

Appendix 1:  
Planning Conditions

## **Conditions proposed to be attached to the direction being sought for deemed planning permission**

### **Time limit for commencement of development**

- 1 The development hereby permitted shall be begun before the expiration of 10 years from the date that the Order comes into force.**

Reason: To ensure that the development is commenced within a reasonable period of time.

### **Construction programme**

- 2 Prior to the commencement of any works comprised in the development, details of the proposed phasing for the implementation of the trolley vehicle system and the appropriate part of the development to which such phasing relates shall be submitted to and approved by the local planning authority.**

Reason: To ensure the orderly execution of the development.

### **Construction management process**

- 3 Prior to the commencement of any phase of the trolley vehicle system referred to in Condition 2 details of the construction management process including the routing and timing of deliveries, contractor parking facilities, the location of all site compounds and structures and the proposed hours of construction work through the week shall be submitted to and approved by the local planning authority.**

Reason: In the interests of public amenity and highway safety.

### **Design Statement**

- 4 Prior to commencement of any phase of the trolley vehicle system referred to in Condition 2, a Design Statement shall be submitted to and approved by the local planning authority.**

Reason: To ensure the satisfactory design of the development.

- 5 Submissions for approval of all reserved matters for each phase of the trolley vehicle system referred to in Condition 2 shall be in accordance with the approved Design Statement [unless otherwise agreed by the local planning authority].**

Reason: To ensure the design concepts for the development hereby agreed are carried forward in the detailed planning of the development.

## Reserved matters

### **6 Approval of the details of the following matters shall be obtained from the local planning authority before any development to which such details are relevant is commenced:-**

- (a) details of the proposed surface materials to be used for the trolley vehicle system and for any highway surfacing works, and details of the layout and re-instatement of the highway consequent on those works (but not the siting of any part of the trolley vehicle system);
- (b) all new and replacement walls and/or fences or permanent boundary treatment including siting, height and material;
- (c) the design, external appearance and landscaping of the trolley vehicle stops;
- (d) the formation, laying out or alteration of a means of access to any highway used by vehicular traffic;
- (e) the formation, laying out of any new and the alteration of any existing pedestrian route;
- (f) the siting and landscaping of any off-highway vehicle parking areas;
- (g) the laying out, drainage and landscaping of the proposed park and ride sites;
- (h) the landscaping of land disturbed by construction works;
- (i) the siting, design and colour of trolley vehicle system poles and associated overhead electrical equipment;
- (j) the extent of all building demolition works and any necessary alteration works;
- (k) the proposed reinstatement works on the alignments between Alma Road and Headingley Lane;
- (l) the siting, design and external appearance of any bridge;
- (m) the siting, design and external appearance of any buildings or structures which are not mentioned above, including sub-stations and buildings and structures within the park and ride sites;
- (n) details of the proposed mitigation measures included in the Environmental Statement;
- (o) details of the overhead line equipment including the siting and design of pole supports.

Reason: To enable reasonable and proper control to be exercised by the local planning authority over aspects of the details of the development.

## Landscaping scheme

### **7 No development shall be commenced in the following areas until full details of both hard and soft landscaping have been submitted to and approved by the local planning authority:-**

- (a) Holt Park terminus;
- (b) Bodington Park and Ride site;
- (c) Weetwood Lane / Otley Road junction (area in front of Three Horseshoes PH);
- (d) the off-highway section at Headingley (from Alma Road to Headingley Lane);
- (e) Hyde Park Corner (from the realigned Victoria Road junction to Cliff Road);
- (f) Woodhouse Moor (from Cliff Road to Clarendon Road);
- (g) University of Leeds/Parkinson Building (from the junction with Blenheim Walk to Cavendish Road);
- (h) Cookridge Street (from Woodhouse Land to St Ann Street);
- (i) Whitfield Way section (from the St Joseph's stop to Church Street);
- (j) Stourton Park & Ride site.

Hard landscape details shall include, as appropriate, proposed finished levels and/or contours including comparison to existing levels, means of enclosure of open areas, alterations to water courses, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials and artefacts and structures (including lighting, furniture, refuse or other storage units, signage, lighting, external services, drainage, manholes, etc). Soft landscape details shall include planting plans, specifications (including cultivation and other operations associated with plan establishment), schedules of plants noting species, planting sizes and proposed densities where appropriate and a proposed timetable for planting and laying out of hard surfaces. The plans submitted in accordance

with this condition shall indicate the location of all trees and/or hedges on the land, together with the species of each tree.

