



## Report of the Chief Planning Officer

### CITY PLANS PANEL

Date: 19<sup>th</sup> May 2021

**Subject: Application 21/00522/FU – Construction of Step 2 of the Leeds Flood Alleviation Scheme Phase Two, including a Flood Storage Reservoir (including plant and machinery) and flood defences to include; walls, sheet piling, earth bunds, scour protection and associated access, landscaping, demolition, building and construction works, located between Calverley Bridge in Leeds and Apperley Bridge in Bradford - Kirkstall Forge, Abbey Road, Kirkstall**

**APPLICANT**

Leeds City Council

**DATE VALID**

21.01.2021

**TARGET DATE**

13.05.2021

**Electoral Wards Affected:**

**Hunslet & Riverside, Armley, Kirkstall, Bramley & Stanningley, Calverley & Farsley, Horsforth (*Leeds' wards referenced only*)**

Ward Members consulted

**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 conditions at Appendix 1 (and any amendments to the draft conditions and other additional conditions which the Chief Planning Officer might consider appropriate)**

Conditions

A list of draft Conditions for the applications are provided in Appendix 1 as attached to this report.

**INTRODUCTION:**

1. There have previously been no formal flood defences along the River Aire in Leeds, with historic informal flood defences being discontinuous and prone to failure in severe flood conditions. In June 2007, January 2008 and the winter of 2013, the city came close to experiencing major flooding. Severe flooding did occur in some areas in December 2015. It has been estimated that 3,000 residential properties and 500 businesses are within the flood plain of the River Aire within the study area of the

Leeds Flood Alleviation Scheme (LFAS / the Scheme) and approximately £400 million of direct damage would be caused by a major flood in Leeds.

2. Executive Board has previously agreed that the Council should take the lead role on a phased project to deliver the Scheme. Members have previously agreed Phase One (City Centre to Woodlesford) of the Scheme and this was delivered in 2017.
3. This application relates to the second part (known as 'Step 2') of Phase Two of the wider Scheme. In June 2019, City Plans Panel resolved to approve 'Step 1', which is set from Newlay Bridge to the City Centre.
4. Step 1 contractors are now on site, generally working upstream from the City Centre, due to complete early 2023 and that 'step' will offer additional protection to property along its route from flooding up to a 1:100 year (1% + climate change) event.
5. Step 2, set principally at an area of land between Calverley / Rawdon / Horsforth (termed zone 14) and upstream beyond into Bradford Metropolitan District at Apperley Bridge (termed zone 15), would increase this protection further, up to a 1:200 year (0.5% + climate change) event.
6. As the red line boundary crosses Local Authority boundaries here, planning applications have been made to both Leeds and Bradford Local Planning Authorities.

#### **PROPOSAL:**

7. The application proposed, to form 'Step 2' of Phase Two of the Leeds Flood Alleviation Scheme, consists of principally a Flood Storage Reservoir (including plant and machinery) and further flood defences which include walls, sheet piling, earth bunds and scour protection. The application also includes associated access, landscaping, demolition, building and construction works. The Step 2 area is broadly split between zone 14 (Calverley within Leeds Local Planning Authority area) and zone 15 (Apperley Bridge within Bradford Local Planning Authority area).

#### Flood Storage Reservoir

8. The creation of the Flood Storage Reservoir (FSR) and associated works would work alongside the new defences being created under Step 1 and those built previous to it, under Phase One to offer flood protection for events of up to 1:200 year occurrence.
9. The FSR totals approximately 41 Hectares. Set within rural land between Calverley, Horsforth and Rawdon, it would consist of an earth dam embankment extending both sides of the river. It would also contain a new flow control structure, comprising a channel set at riverbed level with two flow control gates (movable weirs).
10. Additional works in relation to the FSR also include:
  - Erosion protection to the riverbed immediately upstream and downstream of the flow control structure;
  - Realignment of the River Aire to suit the new flow control structure, including erosion protection to the newly formed riverbanks;
  - Construction of a control building with stone cladding and pitched roof at the northern end of the dam embankment;
  - Construction of two local control rooms with stone cladding and flat roofs;

- Diversion of the brook to the west side of the Yorkshire Water pumping station compound;
- Construction of flood embankment around the Yorkshire Water pumping station compound;
- Construction of a crane pad;
- Construction of access routes to either side of the dam embankment;
- Construction of new access route where River Aire has encroached on the toe of the Network Rail embankment, including new erosion protection (upstream of dam embankment south bank);
- Provision to remove dead and dying trees from the Network Rail embankment and install erosion protection in critical locations along its length;
- Install flood wall, earth berm and clay blankets on the Network Rail embankment where the new dam connects;
- Construction of refuge area to aid evacuation of livestock;
- Lowering of land in fields to the north of the dam; material to be re-used in the embankment construction;
- Installation of gauging station equipment at Calverley Bridge.

11. There are also some additional temporary works required to facilitate the construction of the FSR as follows:

- Removal of the topsoil in the working area;
- Set-up of the site compound including provision of offices, parking areas and associated services;
- Installation of the temporary crossing across the River Aire upstream of the proposed embankment location (expected to be within the river channel for approximately 90 days);
- Excavation of the south bank of the River Aire to form the route of the temporary diversion channel;
- Construction of the temporary re-aligned river channel; and
- Installation of the cofferdam on the north side of the River Aire to provide the construction area for the control structure.
- Installation of a temporary gaging station at Calverley Bridge.

12. There is also Landscape and Ecological Enhancement works at the Calverley FSR including the following:

- Enhancement measures to increase biodiversity of existing meadows
- Borrow Area to be re-profiled and re-seeded at the end of the construction period (approximate area 17ha)
- Planting around new structures to enhance woodland coverage and screen site
- Tree planting to fill in gaps between existing trees to improve coverage and enhance bank stability; and
- Improve existing hedgerows with infill planting

Much of the tree planting above results from replacements (3:1) for tree removal elsewhere within Step 1 of the Phase Two of the Scheme, as controlled through condition on earlier applications.

### Woodhouse Grove School

13. The Multi Use Games Area (MUGA) and School Cricket Pavilion will be afforded protection, consisting of a steel sheet piled wall circa 1.4m high (reinforced concrete capping wall) for the former and new steel sheet cut-off wall (reinforced concrete defence wall) with imprinted stone finish around the latter, which will also include flood access doors, ramps / steps and paved seating.

