

Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 25th June 2020

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Subject: Planning application reference 19/05214/MAF - A full planning application for the construction of 72 residential dwellings and associated site access at the former site of the Station Sawmill, Station Road, Denholme.

Summary statement:

This application seeks planning permission for the construction of 72 affordable dwellings and associated highway improvement works at the site of the former Station Sawmill, Station Road, Denholme.

The site is not allocated for any specific land-use purposes in the Replacement Unitary Development Plan. However, the application has been assessed against both local and national planning policies and is considered suitable being a previously development site.

There is a protected route across the site for the Great Northern Trail and this has been factored into the development. The proposed development includes off-site highways works to mitigate additional traffic using Station Road (as previously agreed with an earlier scheme).

The application has been assessed against all local and national planning policies and has been determined to meet relevant planning policy. The application is submitted by a "Registered Provider" on the basis of 100% affordable housing. As such, the development would be exempt from a CIL payment. Subject to conditions as set out in the Report the application is recommended for approval.

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Portfolio:
Regeneration, Planning and Transport

Overview & Scrutiny Area:
Regeneration and Economy

1. SUMMARY

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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 as 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 relatively sustainable location in that it is located within walking distance of facilities including a convenience store, recreation, employment and education.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

A condition is recommended requiring the inclusion of electric vehicle charging points, in accordance with the Council’s Low Emissions Strategy.

7.4 COMMUNITY SAFETY IMPLICATIONS

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

7.5 HUMAN RIGHTS ACT

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

7.6 TRADE UNION

None.

7.7 WARD IMPLICATIONS

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

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS

None.

7.9 IMPLICATIONS FOR CORPORATE PARENTING

None.

7.10 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

None.

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

10. RECOMMENDATIONS

The application is recommended for approval, subject to the conditions and a Section 106 legal agreement as set out in Appendix 1.

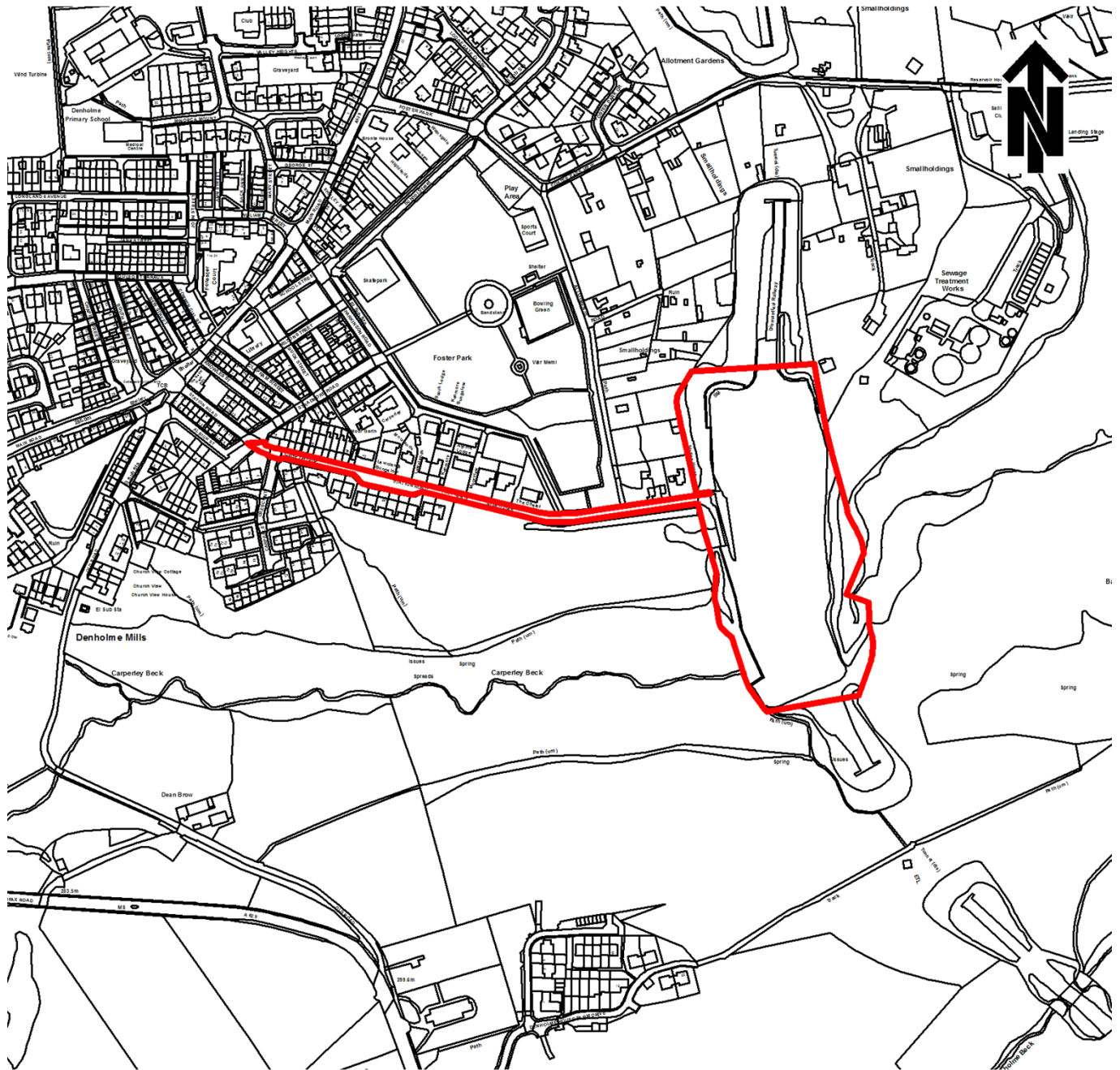
11. APPENDICES

Appendix 1 Technical Report

12. BACKGROUND DOCUMENTS

National Planning Policy Framework
Core Strategy Development Plan Document
Replacement Unitary Development Plan

19/05214/MAF



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Former Site Of Station Sawmill
Station Road
Denholme
Bradford BD13 4BS

25th June 2020

Ward: Bingley Rural

Recommendation:

That the Committee be minded to grant planning permission subject to a S106 Agreement and with conditions as listed in this report and that the Assistant Director Planning Transportation & Highways be authorised to exercise delegated powers to issue the grant of permission on completion of the said S106 Agreement.

Heads of Terms of the Legal Agreement:

1. Off-site highway improvement works on Station Road
2. GNRT cycle route provision
3. Affordable housing provision (applicant is a Registered Social Landlord proposing 100% Affordable Housing)

Application Number:

19/05214/MAF

Type of Application/Proposal and Address:

A full planning application for the construction of 72 residential dwellings and associated site access at the former site of the Station Sawmill, Station Road, Denholme.

Applicant:

Together Housing & GT Yorkshire

Agent:

AWSM Architects

Site Description:

The site comprises a level plateau of approximately 2.2 hectares, which has been cut into the rolling hillside with embankments leading steeply down towards Doe Park reservoir to the East and embankments steeply rising up along the north western boundary towards Denholme.

The site is currently vacant but until recently accommodated a series of buildings associated with its previous use as a timber sawmill and timber storage yard. Those buildings occupied approximately the northern third and southern third of the site, with timber storage racks occupying the central third of the site.

Prior to its use as a timber yard, the site was formerly the Denholme railway station, which extended to approximately 4.6 hectares, although the northern and southern extremes beyond the development plateau are narrow and flanked by steeply sloping embankments where the former railway line cutting leads to the former railway tunnels at either end of the site.

Doe Park reservoir to the east and Carperley Beck to the west/south of the site form part of the Bradford Wildlife Area. Land to the west – between Station Road and Carperley Beck – was previously identified as safeguarded land in the Unitary Development Plan and

remains a greenfield site.

Access to the site is via Station Road, which leads from Main Road, Denholme and also serves as access to other residential properties on Station Road, but is within the ownership of the applicants from its junction with Stradmore Road.

Relevant Site History:

11/01326/MAO – Outline planning application for the construction of up to 73 dwellings and 511 sqm of B1(b/c) employment floor space following demolition of the existing buildings at C R Taylor (Timber) Limited. Outline consent granted subject to a Section 106 agreement on 16th February 2012. Not implemented – lapsed.

15/00451/MAO – Outline planning application with all matters reserved except for partial means of access to, but not within, the site, for the construction of up to 80 dwellings. Outline consent granted subject to a Section 106 agreement on 28th April 2016. Not implemented – lapsed.

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.

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 any concern related to this provision is addressed in section 8 of this report.

Local Plan for Bradford:

The Core Strategy Development Plan Document 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 purposes in the Replacement Unitary Development Plan, however, there is a protected route across the site for the Great Northern Trail, and land to the east, south, and south west of the site is defined as Green

Belt on the RUDP. Accordingly, the following Replacement Unitary Development Plan and adopted Core Strategy policies are applicable to this proposal.

Replacement Unitary Development Plan Policies:

TM10 The National and Local Cycle Network

TM20 Cycleway Improvements

Core Strategy Policies

P1 Presumption in Favour of Sustainable Development

SC1 Overall Approach and Key Spatial Priorities

SC4 Hierarchy of Settlements

SC9 Making Great Places

HO3 Distribution of Housing Development

HO5 Density of Housing Schemes

HO6 Maximising use of Previously Developed Land

HO8 Housing Mix

HO9 Housing Quality

HO11 Affordable Housing

DS1 Achieving Good Design

DS2 Working with the Landscape

DS3 Urban Character

DS4 Streets and Movement

DS5 Safe and Inclusive Places

EN2 Biodiversity and Geodiversity

EN3 Historic Environment

EN4 Landscape

EN5 Trees and Woodlands

EN7 Flood Risk

EN8 Environmental Protection

TR1 Travel Reduction and Modal Shift

TR2 Parking Policy

TR3 Public Transport, Cycling and Walking

TR4 Transport and Tourism

TR5 improving Connectivity and Accessibility

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

As a supplementary planning document, it supports the local plan policies and advances the Government's agenda by putting high-quality design, healthy & happy communities, and inclusive design principles, at the forefront of market-appropriate and financially viable new housing in Bradford district.

The SPD outlines a number of principles when creating a neighbourhood:

Density and scale

Movement

Green streets

Safe and characterful streets

Open space

Water and drainage

Landscape

Biodiversity

Play
Housing mix
Topography and ground conditions
Roofs and building forms
Key buildings and corners
Parking
Waste
Making inclusive places

Parish Council:

Denholme Parish Town Council – There is currently a high volume of traffic leading onto Station Road from the A629 and the development will make a large impact on this. There is not enough infrastructure in the village currently for a development of this size, especially educational and medical facilities. The development will be 100% affordable rental housing and the Parish Town Council would like to ensure that there is letting criteria. The Parish Town Council would like these concerns taking into consideration.

Publicity and Number of Representations:

The application was publicised by press notice, site notice, and neighbour notification letters. The expiry date for the publicity exercise was 14th February 2020.

