



**Leeds**  
CITY COUNCIL

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**Supplementary Report of the Chief Planning Officer**

***CITY PLANS PANEL***

**Date: 12th February 2015**

**Subject: MIXED USE SCHEME COMPRISING (B1) OFFICES, RESIDENTIAL AND/OR HOTEL (C3/C1) AND A FLEXIBLE RANGE OF SUPPORTING USES AT GROUND FLOOR (A1-A5, D1 AND D2) WITH BASEMENT CAR PARKING; PUBLIC OPEN SPACE AND MODIFICATIONS TO THE SITE ACCESS JUNCTIONS (APP. REF. 14/05976/OT) AT SITE BOUNDED BY WELLINGTON ST AND WELLINGTON BRIDGE ST (FORMER YORKSHIRE POST SITE).**

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1. The Public transport Infrastructure Contribution has been updated to reflect the 20% discount that would be applicable to this type of regeneration proposal.

There fore the public transport infrastructure contribution levels reported on page 35 of the agenda are replaced as follows (£ per sqm of floor space):

£10.33 per sqm A2/B1 use - £413,040  
£7.71 per sqm C1 hotel - £127,602  
£12.18 per sqm A3/4 use - £49,314  
£206.52 per residential unit - £41,304

2. The recommendation for the Section 106 obligations at page 35 of the agenda should also refer to safeguarding the ability to form a pedestrian connection to the Wellington Place redevelopment site to the east of the application site (and not to the "west" as reported).
3. Further to page 36 of the agenda the proposed planning conditions are listed below:
  1. A phasing plan for the development showing the anticipated sequencing of the various aspects of the development shall be submitted to and approved in writing by the local planning authority prior to the submission of any application for the approval of reserved matters or any application for the approval of details required by conditions on this permission. The sequencing of the development shall thereafter be carried out in accordance with the submitted plan, unless otherwise approved in writing by the local planning authority, and any reference to 'phase' or 'phases' in the conditions below shall refer to the phases detailed in the plan thereby approved.

2. Development shall not commence on any phase of the development until approval of the following details (hereinafter referred to as the reserved matters) shall be obtained from the Local Planning Authority,
  - a. Layout
  - b. Appearance
  - c. Landscaping
  - d. ScalePlans and particulars of the reserved matters shall be submitted utilising a planning application form and shall be carried out as approved.
3. Application for approval of reserved matters for the first phase of development shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. Application for the approval of reserved matters for each subsequent phase of development shall be made within two years of the approval of reserved matters for the previous phase.
4. The first phase of the development hereby permitted shall be implemented either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be agreed for that phase whichever is the later. Subsequent phases of development shall be implemented before the expiration of two years from the date of approval of the last of the reserved matters to be agreed for that phase whichever is the later.
5. The reserved matters shall be in accordance with the approved parameter plans listed in the Plans Schedule.
6. The uses hereby permitted shall be limited to the maximum Gross Internal Areas included in the approved Development Schedule 00-910RevF.
7. The approved A1 retail floorspace shall not exceed 500sqm in floor area.
8. Prior to the commencement of development in each phase details and samples of all external walling and roofing materials for that phase shall be 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.
9. Prior to the commencement of development in each phase details of the position, design, materials and type of all walls and/or fences or permanent boundary/screening treatment for that phase shall be submitted to and approved in writing by the Local Planning Authority. Such walls and fences shall be erected in accordance with the approved details, before the land/buildings to which they relate are occupied, and shall thereafter be retained.
10. Prior to the commencement of development in each phase full details of both hard and soft landscape works, including an implementation programme, shall be submitted to and approved in writing by the Local Planning Authority for that phase. Hard landscape works shall include
  - (a) proposed finished levels and/or contours,
  - (b) boundary details and means of enclosure,
  - (c) vehicle and pedestrian access and circulation areas,

- (d) hard surfacing areas,
- (e) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, 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. 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.

11. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by SLR Consulting Limited, dated October 2014 and the following mitigation measures detailed within the FRA:

1. There must be no buildings or critical facilities in the Rapid Flood Inundation Zone (as defined by the Leeds SFRA).
2. Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.
3. Finished floor levels are set no lower than 30.51m above Ordnance Datum (AOD).
4. Basements must not be used for habitable purposes.
5. Basement access points must be a minimum level of 30mAOD.
6. There must be no flood gates in the eastern boundary wall unless otherwise agreed in writing by the LPA.