Reason: To ensure that appropriate landscaping mitigation is provided.

## Trees

### **8 No development likely to affect any trees in any phase of the trolley vehicle system referred to in Condition 2 shall take place until:**

- (a) any trees having a stem diameter of 100mm or greater intended to be lopped, pruned or felled in connection with the carrying out of development in relation to that phase have been identified in writing to the local planning authority; and that authority has confirmed that the works to be carried out are in conformity with BS5837:2005;
- (b) where trees having a stem diameter of 100mm or greater are to be felled in relation to that phase, a scheme for their replacement has been submitted to and approved by the local planning authority, including provision for the replanting of any trees which require replacement in consequence of accidental damage during the construction period;
- (c) a scheme for the protection, during the period of construction, of all retained mature trees in the vicinity of the development in relation to that phase identifying their location and species and conforming with BS5837:2005, and a method statement including particulars relating to working methods, temporary protective fencing, location of hoardings and areas prohibited for use by contractors, has been submitted to and approved by the local planning authority.

The developer shall subsequently comply with the schemes approved under the requirements of this condition.

Reason: To ensure adequate protection of existing trees and the replacement of trees to be lost.

## Walls, fences and boundaries

### **9 All walls and fences referred to in Condition 6 shall be erected before the phase of the trolley vehicle system referred to in Condition 2 to which they relate is brought into use and shall thereafter be retained and shall not be altered or removed without the consent of the local planning authority.**

Reason: To ensure that appropriate boundaries are maintained whilst the trolley vehicle system is in operation.

## Stonework in Conservation Areas

### **10 For those phases of the trolley vehicle system referred to in Condition 2 passing through the Far Headingley, Headingley and University Precinct Conservation Areas, no stonework shall be commenced until a sample panel of the stonework to be used has been approved by the local planning authority. The panel shall be erected and examined on site to establish the details of bonding, coursing and colour and type of jointing material. The stonework shall be constructed in accordance with the sample panel(s), which shall not be demolished prior to the completion of the development.**

Reason: To ensure compatibility with stonework in the conservation areas.

## Topsoil

**11 Prior to any work commencing (except works to protect trees referred to in Condition 8) on any phase of the trolley vehicle system referred to in Condition 2 which includes:-**

- (a) the Holt Park, Bodington and Stourton Park and Ride sites and termini;
  - (b) the off highway section between Alma Road and Headingley Lane,
- the whole of the topsoil shall be stripped off those parts of the sites to be developed, and either removed or retained on site for re-use in a secure position where it will not be damaged or contaminated by construction activities at the sites. Details of the 'secure position' including the location within the sites and maximum height of mounds shall be submitted to and approved by local planning authority prior to commencement of the works on site on that phase.

Reason: To ensure the protection and re-use of topsoil.

## Lighting system

**12 Details of the lighting system proposed at all trolley vehicle stops and highway and trolley vehicle route intersections along the route and to new and replacement footpaths shall be submitted to and approved by the local planning authority and implemented before those parts of the developments are brought into operation.**

Reason: In the interests of public amenity and safety and to minimise light pollution.

## Park and ride sites

**13 The park and ride sites and termini at Holt Park, Bodington and Stourton shall not be brought into use until those parts of these sites shown to be used by vehicles, on the plans approved pursuant to Condition 6, have been laid out, drained, and surfaced, as approved, and that area shall not thereafter be used for any other purpose other than the vehicle related use approved.**

Reason: To ensure that the landscaping and drainage of park and ride sites is satisfactorily from their opening and that they are not used for un-related purposes.

## Archaeological investigations

**14 No development shall take place within the area of the off-highway section at Headingley until the applicants, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the local planning authority.**

Reason: To ensure adequate protection and recording of archaeological remains.