The local planning authority has received 42 representations, comprising 40 objections, including an objection from the local MP. These representations are summarised below.

Summary of Representations Received:

Principle of development

- Denholme cannot sustain a further 70+ homes
- The development proposes too many houses
- No consideration of cumulative effect of smaller housing developments
- The Core Strategy identifies that 350 new homes are required in Denholme but these should not be delivered all at the same time to enable local amenities and services to respond
- Is there a demand for this type of housing in isolated villages
- Proposal does not consider any of the aims of the Homes and Neighbourhoods design guide
- There are plenty more sites to build on that would have less local impact

Highways

- Traffic is already a problem in Denholme and along Station Road
- Station Road cannot sustain the predicted vehicle movements for the development
- Existing residents park along Station Road, reducing the useable width
- Residents will be reliant on cars
- Poor public transport provision in the area with an hourly, overcrowded bus service
- Site is not well-connected to the community, shops, or places of work
- Traffic calming measures are unclear other than the locations on Station Road
- Some traffic calming measures will block access for residents' parking along Station Road
- Traffic calming should extend to the top of Station Road to the junction with Main Road, as this is the most congested part and has a dangerous junction

- Near misses on Station Road near Main Road with children running across the road and people using the public house and takeaways
- Residents further down Station Road park their cars at the top of Station Road during snow and ice, which affects other residents' parking; new residents could do the same
- Should introduce permit parking along Station Road to stop indiscriminate parking and confrontation
- Development will increase risk of road traffic accidents
- Existing residents will suffer most if safety precautions are not taken now
- Stradmore Road and Parkinson Road will become shortcuts at peak times and to avoid traffic lights/one-way system
- Construction traffic will cause traffic and wagons will struggle to use the access without damaging residents' property
- Does the development need so many parking spaces
- Will the EV charging points be of any benefit to residents
- Public transport provision should be improved to allow more sustainable modes of transport
- The speed survey included within the transport assessment should be carried out over a longer period than 1 day
- There should be additional crossing points along the main road

Visual Impact

- Effect on landscape
- Design is not distinctive and lacks any creative or sustainable design
- Proposed buildings are poor and have unimaginative design
- The design is a missed opportunity
- Minimal landscaping

Residential Amenity

- Overlooking of neighbouring properties
- Loss of privacy
- Disturbance
- Noise disturbance from cars driving over the traffic calming measures

Drainage

- Site is at risk of flooding – southern section of the site would be at great risk of flooding from the beck
- The old railway station floods and land is boggy
- Potential water pollution

Trees

- Loss of mature trees including those identified as good condition
- Discrepancies and unclear which trees will be removed

Environment and Ecology

- Adverse effect on local wildlife and protected species
- There are bats, deer, birds, and otters on site, which needs further investigation
- Should preserve the natural landscape and local wildlife
- Effect on landscape
- Very little light pollution at present so there is a relatively dark sky – any proposed lighting should prevent overspill and consider the dark sky

- Poor air quality from existing traffic and congestion
- Development will increase noise and air pollution
- Will the EV charging points be of any benefit to residents
- Water pollution in the beck and reservoir caused by industrial leaks

Other

- Plan shows TV/internet box will be moved but does not identify where to
- Impact on utilities e.g. gas, water, electric, drainage
- The school is not big enough and is already oversubscribed – any additional children will need to travel out of Denholme for school, which is unrealistic
- GP services are already overstretched and difficulty getting appointments and there is no dentist
- Half of all crimes in the area occurred on Station Road; more dwellings, vehicles, and residents will result in higher crime statistics
- Anti-social behaviour
- Crime will rise as a result of the development
- Denholme does not have sufficient services and amenities to support further development
- Impact on local house prices
- Previous housing developments in Denholme have not increased school capacity, medical facilities, or other amenities.
- The only people to gain from this are the Council and housing developers
- The development will breach local residents' human rights
- The footpath to the local park, and the facilities within it, should be improved
- No consultation with local residents and no opportunity to comment on plans

Airedale NHS Trust

The Airedale NHS Trust seeks a contribution of £7,091.90, which will go towards the gap in funding created by each potential patient from this development in respect of acute and planned healthcare. The Trust's response provides a detailed explanation and calculation for this contribution request. Without the requested contribution, the access to adequate health services is rendered more vulnerable thereby undermining the sustainability credentials of the proposed development due to conflict with NPPF and Local Development Plan policies as explained in the attached document.

Philip Davies MP

- The access road is narrow and the development would cause a huge increase in the number of cars using the road
- Local infrastructure is not suitable to accommodate the additional residents e.g. the local school is oversubscribed and it is difficult to get a doctor's appointment
- The additional number of cars through Denholme village would increase congestion and there are safety concerns for pedestrians as this is an already busy road
- Loss of trees

Consultations:

Biodiversity – Support the application subject to a number of conditions. The surveys and reports accompanying the application suggest mitigation and enhancement measures that would represent a good outcome for biodiversity, with nearly 20% net gain achieved. The mitigation and enhancement measures should be secured by conditions: to provide a

Landscape and Ecological Management Plan (LEMP); to provide an Ecological Construction Environment Management Plan (CEMP); to provide a non-native invasive species management and control plan.

Coal Authority – The site is within the defined development high risk area, where Coal Authority records indicate the presence of a recorded mine entry (shaft) within 20m of the application site. Specifically, records confirm the mine entry is 5.1m to the east of the eastern boundary and is very unlikely to be within the planning boundary. Based on the submitted information and existing records, it would appear that the proposed development would not encroach into the zone of influence of the mine shaft. The Coal Authority has no objections to the planning application.

Conservation – The site is located southwest of Foster Park, which contains a Grade II listed War Memorial. Due to the distance, topography, and intervening built form, it is unlikely that the proposed development will impact on the setting of the heritage asset and therefore there are no objections on this basis.

Drainage – Further information required prior to determination: a report on the structural condition of the existing culverts through the site; annotations on plan indicating stand-off distances for culverts and sewers; no buildings or structures located within 5 metres of the centreline of the culvert(s); an assessment of the 1 in 1000 year and 1 in 100 year flood plus climate change allowance flows for the two culverts, together with hydraulic calculations which demonstrate that these can pass the design flows; details of arrangements to ensure culvert entrances do not become blocked and the FRA will need to consider what would happen if they did block; the FRA should state what the proposed ground floor and external ground levels will be and also provide a flood routing plan in response to the risk of flooding from surface water.

Drainage (update) – The FRA and DS are generally acceptable, however, there are a number of concerns raised. The internal photographs of Carperley Beck indicate that there are a number of large boulders situated along the invert of the culvert. The internal photographs of Carperley Beck (photos 25 and 26) appear to indicate that the brick culvert is damaged. Written confirmation is required that the Housing Association will accept maintenance responsibility for the two culverts, in particular Carperley Beck for the lifetime of the development. Pre-commencement conditions can deal with points 1 and 2 but maintenance should be agreed prior to determination.

Education – Based on January 2020 data, the development is unlikely to cause significant concerns on where children residing in the development might attend school. There are several primary and secondary schools within a reasonable distance of the development with capacity in every year group except year 7. Children should be able to access a school place within a reasonable distance.

Environment Agency – Object to the proposal for the following reasons.

The Flood Map for Planning shows the site lies predominantly within flood zone 1, however does contain Flood Zone 2 and 3, the medium and high probability zones, intersecting the site. The application is for a residential development, which is considered to be a 'more vulnerable' land use in Table 2: Flood Risk Vulnerability Classification of the Planning Practice Guidance: Flood Risk and Coastal Change.

It is therefore necessary for the application to be supported by a site-specific flood risk

assessment (FRA), which can demonstrate that the 'development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall'.

An FRA by Adept, dated 10/12/2019, reference 08.18013-ACE-ZZ-ZZ-RP-C-001 has been submitted in support of the application. We have reviewed this FRA and do not consider that it complies with the Planning Practice Guidance. The submitted FRA does not therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

In the absence of an acceptable Flood Risk Assessment (FRA) we object to this application and recommend that planning permission is refused for the following reasons:

The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:

- Provide an acceptable assessment of flood risk to the site and others (both pre and post development)
- Provide an assessment of climate change
- Consider how a range of flooding events (including extreme events) will affect people and property
- Demonstrate through an appropriate assessment that there is no increased risk to others as a result of the proposed development

Due to the above the application has failed to provide details of suitable mitigation measures. The FRA must demonstrate that development of the site does not increase the flood risk within the site, alter existing flow routes, transfer flood risk to others or be allowed to spill into nearby watercourses.

The design and access statement states the applicant proposes to raise the level of the development site by approx. 1m. The FRA has failed to provide sufficient detail with regards to any proposed ground raising for us to make comment on its suitability. We also note the site is at high, medium and low surface water risk.

The application fails to provide details of any proposed mitigation such as finished floor levels of the proposed dwellings in meters above Ordnance Datum (mAOD). Any mitigation should be suitable for the use of the development and mitigate for the climate change flood level for the Site. We expect finished floor levels for more vulnerable development to be above the 1% annual exceedance probability, or the 1 in 100 modelled flood level, plus a suitable allowance for climate change and a further 600mm freeboard in line with 2016 climate change allowances.

The development site has two culverts running beneath it. The applicant will need to ensure that the daily and future operations of the development do not compromise the structural stability of the culvert, or increase the risk of flooding. Furthermore, the proposed location of car parking and rear gardens of the proposed residential dwellings are directly over a culvert. Carperley Beck runs within the culvert located to the southern boundary of the development site. Carperley Beck is an Ordinary watercourse and therefore the Bradford Flood risk and Drainage team need to be satisfied that the structural integrity of the culvert will not be compromised by any proposed loading capacity threshold of the

development. In addition, as an ordinary watercourse any works under or over the culvert will require consent from Bradford Council. It should be noted that, in the event that the culvert does become blocked, depths on the site may increase.

It is our understanding that Yorkshire Water are the authority responsible for maintenance and inspection for Doe Park Reservoir. Yorkshire Water should be consulted with regards to any works in or near the reservoir embankments.

To overcome our objection, the applicant should submit a revised FRA which addresses the points highlighted above. If this cannot be achieved, we are likely to maintain our objection.

Environment Agency (update) – Maintain a holding objection to the application as a number of previous concerns have not been addressed. The revised FRA refers to climate change but does not provide an actual assessment of pre and post development. The FRA also suggests that finished floor levels will be 10m above the soffit of the culvert ‘mouth’, which is inferred to mean the outlet. A further 600mm freeboard is suggested. The finished floor level should be provided in meters above ordnance datum and should provide a comparison of existing and proposed ground level in mAOD. Queries regarding the proposed land raising: does the 10m difference referred to in the FRA (culvert soffit vs ground level) include the proposed ground raising. Is any land raising proposed within the area of flood zone 3; there is potentially 9 proposed dwellings in this area. Is the land raising likely to affect flow routes? The LLFA need to be satisfied that any proposed loading capacity threshold of the development will not compromise the structural integrity of the culvert.