### Apperley Bridge

14. As Step 2 will increase flooding (backwater levels) to Apperley Bridge when in operation, it is necessary to provide further defence works in this area to mitigate this impact.
15. Along the left bank of the River, works will include:
  - 59m extension of an existing capping beam adjacent to Apperley Bridge Motors
  - 152m of steel sheet pile wall with in-situ reinforced capping wall with stone copings and masonry cladding along Apperley Lane and Harrogate Road
  - 108m of reinforced concrete "L" wall up to 1200mm high with stone copings and masonry cladding in front of the Stansfield Arms, surrounding the car park and tying into the existing high ground to the west of the car park
16. Within Waterloo Crescent, on the right bank of the river, works include:
  - 148m of reinforced concrete wall up to 1.8m high with stone copings and masonry cladding on both sides. Wall to incorporate glazing panels at key viewpoints and access steps over to riverside, where determined necessary
  - 56m of reinforced concrete wall on the left bank of Carr Beck, up to 1.8m high on mini-piles with stone copings and masonry cladding on both sides
  - 81m of reinforced concrete "L" wall on the right bank of Carr Beck, up to 0.6m high with stone copings and masonry cladding on both sides
17. Along Apperley Road, on the right side of the bank, works include:
  - 78m of reinforced concrete "L" wall up to 1.2m high with stone copings and masonry cladding in an area between Harrogate Road bridge and Apperley Lane bridge
  - 253m of steel sheet pile wall with in-situ reinforced concrete capping wall with stone copings and masonry cladding along Apperley Road and surrounding the garden at 393 Apperley Road
  - Construction of a pumping station within the George and Dragon's car park
18. Along the access road to the Bottom Farm, Dobson Lock, works include:
  - 76m of steel sheet pile wall with in-situ reinforced concrete capping wall with stone copings and masonry cladding
  - Existing unmade track to be raised and realigned on an earth bund up to 2m high
19. Works are also required to the Apperley Lane (Grade II Listed) Bridge including strengthening of parapets through the installation of an anchor tie system in the

downstream elevation of the bridge and a reinforced concrete relieving slab over the existing deck. The upstream parapet will also be dismantled and reconstructed with a reinforced concrete core, tied to the relieving slab, and clad with stone slips made from the original stone from the parapet. The parapets will also be raised on both sides of the bridge with matching stone, taken from the dismantled upstream parapet if possible. The bridge will be propped during works.

20. Like with Phase One and Step 2 of Phase Two, although always only undertaken where absolutely necessary some tree removal is required to facilitate the works approximately 179 trees have been accounted for; which would be replaced on a 3:1 basis again.
21. Some temporary diversion orders for footpaths in the Apperley Bridge area are expected while works are undertaken.
22. The application is supported by the following:
  - Detailed drawings
  - Design and Access Statement
  - Statement of Community Involvement
  - Planning Supporting Statement
  - Environmental Statement which includes:
    - Transport Statement
    - Geology / Land Contamination Assessment
    - Heritage Assessment
    - Flood Risk Assessment
    - Water Framework Directive Assessment
    - Other technical water related reports
23. An Environment Impact Assessment (EIA) for the wider Phase Two Scheme has been undertaken in 2018, which given the extent (14km) of linear defences (mainly in Step 1) and the FSR (Step 2) at 41 Hectares in size, these as a Scheme package exceeded the thresholds of Schedule 2, Part 10 Infrastructure Development (h) 'inland waterway construction not included in Schedule 1, canalisation and flood relief works', of the Town and Country Planning (EIA) Regulations 2017.
24. This has assisted in informing the content of the Environmental Statement within the site as set across both the Leeds and Bradford Local Planning Authority boundaries. In accordance with this, a full EIA was undertaken to support the original planning application (18/07367/FU - which later in the processing which was split into Step 1 only). The EIA identified the impacts of the Scheme, both positive and negative, and set out mitigation measures embedded into the design and enhancements to reduce the overall impact of the Scheme on the environment and surrounding communities.
25. In Step 2, it was decided that a new Environmental Statement (ES) would be prepared for the current updated application, the scope of the environmental issues considered is in line with the previous ES prepared and the information and feedback received (from Leeds City Council as LPA) in the original scoping opinion to application 18/07367/FU.
26. A Scoping Request by the applicants was also submitted to City of Bradford Metropolitan District Council as Local Planning Authority previously as part of the original Phase Two Scheme (July 2018 – prior to its split into Step 1 then) who had confirmed that no further information was required to be submitted (a Bradford scoping response understood to have been sent in August 2018).

## **SITE AND SURROUNDINGS:**

27. LCC has commissioned the Leeds Flood Alleviation Scheme Phase Two to reduce flood risk to infrastructure, residential, commercial and industrial property along the River Aire in Leeds.
28. Phase Two is focused upstream of the Leeds train station and is the second phase of LCC's plans for managing current and future flood risk in the city. The land is set within a mixture of Flood Zones 2, 3 and the Functional Floodplain.
29. The River Aire is a main river (approximately 148km long) in West Yorkshire and runs in a south-easterly direction from its source in Malham (north) to the mouth in Airmyn (east). It runs through five principal conurbations, namely Skipton, Keighley, Bradford, Leeds and Castleford. The Scheme is proposed along a 3km stretch of the River Aire and begins upstream of the A6120 in Calverley (within the authority area of Leeds City Council's) and finishes in Apperley Bridge (within the authority of City of Bradford Metropolitan District Council (CBMDC)).
30. This stretch of the River Aire between Calverley (which is referenced as zone 14) and Apperley Bridge (zone 15) lies within a river corridor that meanders through a landscape of woodland, pasture, playing fields and the urban edge of Apperley Bridge. The valley sides are steep in places, but the floodplain widens out north of Calverley and Apperley Bridge. For much of its length the river has natural, un-engineered banks with shallows and gravel beaches where waterfowl congregate. The wooded river corridor provides a landscape buffer between Horsforth, Calverley, Rawdon and Apperley Bridge and separates Leeds and Bradford. Urban and infrastructure influences are present with the urban edge of Apperley Bridge, a large new housing site off Low Hall Road, Horsforth/Calverley, the Airedale and Wharfedale railway line and many overhead power lines.
31. The Rawdon Cragg Wood Conservation Area is partly within the site plan area within zone 14, mainly more within the area where the access track to the new FSR is proposed (rather than the FSR itself). A small section of the site at the eastern extreme is set within the Calverley Bridge Conservation Area. There are a few listed buildings set within / around the site including the grade II bridge itself. At Apperley Bridge the two Public Houses which align the route but are not physically impacted themselves are the George & Dragon Inn and The Stansfield Arms (both grade II). Also within this area (zone 15) are Elm Tree Farmhouse and 1-4 Waterloo Crescent, both grade II listed also and both again are not physically affected by the works but which are within the vicinity of them.
32. The Leeds and Liverpool Canal (Site Special Scientific Interest (SSSI) designation and also a site recognised as a Site Ecological Geological Interest (SEGI17)) runs close to the River Aire for a short stretch north of Calverley Wood. The Aire Valley towpath runs along the canal which is in the Leeds and Liverpool Canal Conservation Area. Although there are no nationally protected species and habitats on this section of the River Aire, it serves as an important wildlife corridor.
33. The land affected itself is a mixture of mainly agricultural land and playing pitches associated with Woodhouse Grove School. Additionally in Apperley Bridge, the focus shifts to some residential properties around Waterloo Crescent / Carr Beck and also smaller other land uses such as vehicle maintenance yard, Public Houses (George & Dragon and The Stansfield Arms) and an electricity sub-station. As expected, a number of Public Rights of Way intersect with the site.

