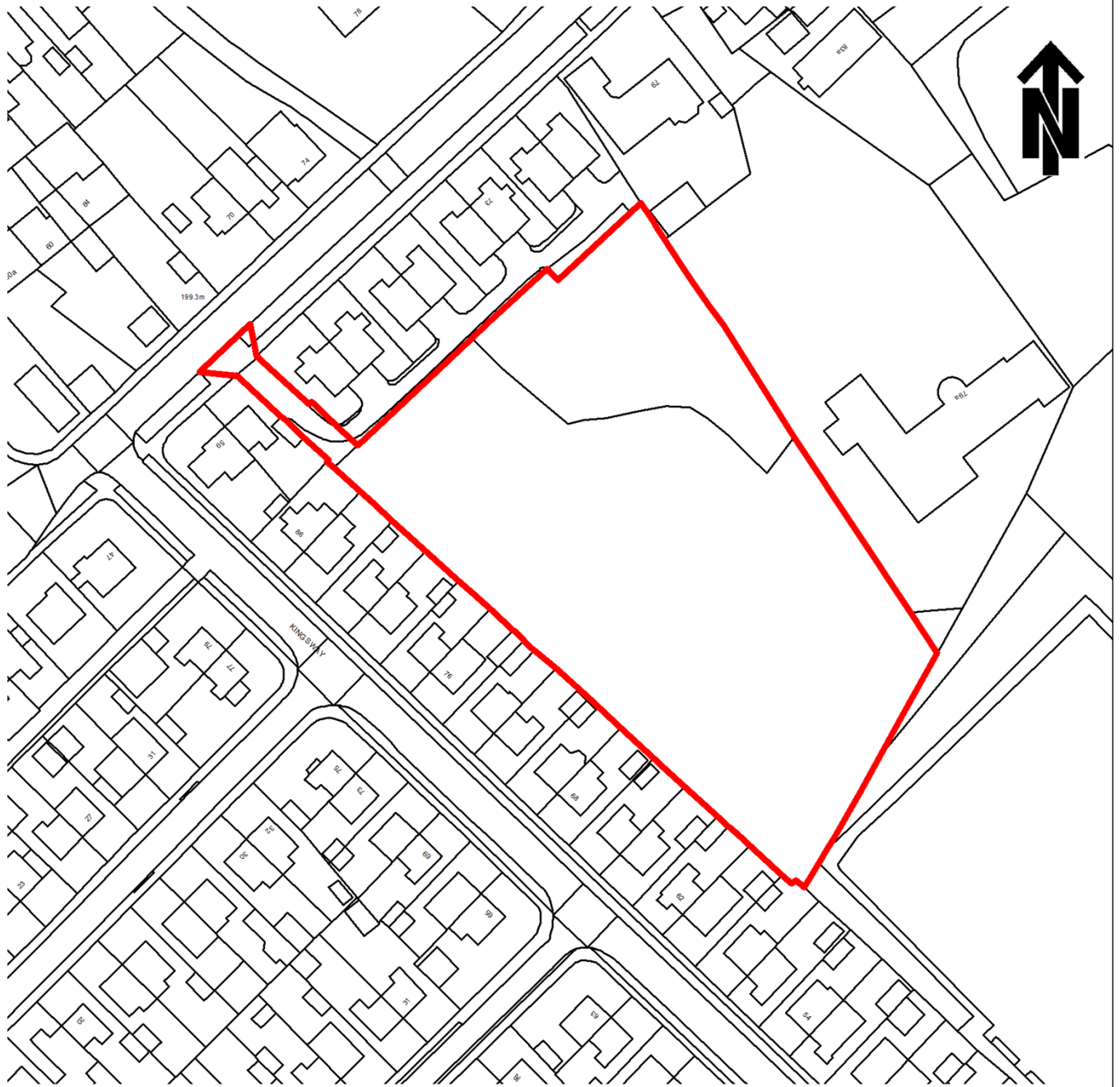
12. BACKGROUND DOCUMENTS

National Planning Policy Framework
Core Strategy
Replacement Unitary Development Plan

21/06299/MAO



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:1,250

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**Land South of 63 To 77 Westfield Lane,
Shipley,
Bradford**

26th May 2022

Ward: Windhill and Wrose

Recommendation:

MEMBERS TO BE MINDFUL TO GRANT PLANNING PERMISSION SUBJECT TO A SECTION 106 LEGAL AGREEMENT. AUTHORITY TO BE GIVEN TO THE ASSISTANT DIRECTOR PLANNING, TRANSPORTATION AND HIGHWAY TO ISSUE THE GRANT OF PLANNING PERMISSION UPON SATISFACTORY COMPLETION OF THE S106 AGREEMENT

Heads of Terms of the Legal Agreement are:

- 1) Affordable housing: Provision of 20% of the number of units (6) to be offered to a Registered Provider as affordable housing**
- 2) The carrying out of offsite highway works entailing the implementation of a Traffic Regulation Order (TRO) on Westfield Lane to protect visibility splays together with a 20mph Speed Limit Order (SLO) on the access road into the site. The cost of these provisions will be in the region of £8,000 for each Order**
- 3) Biodiversity contribution: The payment of £375.61p per dwelling to be used towards the strategic mitigation of recreational effects on the South Pennine Moors**

Application Number:

21/06299/MAO

Type of Application/Proposal and Address:

This is an outline application for residential development of land (site area 0.82 ha) for 30 houses requesting consideration of access and scale on land south of 63 To 77 Westfield Lane, Shipley, Bradford.

When applying for the scale of the development this includes information on the size of the development, including the height, width and length of each proposed building.

Applicant:

Mr Malik (Eco Development (Yorkshire) Ltd)

Agent:

Mr Josh Harling (C49 Architecture Ltd)

Site Description:

The site is located to the south east of Westfield Lane and currently comprises an open area of grassland. Access to the site is taken from Westfield Lane via an existing access which also serves the rears of a number of properties fronting onto Westfield Lane. The site is bounded to the north (Westfield Lane), east (single dwelling served off Westfield Lane), and, west (Kingsway) by residential development whilst to the south east is the Eccleshill United sports complex.

Relevant Site History:

There is no relevant planning history on the site.

However, there is some relevant planning history on land to the immediate east of the application site and this comprises the following applications:

An application for the construction of a residential development scheme comprising 7 dwellings under reference 12/03217/FUL was withdrawn on the 26th October 2012.

