

Appendix 4 – Suggested conditions

- 1 The development hereby permitted shall be begun before the expiration of six months 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 The Local Planning Authority shall be notified in writing of the date of the commencement of development at least one week prior to such commencement.

To enable the Local Planning Authority to monitor conditions which come into force at the commencement of development.

- 4 Development shall not commence on the relevant phase of development until a Statement of Construction Practice for that phase 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 of access, storage, parking, loading and unloading of all contractors' plant, equipment, materials and vehicles (including workforce parking);and
- e) how this Statement of Construction Practice will be made publicly available by the developer.

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 and to ensure the free and safe use of the highway in accordance with adopted Leeds UDP Review (2006) policy GP5 and T2 and the National Planning Policy Framework.

- 5 Equipment to enable mud and grit to be removed from the wheels, tyres and underside of vehicles prior to their entering the public highway shall be provided and utilised in the position shown on the approved plan and maintained in working order at all times when traffic is leaving the site. The site access road shall be maintained in a clean condition at all times when traffic is leaving the site.

To ensure that mud is not deposited on the road in the interests of amenity and highway safety.

- 6 No development, including demolition, shall commence until a programme of architectural and archaeological recording of buildings on the site has been undertaken by an appropriately qualified and experienced archaeological / building recording consultant in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

To ensure necessary archaeological and architectural recording of the buildings before alteration.

- 7 Construction activities shall be restricted to 0800 hours to 1800 hours Monday to Friday; 0800 hours to 1300 hours on Saturdays with no works on Sundays and Bank Holidays.

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

- 8 Details and samples of all external facing and finishing materials including walls, roofs and windows shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of the development. The samples shall include full-size panels of typical details of the proposed new buildings. The external surfaces shall be constructed in accordance with the details thereby agreed.

In the interests of visual amenity.

- 9 The following external façade works shall not be commenced until details at a scale of not less than 1 to 20 of the typical details have been submitted to and approved in writing by the Local Planning Authority:
 - (i) Details of each type of window unit including bays.
 - (ii) Eaves treatment and roof details.
 - (iii) Details of external repair of the 1908 St Michael's college building.
 - (iv) Details of shopfronts

The works shall be carried out in accordance with the details thereby approved.

In the interests of visual amenity.

- 10 Details the proposals for reinstatement of the main entrance, including steps, door and handrails, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that phase of the development. The entrance shall be constructed in accordance with the details thereby agreed prior to first occupation of that phase of the development.

In the interests of amenity and accessibility to meet the aims of adopted Leeds UDP Review (2006) policy GP5, T6 and BD6.

- 11 Prior to the commencement of development a survey of on-street car parking taking place within an 800m radius of the site shall be submitted to and agreed in writing by the Local Planning Authority. The survey shall be carried out on a weekday during the day and the evening, and a weekend in accordance with details which shall first be agreed with the Local Planning Authority.

In order to establish the existing on-street parking taking place within the vicinity of the site.

- 12 All off-site highway works shown on the approved plans and contained within the approved Transport Assessment by Cameron Rose must be completed before first occupation of the relevant phase of development on the site.

In the interests of highway safety in accordance with adopted Leeds UDP Review (2006) policies GP5 and T2.

- 13 Notwithstanding the approved details, before development is commenced full details of cycle/motorcycle parking and facilities shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved cycle/motorcycle parking and facilities for that phase 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) policy T2 and T7A.

- 14 Development of the student residential building shall not commence until a car parking strategy for the management of vehicles at the start and end of the academic year has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the strategy thereby approved.

To ensure the free and safe use of the highway in accordance with adopted Leeds UDP Review (2006) policy T2.

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- 15 Development of the student residential building shall not commence until details of a staff shower/changing room/locker facilities for staff of the student residential building have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided prior to occupation of the development and thereafter be retained for the lifetime of the development.

In the interests of sustainable transport in accordance with adopted Leeds UDP Review (2006) policy T2 and T7A.

- 16 Development of the open market units shall not commence until details of electric vehicle charge points, or first fix, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided prior to occupation of that phase of the development and thereafter be retained for the lifetime of the development.

In the interests of sustainable transport in accordance with adopted Leeds UDP Review (2006) policy T2 and policy AIR1 of the Natural Resources and Waste Development Plan Document.

- 17 No part of the development shall be occupied until a Car Park and Servicing Management Plan (including timescales) for that part of the site has been submitted to and approved in writing by the Local Planning Authority. The plan shall be fully implemented and operated in accordance with the approved timescales. For the avoidance of doubt the parking spaces hereby approved shall only be used by residents and staff of the development hereby approved. The spaces shall not be leased to off-site users.

To ensure the free and safe use of the highway in accordance with adopted Leeds UDP Review (2006) policy T2.

