



## Report of the Chief Planning Officer

### CITY PLANS PANEL

Date: 15 October 2015

Subject: 15/03519/FU - Proposed alterations and 2 storey extension, change of use to units 51 - 59, new restaurant, change of use of units 41 - 49, associated public realm works, highway works, infrastructure for hotel and retail units at Merion Hotel, Wade Lane, Leeds, LS2 8NH.

**APPLICANT**  
TCS Holdings Ltd

**DATE VALID**  
17 June 2015

**TARGET DATE**  
19 October 2015 (extended)

#### Electoral Wards Affected:

City & Hunslet

YES

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### RECOMMENDATION:

Defer and delegate to the Chief Planning Officer for approval, subject to the specified conditions (and any others which he might consider appropriate). ), and following completion of a Section 106 Agreement to cover the following additional matters:

1. A Travel Plan monitoring and evaluation fee of £2500.00.
2. Employment and training opportunities for local people.
3. £6000 contribution for a Traffic Regulation Order for a new drop off area to Wade Lane.

In the circumstances where the Section 106 Agreement has not been completed within 3 months of the resolution to grant planning permission the final determination of the application shall be delegated to the Chief Planning Officer.

#### Conditions

A full list of all planning conditions can be found in the Appendix to this report.

#### 1.0 INTRODUCTION:

- 1.1 The application is brought to Plans Panel to allow Members to consider a major mixed use, hotel led development to upgrade and extend an existing building within the Merrion Shopping Centre complex.

## **2.0 PROPOSAL:**

- 2.1 The proposed development involves the internal and external upgrading and alteration to the existing Merrion Hotel on the Wade Lane side of the Merrion Shopping Centre to create a contemporary 134 bedroom upgraded hotel. In addition, a new 491 sq metre A3 Use Class restaurant (to be operated, as a franchise to Marco Pierre White's Marco's Italian restaurant company), is proposed with the upgraded hotel. This would be sited in a new double height extension to be positioned on the footprint of a current octagonal building and parts of the public footway. This therefore requires the demolition of the octagonal structure. In addition, the proposal is to give the existing ground floor retail units (totalling 382 sq metres of floor space) new shopfronts and a flexible A1, A2, A3 and A4 potential mix of uses is also sought in these existing units.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The application site is part of the Merrion Shopping Centre, which is a 1960s group of structures housing a series of high and medium rise blocks set above a two storey plinth housing retail units. The Centre is close to but outside of the boundary of the City Centre Conservation Area, which runs along the middle of Woodhouse Lane.
- 3.2 The areas of the Centre affected by the proposal are the existing Merrion Hotel and adjacent retail units, as well as the area of footway and the 2 storey octagon building sitting out on the public footway fronting onto Wade Lane. The area of footway currently houses some public seating around a raised planted bed, and a bus stop.

## **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 The shopping centre has been subjected to a high number of alterations over its history, however the most substantial and relevant regenerative changes have been granted planning permission on the following applications;
- 4.2 14/01825/FU - Alterations and refurbishment of Merrion House to provide office accommodation with new office annex and a one stop shop facility for Leeds City Council, together with reconfiguration of the Georgian Mall and retail space to provide three new retail units onto Merrion Way (A1, A2, A3 and A4 uses) and improvements to the public realm on 25 November 2015.
- 4.3 11/03424/FU - Alterations and extensions involving change of use to provide retail stores, restaurants, bars, hot food takeaways, financial & professional services (A1, A2, A3, A4, A5 use classes), leisure use (D2 use class), including refurbishment & recladding of car park, new substation, tenant plant area, public realm works and associated facilities and infrastructure to shopping centre on 15 June 2012.
- 4.4 11/01374/FU - Alterations to the frontages, a change of use of the existing restaurant (Class A3) to restaurant and/or take away (Class A3/A5) and betting office (Class A2), including a new entrance to the Wade Lane Mall on 27 May 2011.

4.5 06/07519/FU - Refurbishment involving recladding and 6th floor extension to offices; new frontages to front and side elevations of night club and new shop frontage to shopping centre. Amendments to previous application 06/05886/FU granted planning approval on 02 February 2007.