The mitigation measures shall be 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.

12. No development shall commence on each phase, until a remediation strategy, that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
1. A preliminary risk assessment which has identified:
    - all previous uses
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways and receptors
    - potentially unacceptable risks arising from contamination at the site.
  2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete

and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

13. No occupation of any part of the permitted development in each phase shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy for that phase and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.
14. Surface water draining from areas of hardstanding shall be passed through an oil interceptor or series of oil interceptors, prior to being discharged into any watercourse, soakaway or surface water sewer. The interceptor(s) shall be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the development and shall thereafter be retained and maintained throughout the lifetime of the development. Clean roof water shall not pass through the interceptor(s).
15. No building or other obstruction shall be located over or within 5.0 (five) metres either side of the centre line of the sewer, which crosses the site. (In order to allow sufficient access for maintenance and repair work at all times)
16. The site shall be developed with separate systems of drainage for foul and surface water on and off site.
17. No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the local planning authority.
18. There shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.
19. Construction activities shall be restricted to 08.00 to 18.00 hours Monday to Friday and 08.00 to 13.00 hours on Saturdays with no works on Sundays and Bank Holidays.
20. Prior to the commencement of development in each phase a Statement of Construction Practice for that phase shall be 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; and d) 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.

21. Prior to the commencement of development in each phase details of a sound insulation scheme designed to protect the amenity of the noise sensitive elements of that phase of the development from proposed and existing noise sources, and existing nearby residents from noise emitted from the proposed development, shall be submitted and approved in writing by the local planning authority. The use approved in that phase shall not commence until the works have been completed, and any such noise insulation as may be approved shall be retained thereafter.
22. Prior to occupation of each phase, details for the provision of bin stores (including siting, materials and means of enclosure) and (where applicable) storage of wastes and access for their collection for that phase shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full before the use commences and shall be retained thereafter for the lifetime of the development.
23. The hours of delivery to and from (including refuse collection) any unit used for A1/A2/A3/A4/A5 use shall be controlled by a delivery management plan to be agreed with the local planning authority prior to the occupation of that unit. The hours of operation of these uses shall be determined on the potential loss of amenity likely to be caused, with the specific hours to be determined following receipt of additional information yet to be submitted.
24. No external lighting shall be installed for any part of the permitted development in each phase until a scheme has been approved in writing by the Local Planning Authority for that phase. The scheme shall be installed and retained thereafter in accordance with the approved details prior to first occupation of that phase.
25. No part of the development hereby approved shall be occupied until a management plan for the control of vehicular movements through the site at surface level has been submitted and agreed in writing with the local planning authority.
26. No part of the development hereby approved shall be occupied until a scheme for electric vehicle charging points to be provided in each phase have been submitted to and approved in writing by the Local Planning Authority. The charging points shall be provided in accordance with the approved details prior to first use of the car park for each phase, and retained as such thereafter.
27. Prior to the commencement of development in each phase, full details of the car parking provision and a car park management plan for that phase shall be submitted to and approved in writing by the Local Planning Authority.
28. Prior to the commencement of development in each phase details of cycle and motorcycle parking, and associated facilities, for that phase shall be submitted to and

approved in writing by the Local Planning Authority. The approved cycle/motorcycle parking and locker/storage facilities shall be provided prior to occupation of that phase of development and retained as such thereafter.

29. No part of any relevant phase of development shall be occupied until all areas shown on the approved plans to be used by vehicles in that phase 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.
30. Before commencement of each phase of development, a statement for that phase shall be submitted to and approved by the Local Planning Authority for that phase which demonstrates compliance with sustainability standards that meet a Building Research Establishment BREEAM assessment (to no less than 'Excellent' standard) and / or Code for Sustainable Homes assessment (to no less than Code Level 4) or equivalent. The development shall be implemented as thereby agreed and the development and phases / buildings comprised therein shall be maintained and any repairs shall be carried out in accordance with the approved detailed scheme and any post-completion review statement.
31. Notwithstanding the plans hereby approved, full details of the proposed design process / arrangements to the public seating and entrance locations with regards to ensuring a safe and acceptable wind environment shall be submitted to and approved in writing by the Local Planning Authority.