Environmental Health – Environmental Health agree with the recommendations presented in the Phase 2 site investigation report, which sets out an outline remediation strategy. Suggest a number of conditions to ensure appropriate land quality, including requiring the approval of a remediation strategy and remediation verification.

Great Northern Railway Trail Joint Committee – Plans are totally unacceptable. Previous applications included enough space for a 5m wide trail along the eastern edge of the site. Route built on boundary edge will have minimal effect on existing ecology; one fallen tree may need to be cut back and others trimmed but no effect on wildlife. Impact on trees only due to the cycleway proposed on the slope rather than the edge of the embankment. The land in question is already concreted right up to the embankment edge and would therefore cost the developer very little to upgrade to the required standard. Trail does not need to be built on the steep incline.

The group partnership with the Forest of Bradford and other wildlife groups has already enhanced the green credentials of opened sections of the route. The route is described as a greenway and should not be urbanised. 3 miles of trail is already open to the public, none of which goes through a built up area. Therefore, the cycle path needs to be 3m with a 1m verge each side.

The current proposals would put into conflict users of the route and up to 9 properties and their driveways in the northeast corner of the site. One of the main purposes of the trail extending to Denholme is to allow children to travel safely to Parkside school. The conflict between young children and the movement of reversing traffic on the estate would present

a real risk to their safety. The rest of the route is presently 'traffic free'.

Experience shows that local residents want their garden paths to join onto the GNRT which is hugely popular and well used. Therefore, high bordered fencing is not appropriate for the trail.

This is a flagship project in the Bradford district and needs to be given more prominence. There has been no response to the GNRT's attempts to contact the developer at pre-application stage, which is a pity as elsewhere on the route the trail has been a great help in selling homes to families who now use and greatly appreciate the trail.

Great Northern Railway Trail Development Group – The group is the promoter of the Great Northern Railway Trail to develop a cycling and walking greenway connecting Keighley with Bradford and Halifax. It seeks to use the former railway line as much as possible.

The Trail affects part of the site and needs to be included in the same way that it had been in previous permissions - 11/01326/MAO and 15/00451/MAO - in which Schedule 1 of the S106 Agreements stipulated the specification by which the Trail should be constructed by the applicant as part of the overall scheme. We are still satisfied that the Trail should follow the previous alignment to the east of the site.

The Section 106 agreement on 26 April 2016 stipulated that the Trail would be constructed through the total ownership of the site. However, the applicant has removed the top and bottom sections of this former railway land, as being of no interest to the housing scheme. It is our view that these sections cannot be ignored because they provide opportunities to future residents to use this space for recreational purposes and the Trail would provide suitable access for this to happen.

The Trail is significant in that it will form part of the National Cycle Network and contribute to the local economy by benefitting people cycling to work, or children and young people cycling or walking to school. It will also reduce levels of poor air quality by cutting back on carbon emissions.

By linking the Trail piece by piece, the overall vision will be achieved. Bradford Council is currently supporting the Keighley Partnership of five town and parish councils to complete the Trail between Keighley and Denholme. This should persuade the Council, as the Local Planning Authority, that much active work is currently being carried out to complete the Trail.

The applicant's Travel Plan supports opportunities for cycling and walking, yet their consultant appears ignorant of the key proposed feature that affects the site. School children of secondary school age have to travel to Cullingworth. Cycling is one sure way of encouraging sustainable travel. The consultant seems unaware of this situation. That causes us concerns about how much detailed knowledge is available to the applicant.

The applicant describes the Trail in the Site Layout plan as a 'Potential cycleway route'. It seems that the applicant wants to renege on this commitment and avoid constructing the Trail. If the applicant is serious about climate change, then it should be willing to engage with our group as a necessary action on their part. We made a phone call to the agent, but no effort was made to meet us. We would have welcomed a pre-application discussion

with the applicant to explain this important element of the scheme, but this did not happen.

Our group has regretted the loss of the former goods shed that was demolished about seven years ago to clear the site for new development. This was a loss to the local community of a significant piece of railway heritage. We simply ask that the Trail, as set out in previous Section 106 Agreements, is constructed as required as part of the overall housing scheme.

We are concerned that the Trail route seems to be isolated from the proposed housing. The type, positioning, and height of fencing is crucial to create the right level of safety and comfort for future users of the Trail. Close-boarded fencing displays a lack of foresight in integrating the Trail to the proposed housing scheme.

The proposed dwellings, close to the Trail, should front onto the Trail with 'permitted development rights' withdrawn for such, to maintain an open and attractive aspect. This measure will help ensure that there is good public surveillance along the route. We are aware of residents in the opened sections of the Trail providing gates directly onto the Trail because they want to use it.

The proposed Trail should avoid tight corners and exclude high fencing. Rather it should incorporate long distant unobstructed views of the tunnels at both ends as seen from within the site.

There should be direct access from the proposed houses onto the Trail as indicated in the site layout.

The proposed site layout should recognise the importance of providing a vehicular access road that follows the former tracked in as much as it is possible and railway heritage interpretation should be provided to inform local people.

Maintenance of the Trail would need to be undertaken by Bradford Council, and some financial provision should be made for this. Access arrangements need to be included in any S106 Agreement, along with arrangements for the free transfer/lease of land by the applicant to the Council.

Great Northern Railway Trail Development Group (update) – Further to the above comments, the GNRT development group offers the following comments.

At Plots 24-30, the cycle route shows a sharp right-angled bend onto the access road, with the potential for cars to be parked on the proposed cycle path. The sharp bend is unsatisfactory from a safety point of view and is not good standard practice. This should continue around the houses as was planned on the original layout. However, if that was not possible, then the affected width of this section of access road should be at footpath level to make it clear that this is a special pedestrian/cycle area. It would also enable cyclists to manoeuvre in a safer manner.

I am very concerned over the loss of the 1-metre verge along the rear of properties between plots 27-50. The previous Section 106 agreements have always set out a 3-metre wide hard-surfaced path with 1 metre soft verges on either side. These verges are needed to the safe enjoyment of the Trail; therefore, an overall five metre width is crucial to constructing the Trail to a consistent standard of specification.

Also, fencing along that side needs to be low in height (1 metre) and open in style so that

public surveillance is maintained at its highest level. When there is already a hard surface laid down at the eastern edge, it seems the trees are viewed as a reason by the developer to renege on previous agreements. A Section 106 Agreement should be similar to that linked to previous outline permissions.

Previous permissions required that the Trail be constructed to each tunnel entrance, based on the premise that the land was in a single ownership. It is unsatisfactory to leave the northern and southern ends of this site in limbo.

Highways – A Transport Assessment and Framework Travel Plan accompany the application. The proposed development is predicted to generate 12 vehicles arriving and 31 vehicles departing in the AM peak (43 two way trips) and 29 vehicles arriving and 17 vehicles departing in the PM peak (46 two way trips); and 384 trips over the day. The traffic generation assessment is acceptable and considered to be robust as it is based on privately owned housing whereas the proposed development is 100% affordable housing which generates lower levels of traffic.

Highway capacity analysis of local junctions has been undertaken which indicates that all of the junctions analysed are predicted to operate with significant reserve capacity with the additional development traffic in both the AM and PM peak hour periods for future year scenarios. The development traffic would not have a material impact upon the operation of nearby junctions or lead to an increase in congestion or delay on the surrounding highway network.

The internal layout is based on a traditional estate road design with a 5.5m carriageway and 2m footway to both sides and turning heads on both ends of the access road. The internal access road and turning facilities are adequate to cater for emergency and service vehicles. But the Design and Access Statement (D&AS) refers to the West Yorkshire Highway Design Guide which was superseded a number of years ago by the Manual for Streets and more locally by the Leeds Street Design Guide (LSDG) which is currently being used by Bradford Council whilst its own design guide is produced; the applicant may wish to review the proposed site layout in light of that document.

There are some concerns related to the alignment of the Great Northern Trail which is routed to the east side of the woodland area. This should be on the development side closer to the residential dwellings so it is overlooked, with these dwellings also having direct access to it. This is a flagship project in the Bradford district and needs to be given more prominence. Also this section of the route passing through the site will need to be constructed by the developer. In addition to this, there are some minor issues related to the southern turning head where one of the sides is wavy and this should be straightened; and the condition of the culverts passing through the site which needs assessing.

The design and access statement states that '190 in curtilage car parking spaces are provided in accordance with the West Yorkshire Highway Design Guide with 18 number of the two bedroom dwellings having one car parking space, the remainder having two spaces. All of the three bedroom dwellings have two car parking spaces.' This needs clarifying as in my estimation even 2 parking spaces for each proposed dwelling only amounts to 144 spaces.

Highways (update) – The highway works proposed on Station Road are acceptable. Positive that the GNRT route has been located alongside the development (eastern boundary) but it should accord with the Sustrans Design Manual as a route shared with equestrians. The overall width of the trail path should be 5m comprising 3m tarmac path with 1m wide verges to both sides except where it is bounded by private property boundary fences, as at plot 27 to 50, where 2m wide verge should be provided. The height of the boundary fences at 1.8m is also of concern as it would prevent surveillance of the path for public safety.

The section of the trail passing through the development is unsafe. There are sharp bends, residents will be reversing out of drives, there could be parking on the trail path and therefore it could be particularly unsafe for children wanting to cycle from Denholme to Cullingworth Parkside School. The cycleway should be provided off road and follow the land contours.

Highways (second update) – The site is a former rail station and rail line, and the line of the GNRT route passed through the centre of the site, which is protected by RUDP Policy TM5. An alternative route to the east was agreed [under the previous approval/S106 agreement] to facilitate the development with the proviso that the route would be designed to standards and delivered by the developer.

The layout has been designed without thought for the GNRT and its purpose and to provide it as required would make the proposal unviable. This is unacceptable and the GNRT route should be set out as required and the development designed around it.

Police advice regarding boundary treatments is noted but good surveillance of the GNRT route is important. The route should be designed to acceptable standards.

Landscape Design – The layout is a relatively standard cul-de-sac development that has very little relationship between the housing and its location. The development is inward looking with rear gardens facing out towards the surrounding environment and 1.8m high close-boarded timber fencing completing the sense of isolation. The public footpath to the west and the proposed cycle route to the east will pass alongside rear garden boundaries where they will feel secondary, enclosed, and poor in character. The previous proposals were better in terms of the sense of place and the relationship between the development and its surroundings. The applicant should refer to the Homes and Neighbourhoods design guide to help address site context, character, open space, landscaping, footpath/cycle route integration, views, and boundary treatments.

Landscape Design (update) – The retention of the existing woodland screen is critical to reducing the visual impact of the development and this should be augmented where possible. Some additional woodland planting would be appropriate in places to help integrate and soften the development.

The retention and enhancement of existing landscape features such as dry stone walls would help to strengthen the landscape character of the area and visually integrate the development into the wider landscape. This would include areas on the boundary of the main site and also on Station Road where parts of the adjacent drystone wall are either missing or damaged.