## **5.0 HISTORY OF NEGOTIATIONS:**

5.1 The proposals have been the subject of pre-application discussions between the Developers, their Architects, and Local Authority Officers since December 2014. These discussions have focused on scale massing and design, the demolition of the octagonal building, access and connectivity and a landscape scheme,

## **6.0 PUBLIC/LOCAL RESPONSE:**

6.1 One letter received from Leeds Civic Trust on 28 July 2015 stating that they object to the proposal on the grounds that they consider the proposed extension that is to replace the octagonal building is undistinguished and 'blocky' and that a more interesting building could have been designed.

Response: the demolition of the octagonal building and the design of the extension to replace it is discussed in the appraisal below.

## **7.0 CONSULTATIONS RESPONSES:**

7.1 Flood Risk Management state that they have no objection to the proposal.

7.2 Highways state that the support the scheme provided a Traffic Regulation Order contribution of £6,000.00 is provided in relation to a new drop off area on Wade Lane.

Response: this obligation will come forward as an element of the S106 legal agreement.

7.3 Licensing state that the area is defined as Amber by them, and as such is an area of concern where the developer will be expected to supply Licensing with details of additional measures tailored to the problems of the area when they submit for an entertainments licence. However they conclude that they have no objections to the planning application as submitted.

7.4 Local Plans state that there is no policy objections to this proposal, and would like to welcome the fact that the scheme aims to retain some of the existing retail.

## **8.0 RELEVANT PLANNING POLICIES:**

### **National Planning Policy Framework (NPPF)**

8.2 The National Planning Policy Framework 2012 (NPPF) was adopted in March 2012 and sets out the Government's planning policies and how they expect them to be applied.

8.3 Paragraph 6 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development and paragraph 14 goes on to state that there should be a presumption in favour of sustainable development.

8.4 Paragraph 17 of the NPPF sets out the Core Planning Principles for plan making and decision taking. The 4th principle listed states that planning should always seek

high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

8.5 The 6th principle listed states that planning should support the transition to a low carbon future and encourage the use of renewable resources, including the development of renewable energy.

8.6 The 8th principle listed states that planning should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

8.7 Paragraph 126 states that it is desirable to sustain and enhance the significance of heritage assets and that new development should make a positive contribution to local character and distinctiveness.

8.8 The Development Plan for Leeds currently comprises the following documents:

1. The Leeds Core Strategy (Adopted November 2014)
2. Saved Leeds Unitary Development Plan Policies (Reviewed 2006), included as Appendix 1 of the Core Strategy
3. The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013)
4. Any Neighbourhood Plan, once Adopted

8.9 **Core Strategy**

8.10 The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district.

8.11 Spatial Policy 3: Role of Leeds City Centre The importance of the City Centre as an economic driver for the District and City Region will be maintained and enhanced by:  
(i) Promoting the City Centre's role as the regional capital for major new retail, leisure, hotel, culture and office development,

8.12 Spatial Policy 8: Economic Development Priorities A competitive local economy will be supported through:  
(ii) Promoting the development of a strong local economy through enterprise and innovation, in facilitating existing strengths in financial and business services and manufacturing and to continue to grow opportunities in health and medical, low carbon manufacturing, digital and creative, retail, housing and construction, social enterprise, leisure and tourism and the voluntary sector,  
(iii) Job retention and creation, promoting the need for a skilled workforce, educational attainment and reducing barriers to employment opportunities.

8.13 Policy CC1: City Centre Development

d) Comparison retail proposals will be subject to a sequential order of preference of Primary Shopping Quarter, then edge of the Primary Shopping Quarter, then the rest of the City Centre.

8.14 Policy EN1: Climate Change – Carbon Dioxide Reduction states that all developments of over 1,000 square metres of floorspace,(including conversion where feasible) whether new-build or conversion, will be required to:

(i) Reduce total predicted carbon dioxide emissions to achieve 20% less than the Building Regulations Target Emission Rate until 2016 when all development should be zero carbon; and,

(ii) Provide a minimum of 10% of the predicted energy needs of the development from low carbon energy.

8.15 Policy EN2: Sustainable Design and Construction states that to require developments of 1,000 or more square metres or 10 or more dwellings (including conversion) where feasible) to meet at least the standard set by BREEAM or Code for Sustainable Homes as shown in the table below. A post construction review certificate will be required prior to occupation.