Planning permission was refused on the 4th March 2013 for the construction of 10 dwellings under reference 12/04798/FUL. The reason for refusal was as follows:

The proposals are not accompanied by acceptable details aimed at the provision of an adequate and safe vehicular and pedestrian access, constructed to an adoptable standard. Accordingly, the proposals would likely give rise to conditions prejudicial to highway and pedestrian safety, and to the free flow of traffic, contrary to Policies TM2, TM12 and TM19A of the Replacement Unitary Development Plan

The decision to refuse the application was appealed against and the appeal was dismissed on the 10th December 2013 where the Inspector concluded that “Whilst I have found that the proposal would not cause material harm in relation to the issue cited in the Council’s sole reason for refusing planning permission, the proposal fails to make necessary provision to improve school facilities in the local area. Furthermore, there is insufficient information relating to ground conditions and land stability. For these reasons, I conclude that the appeal should be dismissed”.

Planning permission was granted on the 27th January 2015 for the construction of 10 dwellings under reference 14/02208/MAF.

Planning permission was granted on the 4th March 2022 under reference 21/04989/FUL for a residential development of 6 No houses.

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. However, the site was formerly allocated as a Phase 2 Housing Site (Ref: BN/H2.1 – Westfield Lane/All Alone Road). Accordingly, the following adopted saved RUDP and Core Strategy policies are applicable to this proposal.

Replacement Unitary Development Plan Policies:

None

Core Strategy Policies:

P1 Presumption in Favour of Sustainable Development
SC1 Overall Approach and Key Spatial Priorities
SC4 Hierarchy of Settlements
SC8 Protecting the South Pennine Moors and their Zone of Influence
SC9 Making Great Places
TR1 Travel Reduction and Modal Shift
TR2 Parking Policy
TR3 Public Transport, Cycling and Walking
HO5 Density of Housing Schemes
HO6 Maximising the Use of Previously Developed Land
HO8 Housing Mix
HO9 Housing Quality
HO11 Affordable Housing
EN2 Biodiversity and Geodiversity
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
ID2 Viability
ID3 Developer Contributions

Parish Council:

No comments have been received from the Parish Council.

Publicity and Number of Representations:

The application was advertised by press notice, site notice and neighbour notification letters. The expiry date for the publicity exercise was the 25th February 2022.

As a result of the publicity exercises 74 representations from separate residents have been received objecting to the proposal and 2 representations in support.

Prior to submitting the application, the Applicant did not undertake consultations with the surrounding population with the reason being that “due to the on-going pandemic this has currently been suspended” and that “it is therefore not possible or correct to go knocking on neighbours doors”. However, there had been consultation “with the neighbour which the access affects, and they have confirmed they are happy with the proposal and an agreement has been put in place over the land required”. The

Applicant has stated that “it would be seen if the pandemic allows that at reserved matters stage that a further consultation with the neighbours will be undertaken”.

Summary of Representations Received:

Support:

- The land is closed off and private land and there are no dog walkers or nature goers that go walking on it
- The land is full of rodents and the only wildlife is a random fox that pops up from time to time

Objections:

Principle of development:

- You are yet again taking away green space from residential areas
- To agree to these builds adds damage to the area
- We are being encouraged to get out and walk in our local areas but we want green fields and views not paths through housing estates
- The green issues of losing another piece of natural grassland however small to housing and a desert of concrete speaks for itself, small pockets of land like that keep the wild life and land alive
- Surely there are derelict houses which could be either updated or the land used
- Why so many houses being built in Wrose
- The green space that the application is proposed to use is one of the last of its kind in the Wrose/Idle area
- The developers are being allowed to cherry-pick those areas of the city where the margins are greatest
- North Bradford has been almost concreted over in recent years
- There are two ongoing residential developments on Westfield Lane, surely they are enough?

Visual amenity:

- The proposed houses are three storeys high and this is a stark contrast to the bungalows adjacent

Residential amenity:

- The disruption for months will be unbearable
- Concerns over noise and dust pollution to people living near by
- The proposed dwellings will over shadow and cut out sun light
- There is inadequate separation distance between existing and proposed dwellings
- Concerns that the headlights from the properties cars leaving the site will shine directly into the properties across from the access
- Residents have been woken ridiculously early before any work even starts by workers, who arrive early and during weekends, on nearby development sites
- The development will overlook house down Kingsway

Highways:

- This site has limited very access and would be impossible to safely access by car
- The lane will not take the extra traffic
- Westfield Lane is beginning to be treated like a race track
- There will need to be some sort of traffic calming in the area
- Public transport in the area is quite poor

- More cars will add even more congestion to the main access routes
- Traffic speed, numbers and noise has increased greatly over the 15 years and now causes problems with access
- There are a lot of parked cars and vans on Westfield Lane at this point and this will impact on road safety at the proposed access point
- Concerns over access disruption to the site during the construction of the houses
- In order to gain this access point, the driveway/off-road parking for the existing property will be removed which will mean more on street parking in an already struggling area
- The access road onto Westfield Lane will cause issues adding even more traffic to a narrow lane
- The developer/land owner does not have exclusive use of the access point onto Westfield Lane
- What provision has been made to ensure the existing residents (some of whom are elderly and vulnerable) continue to have right of way at all times on to Westfield Lane as specified in their Title Deeds?
- How will the access be prioritised especially when heavy construction lorries will be using this as their only access?
- How will the access road be kept clear of site debris to ensure residents vehicles do not suffer punctures and wheel problems?
- This stretch is a popular route for pedestrians and dog walkers - how will the new highway code rules affect their rights across the access road?
- The Moorview Villas parking impact means that Westfield Lane will be double parked going up to the bad bend at All Alone
- There is a sign at the bottom of Westfield Lane saying Unsuitable for Heavy Vehicles –is it??
- Roads will become more of a rat run
- The access road you highlight on the plan is also going to disrupt a popular pedestrian path
- How can the new access road possibly work and safely? It's already a daily struggle for the 8 bungalows using it to safely get out onto Westfield Lane
- Where is the pedestrian access from the development going to be?
- What plans have Highways got to make this safe access for all? How will refuse trucks access this narrow road and allow for oncoming traffic?
- Who is responsible for engaging with the existing residents re the right of way. Is this the developer or Highways? When will this be completed to ensure that the access road is safe and that the right of way 24/7 is maintained? Will this be completed before planning is granted?
- The residents are currently responsible for the maintenance of their access road- this is shared by 8 as there are 8 houses. Who will be taking responsibility for this when heavy site traffic during construction are using it and then when development is complete?
- Visibility is restricted and the roads are narrow causing further risk to motorists
- Recently promised safety measures for restricting traffic speeds have not been implemented