34. Much of the site lies within the Green Belt in the Site Allocations Plan (SAP) (Aireborough and Outer West Housing Market Characteristic Areas). Much of the site is also recognised as a wider area of Strategic Green Infrastructure site under Core Strategy policy SP13.
35. Some of land is also additionally covered by Greenspace designations in the Site Allocations Plan:
- Rawdon Meadows Playing Fields
  - Woodhouse (Grove) Public School Playing Fields
  - Bronte House School Playing Fields
  - Leeds-Liverpool Canal
36. The land is also covered by an area which is contained within a Special Landscape Area (saved Unitary Development Policy N37).

### **RELEVANT PLANNING HISTORY:**

#### *Applications made within the Local Planning Authority of Leeds City Council*

##### Leeds Flood Alleviation Scheme Phase Two, Step 1

37. 19/06812/FU Variation of conditions 5, 6, 10 and 12 of previously approved planning application 18/07367/FU for amendments to the Compensatory habitat, Otter mitigation, Dredging and Increase of flood risk Approved - 17.12.2019
38. 18/07367/FU Construction of Phase 2 ('Step 1') of the Leeds Flood Alleviation Scheme (FAS) including flow control structures (including plant and machinery) and defences to include; walls, sheet piling, earth bunds, scour protection and associated access, landscaping, demolition, building and construction works Approved - 18.06.2019 (presented before City Plans Panel 6<sup>th</sup> June 2019)

##### Leeds Flood Alleviation Scheme Phase One

39. 13/03191/FU Linear flood defences along River Aire and removal of Knostrop Cut Approved - 21.03.2014 (presented before City Plans Panel 24<sup>th</sup> October 2013)
40. 13/03192/LI Listed Building Application for alterations to listed buildings to provide flood defences along the River Aire Approved - 23.04.2014 (presented before City Plans Panel 24<sup>th</sup> October 2013)

#### *Applications made within the Local Planning Authority of Bradford Metropolitan District Council*

##### Leeds Flood Alleviation Scheme Phase Two, Step 2

41. 21/00249/FUL Construction of Step 2 of the Leeds Flood Alleviation Scheme Phase Two, including a Flood Storage Reservoir (including plant and machinery) and flood defences to include; walls, sheet piling, earth bunds, scour protection and associated access, landscaping, demolition, building and construction works, located between Calverley Bridge in Leeds and Apperley Bridge in Bradford - Kirkstall Forge, Abbey Road, Kirkstall *Pending (at time of writing)*
42. 21/00485/LBC *Works to Apperley Bridge* - Insertion of a concrete relieving slab beneath a new deck, raising the height of the deck. Reconstruction of the upstream

parapet, of concrete core and clad in stone matching the existing fabric of the bridge. Raising of the height of both upstream and downstream parapets, and waterproof seals between the parapets of the bridge and proposed flood walls on the banks of the River Aire *Pending (at time of writing)*

#### **HISTORY OF NEGOTIATIONS:**

43. Since 2017 and the completion of Phase One, in respect of Phase Two, Officers have had a series of meetings with the applicants to inform and develop the scheme detail further taking account of site specific characteristics, opportunities and constraints including nature conservation, heritage conservation interests, public accessibility and recreation.
44. A pre-application presentation (PREAPP/18/00332) for the scheme was given to Members at City Plans Panel on 21<sup>st</sup> June 2018. In that particular presentation, the scheme outlined was for the wider (Step 1 / Step 2) proposals although in respect of the latter, much of the detail around the Calverley FSR was not fully known and discussions at the Panel focussed mainly on the linear defences and works within Step 1.

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

45. The application has been publicised by site notice (14no.) which were erected on the 3<sup>rd</sup> March which expired on 24<sup>th</sup> March 2021. The application was also advertised in the Yorkshire Evening Post on 19<sup>th</sup> February, which expired on 12<sup>th</sup> March 2021. Representations from one local group, 2 individuals (one within Bradford MDC area) and also The Civic Trust (to date) have been received.

Comments can be summarised as follows:

##### Civic Trust

Strongly support the application, recognising the importance to the City given concerns around climate change and increased frequency of flood events. Welcome intention to undertake extensive landscaping work. Footpath north of the river is subject to erosion and suggest opportunity is taken to protect from further erosion.

##### Cragg Wood Residents Group

Request that consideration be given to extending footpath links along the river edge further (i.e. beyond the current Public Rights of Way and further to acquisition of land by the applicant) and that stone wall alongside part of the proposed access track is re-built upon completion of civil engineering works.

##### Local Resident – Calverley (adjacent to access road serving FSR)

Helpful communications from Design Team. However remain concerned about (shorter term) noise, dust, nuisance and longer term over amenity of garden / landscape beyond

##### Local Resident – Apperley Bridge

Consideration should be given to construction of a separate 300m storm water sewer overflow pipe underground to ensure this stays separate from Haigh Beck; in turn which could then mean that Beck water can be channeled into the Canal and onwards to Carr Beck. This would result in less flood (sewer) to affect the houses\* near to the River.