8.16 Policy P10: Design states that:  
New development for buildings and spaces, and alterations to existing, should be based on a thorough contextual analysis to provide good design appropriate to its scale and function.

New development will be expected to deliver high quality innovative design that has evolved, where appropriate, through community consultation and which respects and enhances the variety of existing landscapes, streets, spaces and buildings according to the particular local distinctiveness and wider setting of the place, contributing positively towards place making and quality of life and be accessible to all.

8.17 Policy P12: Landscape

The character, quality, and biodiversity of Leeds' townscapes and landscapes, including their historical and cultural significance, will be conserved and enhanced to protect their distinctiveness through stewardship and the planning process.

8.18 Policy T2: Accessibility Requirements and New Development New development should be located in accessible locations that are adequately served by existing or programmed highways, by public transport and with safe and secure access for pedestrians, cyclists and people with impaired mobility.

(i) In locations where development is otherwise considered acceptable new infrastructure may be required on/off site to ensure that there is adequate provision for access from the highway network, by public transport and for cyclists, pedestrians and people with impaired mobility, which will not create or materially add to problems of safety, environment or efficiency on the highway network,

(iii) Significant trip generating uses will need to provide Transport Assessments/ Transport Statements in accordance with national guidance,

(iv) Travel plans will be required to accompany planning applications in accordance with national thresholds and the Travel Plans SPD,

(v) Parking provision will be required for cars, motorcycles and cycles in accordance with current guidelines.

8.19 **Leeds Unitary Development Plan Review Retained Policies**

8.20 Policy BD2 (Design and siting of new buildings)

Policy BD5 (All new buildings and amenity)

BD6 (All alterations and extensions)

Policy CC22 (Shopping frontages)

Policy GP5 (All planning considerations)

Policy SF1A (Changes of use from retail to non-retail within shopping frontages)

Policy SF1B (Development which involves the use of floorspace above or below ground level)

Policy SF3 (Secondary frontages)

8.21 **Leeds Natural Resources and Waste DPD 2013**

8.22 The Natural Resources and Waste Local Plan was adopted by Leeds City Council on 16th January 2013. The Natural Resources and Waste Development Plan Document (Local Plan) is part of the Local Development Framework. The plan sets out where land is needed to enable the City to manage resources, like minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way. Policies regarding land use, energy, coal recovery, drainage, and waste will be relevant to this proposal.

### 8.23 **Emerging Site Allocations Plan**

The Site Allocations Plan (SAP) is a key document in the Local Development Framework and plans for housing, employment, retailing and greenspace. The document is draft at this stage and is currently progressing through stages of consultation towards examination by an Independent Inspector. With regard to the site in question the SAP states that the Secondary Shopping Frontage status along this section of Wade Lane is to be retained.

## 9.0 **MAIN ISSUES**

- 1 Demolition of the octagonal building
2. Principle of the Uses
3. The impact on the character and visual amenity of the host building, street scene, and wider Merrion Shopping Centre
4. Landscape scheme, access, and connectivity
5. Transport
6. Sustainability Measures
7. S106 Legal Agreement

## 10.0 **APPRAISAL**

### 10.1 Demolition of the octagonal building

10.2 The scheme requires the demolition of the octagonal building that sits to the front of the hotel on to Wade Lane. This building, whilst linked to the hotel at first floor level, was in separate use and has been vacant for a number of years. A feasibility study was undertaken by the Developer to ascertain whether or not the building could be reused. It was concluded that due to the concrete panel structure, which would require substantial alteration to create more window openings, and due to the size of the building, the octagon would not meet the current requirements of restaurant operators. The building in question, whilst being individual and having a defined character, is not a Listed Building and does not sit within a Conservation Area. The structure adds little to the street scene in its current state. Therefore, due to the fact that its redevelopment appears to be unfeasible, coupled with its poor state of disrepair, its demolition is considered to be acceptable.