Drainage:

- Adding more concrete roads and foundations will also have impact on the environment and flood plains after rain
- There is no drainage at the back of the bungalow so what happen to the drainage from this new property if permission is granted

- It is likely that the additional demands on drainage and sewerage provision will have a negative impact

Ground conditions:

- There are old mines under the site
- Underground workings and explorations have significantly weakened and changed the nature of subsoil and some bedrock on the site itself
- There are reports that the land has contaminated waste and this will need to be disposed of away from site
- The unstable bedrock has been identified in reports and mechanical excavation is of concern - how can this make local ground works suitable for more builds without causing harm and risk of land collapse to local properties?

Wildlife:

- There are already plans submitted for 45 houses (not yet approved) to be built on the idle moor across the fields close this site so this is adding even more impact on the wildlife and nature in the area
- The wildlife has already been greatly affected before the ground has been fully dug up
- Bats frequent this area and have been seen living in nearby trees, the surrounding fence & rocks

Air quality:

- The additional vehicles are going to increase the traffic pollutions in the area at the time Bradford is introducing CAZ scheme in the city, is this acceptable

Other:

- The local schools cannot cope with the extra demands
- Building more houses which will add pressure onto local schools, the NHS and the local community as we will not be provided with any new schools or GP surgeries to cover the increase in population
- The development would take away the views the residents currently have and enjoy
- It unfair that neighbours weren't consulted beforehand and feel the excuse of the pandemic is a lame excuse
- The area in question would be better served as a play park and not a cash cow for local developers
- As a resident of Kingsway can we expect a rate relief for all the inconvenience

Consultations:

Yorkshire Water – No objection subject to the imposition of conditions relating to the disposal of foul and surface water

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

Environment Agency Planning Liaison – No objection to the principle of the development

Clean Air Programme – No objection to the principle of the development subject to the imposition of conditions relating to the provision of electric vehicle charging points for

dwellings with off-street parking and the submission of a construction dust risk assessment and management plan

Highways – No objection to the principle of the development subject to securing a Traffic Regulation Order (TRO) on Westfield Lane to protect visibility splays, provide a 20mph Speed Limit Order (SLO) on the access road and provide replacement parking for No.61 Westfield Lane. Appropriate conditions are recommended in relation to, amongst other things, the construction of the access road and the provision of visibility splays at the junction of the access with Westfield Lane

Transport Planner – No objection to the principle of the development but states that the proposal should include an electric vehicle charging point for each dwelling, the developer to fund a Residential MetroCard Scheme for the future occupiers of the development, a Travel Plan Co-ordinator should be appointed to monitor the Travel Plan, and, there should be the promotion of cycling through advocacy documents in a Travel Plan pack

West Yorkshire Combined Authority (Highways) – No objection to the principle of the development but seek developer contributions in relation to the provision of a Real Time Information display at the closest bus stop on the bus corridor ((No. 633/676) a cost to the developer of £10,000.00p and a discounted bus only Residential MetroCard Scheme for all or part of the site at a cost to the developer of £15,345.00p

Environmental Health Nuisance – No objection to the principle of the development but state there should be sufficient insulation between party walls so general conversations and living noise cannot be heard. The residential accommodation should not be occupied unless a scheme of sound attenuation works has been identified, implemented and thereafter retained.

Environmental Protection Land Contamination – No objection to the principle of the development subject to the imposition of conditions relating to the undertaking of a Phase 2 site investigation and risk assessment, the submission of a remediation strategy and subsequent remediation verification, the discovery of unexpected contamination, and, materials importation

The Coal Authority – No objection to the principle of the development

Biodiversity Team – No objection to the principle of residential development on the site but state that the proposal should provide a 10% net gain for Biodiversity and that the Preliminary Ecological Appraisal should be upgraded to an Ecological Impact Assessment incorporating a Biodiversity Net Gain Assessment using the most recent Defra Metric

West Yorkshire Police – No objection to the principle of the development but comments are made on specific aspects of the layout including access and visitor parking, boundary treatments, bin storage, surveillance of parking, green space/public open space, external lights, and, security for the dwellings

Education and Learning – No objection to the principle of the development. Current census data for these primary schools indicate that local availability is extremely limited; all schools within 1.1 miles are full in most year groups. Availability improves when looking at schools between 1.2 and 1.5 miles. Forecasts indicate that in future

years there should be sufficient Reception places to accommodate additional children who may come to live in this development. Depending on the ages of the children who come to reside in this housing development, they should be able to access a primary school within reasonable distance, but this may be further away than may be ideal for some families. Parents usually have an expectation that their children will be able to secure a school place at their local school and minimise the distance they may need to travel; this is unlikely to be possible for all families moving here. Current census data indicates that there are places available in most year groups at the local secondary schools. However, no local school currently has Year 7 vacancies. Forecasts indicate that in future years there are very few surplus places in year 7. Children coming to live here may displace children who would otherwise have qualified for a place at the local schools. However, the numbers involved are unlikely to cause significant concern. A development of this size is unlikely to attract a large number of additional children. As a result, despite the difficulties in some year groups, it should be possible for any additional children to access provision within a reasonable distance.

Sport & Leisure – No objection to the principle of the development as it is considered that the proposed development will have a minimal impact on the surrounding facilities due to 30 new residential units and a financial contribution will be sought from the CIL funds to help mitigate these impacts. If the developer is looking to provide new public open space, they will be required to maintain the areas themselves and a full landscape management plan will need to be produced and agreed as part of the planning process. If the developer is looking to the Council to maintain any new areas of public open space, prior agreement is required as part of the planning process and a commuted sum will be required to maintain the areas for the next 25 years

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. Biodiversity issues
10. Air Quality
11. Affordable housing
12. Community Infrastructure Levy
13. Other issues

Appraisal:

The proposal is in outline form with details of the access and scale submitted for consideration at this time. The application shows that there will be a mix of 3 bed (20 in number) and 4 bed (10 in number) giving a total of 30 dwellings on the site. Access to the site will be taken from an existing access, which will require improvements, and also serves the rears of a number of dwellings fronting onto Westfield 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), 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 decisions should apply a presumption in favour of sustainable development and should approve development proposals that accord with an up-to-date development plan without delay.