*\*expected this is in reference to Waterloo Crescent houses.*



## CONSULTATION RESPONSES:

46. Canal & Rivers Trust (27/04) – No objections (subject to conditions).
47. Coal Authority (10/02) – No objection.
48. Contaminated Land Team (17/03) – No objections (subject to conditions).
49. Environment Agency (16/04) – No objections (subject to conditions).
50. Environmental Protection Team (25/02) – No objections (subject to conditions).
51. Environmental Studies (Transport Strategy) (03/02) – No objections.
52. Flood Risk Management (13/04) – No objections (subject to conditions).
53. Health and Safety Executive (15/02) - Does not advise against grant of permission (on safety grounds).
54. Highways (10/03) – No objection (subject to conditions).
55. Historic England (24/03) - No objections.
56. National Grid (29/04) – No objections.
57. Natural England (26/04) – Further information requested in respect of the development upon the Leeds-Liverpool canal.
58. Nature Conservation Officer (25/03) – No objections (subject to conditions). Overall biodiversity in the medium to long term; net-gain summarised / split up as 20.62% (Core Habitats), 12.7% (Linear Habitats) and -1.58% (Rivers). Impact upon Leeds-Liverpool canal (SSSI) should not result in adverse impacts but confirmation also from Natural England not yet received (*at time of writing*).
59. Network Rail (23/04) – Expression of support.
60. Northern Gas Networks (27/04) – No objection.
61. Public Rights of Way (26/04) – No objection. More detail required under condition for works affecting two parts within zone 14:
  - Aireborough footpath 110 (between Low Hall Road and the Yorkshire Water sewerage works);
  - footpath 107 (at the railway bridge by Woodhouse Grove School).Any proposed works and access to Public Rights of Way should not be to the detriment of the stability of the riverbank and any damage to the banks, public rights of way or their surfaces should be repaired by the contractors.
62. Sport England (XX/XX) – Comments awaited.
63. Travelwise (03/02) – No travel plan requirement.
64. West Yorkshire Police (12/02) – No comments.
65. Yorkshire Water (08/03) – No objections (subject to conditions).

66. Yorkshire Wildlife Trust (30/04) – No objections in principle, further information requested over Biodiversity calculation and also in respect of badger crossing, setts and construction.

### **PLANNING POLICIES:**

67. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
68. Sections 72 and 66 of the Listed Buildings and Conservation Areas Act 1990 identifies the general duty with respect to any buildings or other land located within a Conservation Area. Parliament requires the decision-maker to give considerable importance and weight to the preservation or enhancement of the character or appearance of a Conservation Area. Moreover, in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
69. The Development Plan for Leeds currently comprises the following documents:
1. The Leeds Core Strategy (as amended by the Core Strategy Selective Review 2019)
  2. Saved Unitary Development Plan (UDPR) Policies (2006), included as Appendix 1 of the Core Strategy
  3. The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013) including revised policies Minerals 13 and 14 (Adopted September 2015).
  4. Any Neighbourhood Plan, once Adopted
  5. Aire Valley Area Action Plan (adopted 2017)
  6. Site Allocations Plan (adopted 2019).
70. Leeds Core Strategy (amended by the Core Strategy Selective Review 2019)  
The adopted Core Strategy (as amended) sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. The most relevant policies are set out in the paragraphs below:
71. Spatial Policy 3: Role of Leeds City Centre seeks to maintain and enhance the role of the City Centre as an economic driver for the District and City Region.  
This includes managing flood risk issues comprehensively through supporting the construction of the Leeds Flood Alleviation Scheme and use of other flood mitigation measures.
72. Spatial Policy 13 – Strategic Green Infrastructure – outlines that the Council will seek to enhance key corridors in the Leeds District including Kirkstall Valley Park.
73. Policy P10: Design: New development for buildings and spaces to be based on a thorough contextual analysis, deliver high quality innovative design that contributes positively towards place making and is accessible to all. Car parking, cycle, waste and recycling storage should be designed in a positive manner and be integral to the development.
74. Policy P11: Conservation: outlines that the historic environment, consisting of

archaeological remains, historic buildings, townscapes and landscapes, including locally significant undesignated assets and their settings, will be conserved and their settings will be conserved, particularly those elements which help to give Leeds its distinct identity. Development proposals will be expected to demonstrate a full understanding of historic assets affected

75. 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.
76. 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.
77. Policy G1 - Enhancing and extending Green Infrastructure  
Where a development is considered to be acceptable within or adjoining areas defined as Green Infrastructure on Map 16 or on any future LDF Allocation Documents, development proposals should ensure that:
- (i) Green Infrastructure/corridor function of the land is retained and improved, particularly in areas of growth,
  - (ii) Where appropriate, the opportunity is taken to extend Green Infrastructure by linking green spaces or by filling in gaps in Green Infrastructure corridors, including (where relevant) extending these into Leeds City Centre. Street trees and green roofs are particularly encouraged,
  - (iii) A landscaping scheme is provided which deals positively with the transition between development and any adjoining open land,
  - (iv) The opportunity is taken to increase appropriate species of woodland cover in the District,
  - (v) Provision for and retention of biodiversity and wildlife,
  - (iv) Opportunities are taken to protect and enhance the Public Rights of Way (PROW) network through avoiding unnecessary diversions and by adding new links.
78. Policy G2 – Creation of New Tree Cover  
In supporting the need and desire to increase native and appropriate tree cover, the Council will, on its own initiative and through the development process, including developer contributions, work towards increasing appropriate species of woodland cover in the District. Delivery will involve planting in both urban and rural areas, and partnership with the Forestry Commission, Natural England and landowners.
79. Policy G8 - Protection of Important Species and Habitats  
Development will not be permitted which would seriously harm, either directly or indirectly, any sites designated of national, regional or local importance for biodiversity or geological importance or which would cause any harm to internationally designated sites, or would cause harm to the population or conservation status of UK or West Yorkshire Biodiversity Action Plan (UK BAP and WY BAP) Priority species and habitats. In considering development proposals affecting any designated sites and UK or WY BAP Priority species or habitats, the needs of the development and the requirements to maintain and enhance biological and geological diversity will be examined.  
Other than the above requirement particular account will be taken of:
- The extent and significance of potential damage to the interest of any national, regional or local site, or UK or WY BAP Priority species or habitat, and
  - Demonstration that the need for the development outweighs the importance of any

national, regional or local site, or UK or WY BAP Priority species or habitat, and

- The extent that any adverse impact could be reduced and minimised through protection, mitigation, enhancement and compensatory measures imposed through planning conditions or obligations

80. Policy G9 - Biodiversity Improvements

Development will be required to demonstrate:

- (i) That there will be an overall net gain for biodiversity commensurate with the scale of the development, including a positive contribution to the habitat network through habitat protection, creation and enhancement, and
- (ii) The design of new development, including landscape, enhances existing wildlife habitats and provides new areas and opportunities for wildlife, and
- (iii) That there is no significant adverse impact on the integrity and connectivity of the Leeds Habitat Network.