### 10.3 Principle of the Uses

10.4 The use of the host building as a hotel, with an ancillary restaurant is established. The proposal as submitted retains the hotel use with the reconfiguration achieving 134 hotel bedrooms. In addition, to this a new Restaurant use is proposed on the site of the octagon building that sits to the east of the existing hotel. This octagon structure has, like the hotel, been vacant for some years but was last in use as a bar/nightclub. Therefore the change from this last use to a restaurant would not result in the loss of any existing A1 uses in the Merrion Centre as a whole, or along

Wade Lane. The proposed restaurant would be a positive addition to the mix of uses in this location, adding to the variety and vibrancy of this part of the City Centre.

- 10.5 The proposal involves loss of a few existing 'retail' units that are located within the Secondary Frontage as defined in the saved Leeds Unitary Development Plan Review 2006 (UDPR) Proposals Map and saved UDPR Policy SF 3 seeks to retain 50% A1 retail presence on Secondary Shopping Frontages. It is still the case that the secondary frontage in question measures about 47m including the entrance to the Merrion Hotel (No 57). Of the ground floor units along the frontage only two units measuring approximately 23m or some 12% of the frontage length have A1 retail as their most recent use. As such the level of A1 retail is already below that aimed for via saved UDPR Policy SF3.
- 10.6 However it is also noted that the Site Allocation Plan Publication Draft (June 2015) proposes to de-allocate this row of shops from shopping frontages. The Applicant's intended uses for these units are for one of the units to become part of the hotel, with the others having a flexible A1, A2, A3 and A4 use. The UDPR (2006 Policy CC22 (City Centre and Shopping Frontage Policy) and the detailed shopping frontage policies in Appendix 12 have been saved until the Site Allocation Plan is adopted, and they are the statutory development plan policies to consider proposals that affects the defined shopping frontage. The Site Allocation Plan Publication Draft is going through public consultations and been endorsed by the Members, and is a material consideration. For the above reasons the proposed flexible A1, A2, A3, A4 Uses to change the use of the existing units and the taking in of one of the units into the upgraded hotel, would be appropriate for this location. The change of uses would comply with the emerging plan and would retain vibrancy within the frontage and on balance is considered to be acceptable.
- 10.7 The proposal involves the taking in of some of the existing public realm into the footprint of the new extension. The small areas in question do not have any specific designation in the development plan and are not protected open spaces. As discussed in Section 10.14. The wider area remain will be re-landscaped with an upgraded scheme. As such the level of loss of public realm is considered tolerable.
- 10.8 As such the proposed mix of uses across the development is considered to be appropriate and would bring vitality and vibrancy to Wade Lane throughout the day and into the evening.
- 10.9 The impact on the character and visual amenity of the host building, street scene and wider Merrion Shopping Centre
- 10.10 The proposal aims to upgrade the external appearance of the hotel, whilst reordering its internal layout to meet current hotelier's requirements. The internal alterations do not require planning permission. Externally the red brickwork to the elevations of the host building would be cleaned and repaired. Where the facade steps out at lower levels, but above the shopfronts, a pale render finish would be applied to conceal the existing brown brickwork. Within the retained brick and new render new windows are to be inserted to replace those existing. These would be clear glass set into composite timber and aluminium frames. Where internal structure needs to be concealed look-a-like glassed panels would be installed.
- 10.11 At roof level existing metal clad plant boxes would be retained but they and the roof would be capped with new powder coated aluminium. The submitted drawings indicate signage located on these roof mounted plant boxes, however these would

require separate consent under an Advertisement Application and the Applicant will be advised as such.