A well designed development that responds to the local vernacular could have a positive impact on the southern edge of Denholme. This would more appropriate where the site is more visible as it emerges from the cutting and at the site access. Treatment of the entrance area will be particularly important as this area is highly visible from Station Road and to the north. The large sycamore tree to be removed from the entrance area should be replaced with a suitable medium/ large tree in the same approximate area. Careful design and installation of drystone walls together with removal of palisade fencing has the potential to significantly enhance the entrance. Removal of the existing car park hardstanding and replacement with native woodland and/or heathland planting would be beneficial.

Opportunities should be sought for planting at the entrance particularly where a line of conifers have been removed. Careful planting of the steep bank to the rear of plots 4-9 will be particularly important as this will provide privacy for those properties and help soften the development. Whilst space for planting is likely to be limited within the site opportunities should be sought for specimen or street trees that will help to soften the development when viewed from the wider landscape (where visible).

The proposed cycle track and existing footpaths around the site boundary should link with the development to allow easy access for residents to these green links. Where possible the existing footpath (89) that passes to the west of the site should link into the development and to the proposed cycle track. This may be possible to the south of plot 60 should space allow.

The inclusion of the cycleway aligns with the SPD and would enhance recreational opportunities and link with the existing footpath network. However much of the route passes to the rear of properties. Whilst this is still of high value the cycle track would be better located within the development. Links to facilities such as local shops and Foster Park in Denholme should be maximised to encourage sustainable modes of transport.

Whilst the site is partially hidden in a railway cutting opportunities should be sought to more actively link with the wider landscape. Where screening is limited views of the wider landscape may be possible and this should be reflected in the orientation of buildings and windows. Where practicable views of the wider landscape should be maximised. As stated above the development should integrate with the existing and proposed PROWs with paths overlooked where possible.

There are no usable public open spaces provided within the site. Whilst the development is of a relatively small size it should include incidental areas of usable green space where people can stop and meet. This should be reinforced with a focus on multifunctional streets that accommodate pedestrians and cyclists.

Any potential boundaries would need to be dry stone walls to reflect the character of the local area and any potential tree planting/landscaping would need to comprise native species. Particular attention should be paid to the entrance leading from Station Road into the site. The materials and detailed of boundary treatments such as wall and fences together with associated planting would have a significant impact on the visual impact of any development.

A contextual analysis plan is required to show how the design would respond to the landscape setting. This should show how existing and proposed PROW would connect into and through the site and how residents would access facilities in Denholme. Details of how views into and out of the site should also be addressed. Much of this information could be included within a conceptual plan showing the site within its wider context.

A detailed planting plan should be provided to allow proposals to be fully assessed. Further information should be submitted regarding boundary details and landscaping proposals. This should include information on proposals for the wider site including repair of existing drystone walls and construction of new walls.

Parks and Greenspaces – The proposed development will have a moderate impact on the surrounding facilities and a financial contribution will be sought from the CIL funds to help mitigate these impacts. The developer should maintain any areas of open space and provide a full landscape management plan for approval. Otherwise, if the developer is looking to the Council to maintain any new public open space, the Council's prior agreement is required and a commuted sum will be required to maintain the areas for the next 25 years.

Rights of Way – Public footpaths Denholme 56, 89, and 92 abut the site. Should ensure that the new electricity substation will not obstruct the route of footpath 89 where the northern 40 metres of this path will be subsumed into the verge of the new estate road. Footpath 92 appears unaltered but any changes in this area should ensure that the footpath maintains an unobstructed link to Station Road. Boundary treatments adjacent to, and surfacing of, footpath 89, which runs alongside plots 59 to 66 and plot 72 should be submitted for approval to ensure a reduction in negative impact. Construction standards for the Great Northern Railway Trail should be agreed with the GNRT management group and Sustrans. Vehicle barriers will be needed at the junctions of the estate road to prevent them being used as parking areas. Informative suggested if approving to draw the applicant's attention to rights of way requirements.

Rights of Way (update) – The northern 40 metres of footpath 89 is to be subsumed into the verge of the new estate road. A roadside pavement is detailed to the west of this path. Communication with the developer confirms that the substation will not obstruct the public right of way. Therefore, the layout at this end of the path appears acceptable.

The western boundary of plots 59 to 66 and plot 72 directly border the next section of path 89. The boundary is detailed as close-boarded timber fencing which is not recommended as, in conjunction with the protective fence line on the other side of the path, walkers will feel hemmed in. To reduce negative impact, I would request that improvements to the remaining surface of the footpath 89 should be carried out as part of the development for the benefit of residents and walkers. A crushed stone surface, levelled and compacted will suffice (MOT type 2 base, 40mm to dust). The path must not be enclosed in a corridor narrower than two metres. This could be included as a suitable condition should planning permission be granted.

Footpath 92 runs from Station Road, across the existing parking area, before heading across the grassed area of the Carperley valley. Any changes in this area should ensure that the footpath maintains an unobstructed link to Station Road.

It is noted that a route is provided to the east of the housing for the Great Northern Railway Trail. Details of the construction standards of this path should be agreed with the Great Northern Railway Trail management group and Sustrans. However, it appears to be a poor design, not to the standard provided for the existing section of the trail. Like path 89, the trail directly abuts the high rear fences of the adjacent properties. There is no natural observation of the route. As the trail abuts the fence line, it will be susceptible to residents dumping garden waste. This will particularly be an issue initially as the trail will stand alone until adjacent sections are constructed. The trail should be constructed to the boundary of the applicant's ownership, not just within the redline area.

Sustrans – Support the comments made by the GNRT development group and the Council's Rights of Way team. It has long been intended that this section form part of the GNRT between Keighley and Halifax and in doing so become part of the National Cycle Network. It is vital that new sections are developed consistently to further provide safe and attractive space that makes it easy for local residents and visitors to choose to walk and cycle. Sustrans provide detailed design guidance for traffic free routes and greenways.

Trees – The impact of tree removal along Station Road is not assessed and engineering details are vague. The road improvement plan will also result in the loss of a large Sycamore at the access point into the site; whilst this tree should be retained, its loss is likely to be required to allow development. The woodland surrounding the site is valuable for amenity and ecological services. This value will increase over time as the woodland matures and would provide excellent long-term amenity. A TPO will be made to protect the woodland belts around the site. The tree protection measures as proposed in the arboricultural method statement are undeliverable due to the proposed level changes, which are shown on site section across the northern part of the site; clarification of level changes across the whole site is required. The proposed cycleway will be undeliverable in practice due to the topography; clarification of full engineering details, long and cross sections, how it will be achieved, impact on trees, and revised tree protection measures and methodology. Cycleway would be better located at the top of the existing embankment (outside tree RPAs), this would also move gardens further from the woodland thereby reducing future negative impacts. The development lacks detail regarding tree replacement as mitigation and the site offers some opportunity for trees of scale (e.g. lime, hornbeam, etc.) to line the new estate road.

Trees (update) – The relocation of the cycleway to the top of the banking and separation of gardens from woodland is welcome. There is still a lack of information of the site levels and engineering proposed for the whole site and therefore questions over whether the proposed tree protection measures are deliverable in practice. There is no arboricultural impact assessment showing the direct and indirect impacts. The method statement relates to the previous layout and requires further clarifications. Tree protection is shown in areas where ground levels will change and the biodiversity management plan shows some mitigation of tree planting but is limited to a relatively small section. Some encroachment into RPAs/woodland and loss of trees is possibly acceptable subject to suitable landscape mitigation.

Trees (second update) – The additional details provided within the revised Arboricultural Impact Assessment and Arboricultural Method Statement are acceptable. Suggest conditions if approving.

West Yorkshire Archaeology Advisory Service – Based on West Yorkshire Historic Environment Record there are currently no known significant heritage issues associated with the proposed development.

West Yorkshire Combined Authority – Seek to encourage alternative modes of transport to the car and suggest that the developer funds a package of sustainable travel measures such as bus only Residential MetroCards at a cost of £36,828.00.

West Yorkshire Police Architectural Liaison – Suggested a series of security measures that could be implemented across the development to reduce the opportunity for crime and anti-social behaviour. Measures include window and door security, external lighting, gated access, boundary treatments, surveillance of garden and parking areas, and intruder alarms. Boundary treatments reduce natural surveillance of the proposed cycle route so plans should include 1500mm high close-boarded fencing with 300mm trellis above to allow better surveillance. Any links between the development and cycle route need adequate surveillance and vehicle access restrictions.

Yorkshire Water – Plans should indicate stand-off distances of 3m either side of the sewer that crosses the site and should not restrict access to manholes on the sewer. Proposal to alter/divert a public sewer will be subject to Y.W.s requirements and consent will be required for alterations, diversions, and adoption. Yorkshire Water raises no objections to the principle of the stand-off distances or method of surface water disposal. Suggested conditions if approving the development to ensure adequate drainage.

Summary of Main Issues:

1. Principle of development
2. Housing density
3. Housing mix
4. Design and landscape
5. Residential amenity
6. Highway and pedestrian safety
7. Great Northern Railway Trail and rights of way
8. Heritage implications
9. Drainage and flood risk
10. Biodiversity
11. Land quality
12. Planning obligations
13. Other planning matters
14. Community safety implications
15. Outstanding matters raised by representations

Appraisal:

1. Principle of development

The proposal seeks permission for the construction of 72 affordable dwellings on the site of the former Station Sawmill, Station Road, Denholme, together with associated highway improvement works along Station Road, which will consist of proposed traffic calming measures, resurfacing, and provision of kerbs and footways along both sides of Station

Road. A new multiuser path will be constructed along the length of the eastern boundary to facilitate continued development of the Great Northern Railway Trail between Bradford and Keighley.

The site previously benefitted from outline consent granted by applications 11/01326/MAO and 15/00451/MAO, which granted consent for up to 73 dwellings and 511sqm of B1(b/c) and up to 80 dwellings respectively. Both applications were subject to S106 agreements to secure the provision of upgrades to Station Road, financial contributions towards education provision and habitats mitigation, and works/land for the provision of the GNRT. These permissions have now expired and this current application therefore seeks full planning permission for the proposed residential development.

The site previously accommodated a series of buildings and storage areas associated with a timber yard and, prior to this, the site accommodated Denholme railway station. Following demolition of the remaining structures, the site is now a relatively level plateau with a large concrete hardstanding occupying the majority of the site.

Paragraph 59 of the revised NPPF continues to stress the need for Local Planning Authorities to boost significantly the supply of new housing. The Core Strategy reiterates this strong policy support for delivering new housing and emphasises that housing delivery is one of the key issues facing the district.

Paragraph 73 of the NPPF directs 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 the identified housing requirement as set out in adopted strategic policies, or against the local housing need where strategic policies are more than five years old. Where there has been a record of persistent under delivery of housing the LPA should identify an additional 20%.

The Council's Five Year Housing Land Statement (2018-2023) indicates that there is a substantial shortfall in housing land relative to the aforementioned requirements with a current supply of 2.06 years. Under these circumstances paragraph 11 of the NPPF confirms that the relevant policies for the supply of housing should not be considered up-to-date.