81. Policy EN5 - Managing Flood Risk

The Council will manage and mitigate flood risk by:

Avoiding development in flood risk areas, where possible, by applying the sequential approach and where this is not possible by mitigating measures, in line with the NPPF, both in the allocation of sites for development and in the determination of planning applications.

- (i) Protecting areas of functional floodplain as shown on the Leeds SFRA from development (except for water compatible uses and essential infrastructure),
- (ii) Requiring flood risk to be considered for all development commensurate with the scale and impact of the proposed development and mitigated where appropriate,
- (iii) Reducing the speed and volume of surface water run-off as part of new build developments,
- (iv) Making space for flood water in high flood risk areas,
- (v) Reducing the residual risks within Areas of Rapid Inundation,
- (vi) Encouraging the removal of existing culverting where practicable and appropriate,
- (vii) The development of the Leeds Flood Alleviation Scheme.

82. Leeds Unitary Development Plan Review Retained Policies

- GP5 all relevant planning considerations
- N1 Protection of Urban Greenspace
- N6 Protection of Playing Pitches
- N8 Urban Green Corridors
- N9 Urban Green Corridors and Development
- N14 Listed Building and Preservation
- N17 Listed Buildings Character and Appearance
- N29 Sites of Archaeological Importance
- N33 Development in the Green Belt
- N35 Development and Agricultural Land
- N37 Special Landscape Areas
- LD1 Landscape Schemes
- ARC5 Archaeology

83. Leeds Natural Resources and Waste DPD 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. Relevant policies include:

- Minerals 2 Minerals Safeguarding Areas – Sand and Gravel
- Minerals 3 Surface Coal
- Water 2 Protection of Water Quality
- Water 3 Functional Flood Plain
- Water 4 Development in Flood Risk Areas
- Water 6 Flood Risk Assessments
- Water 7 Surface Water Run-off
- Land 1 Contaminated Land
- Land 2 Development and Trees

#### 84. Supplementary Planning Guidance and Documents

Accessible Leeds SPD (2016): Guidance document is intended for use by developers, architects, design teams, and those applying for planning permission, to ensure an inclusive design approach is adopted.

Biodiversity and Waterfront Development (2006): Objectives are to identify and safeguard existing habitats; provide ecological design guidance on waterfront developments; provide guidance on the conservation of protected and important species; identify opportunities for habitat enhancement, creation and restoration; encourage appropriate long term habitat management. It requires development to be set back from river banks.

Waterfront Strategy (2002): This advocates public access to the waterfront as well as its laying out with landscape treatment, which seeks to soften the bank edge. In addition, open space oriented towards the river, uses which take advantage of the amenity offered by the river and the protection of any wildlife habitats are also advocated. This document should be read in conjunction with the Biodiversity and Waterfront Development (2006) SPD.

#### 85. Neighbourhood Plan

##### Horsforth

The **Horsforth Neighbourhood Plan** was made / approved in May 2020, following its consultation, examination and referendum (to approve). It therefore holds significant weight in decision making.

The site adjoins the boundary of the Plan area, but is not set within the area itself. The Vision and Objectives of the Plan are nonetheless noted which includes encouraging and supporting improved walking, equestrian and cycling provision, particularly Public Rights of Way and protection, preservation, enhancement to Horsforth's natural heritage, including its landscape, green infrastructure, local green spaces and wildlife sites.

Notwithstanding that the Neighbourhood Plan directly affects land only within the Plan boundary in question, the following policies are still noted given they reference to wider Local Plan designations such as the Special Landscape Area (saved UDPR policy N37) and Cragg Wood Conservation Area:

**POLICY GE1: WOODHALL/CALVERLEY/CRAGG WOOD/HUNGER HILLS SPECIAL LANDSCAPE AREA (WITHIN HORSFORTH)** In the designated Special Landscape Area, as shown on The Policy Proposals Map, development should not seriously harm the character and appearance of the landscape. In terms of siting, design and materials, development or change in land use should have regard to the area's landscape character and special features and contribute positively to landscape restoration or enhancement, paying particular attention to its: - - Strong structure and visual unity, characterised by a pattern of fields separated by walls, hedges, tree belts and wooded stream valleys; - North-south downward-sloping valley-side topography; - High scenic quality; - Attractive groups of buildings, e.g. on Calverley Lane; - Landmarks, e.g. Hunger Hills view-point; and - Natural and semi-natural woods, trees, hedgerows and water bodies

**POLICY GE2: LOCAL GREEN INFRASTRUCTURE** Local Green Infrastructure, as listed below and shown on the Policy Proposals Map, will be maintained: - - Scotland Beck / Old Mill Beck / Oil Mill Beck - Gill Beck Development should allow its continued operation as part of a multifunctional wildlife, amenity and recreational network, by maintaining continuity of infrastructure and of the functions that infrastructure currently provides. Any development within or adjacent to Local Green Infrastructure should include measures to enhance or extend it as appropriate, with particular attention to the maintenance and improvement of public access.

**POLICY BE1: HORSFORTH CHARACTER AREAS – DEVELOPMENT AND DESIGN** Development within Horsforth's character areas, as defined on the Policy Proposals Map and described in Appendix 3, should for: -

Area 8: Low Hall - Seek to enhance industrial site boundary treatments through new/screen planting, particularly where they form the setting to the Low Hall group of listed buildings. - Seek to enhance pedestrian and horse rider permeability through the area to improve links with the West Leeds Country Park and Green Gateways.