- 10.12 At ground floor level double height shopfronts would be installed. The design of these shopfronts would accord with the holistic approach taken to shopfronts around the other principle elevations of the wider Merrion Shopping Centre. As a result the shopfronts would be double glazed curtain walling and entrance doors, set within aluminium frames. A defined aluminium signage zone would be created at fascia level across all of the ground floor units. To the southern end of the block of units the shopfronts would be returned around the corner and finished with a granite pilaster.
- 10.13 The proposed extension would be located to the north -eastern end of the building where it will connect with and into the lobby of the existing hotel. The existing hotel entrance is raised up with the foot ways ramping up to it. As a result there is a need to set the extension on to a plinth to create a level floor plate for the restaurant and linked hotel lobby. The Merrion Centre has been subject to significant piecemeal change over the decades which has resulted in a mixture of façade treatments on its various buildings, More recent development schemes on the centre have sought to rationalise the elevations and produce a more cohesive family of façade materials and designs. Therefore, the extension is proposed as a clean, contemporary designed building, which would complement rather than compete with the other blocks and facades to this side of the Merrion Centre. The buildings in the Merrion Centre and the surrounding area are varied in respect of design, scale and massing and no one style of architecture is dominant. Therefore, whilst the proposal is in the form of a rectilinear box, this would not be out of keeping with eclectic character of the area.
- 10.14 The elevations would be clad in pale coloured render to match that being used on the main faces of the hotel, with a polished granite cladding to the plinth. Two storey double glazed curtain walling would be set into the render facades, with a feature powder coated aluminium louvred screen to the south facing elevation, incorporating a signage zone. To the roof of the extension powder coated aluminium capping would be applied to match that proposed to the main hotel roof. To the south of the extension, raised on the plinth an external terrace is proposed edged by a frameless glass balustrade with stainless steel handrails.
- 10.15 The proposed external alterations and additions are considered to be aesthetic improvements on the existing arrangement, which would upgrade the host building creating crisp, modern facades. As such the design of the proposals is considered to be acceptable.
- 10.16 Landscape scheme, access and connectivity
- 10.17 The size and topography of the site and the need for the restaurant to connect in at grade to the hotel has meant the challenges of achieving an acceptable gradient have led to the use of planters, steps and balustrades to ensure an acceptable access arrangement.
- 10.18 As a result the area to the front of the restaurant and units is to be laid out as a hard block paving. To address the fall in the land, a stepped area is to be introduced in front of the restaurant as well as a ramped approach. This has the added effect of allowing a defined external seating area to be created for the restaurant. Adjacent to the new paving, along the back edge of the public footway a series of planters and steps is to be created. This again allows the scheme to address the levels changes



in this confined site, but allows the addition of green landscaping, including a feature tree (of a species to be agreed). The proposed landscape scheme will upgrade and enliven this part of Wade Lane.

- 10.19 Wade Lane is a key route for pedestrian and vehicle traffic to and from the Leeds Arena. At peak times there can be large numbers of pedestrians all exiting the Arena at the same time. As a result the development provides an opportunity to widen the footway from its current width of 2 metres to 3 metres. This enhancement will allow pedestrians to safely use this side of Wade Lane as a route without the need to step into the carriageway.
- 10.20 Transport
- 10.21 The site is well located within the City Centre close to a number of bus routes. In addition, the Merrion Centre's refurbished multi storey car park is situated to the north of the development. As a result no new parking is proposed as part of the scheme. Four existing disabled car parking bays to the front of the hotel onto Wade Lane and nine existing staff parking bays to the rear of the hotel, are to be retained.
- 10.22 24 new cycle parking spaces are proposed in the basement of the hotel, with associated showers and facilities. In addition, 4 Sheffield stands to accommodate 8 bicycles are to be sited in the public realm to the front of the development. 7 motorcycle spaces are proposed for staff to be positioned to the rear of the hotel in a defined area of the service yard.
- 10.23 A new drop off area is proposed to the front of the footway on Wade Lane. To control parking in this new drop off zone a Traffic Regulation Order will be required. As such there will be a requirement for off site highways works to facilitate these changes, as well as a contribution of £6000.00 for the Traffic Regulation Order.
- 10.24 All servicing will be actioned off the street in the aforementioned service yard, which is sited to the rear of the hotel, with the Merrion Centre complex of buildings.
- 10.25 Sustainability Measures
- 10.26 The scheme aims to incorporate a number of sustainability measures and is aiming for BREEAM Very Good for both the refurbishment elements and the new build extension as well as compliance with Part L of the Building Regulations in respect of Carbon reduction. The proposals include;
- The installation of energy meters.
  - The upgrading of the existing heating and cooling system involving the installation of more energy efficient condenser boilers.
  - The upgrading of existing air condenser units and the introduction of new efficient plant for the proposed restaurant use.
  - The upgrading of the lighting system to modern energy efficient lighting.
  - The replacement of existing windows with new units of higher thermal and solar performance.
  - The installation of dual flush WCs.
  - The installation of low flow taps and showers.
- These proposed works would accord with the aims and objectives of the Core Strategy Policies EN1 and EN2.
- 10.27 S106 Legal Agreement

