

CITY PLANS PANEL – 14TH MAY 2015 MEETING

**AGENDA ITEM 8 – APPLICATIONS 14/07273/FU AND
14/07274/LI – BURLEY HOUSE 12 CLARENDON ROAD**

**SUPPLEMENTARY REPORT OF THE CHIEF PLANNING
OFFICER SETTING OUT PROPOSED CONDITIONS**

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Supplementary Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 14 MAY 2015

Subject: PLANNING APPLICATION REF. 14/07273/FU CHANGE OF USE OF OFFICES TO 16 SELF-CONTAINED STUDENT FLATS AND EXTENSION OF EXISTING ANNEX TO FORM NINE SELF-CONTAINED STUDENT FLATS AND LISTED BUILDING CONSENT APPLICATION 14/07274/LI FOR INTERNAL AND EXTERNAL ALTERATIONS AT BURLEY HOUSE, 12 CLARENDON ROAD, WOODHOUSE, LEEDS LS2 9NF

This is a supplementary report relating to the planning and listed building consent applications for a student residential development at 12 Clarendon Road. Further to the main report, the draft conditions for both applications are set out below.

Draft Conditions for planning application ref. 14/07273/FU

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Imposed pursuant to the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.

For the avoidance of doubt and in the interests of proper planning.

- 3) No construction of external walling or roofing shall take place until details and samples of all external walling and roofing materials have been submitted to and approved in writing by the Local Planning Authority. Such materials shall be made available on site prior to the commencement of their use, for the inspection of the Local Planning Authority who shall be notified in writing of their availability. This shall include a large sample panel of all external facing materials and glazing types to be used. The external cladding and glazing materials shall be constructed in strict accordance with the sample panel(s) which shall not be demolished prior to the completion of the development.

In the interests of visual amenity in order to accord with Leeds UDP Review Policies GP5 and BD2, Leeds Core Strategy Policy P10 and the NPPF.

- 4) Notwithstanding details shown on the plans hereby approved, no external walling or roofing shall be constructed until typical 1:20/1:50 scale elevations/section/plan working drawings showing the following details:
 - a. detail of roof line and eaves treatments;
 - b. window and door openings including details of mullions and reveals;

have been submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the details thereby approved and retained as such thereafter.

In the interests of visual amenity in order to accord with Leeds UDP Review Policies GP5 and BD2, Leeds Core Strategy Policy P10 and the NPPF.

- 5) Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, public open space or for filling and level raising shall be tested for contamination and suitability for use. A methodology for testing these soils shall be submitted to, and approved in writing by, the Local Planning Authority prior to these materials being imported onto site. The methodology shall include information on the source of the materials, sampling frequency, testing schedules and criteria against which the analytical results will be assessed (as determined by risk assessment). Testing shall then be carried out in accordance with the approved methodology. Relevant evidence and verification information (for example, laboratory certificates) shall be submitted to, and approved in writing by, the Local Planning Authority prior to these materials being imported onto the site.

To ensure that contaminated soils are not imported to the site and that the development shall be suitable for use with respect to land contamination in accordance with policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

- 6) The local planning authority shall be notified in writing immediately where unexpected significant contamination is encountered during any development works and operations in the affected part of the site shall cease.

Where remediation of unexpected significant contamination is considered by the Local Planning Authority to be necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development on the affected part of the site. The Remediation Statement shall include a programme for all remediation works and for the provision of verification information.

- 7) Remediation works shall be carried out in accordance with the approved Remediation Statement. On completion of those works, the Verification Report(s) shall be submitted to the Local Planning Authority in accordance with the

approved programme. The site or phase of a site shall not be brought into use until such time as all necessary verification information has been approved in writing by the Local Planning Authority.

To enable the local planning authority to ensure that unexpected contamination at the site will be addressed appropriately and that the development will be suitable for use in accordance with policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

- 8) Development shall not commence until a scheme detailing foul and surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved scheme before the development is brought into use, or as set out in the approved phasing details.

To ensure sustainable drainage and flood prevention in accordance with Saved Leeds UDPR Policy GP5, the Leeds Natural Resources and Waste DPD and the National Planning Policy Framework.

- 9) a) No works shall commence until all existing trees, hedges, bushes shown to be retained on the approved plans are fully safeguarded by protective fencing and ground protection in accordance with approved plans and specifications and the provisions of British Standard 5837 (2012) Trees in relation to design, demolition and construction, unless otherwise agreed in writing by the Local Planning Authority. Such measures shall be retained for the duration of any demolition and/or approved works.

b) No works or development shall commence until a written arboricultural method statement for a tree care plan during construction in accordance with British Standard S5837 (2012) Trees in relation to design, demolition and construction. has been submitted to and approved in writing by the Local Planning Authority. This should include details of access, scaffolding, storage, contractors parking, service runs and changes in levels. Works or development shall then be carried out in accordance with the approved method statement.

c) No equipment, machinery or materials shall be used, stored or burnt within any protected area. Ground levels within these areas shall not be altered, nor any excavations undertaken including the provision of any underground services, without the prior written approval of the Local Planning Authority.

d) Seven days written notice shall be given to the Local Planning Authority that the protection measures are in place prior to demolition and/or approved works, to allow inspection and approval of the works.