Area 9: Green Belt (including Rawdon Cragg Wood Conservation Area (part) - Respect important mid-distance views north from the River Aire at Rodley Nature Reserve towards the edge of the Horsforth built-up area (as detailed in Appendix 4). - Within the Rawdon Cragg Wood Conservation Area: - a) Have full regard to the distinctive character of the formal designed memorial gardens laid out at Rawdon Crematorium; b) Respect the important view north from Rawdon Crematorium across open countryside (as detailed in Appendix 4).

**POLICY TT3: IMPROVED CYCLING, WALKING AND EQUESTRIAN PROVISION** Development directly affecting the Horsforth cycleway, walking and equestrian network will be expected to be compatible with and to contribute to it, with particular priority in respect of dedicated Public Rights of Way. Development likely to significantly increase pedestrian footfall, cycle and / or equestrian usage within the network will be expected to contribute to new provision, including dedicated Public Rights of Way, in its immediate vicinity and to provide connections to the network. Development proposals which would add to and/or improve the network, particularly in respect of dedicated Public Rights of Way, will be encouraged. Where development of the network results in users sharing an existing or new route, the design should ensure the safety of all users. Traffic-free cycle ways will be particularly encouraged. Development proposals which improve network connectivity to public transport, i.e. the railway station, bus stops, and to community facilities such as schools and shops, will be encouraged.

## Rawdon

A Neighbourhood Plan is currently being progressed at Rawdon. The plan area was designated in June 2013 and the pre-submission plan is currently in preparation. The plan is not at an advanced stage of development and has not yet been formally adopted; as such, policies contained within it are not afforded weight at this time.

### 86. National Planning Policy Framework

The National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) set out the national policies for England and how these are expected to be applied. One of the key principles running through the NPPF is a presumption in favour of Sustainable Development set out in three parts: Economic, Social and Environmental. The revised NPPF (2019) now seeks to tighten definitions on the presumption in favour of sustainable development, increases the emphasis on high-quality design and place-making.

Paragraph 11 directs Local Planning Authorities to apply a presumption in favour of sustainable development and that they should approve development proposals that accord with an up-to-date development plan without delay.

Paragraph 47 outlines that Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

Paragraph 55 outlines that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.

The below sections of the Revised NPPF are also considered to be relevant:

Section 2: Achieving sustainable development - The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

There are three overarching objectives to this:

a) an **economic** objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a **social** objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an **environmental** objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Section 6: Building a strong, competitive economy - Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Section 8: Promoting healthy and safe communities - Planning policies and decisions should aim to achieve healthy, inclusive and safe places.

Section 9: Promoting Sustainable Transport – developments should give priority first to pedestrian and cycle movements and facilitate access to high quality public transport; address the needs of people with disabilities; create places that are safe, secure and attractive which minimise the scope for conflicts between pedestrians, cyclists and vehicles; avoid unnecessary street clutter; respond to local character and design standards; allow for the efficient delivery of goods, and access by service and emergency vehicles; be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient location

#### Section 12: Achieving well-designed places

Para 127: Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

#### Section 13: Protecting Green Belt land -

The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Para 145. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are: a) buildings for agriculture and forestry; b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries



and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it; c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building; d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces; e) limited infilling in villages; f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and 43 g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development; or – not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Para 146. Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are: a) mineral extraction; **b) engineering operations**; c) local transport infrastructure which can demonstrate a requirement for a Green Belt location; d) the re-use of buildings provided that the buildings are of permanent and substantial construction; e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and f) development brought forward under a Community Right to Build Order or Neighbourhood Development Order.

#### Section 14: Meeting the challenge of climate change, flooding and coastal change –

Para 163. When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment<sup>50</sup>. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

#### Section 15: Conserving and enhancing the natural environment –

Para 170. Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate; d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being

adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Para 175. When determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest; c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons<sup>58</sup> and a suitable compensation strategy exists; and d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

Para 178. Planning policies and decisions should ensure that: a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation); b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and c) adequate site investigation information, prepared by a competent person, is available to inform these assessments. 179. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. 180. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life<sup>60</sup>; b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

#### Section 16. Conserving and enhancing the historic environment

Para 190. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when

considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Para 192. In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.

193. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

194. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

196. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

#### Section 17: Facilitating the sustainable use of minerals

Para 205. When determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy.

#### 87. City of Bradford Metropolitan District Council (CBMDC)

As the application boundary crosses into the City of Bradford Local Planning Authority Area, a review of relevant CBMDC policies are outlined below and have been considered in the appraisal of the proposals.

CBMDC adopted their Core Strategy Development Plan Document (DPD) on 18th July 2017. The DPD forms an essential part of the Local Plan for Bradford setting the strategic planning framework and policies to guide development within the District up to 2030.

The Core Strategy forms part of the statutory Development Plan for the Bradford District and will be used in determining planning applications alongside other adopted Local Plan documents. CBMDC also has regard in their decision making to their remaining Replacement Unitary Development Plan (RUDP) 'saved' policies.

CBMDC have been in the process of undertaking a partial review of its adopted Core Strategy (Core Strategy Partial Review) and have also been (since 2016) producing an Allocations DPD, which will replace the saved policies within the RUDP. However the Partial Review is at Preferred Options stage since July 2019.

This is because currently CBMDC are now preparing a new Local Plan which sets out how the District will grow sustainably over the next 15 to 20 years and what it means for local communities. The CBMDC website states: *“As of mid-2020, the Council is preparing a single Local Plan which includes work undertaken to date on the Core Strategy Partial Review and land allocations”*.

The plan features new sites for housing and employment and a range of policies which will help guide development and the determination of planning applications. It also sets out new information on open spaces, green infrastructure and places of ecological value across the District.

It is however relatively early in preparation having only recently been out (Feb/March 2021) for public consultation. Representations from which are currently being reviewed and therefore this draft Plan cannot be given significant at this stage.

Therefore the current policies / guidance are considered of relevance / note:

### CBMDC Core Strategy DPD

Strategic Objective 12: Safeguard, enhance and promote the diverse historic built and natural heritage of the District which helps reinforce the local distinctiveness of places.

Strategic Objective 13: To reduce the impact of climate change through mitigation and adaptation, particularly through reducing pollution, energy consumption, the risk of flooding, and promoting the use of renewable energy and securing the means to become locally self-sufficient.