- 18 No part of the development shall be occupied until the approved one-way vehicular entry and exit arrangements and appropriate signage for that part of the site, including restrictions for large vehicles on the open market flats site, are fully implemented, and must be maintained as such thereafter for that part of the site.

To ensure the free and safe use of the highway in accordance with adopted Leeds UDP Review (2006) policy T2.

- 19 Notwithstanding the details of the plans hereby approved prior to the insertion of any bollards outside the entrance to premises full details of their design and location shall be submitted to and agreed in writing by the Local Planning Authority. The bollards shall be installed in accordance with the details thereby agreed.

In the interests of pedestrian safety and accessibility and in accordance with adopted Leeds UDP Review (2006) policy GP5, T2 and T6.

- 20 Prior to the first occupation of the open market apartments the redundant access at the junction of St John's Road and Victoria Street shall be closed and the footway made good in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority.

In the interests of highway safety and visual amenity and to accord with adopted Leeds UDP Review (2006) policy GP5 and T2.

- 21 All proposed pedestrian gradients across the site and all formal ramps into and within the site must be constructed in accordance with the guidance provided by the British Standard BS8300:2009 + A1:2010 and retained as such thereafter.

In order to meet the aims of adopted Leeds UDP Review (2006) policy T6.

- 22 Prior to the first occupation of the student phase of the development a wall shall be constructed along the boundary of the site with 100 Belle Vue Road in accordance with details shown on drawing x. The wall shall thereafter be retained as such.

In the interests of amenity and to accord with adopted Leeds UDP Review (2006) policy GP5.

- 23 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 has been submitted to and approved in writing by the local planning authority. 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.

- 24 Notwithstanding the submitted landscape plan development shall not commence until full details of both hard and soft landscape works, including an implementation programme, 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, including details of the lowered wall to the front of the proposed open market apartments; the boundary wall to the front of the 1908 St Michael's College building; the low wall to the front of the proposed student accommodation and boundary treatment around the rear boundaries,
 - (c) other vehicle and pedestrian access and circulation areas including the space to the front of the open market apartment building ,
 - (d) hard surfacing areas,
 - (e) minor artefacts and structures (e.g. furniture, signs, lighting etc.),
 - (f) 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

- (g) planting plans
- (h) written specifications (including soil depths, cultivation and other operations associated with plant and grass establishment) and

(i) schedules of plants noting species, planting sizes and proposed numbers/densities.

- 25 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 UDP Review (2006) policies GP5, N23, N25 and LD1.

- 26 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 UDP Review (2006) policies GP5 and LD1.

- 27 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.

- 28 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 UDP Review (2006) policies GP5 and LD1.

- 29 Prior to the commencement of development a Biodiversity Enhancement & Management Plan shall be submitted to and approved in writing by the LPA. The Plan shall be based upon the proposals in Appendix 1 and Appendix 2 of the "BREEAM New Construction 2011 Land Use and Ecology Assessment" Report No. 3 dated September 2013 by Wardell Armstrong. The Plan will include a maintenance schedule of how these features will be managed on an annual basis. The Plan shall thereafter be implemented.

To provide local biodiversity enhancements.

- 30 Prior to the commencement of development, a Plan shall be submitted to and approved in writing by the Local Planning Authority of bat roosting and bird nesting opportunities (for species such as House Sparrow, Starling, Swift, Swallow and House Martin) to be provided within buildings and elsewhere on-site. The agreed Plan shall show the number, specification of the bird nesting and bat roosting features and where they will be located. The Plan shall include a timetable for implementation. The features shall thereafter be retained.

In order to maintain and enhance biodiversity.

- 31 No site clearance, demolition or removal of any trees, shrubs or other vegetation shall be carried out during the period 1 March to 31 August inclusive unless otherwise agreed in writing with the Local Planning Authority.

In order to ensure the protection of wild birds during the breeding season.

- 32 Prior to the commencement of development a method statement for the control and eradication of Japanese Knotweed shall be submitted to and approved in writing by the Local Planning Authority. The agreed plan shall thereafter be implemented.

In order to control the spread of invasive plant species.

- 33 Any mechanical plant within the completed development shall not be operated until a scheme to control noise from it has been approved in writing by the Local Planning Authority and installed as approved. The scheme shall limit noise to a level at least 5dBA below the existing background noise level (L90) when measured at the nearest noise sensitive premises with the measurements and assessment made in accordance with BS4142:1997. The approved scheme shall thereafter be retained.

In the interests of amenity and to accord with Unitary Development Plan policy GP5.

- 34 Details of any proposed external extract ventilation system/air conditioning plant/or measures to control odours from the commercial units shall be submitted to and approved in writing prior to their installation. The facilities shall only be installed in accordance with the approved details.

In the interests of visual and residential amenity and in accordance with UDPR policy GP5 and the National Planning Policy Framework.