In light of the record of persistent under-delivery and the housing land supply shortfall relative to the requirements of the NPPF, there is an urgent need to increase the supply of housing land in the District.

The construction of 72 dwellings comprising a mix of 1, 2, 3, and 4-bedroom semi-detached and terraced affordable dwellings would therefore make a valuable contribution towards meeting the district's identified housing need and would make use of previously developed land. Taking into account the previous outline planning consents, the relatively sustainable location of the site, the absence of a five-year housing land supply, and the use of previously developed land, it is considered that the principle of residential development on this site is acceptable.

2. Housing density

The development site has an area of approximately 2.2 hectares and proposes the

construction of 72 dwellings, which achieves a density of approximately 33 dwellings per hectare, which is in excess of the minimum density promoted by Core Strategy HO5, which indicates that densities should normally achieve a minimum of 30 dwellings per hectare. Detailed density targets applying to specific sub-areas will be set out within the Allocations DPD, although at present 30dph is the target minimum density.

On this basis, the proposal is considered to present an acceptable housing density in accordance with the requirements set out within policy HO5 of the Core Strategy DPD.

3. Housing mix

Policy HO8 of the Core Strategy seeks to ensure that a mix and balance of housing is provided to meet the needs of the District's growing and diverse population. The policy identifies that there is a need for a variety of housing across the district in terms of the type, size, price, and tenure. Until the adoption of the Land Allocations DPD, there is no detailed guidance available on housing mix, although Policy HO8 promotes a particular emphasis on family housing.

The proposed development would provide a range of one, two, three, and four bedroomed houses, which would contribute towards meeting the objectives of providing a mix of house types, sizes, and creation of family homes, thereby meeting key requirements of policy HO8.

4. Design and landscape

The Core Strategy DPD and Revised NPPF require that development proposals make a positive contribution to achieving good design and high quality places. Core Strategy Policy SC9 directs that development proposals should take opportunities to improve areas, create a strong sense of place, and provide a well-connected network of attractive routes and spaces.

Policies DS1, DS2, and DS3 of the Core Strategy DPD set out a number of criteria against which the LPA will assess development proposals. The criteria include that, among others, proposals should create a strong sense of place and be appropriate to their context in terms of layout, scale, density, details, materials, and landscaping.

The site lies within the Thornton and Queensbury Landscape Character Area and therefore Policy EN4 is relevant. This requires that development proposals should make a positive contribution towards the conservation, management and enhancement of the diversity of landscapes within the District.

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.

The Council has recently adopted a design guide titled 'Homes and Neighbourhoods: A Guide to Designing in Bradford'. This SPD sets out the Council's priorities and detailed design guidance for residential developments. The SPD now carries weight when assessing planning applications for residential development. The SPD details the Council's expectations and helps to identify schemes that deviate significantly from

expected design standards and opportunities.

The recently published National Design Guide supports the NPPF's renewed focus on improving design and supplements design guidance contained within the Government's planning practice guidance.

The proposed development has undergone a number of revisions in response to concerns relating to design, trees, highways, and provision of the Great Northern Railway Trail (GNRT) route. The resulting scheme is arranged primarily around a central access road that runs north-south through the site and smaller roads – also acting as turning heads – arranged east-west across the northern and southern ends of the site. The revised layout allows for the GNRT along the length of the eastern boundary.

The site is somewhat unusual within the landscape as it sits on a former railway cutting on a level plateau created for the former Denholme railway station; this significantly reduces visibility into the site from the wider landscape. Some limited views of the site are possible from the A629 and hillsides around Doe Park reservoir, but the majority of the development will be hidden from view by the existing landform and tree planting. The Council's Landscape Architect considers that the visual impact of the development would not be unacceptable given the context and limited visibility.

The Landscape Architect further considers that although the development is unlikely to contribute significantly to improving views of Denholme from the south, it does present an opportunity to remediate a derelict site. As such from a landscape and visual perspective, the design and layout of the scheme should be optimised to ensure the development remediates the brownfield site and creates a positive change in the landscape.

Following revisions to the layout and design of the proposed dwellings, the scheme is considered acceptable. The proposed development will introduce a range of two-storey semi-detached and terraced dwellings, with a pair of quarterhouses proposed at the site entrance. The dwellings will feature artificial stone walls interspersed with white render, roofs will be grey tiles, fenestration and fascias in dark grey, and black rainwater goods. Approval of sample materials should be controlled by condition to ensure appropriate appearance.

The submitted plans initially included larger front gardens to allow for tandem parking spaces and soft landscaping to property frontages, thereby reducing the amount of hardsurfacing visible along the spine road. In order to accommodate the GNRT route along the eastern boundary, plots 27 to 50 have shifted west to provide the necessary 5-6m wide GNRT route; consequently, some of the parking spaces have been realigned and the amount of soft landscaping to frontages reduced. Nevertheless, there remains scope for inclusion of some soft landscaping to the front of most properties throughout the development, which will soften the visual expanse of hardsurfacing and parked cars.

The revised plans have moved the proposed cycle route from the top of the embankment and onto the level development plateau, which has moved the cycle route out of the main woodland belt and root protection areas of those trees. Whilst some trees will still be felled to accommodate the cycle route along the eastern boundary, this will be minimised and occur at the edge of the densest areas of woodland. The revised plans help to minimise tree loss and the layout allows for areas of soft landscaping which will generally improve

the appearance of this derelict, previously developed site. The additional information contained within the Arboricultural Impact Assessment and Arboricultural Method Statement have been confirmed as acceptable and alleviate previous concerns raised by the Council's Arboricultural Officer.

The latest plans have replaced the proposed 1.8m high close-boarded fence to the rear boundaries of plots 27 to 50 with a 1.5m high fence with 300mm open trellis. This will help prevent a deadening effect to the GNRT path and open up views of the path and wider environment, although it should be noted that the woodland along the eastern embankment adjacent to Doe Park reservoir restricts views into and out of the site somewhat.

The applicant requests that approval of a comprehensive scheme of landscaping be controlled by condition; given the layout and clear potential for a scheme of soft landscaping, this approach is considered appropriate. Tree planting should comprise native species and street trees should be chosen to soften the development when viewed from the wider landscape.

The layout of the development and design of the proposed dwellings are considered acceptable, subject to the imposition of appropriate conditions with particular reference to materials and landscaping. The development will not be visually detrimental to the character and appearance of either the local area or wider environment and the requirements of policies DS1, DS2, and DS3 of the Core Strategy are therefore satisfied.

5. Residential amenity

Policy DS5 of the Core Strategy DPD and the NPPF require that development proposals make a positive contribution to quality of life through high quality design and that developments should not harm the amenity of existing or prospective users and residents.

Policy HO9 of the Core Strategy identifies that a key objective for the District is to ensure that new housing creates popular neighbourhoods with high standards of quality and design. It is important that new housing is designed to create sustainable, high quality places where people aspire to live, and which supports strong communities and healthy lifestyles.

The proposed layout demonstrates a reasonable relationship between properties. Dwellings would maintain appropriate separation distances and would not adversely affect the amenity of residents. Some of the garden areas have been reduced to accommodate the GNRT route along the eastern boundary and plots with the smallest gardens have been swapped to 2-bed units instead of 4-bed units, but these gardens still provide an acceptable amount of outdoor amenity space. Private garden areas will be enclosed with suitable boundary treatments to ensure amenity space is private, secure, and useable for future residents.

The closest neighbouring residential property is Station House, at the end of Station Road adjacent to the site entrance. This is set above the development site and its position ensures the development will not have a significant adverse impact on amenity.

The proposed development will not create adverse living conditions and is acceptable in

terms of the impact on residential amenity, thereby compliant with policies DS5 and HO9 of the Core Strategy DPD and the NPPF.

6. Highway and pedestrian safety

Paragraph 108 of the NPPF requires that in assessing planning applications it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 109 of the NPPF makes clear 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.

Paragraphs 108 and 110 of the NPPF confirm that development should be designed to minimise traffic and highway safety implications.

Core Strategy Policy TR1 requires that developments should aim 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. Policy TR2 seeks to manage car parking to help manage travel demand, support the use of sustainable travel modes, and meet the needs of disabled and other groups whilst improving quality of place. Appendix 4 provides indicative parking standards for new developments and Policy DS4 sets out design criteria for streets and car parking, indicating that developments should support the overall character of the place and take a design led approach to car parking.

There is no objection on highways grounds to the principle of this proposed development and it is noted that there are two previous planning approvals (2011 and 2015) which granted outline consent for a similar scale of development.

A Transport Assessment and Framework Travel Plan accompany the application. The assessment predicts that the development will generate 12 vehicles arriving and 31 vehicles departing in the morning peak (43 two-way trips) and 29 vehicles arriving and 17 vehicles departing in the evening peak (46 two-way trips) and 384 trips over a day. The traffic generation assessment is acceptable and robust, being based on privately owned housing whereas the proposed development is 100% affordable housing, which generally generates lower levels of traffic.

Highway capacity analysis of local junctions indicates that all of the junctions analysed are predicted to operate with significant reserve capacity with the additional development traffic in both the morning and evening peak hour periods for future years' scenarios. The development traffic would not have a material impact upon the operation of nearby junctions or lead to an increase in congestion or delay on the surrounding highway network.

The proposal includes highway improvement works to Station Road, which reflect those approved by the 2015 outline consent and contained within the S106 agreement signed as part of that approval. These consist of resurfacing works, provision of footpaths, traffic calming measures, street lighting, and re-profiling of the entrance area. The site plan illustrating the highway improvement works has received some relatively minor alterations in order to satisfy technical highway design matters such as the radius bend into the site and to move the position of some traffic calming measures to avoid conflict with existing residential properties.

The internal layout is based on a traditional estate road design, with a 5.5m carriageway and 2m footway to both sides, and turning heads on both ends of the access road. The internal access road and turning facilities are adequate to cater for emergency and service vehicles.

Revisions to the site layout have addressed the provision of the Great Northern Railway Trail, improved turning facilities, and altered off-street parking layouts. The revised layout accommodates a total of 117 off-street parking spaces, with 2-bed properties having one parking space and 3 & 4-bed properties having 2 parking spaces. The level of parking provision across the site is acceptable.

West Yorkshire Combined Authority have raised no objection to the principle of the development, but request that the developer funds a package of sustainable travel measures, such as a Residential MetroCard Scheme for residents of the development at a cost of £36,828.00 to encourage the use of more sustainable modes of transport than the private car.

Development proposals that have the potential to affect air quality are required to incorporate measures to mitigate or offset their emissions and impacts in accordance with Policy EN8 of the Core Strategy and the Low Emission Strategy for Bradford. As such, the Council seeks the provision of Electric Vehicle Charging Points within the curtilage of each dwelling with a dedicated off-street parking space and the normal method of securing these is through a condition attached to a planning permission.