Policy SC1: Overall Approach and Key Spatial Strategies: This policy ensures that planning decisions seek to avoid increasing flood risk, and manage land and river catchments for flood mitigation, renewable energy generation, biodiversity enhancement and increased tree cover

Policy SC2: Climate Change and Resource Use: This policy ensures planning decision plan for the adaption and long-term resilience to climate change in the district

Policy SC3: Working Together to make great places: This policy details CBMDC's commitment effective collaboration with adjoining local planning authorities, the District's Town and Parish Councils, partners, stakeholders and communities within the District, Leeds City Region, to address climate change.

Policy SC6: Green Infrastructure: This policy ensures that planning decisions support and encourage the maintenance, enhancement and extension of networks of multi-functional spaces, routes and key areas of Green Infrastructure, which includes the River Aire Corridor.

Policy SC7: Green Belt: This policy ensures that development is concentrated, does not sprawl into the conserved, open countryside.

Policy EN1: Protection and improvements in provision of Open Space and Recreation Facilities: Land identified as recreation open space, or which is currently or was formerly used for recreation open space will be protected from development. Exceptions will be made where is loss of open space does not lead to a deficiency within the area.

Policy EN2: Biodiversity and Geodiversity: This policy seeks to ensure new development does not directly or indirectly impacts international, nationally or locally designated sites for biodiversity or geodiversity.

Policy EN3: Historic Environment: This policy identifies that CBMDC will proactively preserve, protect and enhance the character, appearance, archaeological and historic value and significance of the District's designated and undesignated heritage assets and their settings.

Policy EN4: Landscape: This policy ensures that proposals should make a positive contribution towards the conservation, management and enhancement of the diversity of landscapes within the District.

Policy EN5: Trees and Woodland: This policy seeks to ensure that trees and areas of woodland cover within the district are protected.

Policy EN7: Flood Risk: This policy identifies that the CBMDC will manage flood risk proactively when assessing planning applications.

Policy EN8: Environmental Protection Policy: The policy ensures that impacts to result in exposure to sources of pollution (including noise, odour and light pollution) are minimised.

Policy DS1: Achieving Good Design: This policy ensures the development proposals contribute to achieving good design and the creation of high quality places.

Policy DS2: Working with the Landscape: This policy ensures development proposals take advantage of existing features, integrate development into the wider landscape and create new quality spaces.

Policy DS3: Urban Character: This policy ensures development proposals create a strong sense of place and are appropriate to their context in terms of layout, scale, density, details and materials

Policy DS5: Safe and Inclusive Spaces: This policy ensures that development proposals should make a positive contribution to people's lives through high quality, inclusive design.

#### CBMDC Replacement Unitary Development Plan

Policy GB1: Green Belt Considerations: This policy ensure that development is controlled, preserves and enhances the openness of the Green Belt.

Policy GB2: Sitting of New Buildings in the Green Belt: Under this policy certain new buildings may be acceptable, in principle in the Green Belt, providing it meets the Government guidance, which states that it is important that new development should not injure the visual amenities of the Green Belt.

Policy OS3: Protection of Playing Fields: This policy sets out to protect existing and proposed, and sets out several key tests, which should be met before development on playing fields would be allowed.

## **CLIMATE EMERGENCY**

88. The Council declared a climate emergency on the 27th March 2019 in response to the UN's report on Climate Change. The Planning Act 2008, alongside the Climate Change Act 2008, sets out that climate mitigation and adaptation are central principles of plan-making. The NPPF makes clear at paragraph 148 and footnote 48 that the planning system should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions in line with the objectives of the Climate Change Act 2008.
89. As part of the Council's Best Council Plan 2019/20 to 2020/21, the Council seeks to promote a less wasteful, low carbon economy. The Council's Development Plan includes a number of planning policies which seek to meet this aim, as does the NPPF. These are material planning considerations in determining planning applications.
90. The scheme cannot be directly considered under BREEAM assessment (reference to the Council's Sustainable Design and Construction Supplementary Planning Document (2011)), given the project is not creating major 'floorspace' as such. The wider Phase Two works, as was also outlined in the Step 1 application (18/07367/FU) in 2019, includes proposals (outside of the two applications) but which are integral to the wider sustainable managed delivery of LFAS, such as Natural Flood Management (planting of up to 2 million trees in the upper catchment areas of the Aire).
91. These already provide a considered environmental approach to realising an effective flood protection scheme. Whilst the application does not technically / specifically relate to the threshold requirements of Core Strategy environmental policies EN1 and EN2 (1000m<sup>2</sup> or 10 residential units or more), the applicants are fully appreciative of the Council's declaration and where practically deliverable are agreeable again to conditions which will target sustainable construction including meeting the relevant 'CEEQUAL' ratings (which is an industry standard scheme similar to 'BREEAM' in lieu of policies EN1 / EN2).
92. To highlight this approach, the following should be noted:
- a carbon baseline of 23,000 tonnes of CO<sub>2</sub> equivalent (quantity of carbon in the LFAS2 scheme without additional mitigation) has been established (equivalent to driving around world 3,500 times);
  - most of the baseline is expected to arise from materials
  - carbon specialists within the applicant team are working closely with engineers to find the best alternative, lower-carbon approaches:
    - by up to 20% in use of materials (saving approximately 3,200 tonnes) such as use of eco sheet piles (currently the case at zone 12 in Step 1)
    - by up to 10% in use of fuel and electricity (saving approximately 500 tonnes) such as use of vegetable oil in plant equipment (currently the case at zone 12 in Step 1)
    - electric vehicles being used within the LFAS fleet
93. Whilst measuring and minimising carbon emissions in the construction is the overall target, it is also important to consider the potential carbon avoided impact too. Work has been undertaken alongside the Edinburgh Centre for Carbon Innovation at the University of Edinburgh to quantify the carbon impacts with flooding in Leeds. The study aim was to calculate the carbon savings associated with the installation of LFAS Phase 1 and 2. Calculations were undertaken using flood data from Storm Eva 2015 and thus carbon impacts from a similar 1:200 year event.