The National Planning Policy Framework states in paragraph 73 that "Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old". The Council currently has a housing land supply of around 2.1 years and is therefore significantly below the supply required under the National Planning Policy Framework. The development of unallocated sites contributes towards increasing the housing land supply. Paragraph 68 states that small and medium sized sites can make an important contribution towards meeting the housing requirement of an area and in order to promote the development of a good mix of sites Local Planning Authorities should, amongst other things, support the development of windfall sites through their policies and decisions. Paragraph 71 states that Local Planning Authorities should support the development of entry-level exception sites, suitable for first time buyers (or those looking to rent their first home), unless the need for such homes is already being met within the authority's area.

The application site was formerly allocated as a Phase 2 Housing Site (Ref: BN/H2.1 – Westfield Lane/All Alone Road). Given the resolution of the Council's Executive meeting on the 21st November 2011 (as regards the saving of RUDP policies H1 and H2) allocation BN/H2.1 is no longer allocated as part of the saved statutory development plan. This is due to the lapsing of policies H1 and H2 on the 30th September 2008. For this reason, the site is now unallocated within the RUDP. At the Executive meeting it was resolved that the Executive note the extensive and robust statutory process through which the sites allocated under policies H1 and H2 in the RUDP were subjected to and as such all the unimplemented Housing Sites previously allocated under these policies should be accorded significant weight when considering their use for residential development.

Policy HO5 of the Core Strategy states that in order to meet both the objectives of delivering housing growth and managing that growth in a sustainable way developers will be expected to make the best and most efficient use of land. Densities should normally achieve at least a minimum density of 30 dwellings per hectare although higher densities would be possible in areas well served by public transport.

Policy HO8 of the Core Strategy states that the Council will ensure that a mix and balance of housing is provided to meet the needs of the District's growing and diverse population. All large sites will be expected to incorporate a mix of housing types, sizes, prices and tenures and the mix should be based on both market demand and evidence of local need within the District's SHMA.

The application is in outline form with details of the access and scale submitted for consideration at this stage.

The scheme proposes the construction of 30 dwellings with there being a mix of 3 (20 in number) and 4 (10 in number). The layout shows them all to be semi-detached dwellings which is in keeping with the surrounding area. It needs to be stressed that the layout of the development has not been submitted for consideration at this stage and the submitted layout may change as could the breakdown of the dwelling sizes and design.

The application site is 0.82 hectares in size and the scheme proposes 30 dwellings. This equates to a density of 36.59 dwellings per hectare. This density is above the minimum policy requirement of 30 dwellings per hectare as identified in policy HO5 and is therefore considered to be acceptable.

Overall therefore it is considered that the principle of residential development on the site is considered acceptable.

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 users; 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.

Policy HO9 of the Core Strategy states that new housing should be of high quality and achieve good design, should be accessible and easily adaptable to support the changing needs of families and individuals over their lifetime and provide private outdoor space for homes.

The application is in outline form with details of the access and scale submitted for consideration at this stage. Details of the layout, appearance and landscaping are reserved for consideration at a later stage.

An indicative layout plan has been submitted with the application which shows the development to comprise 15 pairs of semi-detached dwellings. This is in keeping with the immediate surroundings of the site where the principal style of dwelling is semi-detached. The layout and style of dwelling has not been submitted for consideration at this stage and may change at the Reserved Matters stage of the application process.

The application includes 3 different house types, these comprising both 3 and 4 bed in size and 2½ storeys in height. The application does seek details of the scale of the development and this does include information on the size of the development, including the height, width and length of each proposed building. The size of the dwellings, in terms of eaves and ridge heights, will be as per the submitted plans but the external appearance may change at Reserved Matters stage when appearance will be applied for.

An objection has been raised with regards the heights of the dwellings not being in keeping with the surrounding area. The dwellings fronting onto Westfield Lane are located at a higher level than the application site and are split level with them being single storey on the front elevation and 2, 2½, and, 3 storeys on the rear. The dwellings to the west of the site on Kingsway are 2 storeys in height. As such it is considered that

the height of the proposed dwellings is in keeping with those immediately adjacent to the site.

No details of the proposed materials have been submitted for consideration at this stage. There is a mix of materials in the immediate surrounding area including brick, stone and render. Details of the materials will be considered at Reserved Matters stage when the external appearance of the development is applied for.

Overall therefore it is considered that, at this stage, the proposed development is considered to be acceptable and will not be visually detrimental to the character and appearance of either the streetscene or the wider locality and the requirements of policies DS1 and DS2 of the Core Strategy are therefore satisfied.

3. Residential amenity

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

The application is in outline form with details of the access and scale submitted for consideration at this stage. Details of the layout, appearance and landscaping are reserved for consideration at a later stage.

The application site is bounded to the north and east by existing residential development either fronting onto or served from Westfield Lane and to the west by existing dwellings fronting onto Kingsway. The application site is located at a lower level than those dwellings to the north fronting onto Kingsway.

The layout of the development has not been submitted for consideration at this stage but shows how the development could be developed for 30 dwellings. The indicative layout shows relationships of rear elevation to rear elevation (proposed dwellings to existing dwellings both on Westfield Lane and Kingsway), rear elevation to gable end (existing dwellings on Kingsway to plot 24), and, side elevation to side elevation (plots 15/16 to dwelling to east of site). It is considered that the site is of a size whereby the required separation distances can be satisfactorily achieved to ensure that the residential amenities of the occupiers of both the proposed and existing dwellings are not adversely affected.

Overall therefore it is considered that the residential amenities of the occupiers of both the proposed dwellings and those existing dwellings that abut the site will not be adversely affected by the proposal and the requirements of policy DS5 of the Core Strategy are satisfied.

4. Highway safety

Paragraph 102 of the National Planning Policy Framework 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.

The application is in outline form with details of the access submitted for consideration at this stage. Details of the layout, amongst other things, is reserved for consideration at a later stage. With regards to the access to the site it is proposed to utilise an existing access that currently serves the rears of a number of properties fronting onto Westfield Lane. Improvements to the access road are proposed as part of the development.