## Prevention of water pollution

**15 In carrying out the development, all reasonable steps shall be taken to prevent the pollution of watercourses and groundwater, including by the following methods:**

- (a) no contaminated material, or polluting construction or demolition material or refuse shall be deposited within the relevant limits;
- (b) no rainwater contaminated with silt or soil from ground disturbed during construction works shall be permitted to drain to any surface watercourse or water sewer without sufficient prior settlement;
- (c) no foul drainage or contaminated surface water run-off shall be discharged into any bore-hole, well, spring soak-away or watercourse, including dry ditches connected to a watercourse;
- (d) all surface water drainage from impermeable parking areas, new roadways and hardstandings for vehicles comprised in the development shall be passed through an oil interceptor or other appropriate device before being discharged into any watercourse, surface water sewer or soak-away system; and
- (e) prior approval of the construction details of any storage facilities for oils, fuels or chemicals shall be obtained from the local planning authority before that element of the development is commenced.

Reason: To ensure that all reasonable steps are taken to prevent the pollution of watercourses and groundwaters during and after the construction process.

#### Public address systems

- 16 No public address system shall be operated until details of the operation of that system, including hours of operation, have been submitted to and approved by the local planning authority. The public address system shall thereafter only be used in accordance with the approved details.**

Reason: To avoid undue disturbance and noise pollution.

#### Cleanliness of public highways

- 17 Full details of the methods to be employed for the prevention of mud, grit and dirt being carried onto the public highway from the development hereby approved, shall be submitted to and approved by the local planning authority prior to commencement of works on site on the relevant phase of the trolley vehicle system referred to in Condition 2. The methods thereby approved shall be implemented at the commencement of work on the relevant phase and shall be thereafter retained and employed until completion of works on that phase.**

Reason: To ensure that the public highway is kept clear of mud and other construction debris.

#### Contaminated Land

- 18 Development shall not commence until a Phase I Desk Study has been submitted to, and approved 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 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 by, the Local Planning Authority. The Remediation Statement shall include a programme for all works and for the provision of Verification Reports to provide confirmation that all measures outlined in the Remediation Statement have been successfully completed, including where appropriate, validation testing.

Reason: 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 Policy GP5 of the Leeds Unitary Development Plan Review 2006 and paragraphs 120 to 122 inclusive of the National Planning Policy Framework.

- 19 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 by, the Local Planning Authority prior to any further remediation works which shall thereafter be carried out in accordance with the revised approved Remediation Statement.**

Reason: To ensure that any necessary remediation works are identified to make the site 'suitable for use' in accordance with Policy GP5 of the Leeds Unitary Development Plan Review 2006 and paragraphs 120 to 122 inclusive of the National Planning Policy Framework.

- 20 On completion of remediation works required by an approved Remediation Statement, any Verification Reports provided for in that Statement in respect of those works 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 by the local planning authority.**

Reason: 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 Policy GP5 of the Leeds Unitary Development Plan Review 2006 and paragraphs 120 to 122 inclusive of the National Planning Policy Framework.

#### **Environmental mitigation measures**

- 21 No phase of the trolley vehicle system referred to in Condition 2 shall be commenced until a scheme for implementation of mitigation measures specified in the Environmental Statement in relation to that phase has been submitted to and approved by the local planning authority. The mitigation measures shall be implemented in accordance with the approved scheme.**

Reason: To mitigate anticipated environmental impacts arising from the development.

#### **Bodington playing fields**

- 22 Any new playing fields or sports pitches to be provided as part of the development shall not open for use until the local planning authority has approved a scheme for the use of those playing fields or pitches.**

Reason: In the interest of amenity and in order to comply with policies SA6, SA8 and A1(ii) of the Leeds Unitary Development Plan Review 2006.

### Training and employment opportunities

- 23 Prior to the commencement of development an employment and training strategy shall be submitted to and approved by the local planning authority. The strategy shall include details of measures to ensure provision for the training of local people and employment of local people in the construction and operation of the trolley vehicle system. The strategy shall be implemented prior to the commencement of development.**

Reason: To secure appropriate training and employment opportunities in accordance with policy R5 of the Leeds Unitary Development Plan Review 2006.

### Approval under these conditions

- 24 Where under any of these conditions the approval, agreement or consent of the local planning authority is required, it shall be given in writing.**

Reason: To provide certainty in the approvals process.

### Implementation

- 25 With respect to any condition set out above that requires the approval of the local planning authority, the works or matters thereby approved shall be carried out in accordance with the approved details and timescales, unless otherwise approved by the local planning authority.**

Reason: To ensure that any development carried out complies with requisite approvals, and to provide flexibility for the local planning authority to agree amendments to details previously approved.