The proposed site plan identifies one electric vehicle charging point for each dwelling across the development, which accords with the Council's targets for EV charging provision and encouraging the use of more sustainable modes of transport.

It is considered that the provision of electric vehicle charging points represents a betterment of the scheme as the charging points are permanent rather than, for example, the Residential MetroCard Scheme which is a 1-year scheme with no guarantee that residents will renew at the end of that period. As such, it is recommended that any approval include a condition requiring the installation of EV charging points for each property prior to first occupation in lieu of the contribution requested by West Yorkshire Combined Authority.

The proposed development is considered to present an acceptable solution to highway design, with significant improvements to the currently unadopted Station Road, an acceptable site layout and parking provision and, on balance, the GNRT provision is acceptable despite the fact that some small sections provide a substandard design, as the benefit of improvement works to Station Road and delivery of affordable housing, in this

case a 100% affordable housing scheme, outweighs these relatively minor concerns. Therefore, subject to the highways related conditions listed below and relevant legal agreement, the proposed development is not considered to have a severe impact on the highway network, and is therefore acceptable in terms of the impact on highway and pedestrian safety.

7. Great Northern Railway Trail and rights of way

Policies TR3 and DS4 of the Core strategy require that development proposals should take the opportunities to encourage people to walk, cycle and use public transport through, amongst other things, creating a network of routes which are well overlooked and convenient, connecting to existing street and path networks and integrating existing footpaths/cycle routes on the site into the development.

RUDP Policy TM20 safeguards land required for transport and highway improvement schemes as shown on the proposals map, and is saved until the adoption of the land allocations DPD.

The RUDP safeguards a route through the site for provision of a cycle route to connect the Great Northern Railway Trail. The two previous outline consents associated with this site both included an indicative route along the eastern boundary of the site, provision of which was secured via S106 agreement.

This application continues to provide the cycle route running north-south along the eastern boundary. A series of revised site layouts have resulted in a 3-metre wide surfaced path running through the site, which for the most part includes a 1-2m wide verge either side.

To the east of the route is an area of woodland and beyond that is Doe Park reservoir, and to the west side of the route will be the residential development. Boundary treatments abutting the route have been revised so that they include a 1.5m high close-boarded fence with a 300mm open trellis above. This will allow privacy and security for residents whilst allowing overlooking and surveillance of the route to aid security and reduce opportunities for crime and antisocial behaviour.

The GNRT Development Group refer to Sustrans guidance for designing multi-user paths and request a 3-metre wide surfaced path with a 1-metre wide grass verge to either side and a 2m wide verge adjacent to property boundaries. To provide a 5-metre or 6-metre wide corridor through the entirety of the site would have significant consequences for the site layout and would reduce the number of units possible on site. The applicant suggests that as the application is for a 100% affordable housing scheme, a reduction in units would adversely affect the development viability and put into jeopardy the delivery of the scheme.

It is noted that the GNRT route will enter the site in the north eastern corner where the route crosses the area of plots 24 to 29; the revised site plan proposes surfacing this area with a shared surface of block paving to provide a visual distinction between this area and its use as a shared cycle route as opposed to solely for vehicular access.

The provision of a 3-metre wide surfaced path with 1-2m verges through the majority of the site is considered a reasonable solution to provide the GNRT route whilst balancing the need for affordable housing. The scheme will deliver a valuable contribution towards

the Council's housing need and delivery of affordable housing, which outweighs the relatively minor elements of substandard design of the cycle route.

The applicant has confirmed that they will seek to progress a temporary footpath closure for footpath 89 during construction of the site entrance and substation and that this length of footpath will be surfaced with crushed stone as per the Rights of Way request. A condition to secure this should be appended to the decision notice.

West Yorkshire Police have requested the installation of vehicle access barriers where the GNRT abuts the residential access road(s) to prevent unauthorised access and/or parking on the GNRT path; these details can be secured by condition and detailed design included on a landscape plan, although it is noted that the site plan includes appropriate annotations to their locations.

Subject to the necessary conditions to secure the provision of appropriate footpaths and the GNRT route, the proposal is considered acceptable when balancing the provision of a 3-metre wide cycle route for the GNRT, which would be partially substandard only for short sections, and retention and improvement of public footpaths against the delivery of a housing development consisting entirely of much-needed affordable housing. On balance, the proposed footpath and GNRT design is acceptable.

8. Heritage implications

Core Strategy Policy EN3 relates to developments affecting the historic environment. This policy requires that developments, among other things, preserve, protect, and enhance the character, appearance, and historic value and significance of heritage assets; this would include the conservation area, listed building, and setting of nearby listed buildings.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 193 of the National Planning Policy Framework advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

The application site is located southeast of Foster Park, which contains the Grade II listed War Memorial. Due to the distance, topography, and intervening built form between the application site and listed war memorial, the proposed development is not considered to cause harm to the setting of the heritage asset. The Council's Conservation Officer raises no objections to the proposed development and, as such, the proposal does not present any adverse heritage implications and is therefore acceptable when considered against the requirements of the abovementioned policies and legislation.

9. Drainage and flood risk

Paragraph 163 of the NPPF requires that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where

appropriate, applications should be supported by a site-specific flood risk assessment. Development should only be allowed in areas at risk of flooding where it meets the five criteria set out within paragraph 163.

Paragraph 165 of the NPPF sets out the importance of the use of sustainable drainage systems for major developments and requires that the systems used should take account of advice from the lead local flood authority; have appropriate proposed minimum operational standards; have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and where possible, provide multifunctional benefits.

At the local level, the objectives of the NPPF are reflected in Policy EN7 of the Core Strategy, which states that the Council will manage flood risk pro-actively. In assessing development proposals this will require that all sources of flooding are addressed, that proposals will only be acceptable where they do not increase flood risk elsewhere, and that any need for improvements in drainage infrastructure is taken into account.

The site is located largely within flood zone 1, which is the lowest category of flood risk, however a small area of the site is located in flood zone 3; this is the area where Carperley Beck runs under the site through a culvert. The application is supported by a Flood Risk Assessment and Drainage Strategy, which have been updated and additional information and plans provided in response to comments and queries raised by the Council's Drainage Engineer (as Lead Local Flood Authority (LLFA)), Yorkshire Water, and the Environment Agency.

The LLFA and Yorkshire Water raise no objections to the proposed development subject to recommended conditions to secure appropriate details for means of foul and surface water drainage and future management of drainage measures. As requested by the LLFA, the agent has also confirmed that the housing association (the applicant) will be maintaining the culvert through the site (Carperley Beck).

A public sewer crosses through the site (through the mid-section of the site) and the site layout has, to a large degree, been influenced by the position of this sewer and the line of the culvert across the southern section of the site. A protected strip of land to provide the necessary stand-off distances between any development and the sewer/culvert has been accommodated within the site layout.

Additional plans and sections through the site indicate the position of the existing sewer (found following on-site excavations) and that this sits at relatively shallow level. Land raising is therefore proposed to accommodate changes to the gradient of the sewer to avoid the need for a pumping station and provide the necessary depth of ground between the development and sewer. Any landscaping measures will also need to avoid tree planting within these protected corridors; landscaping details will be required by condition appended to the decision notice. The land levels have been indicated on the revised plans and considered within the updated FRA and DS, and identify that the proposed development will not be affected by, nor significantly affect, flood risk or surface water flows through the site, particularly from Carperley Beck.

Subject to the requested conditions to secure drainage details, the proposed development is not considered to present any significant concerns for drainage or flood risk and is

therefore acceptable.

10. Biodiversity

Core Strategy Policy EN2 states that proposals should contribute positively towards the overall enhancement of the District's biodiversity resource. They should seek to protect and enhance species of local, national, and international importance and to reverse the decline in these species. The Council will seek to promote the creation, expansion, and improved management of important habitats within the district and more ecologically connected patchworks of grasslands, woodlands, and wetlands. Core Strategy policy EN5 confirms that, in making decisions on planning applications, trees and areas of woodland that contribute towards the character of a settlement or its setting or the amenity of the built-up area, valued landscapes or wildlife habitats will be protected.

Opportunities for specific habitat creation within development proposals will be sought, including provision for future management. Development that would cause serious fragmentation of habitats, wildlife corridors or have a significantly adverse impact on biodiversity networks or connectivity will be resisted. Paragraph 170 of the NPPF confirms that one of the government's objectives for the planning system is to minimise impacts on biodiversity and provide net gains in biodiversity where possible.

A Preliminary Ecological Appraisal (PEA) accompanies the application, which has been developed through completion of a desk-based study, bat roost suitability assessment, and a Phase 1 Habitat Survey. The PEA finds that the existing site has very low ecological value and very limited opportunities to support habitats. The PEA recommends a series of features for inclusion in the development and identifies some of these opportunities on a sketch plan; the PEA recommends that a Biodiversity Management Plan could be secured via an appropriately worded condition to ensure the provision of suitable biodiversity enhancement features.

Notwithstanding this, a Biodiversity Management Plan and Construction Environment Management Plan have been submitted during the course of the application, which provide a series of recommendations for biodiversity mitigation and enhancement measures that could be provided before, during and after construction of the development. Suitably worded conditions should be appended to the decision requiring that the development be carried out in accordance with these details, together with the submission of an appropriate scheme of landscaping (as discussed above).

Subject to the submission of satisfactory details regarding a landscaping scheme, the proposed development will have a positive effect on biodiversity in the area and is therefore considered acceptable.

11. Land quality

Paragraph 178 of the Revised NPPF states that planning decisions should ensure that the site is suitable for its proposed use taking account of ground conditions, land stability, and contamination, including risks arising from natural hazards, former activities such as mining, or pollution from previous uses. The NPPF also advises that in cases where land contamination is suspected, applicants must submit adequate site investigation information, prepared by a competent person.

Policy EN8 of the Core Strategy requires that where land may be contaminated or unstable appropriate investigation and remediation is undertaken in order that the development will not pose a risk to human health, public safety and the environment.

The site is located within a Coal Authority High Risk Area and as such, the Coal Authority has reviewed the proposed scheme. Coal Authority records indicate a mineshaft located 5.1m east of the site and even allowing for a departure distance of 5m it is unlikely to be within the site. Excavations along the eastern boundary of the site have found no evidence of a shaft or capping and natural ground being proven within this area of the site. Investigations for mining of Elland flags consisted of 4 boreholes which found no possible workings or voids in the area.

The Council's Environmental Health team have reviewed the submitted Phase 1 and 2 site investigations, which include an outline remediation strategy and confirm their agreement with the recommendations presented in the reports. Environmental Health suggest a number of conditions to control remediation of the site, particularly considering the sensitive end use for residential purposes.

Subject to the recommended conditions to secure appropriate remediation of the site, the proposed development will be acceptable in terms of land quality and would accord with the requirements of the aforementioned NPPF and Core Strategy policies.

12. Planning obligations

Policy HO11 of the Core Strategy DPD requires that developments provide 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.