- 35 The opening hours for the commercial uses shall be restricted to 0700 hours to 2300 hours. The hours of delivery to and from these premises shall be restricted to 0800 hours to 2000 hours Monday to Saturday with no deliveries on Sundays and Bank Holidays.

In the interests of amenity and to accord with Unitary Development Plan policy GP5.

- 36 Unless otherwise agreed in writing by the Local Planning Authority no building or other obstruction shall be located over or within 3.0 metres either side of the centre line of the water mains which enter the site.

In order to allow sufficient access for maintenance and repair work at all times.

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

In the interests of satisfactory and sustainable drainage in accordance with policies GP5 and N39A of the Unitary Development Plan.

- 38 No development shall take place until details of the proposed means of disposal of foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The works thereby approved shall be made available for use prior to the first use of the relevant phase of the development.

To ensure that the site can be properly drained in accordance with policies GP5 and N39A of the Unitary Development Plan.

- 39 The development shall be carried out in accordance with the approved Tier Consult Flood Risk Assessment dated 12 December 2013. The mitigation measures shall be fully implemented prior to occupation of the relevant phase of the development and thereafter maintained as such.

To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

- 40 Development shall not commence until a Phase I Desk Study has been submitted to, and approved in writing by, the Local Planning Authority and:

(a) Where the approved Phase I Desk Study indicates that intrusive investigation is necessary, development shall not commence until a Phase II Site Investigation Report has been submitted to, and approved in writing by, the Local Planning Authority,

(b) Where remediation measures are shown to be necessary in the Phase I/Phase II Reports and/or where soil or soil forming material is being imported to site, development shall not commence until a Remediation Statement demonstrating how the site will be made suitable for the intended use has been submitted to, and approved in writing by, the Local Planning Authority. The Remediation Statement shall include a programme for all works and for the provision of Verification Reports.

To ensure that the presence of contamination is identified, risks assessed and proposed remediation works are agreed in order to make the site suitable for use in accordance with national and Leeds City Council's planning guidance.

- 41 If remediation is unable to proceed in accordance with the approved Remediation Statement, or where significant unexpected contamination is encountered, the Local Planning Authority shall be notified in writing immediately and operations on the affected part of the site shall cease. An amended or new Remediation Statement shall be submitted to, and approved in writing by, the Local Planning Authority prior to any further remediation works which shall thereafter be carried out in accordance with the revised approved Statement.

To ensure that any necessary remediation works are identified to make the site suitable for use in accordance with national and Leeds City Council's planning guidance.

- 42 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 verification information has been approved in writing by the Local Planning Authority.

To ensure that the remediation works are fully implemented as agreed and the site has been demonstrated to be suitable for use in accordance with national and Leeds City Council's planning guidance.

- 43 Site investigation works shall be carried out in accordance with the Coal Mining Risk Assessment to establish the position regarding coal mining legacy issues on the site. In the event that the site investigations confirm the need for remedial works details of such works, including a programme for implementation, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The mitigation works thereby approved shall be undertaken in accordance with the details thereby agreed.

In the interests of safe construction of the development and to accord with Leeds Natural Resources and Waste DPD policy M3.

- 44 Prior to the commencement of development

- (i) a pre-assessment using the BREEAM assessment method showing how the development will seek to achieve a credit score commensurate with an Excellent standard; and
- (ii) an energy analysis showing the percentage of on-site energy that will be produced by Low and Zero Carbon (LZC) technologies and a carbon reduction target for the development

shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the detailed scheme.

A post-construction review assessment shall be submitted to the Local Planning Authority within two weeks of the first occupation of the development and a BRE certificate confirming the rating which has been achieved and final confirmation of the percentage of on-site energy that will be produced by Low and Zero Carbon (LZC) technologies shall be submitted to the Local Planning Authority within 10 weeks of occupation of the development.

The development shall be maintained and retained in accordance with the approved detailed scheme and post-completion review statement or statements.

In the interests of sustainable development in accordance with Policies GP11 and GP12 of the Unitary Development Plan (Review) the SPD Building for Today: Sustainable Design and Construction, the Draft Core Strategy and the National Planning Policy Framework.

- 45 The windows to the corridor of the student building facing 100 Belle Vue Road shall be fitted with obscure glazing prior to the first occupation of the building and thereafter retained as such.

In the interests of amenity in accordance with Unitary Development Plan policy GP5.

- 46 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) planning permission shall be obtained before any change of use of any commercial premises referred to in this permission, to any use within Use Class A2 or A4 as detailed in the Town and Country Planning (Use Classes) Order 1987 (or any order revoking or re-enacting that order with or without modification).

In order that the Local Planning Authority can retain control over uses which it considers could be harmful to the character and amenity of the area in accordance with UDP policy GP5.