The existing access will be widened to 5.5 metres and provide a 2 metre wide footpath along the western side and this footpath will then continue into the site mainly at the same width. A pinch point will occur where the access road enters the main body of the site where the width of the road reduces to 4.8 metres and the footpath width reduces to 1.1 metres but this is only for a small length (approx. 3 metres) and is considered to be acceptable by the Highways Department.

Objections have been raised with regards to the impact the proposal will have on the ability of the residents to gain access to the rears of the dwellings located to the north of the site and fronting onto Westfield Lane. These residents have a right of way over the access and this will be retained as part of the development and will, in fact, be enhanced through the provision of an improved and adoptable standard access road for the development site.

Additional land is required to facilitate the increasing in width of the existing access and this is taken from the curtilage of 61 Westfield Lane. This will result in the loss of their driveway and parking spaces but to maintain 2 parking spaces for that property they have been located to the rear garden area. Whilst this reduces the level of rear garden

serving the property it is considered that there is still an adequate level of outdoor space.

The Highways Department in considering the application are seeking the provision of offsite highway works entailing a Traffic Regulation Order (TRO) on Westfield Lane to protect visibility splays together with a 20mph Speed Limit Order (SLO) on the access road. The highway mitigation measures are shown on the amended site plan 2021032(0-)-103 Rev A and will be secured through a Section 106 Legal Agreement. The likely cost for the Orders will be £8,000 each (£16,000 in total) and the Applicant has agreed to fund them.

The internal layout may be subject to change as this is an outline application with all matters reserved except the access to the site. The internal layout should be designed in accordance with the prevailing local design guidance and Manual for Streets.

The West Yorkshire Combined Authority (WYCA) have not raised an objection to the principle of the development. They have stated that the site is located within the recommended 400 metres from the nearest bus route that operates on Wrose Road. Bus services which operate on Wrose Road include the 633/676 which operate between Bradford and Bingley at a 30/60 minute frequency along with the 634 which operates at weekends and Sundays. It is considered that the availability for the site is therefore acceptable. However, WYCA have suggested that the closest bus stop to the site would benefit from the installation of a Real Time Information display at a cost of £10,000 to the developer. WYCA have also stated that to encourage the use of sustainable transport as a realistic alternative to the car, they are seeking that the Developer fund a package of sustainable transport measures which could include the provision of discounted MetroCards (Residential MetroCard Scheme) for all or part of the site. The cost of the MetroCard Scheme to the developer would be £15,345.00p.

As an alternative to the provision of Residential MetroCards the Council now seek the provision of Electric Vehicle Charging Points within the curtilage of each dwelling that has an off-street parking space and these are normally secured via a condition attached to a planning permission. It is considered that the provision of electric vehicle charging points represents a betterment of the scheme as the charging points are in situ permanently rather than, for example, the Residential MetroCard Scheme which is only for 1 year and there being no guarantee the users will renew them at the end of that period. As such it is recommended that the provision of the Residential MetroCard Scheme not be sought in this instance.

Overall therefore, it is considered that the proposal is located within a sustainable location with regards to its relationship to both local services and public transport. It is acceptable in highway terms not only in relation to the access to the site also in terms of the impact on the wider highway network. Subject to the imposition of appropriate conditions, and the satisfactory completion of the Section 106 Agreement securing the Traffic Regulation Orders, there is no objection on highway grounds and the proposal satisfies the requirements of policy TR1 of the Core Strategy, and, the relevant paragraphs of the National Planning Policy Framework.

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.

As previously stated the application is in outline form with details of the proposed layout reserved for consideration at a later stage. As such full drainage details cannot be submitted at present as the layout may be subject to change at Reserved Matters stage. A plan has been submitted to show the proposed foul and surface water drainage system on the indicative layout submitted and the Lead Local Flood Authority are happy with that plan.

Neither Yorkshire Water nor the Lead Local Flood Authority have raised an objection to the proposal subject to the imposition of appropriate conditions relating to the discharge of foul and surface water drainage.

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

6. Trees

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

There are no trees of any significant visual amenity value either within the site or along its boundaries.

As such therefore there is no objection to the proposal with regards to the impact on the existing trees in the vicinity of the site and the proposal therefore 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.

West Yorkshire Police have no objection to the principle of the development but have made comments on specific aspects of the layout and these are referred to below:

Access and visitor parking: It is unclear from the plan where the vehicle(s) for number 61 will park? The concern is that if there is no parking for the dwelling, this can increase demand for existing on street parking provision on Westfield Lane or end up with vehicles parking on the access road – *an amended plan was submitted following this concern and replacement parking (2 spaces) has now been provided in the rear curtilage of 61 Westfield Lane*

In relation to the site plan, there doesn't appear to be any visitor parking spaces, which could result in parking on the access road or rear alleyway of dwellings 63 to 75 which impacts on residents if they use this access route. It would be prudent to have some spaces mark out/ allocated to reduce any parking issues or disputes – *the layout of the development has not been submitted for consideration at this stage and therefore the provision of visitor parking will be considered at Reserved Matters stage when the layout is submitted*

Boundary treatments: It is unclear from the site plan as to what boundary treatments are proposed? The site plan shows greenery, is this new planting or existing? It is not very clear. Whilst green borders can provide a natural boundary they can become overgrown if not maintained, if they are used at the rear, they can wither back in the cold winter months, which allows gaps in the trees/shrubs for access. It would be prudent to include 1800mm high close board timber fencing at the rear which provides better security for the residents. Where there are any mature green borders, any sparse areas should include more planting to create a full border. Rear plot dividers should be to the same height 1800mm in order to provide security and privacy for each dwelling. Access should be restricted from the front of each plot into the rear garden by installing an 1800mm high lockable gate which is located near to the front building line of the properties – *details of the boundary treatment have not been submitted for consideration at this stage and will be subject to consideration at Reserved Matters stage when the layout of the development is submitted*

Bin storage: As all bins are shown to the front of the dwellings, these should be kept in a lockable bin store so that they can be secured and are not wheeled about or used as climbing aids to scale any rear fencing – *the layout of the development has not been submitted for consideration at this stage and therefore the provision of bin storage facilities will be considered at Reserved Matters stage when the layout is submitted*

Surveillance of Parking: Where parking is shown as tandem, for example plot numbers 25, 26 (which can overlook 27), 28 (which can overlook 29), and plot 30, including a small side window in the living rooms will increase natural surveillance of the side parking bays – *the layout of the development and external appearance have not been submitted for consideration at this stage and therefore the design of the dwellings, which will be considered at Reserved Matters stage, could be done such that side windows are included which will provide the natural surveillance of the parking spaces*