To ensure the protection and preservation of trees, hedges, bushes and other natural features during construction works, in accordance with adopted Leeds UDP Review (2006) policies GP5, N23 and LD1.

10) a) No retained tree/hedge/bush shall be cut down, uprooted or destroyed nor any tree be pruned, topped or lopped or suffer root severance other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any approved pruning, topping or lopping shall be carried out in accordance with current British Standards and any tree survey approved by the Local Planning Authority.

b) If any retained tree/hedge/bush is removed, uprooted or destroyed or dies the Local Planning Authority shall be notified forthwith in writing. Another tree/hedge/bush of an agreed size and species shall be planted at the same place and at such time, as may be specified in writing by the Local Planning Authority.

Retained tree/hedge/bush refers to vegetation which is to be retained, as shown on the approved plans and particulars, and the condition shall have effect until the expiration of five years from the date of occupation.

To ensure the continuity of amenity afforded by existing vegetation in accordance with adopted Leeds UDP Review (2006) policies GP5, N23 and LD1.

11) External surfacing or landscaping works shall not commence until full details of both hard and soft landscape works including an implementation programme for the works have been submitted to and approved in writing by the Local Planning Authority. Hard landscape works shall include:

- (a) proposed finished levels and/or contours,
- (b) boundary details and means of enclosure,
- (c) car parking layouts,
- (d) other vehicle and pedestrian access and circulation areas,
- (e) hard surfacing areas,
- (f) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.),
- (g) proposed and existing functional services above and below ground (e.g. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.).

Soft landscape works shall include

- (h) planting plans
- (i) written specifications (including soil depths, cultivation and other operations associated with plant and grass establishment) and
- j) schedules of plants noting species, planting sizes and proposed numbers/densities.
- k) tree pits and soil volumes

All hard and soft landscaping works shall be carried out in accordance with the approved details, approved implementation programme and British Standard BS 4428:1989 Code of Practice for General Landscape Operations. The developer shall complete the approved landscaping works and confirm this in writing to the Local Planning Authority prior to the date agreed in the implementation programme.

To ensure the provision and establishment of acceptable landscape in accordance with adopted Leeds Core Strategy Policy P12, Saved Leeds UDP Review (2006) policies GP5 and LD1, Leeds Natural Resources and Waste DPD, and the NPPF.

- 12) If within a period of five years from the date of the planting of any tree/hedge/shrub that tree/hedge/shrub, or any replacement, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree/hedge/shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the Local Planning Authority.

To ensure maintenance of a healthy landscape scheme, in accordance with adopted Leeds Core Strategy Policy P12, Saved Leeds UDP Review (2006) policies GP5 and LD1, the Leeds Natural Resources and Waste DPD, and the NPPF.

- 13) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The landscape management plan shall be carried out as approved.

To ensure successful aftercare of landscaping, in accordance with adopted Leeds Core Strategy policy P12, Saved Leeds UDP Review (2006) policies GP5 and LD1, the Leeds Natural Resources and Waste DPD, and the NPPF.

- 14) The development shall not be occupied until all areas shown on the approved plans to be used by vehicles have been fully laid out, surfaced and drained such that surface water does not discharge or transfer onto the highway. These areas shall not be used for any other purpose thereafter.

To ensure the free and safe use of the highway in accordance with adopted Leeds Core Strategy Policy T2 and Street Design Guide SPD (2009).

- 15) Prior to the occupation of the development hereby approved, details of a car park, student drop-off and pick-up, and refuse/servicing management plan shall be submitted to and approved in writing by the Local Planning Authority. Car parking spaces shall only be allocated to residents of this site. The development shall be operated in accordance with the approved management plan thereafter.

In the interests of sustainable development, and vehicular and pedestrian safety, in accordance with Leeds Core Strategy Policies T1 and T2, and the NPPF.

- 16) No installation of externally mounted plant or equipment shall take place until details of the installation and/or erection of any air conditioning or extract ventilation system, flue pipes or other excrescences proposed to be located on the roof or sides of the building, including details of their siting, design, noise

attenuation, and external appearance have been submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details and retained as such thereafter.

In the interests of amenity and visual amenity, in accordance with Leeds UDPR Policies GP5, BD2 and BD4, Leeds Core Strategy policy P10 and the NPPF.

- 17) No demolition or building operation shall take place before 08.00 hours on weekdays and 09.00 hours on Saturdays nor after 18.30 hours on weekdays and 13.00 on Saturdays, with no works on Sundays or Bank Holidays, unless agreed in writing with the Planning Local Authority.

In the interests of residential amenity, in accordance with Leeds Core Strategy, Leeds UDPR Saved Policy GP5 and the NPPF

- 18) No works shall begin until a Statement of Construction Practice has been submitted to and approved in writing by the Local Planning Authority. The Statement of Construction Practice shall include full details of:

- a) the methods to be employed to prevent mud, grit and dirt being carried onto the public highway from the development hereby approved;
- b) measures to control the emissions of dust and dirt during construction;
- c) location of site compound and plant equipment/storage;
- d) details and location of contractor and sub-contractor parking
- e) a local resident communications strategy for the duration of the works

The approved details shall be implemented at the commencement of work on site, and shall thereafter be retained and employed until completion of works on site. The Statement of Construction Practice shall be made publicly available for the lifetime of the construction phase of the development in accordance with the approved method of publicity.