The application seeks permission for 72 dwellings, all of which will be affordable units. The development therefore exceeds the requirements set out in Policy HO11 but a Section 106 legal agreement should nevertheless include reference to the provision of affordable housing.

The site is also located within CIL residential zone 4, within which there is a nil charge for the provision of new residential floor space. Nevertheless, the application is submitted by a Registered Provider with the development consisting entirely of social housing, where such developments can claim relief from payment of CIL.

West Yorkshire Combined Authority has requested a contribution of £36,828.00 to provide a Residential MetroCard Scheme. It is proposed to provide electric vehicle charging points to all dwellings in lieu of a contribution towards a bus-only residential MetroCard scheme. It is considered that the provision of EV charging points represents a betterment of the scheme, as the charging points are permanent features rather than a temporary MetroCard scheme, which would generally cover a 1-year period, with no guarantee that residents would renew after that period.

The Airedale NHS Trust seeks a contribution of £7,091.90, which will go towards the gap in funding created by each potential patient from this development in respect of acute and planned healthcare. In considering this request, committee members are advised that the

determination of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise. The S106 contribution sought is not contemplated by current local plan policy. Members are further advised that legally, the development's potential impact on the provision of local A&E and planned care is a material consideration in the assessment of whether the proposal is acceptable in planning terms.

It is not entirely clear from the information submitted by the Trust what precisely the contribution is intended to fund:- reference was made to it being used directly to provide additional services to meet patient demand from the development and enabling the delivery of services in the provision of acute and planned healthcare; but no substantive details are provided as to how.

Members are advised that if the monies are to be used towards the provision, improvement, replacement, operation or maintenance of infrastructure then that can be funded by CIL since medical facilities are a type of infrastructure specifically identified by the Council for which CIL receipts may be allocated. However, in terms of it being paid as a S106 contribution, Members are advised that the planning application cannot be refused for want of that planning obligation unless it can be demonstrated that it is:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

According to the Trust, the sum is necessary to meet the short term budgetary gap for A&E and planned care from Parliament for the next 12 months and that needed to serve the wholly populated development. It is understood that the funding arrangement is based on population and paid in arrears annually, but the following year's contract does not pay the following year's deficit retrospectively.

Officers would question the efficacy of the payment when the houses are unlikely to be fully occupied within the next year. Realistically, the homes will not be built and occupied more than 12 months after the date of the decision.

Notwithstanding the above it is not considered that the shortfall in funding on its own is a persuasive reason that the payment is a "necessary" obstacle to the grant of planning permission. The Council is plainly not a party to the arrangements between the Trust and Parliament and any deficiency is a matter for those parties to negotiate. If Parliament has determined that the current allocation of funding is fair and appropriate to meet health needs, then it is not the place of the LPA to look beyond that and resolve any deficit for the Trust through S106. Certainly, there is no specific guidance from the Secretary of State, the NPPF or our current development plan that that should be so.

Therefore, Members are advised that without evidence of:

- the exact services and items the monies will be used towards;
- how this development *directly* generates the health demand for those services (and the nature of that demand) during the relevant 12 months of the grant of the permission beyond those already planned for by population growth; and
- why the Trust cannot currently meet such demand itself;

it is not considered possible to conclude that the contribution satisfies the requisite tests that the contribution is necessary, directly related to the development and reasonable in scale and kind.

Finally, Members are advised that even if that were not the case, the proposed obligation needs to be weighed up in the overall planning balance. This is a proposal for 100% affordable housing which will go some way in addressing need and the Council's shortfall in housing supply. The amount requested is significant and could have implications for the viability of the development and its ability to proceed. Officers consider that outweighs the need for the contribution based on the information submitted by the Trust.

13. Other planning matters

The proposal raises no other planning related matters that have not been addressed within the report or through appropriately worded conditions, as listed below.

14. Community safety implications

Whilst anti-social behaviour, crime, and vandalism are generally a matter for the Police, paragraph 91 of the NPPF states that decisions should promote a 'safe and accessible environment where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion'.

West Yorkshire Police have advised regarding a number of measures to improve the general security of properties and to minimise opportunities for crime and antisocial behaviour. Revisions to the proposal include alterations to boundary treatments adjacent to the GNRT route to comprise a 1.5m high close-boarded fence with 300mm open trellis above. This will allow overlooking of the GNRT route from properties and thereby improve surveillance and reduce opportunities for antisocial behaviour. The site plan indicates the installation of barriers to prevent vehicular access onto the GNRT route from the development's access road, which will prevent unauthorised use by motor vehicles and reduce opportunities for antisocial behaviour.

Subject to the conditions listed below in relation to boundary treatments and landscaping, and other security measures to prevent unauthorised vehicular access onto the cycle route, the proposal does not pose any significant apparent community safety implications and accords with the requirements of Policy DS5 of the Core Strategy DPD and the NPPF.

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

15. Outstanding matters raised by representations

- *Should introduce permit parking along Station Road*
- *Construction traffic will cause traffic and wagons will struggle to use the access without damaging residents' property*
- *Public transport provision should be improved to allow more sustainable modes of transport*

The introduction of permit parking is not within the remit of the planning process. A

construction management plan will be required and secured by planning condition, detailed below. Public transport provision is a matter dealt with by the relevant transport body.

- Light pollution

The lighting scheme will be agreed with the highways department but the agent has confirmed that the lighting scheme will be designed to minimise light pollution.

- Impact on utilities e.g. gas, water, electric, tv/internet box

- Impact on local house prices

- The only people to gain from this are the Council and housing developers

These are not material planning considerations but relevant utilities providers will consider the relevant services. The application has been assessed on its planning merits against relevant planning policies and guidance.

- The development will breach local residents' human rights

The human rights of local residents and those of future residents have been considered in the assessment of the application.

- No consultation with local residents and no opportunity to comment on plans

The application has been advertised in accordance with the Council's adopted publicity code of practice and representations have been addressed in this report.

- Lack of school places

Children's Services has confirmed that the proposed development is unlikely to cause concerns regarding where children of families coming to reside in the development may attend school. Further, developments contribute towards education provision through the Community Infrastructure Levy.

- Impact on health facilities

In response to residents' comments regarding the lack of availability at local GP practices, the applicant has referred to local GP practices that are currently accepting new patients. In terms of any impact on the provision of health services, specifically GP practices, this is outside the control of the Council and any additional strain on those services would be for the relevant Clinical Care Commissioning Group to address.

- Has the Homes and Neighbourhoods design guide been considered by the developers

The application was submitted prior to the adoption of this SPD but the principles and guidance contained within the SPD has been taken into account when assessing the application.

Reason for Granting Planning Permission

The scheme proposes a residential development of affordable houses on an unallocated and previously developed site. The scale, form, layout, and design of the proposal are acceptable and raise no concerns in regard to the aforementioned considerations. The proposal is therefore considered acceptable and subject to the listed conditions and S106 legal agreement, satisfies the requirements of the above-listed policies of the Replacement Unitary Development Plan, Core Strategy Development Plan Document, and the National Planning Policy Framework.

Conditions of Approval:

1. Approved plans

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

Location Plan - 2649.24.100 Revision A – dated 05/11/2019

Site Section - 2649.24.105A – dated 12/12/2019

Revised Site Layout - 2649.24.101L – Dated 26/05/2020

Topographical Survey - P19-00336-MET-EXT-XX-TOP-M2-G-001-1 – Dated 03/05/2019

Topographical Survey - P19-00336-MET-EXT-XX-TOP-M2-G-002-1 – Dated 03/05/2019

Topographical Survey - P19-00336-MET-EXT-XX-TOP-M2-G-003-1 – Dated 03/05/2019

Topographical Survey - P19-00336-MET-EXT-XX-TOP-M2-G-004-1 – Dated 03/05/2019

Topographical Survey - P19-00336-MET-EXT-XX-TOP-M2-G-005-1 – Dated 03/05/2019

Topographical Survey - P19-00336-MET-EXT-XX-TOP-M2-G-006-2 – Dated 06/11/2019

Topographical Survey - P19-00336-MET-EXT-XX-TOP-M2-G-007-1 – Dated 03/05/2019

Station Road Highway Improvement Plan - 19116/GA/01 REV A – Dated 16/04/2020

Revised Plots 1-4 & 67-70 Plans and Elevations - 2649.24. 110 B – Dated 07/05/2020

Revised Plots 10-11 Plans and Elevations - 2649.24. 114 B – Dated 07/05/2020

Revised Plots 5-6 & 46-47 Plans and Elevations - 2649.24. 115 C – Dated 07/05/2020

Revised Plots 29-31 Plans and Elevations - 2649.24. 116 C – Dated 07/05/2020

Revised Plots 60-62 Plans and Elevations - 2649.24. 117 A – Dated 07/05/2020

Revised Plots 16-21, 34-45, 53-54, 58-59, 63-66 Plans and Elevations - 2649.24. 120 B – Dated 07/05/2020

Revised Plots 7-9 & 55-57 Plans and Elevations - 2649.24. 121 C – Dated 07/05/2020

Revised Plots 22-23 & 32-33 Plans and Elevations - 2649.24. 125 C – Dated 07/05/2020

Revised Plots 12-15, 27-28, 51-52, 71-72 Plans and Elevations - 2649.24. 130 C – Dated 07/05/2020

Revised Plots 48-50 Plans and Elevations - 2649.24. 131 C – Dated 07/05/2020

Revised Plots 24-26 Plans and Elevations - 2649.24. 132 C – Dated 07/05/2020

Culvert Plan and Longsection - 08.18013-ACE-ZZ-XX-DR-C-0181 P2 – Dated 01/06/2020

Exceedance Flow Routing Culvert Plan - 08.108013-ACE-ZZ-XX-DR-C-200 P3 – Dated 01/05/2020

Reason: For the avoidance of doubt as to the terms under which this planning permission has been granted.

2. Three Year Time Limit

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

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

3. Sample materials

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

accordance with the approved details.

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

4. Station Road improvement works

Before any works towards the construction of the development starts on site, full details and specifications of the works associated with Station Road as shown on the Station Road Improvement Plan reference 19116/GA/01 Revision A dated 16th April 2020 shall be submitted to and approved in writing by the Local Planning Authority. The development shall then not be brought into use until these works have been completed on site in accordance with the approved details.

Reason: To ensure that the site is connected to existing street and path networks, public transport and places and that a safe and suitable form of access is made available to serve the development in accordance with Policy DS4 of the Core Strategy Development Plan Document and Paragraph 108 of the National Planning Policy Framework.

5. Implement means of access

Before any part of the development is brought into use, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced, sealed and drained within the site in accordance with the approved plans numbered 19116/GA/01 Revision A dated 16th April 2020 and 2649.24.101L dated 26th May 2020 and completed to a constructional specification approved in writing by the Local Planning Authority.

Reason: In the interests of highway and pedestrian safety and to accord with Policy DS4 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

6. Parking Provision

Prior to the first occupation of the residential units, the off street car parking facility shall be laid out, hard surfaced, sealed and drained within the curtilage of the site in accordance with the approved drawings. The gradient shall be no steeper than 1 in 15 except where otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to accord with Policies TR2 and EN7 of the Core Strategy Development Plan Document.