Green space/Public open space: The area shown as the public open space mine shaft, should include a good management plan to ensure that this remains tidy and maintained – *the layout of the development has not been submitted for consideration at this stage and will be considered at Reserved Matters stage when the layout is submitted. At that stage, if there are any areas of public open space an appropriate condition can be attached to a permission that will require the submission of a management plan for those areas*

External lights: There should be street lighting covering the access road into the development. Each plot should also include low energy photo electric cell or dusk until dawn lights above the front and area access doors to increase visibility of these areas – *the inclusion of external lighting on dwellings is outside the control of the planning system and it is the responsibility of the developer to determine whether or not they are included within the design of the dwellings*

Security for the dwellings: Doors and windows should comply with building regulation standards. Any doors which include euro cylinder locks should look to include 3 star rated locks to standards TS007, STS 217 or Sold Secure Diamond standards which provide better resistance against lock snap attacks. Installing an intruder alarm within each dwelling, will allow the properties to be alarmed when unoccupied. Suitable standards are to BS EN 50131 or PD6662 (wired alarm system) or BS 6799 (wire free alarm system) – *the door/window standards and the inclusion of intruder alarms on dwellings is outside the control of the planning system and it is the responsibility of the developer to determine whether or not they are included within the design of the dwellings*

Overall 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 2 Ground Investigation has been submitted in support of the application and states that “no in situ testing, monitoring or chemical/geotechnical testing undertaken as part of the overview investigation scope of works completed during the investigation”. Potential contaminant linkages and unacceptable risks were identified including “direct contact with potentially contaminated soils associated with the made ground on site, and potential soil/mine gas associated with the landfill, made ground and underground workings”. The report concluded by recommending a “contamination and geotechnical ground investigation in support of the housing development across the site, including trial pitting to allow chemical and geotechnical testing, and mining drilling to allow for gas monitoring wells to be installed.”

The Environmental Health Officer agrees with the recommendations presented in the Phase 2 Ground Investigation and has not raised an objection to the proposal subject to the imposition of appropriate conditions.

The Coal Authority have stated that the site falls within the defined Development High Risk Area and their records indicate there is one recorded mine entry (shaft) within, or within 20 metres, of the planning boundary. The Coal Authority acknowledge that the Phase 2 Ground Investigation Report has been informed by up-to-date geological and mining information and results from intrusive investigations undertaken. Whilst the Report confirms that the mine entry was not located as a result of the investigations being undertaken, the mine entry relates to the extraction of flagrock and the Coal Authority is not responsible for flagrock within the site. It is the responsibility of the landowner/developer to ensure that the site is or can be made safe and stable for the proposed development in accordance with the requirements of the planning system. As such the Coal Authority do not have any objection to the proposed development.

As such therefore, subject to the imposition of appropriate conditions, there is no objection to the proposal with regards to ground conditions and it is considered that the proposal therefore satisfies the requirements of policy EN8 of the Core Strategy.

9. Biodiversity

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.

A Preliminary Ecological Appraisal Report has been submitted in support of the application. The Report concludes that the site supports low ecological value and is likely to achieve the stated net gain of 10% whether delivered through on site habitat

creation or off site offsetting. It is therefore suggested that a reserved matter/condition delivered at the planning stage would allow for landscaping and BNG elements to work towards the design which accommodates maximum habitat creation. To achieve this the following is recommended:

- In order to meet the requirements, set out by the Environmental Bill 2021 a BNG calculation using the Biodiversity Metric 3.0 should be undertaken calculating the baseline (the baseline survey is complete as detailed within this report);
- A post construction habitat unit score to establish the percentage of net gain; and
- An ecological management plan highlighting the areas for habitat retention/creation and details of future management.

The Biodiversity Officer has stated that there are concerns about the scale of the development on the site. Despite the undeveloped area over the coal mine we believe the plans may lack suitable space for the delivery of 10% Biodiversity Net Gain. Whilst biodiversity off-setting in other locations is possible the focus of development should be delivery of BNG on site. If an alternative off-setting site is required to meet 10% Net Gain then identification of a site and habitat survey and assessment of condition as well as a BNG calculation of baseline BNG units will be required.

As previously stated in the report the layout of the development has not been submitted for consideration and as such, at the Reserved Matters stage of the application process where the layout and landscaping will be considered, there is the opportunity to increase the level of net gain.

Policy SC8 of the Core Strategy relates to protecting the South Pennine Moors SPA and the South Pennine Moors SAC and their zones of influence. With regards to the latter Zone C is identified as land up to 7 kilometres from the SPA and SAC boundary. This site is within that zone and will therefore be required to contribute to the strategic mitigation of recreational effects on the South Pennine Moors.

We advise that the application site is located within Zone C of the South Pennine Moors SPA and the South Pennine Moors SAC zones of influence, 7km of the South Pennine Moors SPA/SAC, as described in Bradford MDC's Core Strategy. Where sites for residential development are located within Zone C it needs to be considered how the recreational pressure that might be caused on the SPA and SAC will be mitigated. This can be done either through onsite provision of accessible natural greenspace and/or other appropriate measures or a financial contribution to either:

1. The provision of additional natural greenspace and appropriate facilities to deflect pressure from moorland habitats and the long-term maintenance and management of that greenspace.
2. The implementation of access management measures, which may include further provision of wardens, in order to reduce the impact of visitors
3. A programme of habitat management and manipulation and subsequent monitoring and review of measures.

The Council's Supplementary Planning Document entitled South Pennine Moors SPA/SAC states that the required financial contribution for residential developments which will impact on the South Pennine Moors SPA/SAC is £375.61p per dwelling and this will be secured through a Section 106 Legal Agreement.

As such there is no objection to the proposal with regards to its ecological impact subject to the satisfactory completion of the Section 106 Legal Agreement to secure the financial contribution towards the mitigation of the impact on the South Pennine Moors, and the proposal satisfies the requirements of policy EN2 of the Core Strategy.

10. 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".

The Clean Air Team have stated that, based on the proposed number of units, the development constitutes a minor development for the purpose of the Bradford Low Emission Strategy (adopted November 2013), addendum to the Bradford Air Quality Action Plan (March 2013) and the West Yorkshire Low Emission Planning Guidance (adopted December 2016).