In the interests of residential amenity of occupants of nearby property in accordance with adopted Leeds UDP Review (2006) policy GP5 and the National Planning Policy Framework.

- 19) Prior to the installation of bin stores, full details (including siting, materials and means of enclosure) of the proposed residential bin store(s) for that phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the bin store(s) thereby approved have been provided. The bin store(s) shall thereafter be retained and maintained as such in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

To ensure that adequate provision for bin storage is made and in the interests of visual and residential amenity, in accordance with Leeds UDPR Policy GP5, Leeds Core Strategy Policies T2 and P10 and the NPPF.

20) Prior to the installation of cycle/motorcycle facilities, full details of long and short stay cycle/motorcycle parking and facilities shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the approved cycle/motorcycle parking and facilities have been provided. The facilities shall thereafter be retained for the lifetime of the development.

In order to meet the aims of adopted Leeds UDP Review (2006) policies T7A, and T7B, Leeds Core Strategy Policy T1, the Travel Plans SPD and the NPPF.

21) The development shall only be occupied by students in full time education.

In the interest of the proper planning of the site, the appropriate provision of affordable housing, and in the interests of highway safety and preventing congestion to meet the aims of Leeds Core Strategy Policies T2 and H5, Saved Leeds UDP Review (2006) policy GP5, and the NPPF

22) Unless otherwise agreed in writing, the occupation of the new annex building shall not take place until the hereby approved restoration and refurbishment works to the existing building have been completed.

To ensure the restoration and refurbishment of the existing building takes place in the interests of enhancing the setting of the nearby Listed Building and the character and appearance of the Conservation Area in accordance with Leeds Core Strategy Policy P11, Saved UDPR policies GP5 and N19, and the NPPF.

Informative:

With reference to Condition 21, "students" means persons who are enrolled in a full-time course of study within the City of Leeds at a university higher educational institution or other educational establishment considered to be comparable by the Council for at least the full duration of the published academic term of the university or higher educational establishment.

Draft Conditions for listed building consent application 14/07274/LI

1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Imposed pursuant to the provisions of Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2) The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.

For the avoidance of doubt and in the interests of proper planning.

3) No building works shall take place until details and samples of all external walling and roofing materials (including details of any boundary treatments)

have been submitted to and approved in writing by the Local Planning Authority. Samples shall be made available on site prior to the commencement of building works, for inspection by the Local Planning Authority which shall be notified in writing of their availability. The building works shall be constructed from the materials thereby approved.

In the interests of visual amenity, in accordance with Leeds Core Strategy Policies P10 and P11, Saved Leeds UDP Review (2006) policies BD6 and GP5, and the National Planning Policy Framework.

- 4) Notwithstanding the details shown on the plans hereby approved and prior to the commencement of building works full details (to include a survey relating to the repair/replacement of existing doors and windows, a method statement for any repairs, section drawings, glazing details, joinery details and details of materials, treatment and/or colour) of all existing and proposed glazed openings (windows and roof lights) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter as such.

In the interests of the character and appearance of the conservation area and to preserve the special architectural and historic character of the listed building, in accordance with Leeds Core Strategy Policies P10 and P11, Saved UDPR Policies GP5, BD6 and N17, and the NPPF

- 5) No building works shall take place until details and samples of all hard surfacing materials to the development have been submitted to and approved in writing by the Local Planning Authority. Such materials shall be made available on site prior to the commencement of their use, for the inspection of the Local Planning Authority who shall be notified in writing of their availability. The surfacing works shall be constructed from the materials thereby approved.

In the interests of visual amenity, the character and appearance of the Conservation Area, and the setting of the listed building, in accordance with Leeds Core Strategy Policies P10, P11 and P12, Saved Leeds UDPR policies GP5, BD6, LD1, CC5 and N17, and the NPPF.

- 6) Notwithstanding the details shown on the approved plans, prior to the commencement of works, a detailed survey of the following parts of the building shall be submitted to and approved in writing by the Local Planning Authority:
- a) internal doors and their surrounds
 - b) architraves
 - c) cornices
 - d) picture rails
 - e) stone flags in the basement
 - f) skirting boards
 - g) wood panelling and screens
 - h) new internal partitions
 - i) ensuite pods

- j) sound insulation and fire proofing
- k) proposed external railings and handrails
- l) external pipework
- m) extract vents

Where any of the above features are proposed as new, or are to be repaired or replaced, exact details including typical 1:50 scale plan/elevation/section working drawings of how this would be carried out shall be submitted to and approved in writing by the Local Planning Authority, prior to the works taking place. The works shall be carried out in accordance with the approved details and retained as such thereafter.

In the interests of the preservation of the special architectural character of the listed building, and the character and appearance of the conservation area, in accordance with the NPPF, Leeds Core Strategy Policy P11, and Saved UDPR Policies GP5, BD6 and N17.