- 10.28 A legal test for the imposition of planning obligations was introduced by the Community Infrastructure Levy Regulations 2010. These provide that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is -
- (a) necessary to make the development acceptable in planning terms,
  - (b) directly related to the development; and
  - (c) fairly and reasonably related in scale and kind to the development
- 10.29 There is a requirement for a number of obligations that sit outside the Community Infrastructure Levy regime. As such a Section 106 legal agreement is required for the following obligations;
- 1. A Travel Plan monitoring and evaluation fee of £2500.00.
  - 2. Employment and training opportunities for local people (Wards currently identified as City & Hunslet, Hyde Park & Woodhouse or Burmantofts and Richmond Hill).
  - 3. £6000 compensation payment for the loss of one pay and display zone on Wade Lane to create a drop off area,
- 10.30 The proposed obligations have been considered against the legal tests and are considered necessary, directly related to the development and fairly and reasonably related in scale and kind to the development. Accordingly this can be taken into account in any decision to grant planning permission for the proposals.
- 10.31 The development is Community Infrastructure Levy (CIL) liable and is likely to generate a CIL charge of £1,055.00. CIL is generally payable on the commencement of development. The payment of CIL is non-negotiable, except in exceptional circumstances, and consequently is not material to the determination of the planning application. Accordingly, this information is presented simply for Members information.

## **11.0 CONCLUSION**

- 11.1 On balance it is considered that the proposed development would result in the regeneration of a significant building within the Merrion Shopping Centre resulting in a high quality, appropriate development. The scheme would add vibrancy and vitality to the area. Consequently, the development would make a significant contribution to the amenity of Wade Lane and the Merrion Shopping Centre. Therefore the proposal is considered to be acceptable and is recommended for approval.

### **Background Papers:**

PREAPP/14/01053

15/03519/FU

## **APPENDIX I**

### **Planning Application 15/03519/FU Conditions**

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 building works 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. The building works shall be constructed from the materials thereby approved.

In the interests of visual amenity in order to accord with Leeds Unitary Development Plan Review Policies GP5 and BD2, Leeds Core Strategy Policy P10 and the National Planning Policy Framework.

4) No building works shall take place until details and samples of all surfacing materials to the areas of hard standing 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 in order to accord with Leeds Unitary Development Plan Review Policies GP5, Leeds Core Strategy Policy P10 and the National Planning Policy Framework.

5) Prior to commencement of development detailed 1:20 scale working drawings of the following features shall be submitted to and approved in writing by the Local Planning Authority:

a) all windows and doors,

b) junctions of materials between the main building and the extension

Works shall be carried out in accordance with the approved drawings and maintained as such thereafter.

In the interests of visual amenity in order to accord with Leeds Unitary Development Plan Review Policies GP5 and BD2, Leeds Core Strategy Policy P10 and the National Planning Policy Framework.

6) During all construction phases of the development no operations shall take place before 07.30 hours on weekdays and 08.30 hours on Saturdays nor after 18.30 hours on weekdays and 13.00 on Saturdays, or at anytime on Sundays or Bank Holidays (unless agreed in writing with the Planning Local Authority).

The contractor must ensure compliance with current legislation on noise and dust control including the Environmental Protection Act 1990 and the control of Pollution Act 1974. Relevant Codes of Practice, setting out procedures for dealing with the control of noise on construction and demolition sites, are contained in BS5228-2: 2009 - Noise and Vibration Control on Construction and Open Sites.

In the interests of residential amenity of occupants of nearby property and in accordance with Leeds Unitary Development Plan Review Policies GP5 and the National Planning Policy Framework.

7) No works shall begin on the development 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 and business 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 highways safety and residential amenity in accordance with Saved Leeds Unitary Development Plan Review (2006) policy GP5 and the National Planning Policy Framework.

8) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include

- (a) proposed finished levels and/or contours,
- (b) 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 cultivation and other operations associated with plant and grass establishment),
  - (j) schedules of plants noting species, planting sizes and proposed numbers/densities,
  - (k) soil volumes for tree pits and planted beds
- (l) implementation programme.