7. Electric vehicle charging points

Before the date of occupation, of each residential unit on site dedicated parking shall be provided with access to a fully operational 3-pin socket on a dedicated 16A circuit, capable of providing a 'trickle' charge to an electric vehicle. Charging points should be provided via outdoor, weatherproof sockets within easy access of the parking areas or within a dedicated garage space. All EV charging points shall be clearly marked with their purpose and drawn to the attention of new residents in their new home welcome pack/travel planning advice.

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 Policy EN8

of the Core Strategy Development Plan Document, the West Yorkshire Low Emission Strategy, and the National Planning Policy Framework.

8. Remediation strategy

Prior to construction of the development, a detailed remediation strategy, which includes a ground gas risk assessment based on the completed ground gas monitoring results and 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 the execution of the remedial works. Where necessary, the strategy shall include proposals for phasing of works and verification. The strategy shall be implemented as approved.

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

9. Remediation verification

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

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

10. Unexpected contamination

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

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

11. 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 development shall be carried out in accordance with the approved methodology.

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

12. Construction Plan

Notwithstanding the provisions 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 contractors means of access to the site including measures to deal with surface water drainage;
- ii) Hours of delivery of materials;
- iii) Location of site management offices and/or sales offices;
- iv) Location of materials storage compounds, loading and unloading areas and areas for construction vehicles to turn within the site;
- v) Car parking areas for construction workers, sales staff and customers;
- vi) The extent of and surface treatment of any temporary road accesses leading to compound/storage areas and the construction depths of these accesses, the levels and gradients.
- vii) Temporary warning and direction signing on the approaches to the site.

The construction plan details shall be approved before development is begun and shall be kept in place, operated and adhered to at all times until the development is completed.

Reason: To ensure the provision of proper site construction facilities in the interests of highway safety and the amenity of the surrounding environment and its occupants and to accord with policies TR1, TR3, EN8, DS4 and DS5 of the Core Strategy Development Plan Document.

13. Separate drainage systems

The site shall be developed with separate systems of drainage for foul and surface water on and off site.

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

14. Surface water drainage

No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the public sewer network and to accord with policy EN8 of the Core Strategy Development Plan Document.

15. Foul and Surface Water Infrastructure

The surface water drainage scheme shall be constructed in accordance with Flood Risk Assessment and Drainage Strategy by Adept Civil and Structural Consulting Engineers reference 09.18013-ACE-ZZ-XX-RP-C-001 Revision P3 dated 1st June 2020. The drainage scheme including the culverts under the site shall be maintained thereafter by an appointed Management Company for the lifetime of the development.

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 and the National Planning Policy Framework.

16. Flood risk mitigation measures

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Adept Civil and Structural Consulting Engineers reference 09.18013-ACE-ZZ-XX-RP-C-001 Revision P3 dated 1st June 2020 and plan numbers 08.18013-ACE-ZZ-XX-DR-C-0181 Revision P2 dated 1st June 2020 and 08.108013-ACE-ZZ-XX-DR-C-200 Revision P3 dated 1st June 2020. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with the National Planning Policy Framework and Policy EN7 of the Core Strategy Development Plan Document.

17. Sewer stand-off distance

No building or other obstruction including landscape features shall be located over or within 3 (three) metres either side of the centre line of the public sewer i.e. a protected strip width of 6 (six) metres, that crosses the site. If the required stand-off distance is to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been undertaken.

Reason: In order to allow sufficient access for maintenance and repair work at all times for the drainage network and to accord with policies EN7 and EN8 of the Core Strategy Development Plan Document.

18. Biodiversity enhancements

The development shall be carried out in accordance with the biodiversity and landscape enhancement recommendations contained within the Ecological Construction Environment Management Plan (CEMP) reference ER-4500-05.1 dated 18th March 2020, the Biodiversity Management Plan (BMP) reference R-3727-06 dated 2nd April 2020, and the Invasive Species Management Plan reference R-EE-4555-01.1 dated 19th March 2020. A timetable for the implementation of the recommendations shall first be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted commences above damp proof course on site and thereafter complied with.

Reason: To enhance the biological value of the site and to accord with policy EN2 of the Core Strategy Development Plan Document.

19. Landscaping scheme

No development above damp proof course level shall be carried out on the hereby approved dwellings until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall show the following details:

- i) Position of any trees to be felled, trees to be retained, proposed trees and defined limits of shrubs and grass areas.
- ii) Numbers of trees and shrubs in each position with size of stock, species, and variety.
- iii) Types and scale of enclosures (fences, railings, walls).
- iv) Types of hard surfacing (pavings, tarmac, etc.).
- v) Regraded contours and details of changes in levels, including any necessary retaining structures.
- vi) Details of measures for management and maintenance of any communal landscaped areas not comprising part of the domestic curtilages

The landscaping scheme so approved shall be implemented in its entirety to the satisfaction of the Local Planning Authority during the first available planting season following the completion of the dwellings hereby approved.

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

Reason: In the interests of visual amenity and landscape character and to accord with policies DS1, DS2, DS3, and EN5 of the Core Strategy Development Plan Document.

20. Landscape maintenance

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

Reason: To ensure effective future maintenance of the landscaped areas in the interests of visual amenity and to accord with Policies DS2, DS3 and EN5 of the Core Strategy Development Plan Document.

21. Bat and bird box details

Prior to the occupation of the dwellings details of bat and bird nest boxes to be incorporated into the design of all units shall be submitted to and approved in writing by the local planning authority. The bat and bird nest boxes so approved shall then be provided in full prior to the first occupation of the development and shall thereafter be retained as long as the development is in use.

Reason: To ensure that the development contributes positively towards the overall enhancement of the District's biodiversity resource and to accord with policy EN2 of the Core Strategy Development Plan Document.

22. Tree protection measures

The development shall not begin, nor shall there be any demolition, site preparation or groundworks, nor shall any materials or machinery be brought on to the site, nor any works carried out to any trees that are to be retained until the tree protection fencing and other tree protection measures are installed in strict accordance with the details and positions shown on the submitted arboricultural report and associated drawings Ref. 14944e/TT by JCA Ltd, dated 8/06/2020.

The development shall not begin until the Local Planning Authority has inspected and given its written approval confirming that the agreed tree protection measures are in place in accordance with the submitted details.

Reason: To ensure that trees are adequately protected prior to development activity beginning on the site which would otherwise harm trees to the detriment of visual amenity and to accord with Policy EN5 of the Core Strategy Development Plan Document.

23. Retention of tree protection measures

The approved and agreed tree protection measures shall remain in place, and shall not be moved, removed or altered for the duration of the development without the written consent of the Local Planning Authority. There shall also be no excavations, engineering or landscaping work, service runs, or installations, and no materials will be stored within any construction exclusion zones or tree protection areas without the written consent of the Local Planning Authority.

Reason: To ensure that trees are adequately protected during development activity on the site which would otherwise harm trees to the detriment of visual amenity and to accord with Policy EN5 of the Core Strategy Development Plan Document.

24. Verification of tree protection measures

Prior to the removal of the protective fencing and other agreed tree protection measures, written verification/evidence that the developer has arranged for supervision and monitoring of those approved measures by a suitably qualified and pre-appointed tree specialist, at regular and frequent intervals throughout the duration of the development, shall be submitted to the Local Planning Authority. Prior to the occupation of the development, or prior to the occupation of phases of the development as have been agreed in writing with the Local Planning Authority, the Local Planning Authority shall have first confirmed in writing its agreement to the verification/evidence.

Reason: To ensure that trees have been adequately protected by the developer during development activity and that harm to the trees has been effectively prevented or mitigated by the measures proposed in the planning application submission. To ensure that protection measures have prevented harm to trees and visual amenity and to accord with Policy EN5 of the Core Strategy Development Plan Document.

25. Bin storage

Notwithstanding any details shown on the approved plans, full details of the proposed bin storage enclosures shall be submitted to and approved in writing by the Local Planning Authority. The enclosures shall then be provided in accordance with the approved details prior to the first occupation of the dwellings hereby permitted and retained thereafter.

Reason: In the interest of visual amenity and highway safety and to comply with policies DS3 and DS5 of the Core Strategy Development Plan Document.

26. PD Rights removal

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

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

Informatives:

Works affecting Carperley Beck

The developer's attention is drawn to the need to gain consent for works affecting the watercourse (Carperley Beck) from the Lead Local Flood Authority, in this case Bradford Council. The developer must therefore apply to Bradford Council Land Drainage Department for consent to undertake works affecting the watercourse. For advice regarding works to the watercourse please contact Edward Norfolk on 01274 433905 or via e-mail at edward.norfolk@bradford.gov.uk

Breeding Birds

All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended), including their nests (whilst in use or being built) as well as any eggs the nest may contain. Site clearance should not occur during the bird nesting season. This is weather dependant but generally extends from 1st March to 31st August (inclusive). If this is not possible and breeding birds are encountered, any such works undertaken within the bird nesting period (March to August inclusive) should be supervised by a suitably qualified ecologist and no site clearance should take place until after the fledglings have left the nest.

Public Rights of Way:

The affected public footpaths must not be obstructed by any plant, materials or equipment. Even the temporary storage of materials on the footpath is not permitted. Any obstruction of the route constitutes an offence under the Highways Act 1980 and will be pursued accordingly.

If works mean that the public right of way cannot be kept open because of safety hazards, a temporary diversion or closure order must be obtained. Please phone Andrew Dilley on 01274 432393 or email andrew.dilley@bradford.gov.uk for details.

Even if planning permission is granted, no new stiles, gates, barriers or other structures can be erected on or across a public right of way without prior approval from the Council's Rights of Way Section. The requirements of the Equalities Act must also be considered.

If works alongside the public footpaths/bridleways present a danger to path users, the affected section should be fenced off with safety netting

The surface of the footpath should not be disturbed, however, if damage to the public footpaths caused by development works does occur, it must be promptly repaired by the applicant at their expense. If any changes are proposed that would affect the surface in any way, these must be approved, in advance by the Rights of Way Section.

If building works remove features that would enable users to find the footpath/bridleway, the line of the footpath must be clearly indicated by some other means, as this will help to minimise conflict and difficulties on site.

Yorkshire Water

The developer should also note that the site drainage details submitted have not been approved for the purposes of adoption or diversion. If the developer wishes to have the sewers included in a sewer adoption/diversion agreement with Yorkshire Water (under Sections 104 and 185 of the Water Industry Act 1991), they should contact our Developer Services Team (tel 0345 120 84 82, email: technical.sewerage@yorkshirewater.co.uk) at the earliest opportunity. Sewers intended for adoption and diversion should be designed and constructed in accordance with the WRc publication 'Sewers for Adoption - a design and construction guide for developers' 6th Edition, as supplemented by Yorkshire Water's requirements.