Under the provisions of the Low Emission Strategy planning guidance all minor developments are required to provide Type 1 emission mitigation as follows:

Type 1 Mitigation:

- Provision of electric vehicle recharging facilities at the rates set out in the LES planning guidance
- Adherence to IAQM/London Best Practice Guidance on the Control of Dust and Emissions from Construction and Demolition during all demolition, site preparation and construction activities at the site.

There are currently no air quality exposure concerns at the proposed location and therefore an air quality exposure assessment is not required.

With regards to electric vehicle charging points the Design and Access Statement states that 'The plots are separated with driveways and off-road parking given to each and the minimum parking standards with electric car parking shall be met'. In order to meet the minimum standard every proposed new dwelling with dedicated off road parking and/or a garage should be provided with a purpose built EV charging point. The Government has recently announced plans for mandatory EV charging points on new developments that will come into force in June 2022 but in order to secure the provision an appropriately worded condition is recommended.

Due to the fact that there are a number of sensitive receptors in close proximity of the development, the developer is required to undertake a construction dust risk assessment and submit a construction dust management plan to control emissions from construction activities. These should be prepared in line with the IAQM guidance note on assessment of dust from demolition and construction. Again an appropriately worded condition is recommended to ensure that the assessment is submitted and is satisfactory.

As such therefore, it is not considered that the proposal will significantly impact on the air quality in the locality and, subject to the imposition of conditions securing the provision of electric vehicle charging points for each dwelling with an off-street parking

space and the submission of a construction dust management plan, it satisfies the requirements of policy EN8 of the Core Strategy.

11. Affordable housing

Policy HO11 of the Core Strategy states the Council will ensure that there is a sufficient supply of good quality affordable housing distributed throughout the District and, subject to viability, will negotiate up to 20% in towns, suburbs and villages.

There is a need to provide 6 units in order to meet the policy compliant level of affordable housing. The Applicant has agreed to this provision and has not submitted a Financial Viability Appraisal to suggest that there are abnormal costs associated with the development which would impact on the ability of the scheme to comply with policy HO11. The affordable housing provision will be secured through a Section 106 Legal Agreement.

As such it is considered that the proposal, subject to the satisfactory completion of the Section 106 Legal Agreement to secure the affordable housing, is now acceptable and satisfies the requirements of policy HO11 of the Core Strategy.

12. Community Infrastructure Levy (CIL)

The application site is located within CIL zone 3 which has a liability of £20 per square metre of newly developed floor spaces.

13. Other issues

A number of other issues have been raised during the publicity exercise that have not been addressed in the earlier sections of this report. These issues, together with the response, are as follows:

The local schools cannot cope with the extra demands – It is acknowledged that a number of schools that are located close to the application site are full or have very limited places available. However, this is not a sufficient enough reason to refuse planning permission. Money is available to expand schools through Community Infrastructure Levy (CIL)

Building more houses which will add pressure onto local schools, the NHS and the local community as we will not be provided with any new schools or GP surgeries to cover the increase in population – no evidence has been produced to support this objection, but any adverse impacts on local doctors/dentists/schools arising directly from the development can be addressed via the allocation of Community Infrastructure Levy (CIL) receipts which can be used towards expanding educational and public health infrastructure

The development would take away the views the residents currently have and enjoy – the loss of views for existing residents is not a material planning consideration

It unfair that neighbours weren't consulted beforehand and feel the excuse of the pandemic is a lame excuse – the Applicant didn't carry out a public consultation exercise prior to submitting the planning application but the application has been

advertised in accordance with the Councils protocol and has given the local residents the opportunity to comment on the application

The area in question would be better served as a play park and not a cash cow for local developers – *the application has to be considered in its submitted form and it cannot be refused on the grounds that it could be used as an alternative use that meet local demand*

As a resident of Kingsway can we expect a rate relief for all the inconvenience – *this is not a material planning consideration*

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 a residential development on an unallocated site. The access arrangements and scale of the proposal are considered to be acceptable and present no concerns with regard to residential or visual amenity and highway safety. The proposal is considered acceptable and, subject to the satisfactory completion of the required Section 106 Legal Agreement and with the attached conditions, satisfies the requirements of policies P1, SC1, SC4, SC8, SC9, TR1, TR2, TR3, HO5, HO6, HO8, HO9, HO11, EN2, EN5, EN7, EN8, EN12, DS1, DS2, DS3, DS4, DS5, ID2, and, ID3 of the Local Plan for Bradford, and, the relevant paragraphs of the National Planning Policy Framework.

Conditions of Approval:

1. Time limit for approval of Reserved Matters

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

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

2. Time limit for commencing work

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

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

3. Reserved Matters to be approved

Before any development is begun plans showing the:

- i) appearance,
- ii) landscaping, and
- iii) layout,

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

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

4. Approved plans

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

Drawing Number 2021032(0-) 102 showing the Outline Plan and received by the Local Planning Authority on the 20th December 2021;
Drawing Number 40530D01 showing the Location Plan and received by the Local Planning Authority on the 20th December 2021;
Drawing Number 2021032(0-)104 showing the House Type 1 and received by the Local Planning Authority on the 19th January 2022;
Drawing Number 2021032(0-)105 showing the House Type 2 and received by the Local Planning Authority on the 19th January 2022;
Drawing Number 2021032(0-)106 showing the House Type 3 and received by the Local Planning Authority on the 19th January 2022;
Drawing Number 2772-01-D01 Rev C showing the Access Arrangements and Visibility Splays and received by the Local Planning Authority on the 15th February 2022; and,
Drawing Number 2021032(0-)103 Rev A showing the Site Plan and received by the Local Planning Authority on the 30th February 2022.

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

5. Separate foul and surface water drainage system

The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

Reason: In the interest of satisfactory and sustainable drainage and to accord with Policies DS5, EN7 and EN8 of the Core Strategy Development Plan Document.

6. No piped discharge of surface water

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

- i) evidence that other means of surface water drainage have been properly considered and why they have been discounted; and
- ii) the means of discharging to the public sewer network at a rate not to exceed 3.5 litres.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal and to accord with Policies DS5, EN7 and EN8 of the Core Strategy Development Plan Document.

7. Scheme for foul and surface water drainage

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 maximum surface water discharge rate, off-site, shall not exceed 3.5 (three point five) litres per second. 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.