Hard and soft landscaping works shall be carried out in accordance with the approved details prior to the occupation of any part of the development in accordance with the programme agreed with the Local Planning Authority and to a reasonable standard in accordance with the relevant provisions of British Standard BS 4428:1989 Code of Practice for General

Landscape Operations or other recognised codes of good practice.

9) No development shall take place until a plan, schedule and specification for long term landscape management has been submitted to, and approved in writing by, the Local Planning Authority. This shall include reference to planting and hard landscaped areas, including paving, fencing and other features. The schedule shall identify the frequency of operations for each type of landscape asset and reflect the enhanced maintenance requirement of planted areas during the establishment period. It shall provide for an annual inspection during late summer for any areas of failed tree or shrub planting, and the identification of the replacements required in the autumn planting season. If development is phased, maintenance shall commence when each phase of development is completed. Prior to planting, all landscaped areas shall be cultivated and maintained in a weed free condition by mechanical cultivation or chemical control. Maintenance shall be carried out thereafter in accordance with the approved management plan.

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

10) If within a period of five years from the date of the planting of any tree that tree 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 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, retained Leeds Unitary Development Plan Review (2006) policies GP5 and LD1, the Leeds Natural Resources and Waste DPD, and the National Planning Policy Framework.

11) Prior to the commencement of development, plans of the site showing details of the existing and proposed ground levels, proposed floor levels, levels of any paths, parking areas and the height of any retaining walls within the development site shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in complete accordance with the details so approved and shall be retained thereafter as such.

To ensure that the works are carried out at suitable levels in relation to adjoining properties and highways in the interests of visual amenity and in accordance with retained Leeds Unitary Development Plan Review (2006) Policy GP5 and the National Planning Policy Framework.

12) Development shall not commence until a plan showing details of the proposed vehicular access to the site has been submitted to and approved in writing by the Local Planning Authority. The access shall be constructed as approved, prior to occupation and retained for the lifetime of the development.

In the interests of the free and safe use of the highway and in accordance with retained Leeds Unitary Development Plan Review (2006) Policy GP5 and the National Planning Policy Framework.

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 have been provided. The facilities shall thereafter be retained for the lifetime of the development.

In order to meet the aims of adopted Leeds Core Strategy policy T2.

14) Development shall not commence until a plan showing details of all vehicle parking and turning areas has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented and parking made available for use prior to occupation of the development. The parking shall be retained for the lifetime of the development.

To ensure the free and safe use of the highway in accordance with Leeds Core Strategy policy T2.

15) Development shall not commence until details of works comprising a vehicle entrance and exit including tactile paving, crossing points and dropped kerbs and changes to the footway drop-off provision and parking regulations on Wade Lane, and relating to drawings reference Site and location plan 1109-(P)-P01 revision H and Landscaping plan 1109-(P)-P18 Revision E, have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be fully implemented prior to occupation.

In the interests of pedestrian and vehicular safety, in order to accord with the National Planning Policy Framework. and Core Strategy Policy T2.

16) Prior to the commencement of development an updated Sustainability Statement shall be submitted to and approved in writing by the Local Planning Authority, which will include a detailed scheme comprising (i) a recycle material content plan (using the Waste and Resources Programme's (WRAP) recycled content toolkit) and (ii) a Site Waste Management Plan (SWMP). The development shall be carried out in accordance with the detailed scheme for that phase, and

(a) Within 6 months of the first occupation of each phase a post-construction review statement for that phase shall be submitted to and agreed in writing by the Local Planning Authority

(b) The development and buildings comprised therein shall be maintained thereafter and any repairs shall be carried out all in accordance with the approved detailed scheme and post-completion review statement or statements.

To ensure the adoption of appropriate sustainable design principles in accordance with Leeds Core Strategy Policies EN1 and EN2, Leeds SPD Sustainable Design and Construction, and the National Planning Policy Framework.

17) The approved Phase I Desk Study report indicates that a Phase II Site Investigation is necessary, and therefore development shall not commence until a Phase II Site Investigation Report has been submitted to, and approved in writing by, the Local Planning Authority.

Where remediation measures are shown to be necessary in the Phase II Report 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.

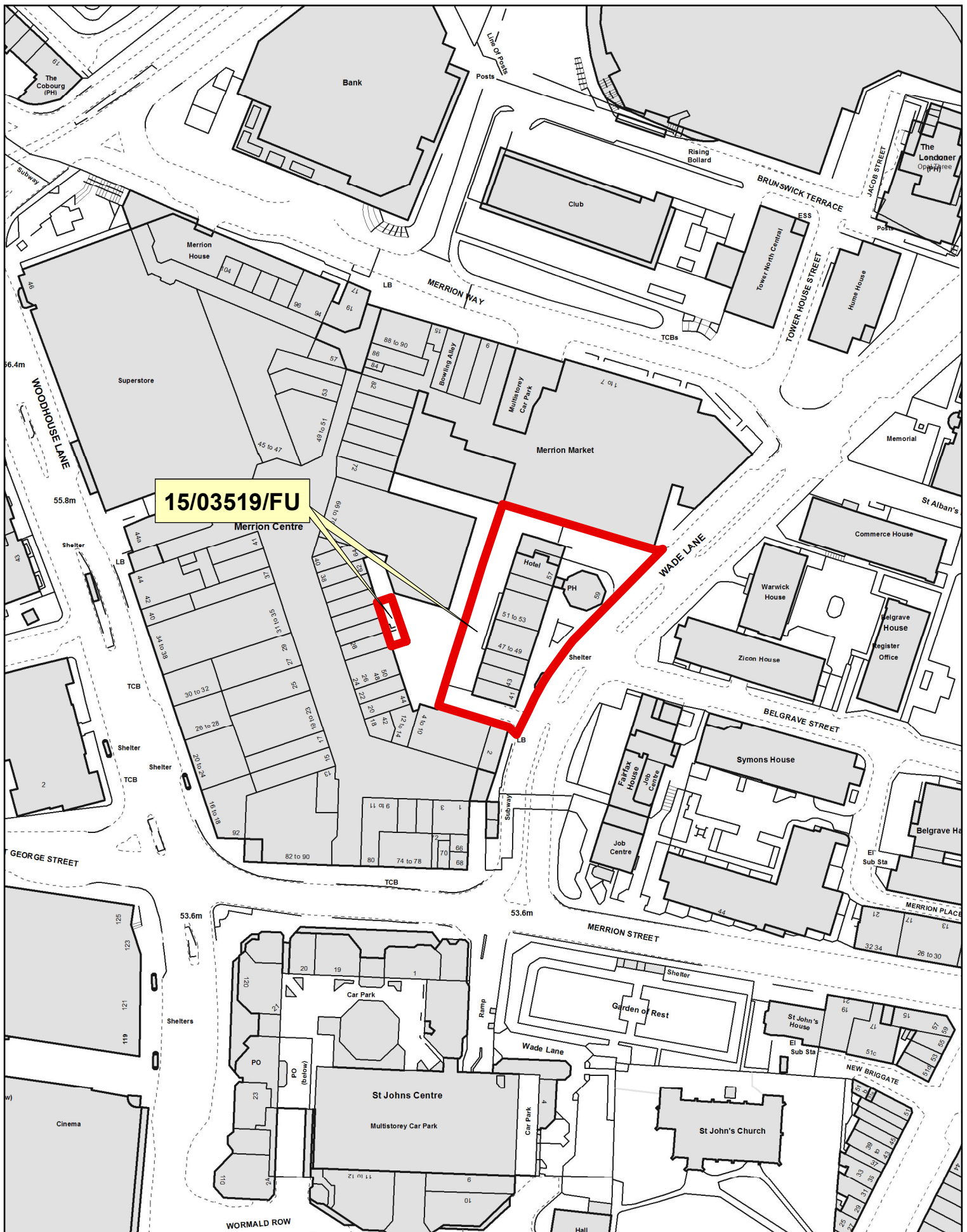
To ensure that the presence of contamination is identified, risks assessed and proposed remediation works are agreed in order to make the site 'suitable for use' in accordance with policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

18) 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 policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

19) 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 policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.



# CITY PLANS PANEL

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SCALE : 1/1500