8. Maintenance plan for surface water drainage

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

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

9. Means of access

Before any works towards construction of the development commence on site, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced, sealed and drained within the site to base course level in accordance with an 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 Local Plan for Bradford.

10. Visibility splays

Before any part of the development is brought into use, the visibility splays hereby approved shall be laid out and there shall be no obstruction to visibility exceeding 900mm in height within the splays so formed above the road level of the adjacent highway.

Reason: To ensure that visibility is maintained at all times in the interests of highway safety and to accord with Policies DS4 and DS5 of the Local Plan for Bradford.

11. Highway works

Prior to occupation of any of the dwellings hereby approved, full details of the highway

works associated with any Section 278 Agreement, together with a timescale for implementing the works, shall be submitted to and approved in writing by the Local Planning Authority. The details and timescale for implementation shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety and to accord with policies DS4 and DS5 of the Local Plan for Bradford.

12. Construction Plan

Notwithstanding the provision of Class A, Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, 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) location of site management offices and/or sales office;
- iii) location of materials storage compounds, loading/unloading areas and areas for construction vehicles to turn within the site;
- iv) car parking areas for construction workers, sales staff and customers;
- v) a wheel cleaning facility or other comparable measures to prevent site vehicles bringing mud, debris or dirt onto a highway adjoining the development site;
- viii) 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;
- vi) 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 DS4 and DS5 of the Local Plan for Bradford.

13. Mud on road

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 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to accord with policies DS4, and, DS5 of the Local Plan for Bradford

14. Site Investigation Scheme

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

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

15. Site Investigation Implementation

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

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy EN8 of the Local Plan for Bradford.

16. Remediation strategy

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

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy EN8 of the Local Plan for Bradford.

17. Remediation verification

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

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy EN8 of the Local Plan for Bradford.

18. Unexpected contamination

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

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy EN8 of the Local Plan for Bradford.

19. 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. The methodology shall be implemented as approved.

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

20. Construction dust risk assessment and management plan

Prior to commencement of the development a site specific construction dust risk assessment and management plan (to minimise emissions to air during the site preparation, construction and demolition phases) shall be submitted to the Local Planning Authority for approval. The risk assessment and dust management plan must be prepared with due regard to the guidance set out in the IAQM Guidance on the Assessment of Dust and Emissions from Construction and Demolition. All works on site shall be undertaken in accordance with the approved dust management plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect amenity and health of surrounding residents in line with the Council's Low Emission Strategy and policy EN8 of the Bradford Local Plan (core strategy).

21. Electric Vehicle charging points

Before the date of first occupation every dwelling on the site shall be provided with access to a purpose built fully operational EV charging point with Mode 3 type 2 capability. The charging points shall be provided in accordance with a scheme submitted to and approved in writing by the Local Planning Authority.

The scheme shall meet at least the following minimum standard for numbers and power output:-

- A Standard Electric Vehicle Charging point (with Mode 3 type 2 capability) provided at every residential unit that has a dedicated parking space and/or garage
- One Standard Electric Vehicle Charging Point with Mode 3 type 2 capability for every 10 unallocated residential parking spaces (not including visitor spaces).
- 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 fully operational.
- Charging points installed shall be retained thereafter.
- Information about the provision of the EV charging point and how to use it should be included in the new home welcome pack.

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 Bradford Local Plan and National Planning Policy Framework (NPPF).

22. Construction hours

Construction work shall only be carried out between the hours of 07:30 and 18:00 on

Mondays to Fridays, 07:30 and 13:00 on Saturdays and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the occupants of nearby dwellings and to accord with policies SC9, DS1, DS2, DS3, DS4, and, DS5 of the Core Strategy Development Plan Document.

23. Biodiversity recommendations

With a Reserved Matters application details should be submitted which comply with the recommendations contained within the Preliminary Ecological Appraisal Report (Ref: 004_22(RE01) and dated 12/01/2022) prepared by bl-ecology ecological consultancy. The submitted details shall be implemented as approved.

Reason: To ensure the development secures the necessary biodiversity enhancements and to accord with Policy EN2 of the Core Strategy Development Plan Document.

Informatives:

1) Informative: Electric Vehicle charging points:

- 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 new home information packs and a suitable management plan should be put in place to ensure the charging points are readily available to those who wish to use them and there is a process in place to pay for the electricity used.
- Provision of a fast charge 32A supply is likely to be more practical and future proof on this development
- Units that provide Mode 1 and/or Mode 2 charging only will not be acceptable.

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) Informative: 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/>

3) Informative: Dust Risk Assessment: A simplified 'checklist' for the undertaking of dust risk assessments and preparation of dust management plans is available from the air quality officer at Bradford MDC. It is recommended that the developer familiarises themselves with this checklist.

4) Informative: Reason for pre-commencement condition (Construction Dust Management Plan): It is necessary to secure agreement of the contractor's on-site dust management proposals before commencement of the development in the interests of protecting the amenities of the local residents and to accord with Council's Low Emission Strategy and the National Planning Policy Framework (NPPF)

5) Informative: Reason for pre-commencement condition (Remediation Strategy): It is necessary to secure the strategy for remediation of the site before commencement of the development in the interests of ensuring the site is clear of contamination and protecting the amenities of the future residents and to accord with policy EN8 of the Core Strategy Development Plan Document

6) Informative: Reason for pre-commencement condition (Phase 2 Site Investigation Report): It is necessary to determine whether or not the site is contaminated in order to allow the preparation of appropriate remediation strategies before commencement of the development in the interests of ensuring the site is clear of contamination and protecting the amenities of the future residents and to accord with policy EN8 of the Core Strategy Development Plan Document

7) Informative: Reason for pre-commencement condition (Drainage Maintenance Plan): 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

8) Informative: Reason for pre-commencement condition (Scheme for foul and surface water drainage): 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

9) Informative: Reason for pre-commencement condition (Wheel wash facilities) - It is necessary to secure agreement of contractor's wheel cleaning facilities before commencement of the development in the interests of the highway safety and to accord with Policies DS4, and, DS5 of the Core Strategy Development Plan Document

10) Informative: Reason for pre-commencement condition (Construction Plan) - It is necessary to secure agreement of contractor's on-site facilities before commencement of the development in the interests of the highway safety and to accord with Policies TR1, TR3, DS4, and, DS5 of the Core Strategy Development Plan Document