94. The carbon emissions potentially would could be prevented by LFAS Phase 1 and 2 (itself which has a construction footprint of 45,130 tCO<sub>2</sub>e) were calculated at 51,670 tCO<sub>2</sub>e – this represents a net carbon saving of 6,540 tCO<sub>2</sub>e by protecting the City from a single equivalent 1:200 year event. This is equivalent to driving around the world in a diesel car 950 times, one person flying from JFK airport to Heathrow 6,200 times or 1 million trips as a car passenger on a Dover to Calais ferry.

**MAIN ISSUES:**

1. Principle of Development, Strategic Context to Leeds City Region
2. Green Belt
3. Open Space, Sport and Recreation
4. Flood Risk and Surface Water
5. Heritage
6. Landscape, Visual Amenity, Design
7. Arboriculture
8. Ecology and Biodiversity
9. Transport, Access, Public Rights of Way
10. Amenity
11. Technical Construction Matters / Existing Infrastructure
12. Geotechnical / Contamination and Mineral Considerations
13. Representations

**APPRAISAL:**

95. Principle of Development, Strategic Context to Leeds City Region
96. LFAS Phase Two is of significant strategic importance to the creation of sustainable communities in Leeds City and the wider region, by aiming to give additional flood protection to a large number of residential and commercial properties, many of which lie in the high risk flood zone 3 catchment area of the River Aire.
97. Although historical flood events have been recorded along the Aire since 1866, in more recent years, there have now been four significant flood events since 2000, with the worst, Boxing Day 2015, seeing damaging flood levels to communities across West and Central Leeds, which affected 678 commercial properties and 3368 residential properties. The cost to Leeds of the 2015 flood has been estimated at £36.8m with the wider cost to the City Region being predicted at more than £500m.
98. Communities within the route corridor are still recovering from the effects of the 2015 Boxing Day floods. A number of businesses within the Kirkstall Road corridor have relocated or ceased trading. Leeds is the third largest employment centre in the UK contributing £16.3 billion gross added value to the economy. The scheme intends to provide ongoing protection and support for these communities within the route corridor, as well as sustain business confidence in Leeds. The scheme would also help safeguard a key transportation corridor into and out of Leeds City Centre, notably the Airedale / Wharfedale train line, which currently only benefits from a 1 in 2 year standard of protection. The A65 which is a major arterial route along the corridor and into the City will also benefit from enhanced protection.
99. LFAS has been split into phases (primarily due to funding reasons). Following the on-site construction completion of Phase 1, the importance of Phase 2 in providing additional protection to properties affected (primarily upstream of the City's Railway

Station) is crucial to further safeguarding residential and economic investment within the City.

100. Phase 2 has been split and proposals for Step 1 (broadly works spanning from the City Centre (train station) up to Newlay Bridge (zones 10 – 13) were presented to and approved by City Plans Panel in June 2019. The ‘Step 1’ works (now on site and under construction) upon completion (expected by early 2023) will provide a standard of protection within the stretch of the Aire for up to 1:100 year (+ climate change) events.
101. The Step 2 proposals now before Panel, relate mainly to land at Calverley, including the large Flood Storage Reservoir (FSR) and additional works upstream into Bradford Metropolitan District, particularly around Apperley Bridge. If approved and once constructed, this would provide a further additional standard of protection for up to 1:200 year (+ climate change) events. Although the two ‘Steps’ can work independent of each other, together they form one design package to maximise an uplift in flood protection to property along the watercourse which has been so significantly affected by recent past flood events.
102. Policy EN5 of the Core Strategy underlines the Council’s support for the development of the Flood Alleviation Scheme. Spatial Policy 1 recognises the role of infrastructure like this supporting sustainable communities. This is directly related to the sustainable development principles outlined at the heart of the NPPF.
103. Green Belt
104. The majority of the site (Step 2) is located within the designated Green Belt. Under paragraph 146 of the NPPF, as a form of engineering works, the proposals are not considered to form ‘inappropriate development’ in the Green Belt. The FSR works at Calverley would be positioned alongside the existing Yorkshire Water Rawdon Waste Water Treatment Works.
105. The FSR itself is designed to ensure that the natural landscape setting and openness of the Green Belt remain. The FSR weir infrastructure sits within the river channel and the new embankments around it are gradually shaped, seeded and landscaped to ensure the wider setting remains open, soft, naturalised and not characterised by extensive engineering. When in operation and flood waters are held behind the operating weir controls, this will be temporary in nature and act in much the same way as the flood plain already does, just to a wider / deeper level. Whether in operation or not, the overall visual effect upon Green Belt openness is much limited and considered acceptable due to the wide expanse of the FSR set across an extensive area and the graduated height of the proposed works in shaping / landscaping the area affected.
106. The associated Control Building is also kept to minimum heights / volume and is designed similar to traditional agricultural buildings, in part to an extent also screened by linear mature landscaping to the immediate adjacent boundary.
107. The principle of a new carefully landscaped and designed serving access road taken from near the junction of Wood Bottom / Knott Lane / Low Hall Road / Mill Square junction point within zone 14 at Calverley was approved under the Step 1 application 18/07367/FU; this was primarily intended to provide suitable access to the area of focus for the extensive wider scheme tree replacement works (adjacent to the area intended for the FSR). The access road is again shown but to a greater level of detail and position to provide also suitable construction access and upon



completion much more limited service access to the new FSR. Through careful landscaping, material / construction choice and siting of the road position this is not seen to affect the wider openness of the Green Belt.

108. Further in respect of 'openness' the additional flood interventions within the area of Apperley Bridge (i.e. at Waterloo Crescent for instance) have been designed to a minimum height necessary using materials specific to their immediate setting and to achieve the required standard of protection but without fundamentally changing the character of these areas or appearing as an encroachment into the open countryside.
109. Indeed as the application route has been zoned into character areas, in some parts, softened embankments are used rather than hard walls to further reduce the visual appearance of the defences within the wider Green Belt setting as this becomes more prevalent upstream out of the City Centre. Thus, it is not considered that the defences with their heights and construction details as shown form an inappropriate relationship within the wider Green Belt setting. The application is therefore considered compliant with saved policy N33 of the UDPR and the NPPF.
110. Open Space, Sport and Recreation
111. The works affect some narrow sections of the wider area used as sports pitches at Woodhouse Grove School, but which are not considered detrimental to their wider use for competitive sport. Comments from Sport England (who also looked at these proposals prior to their removal from the Step 1 application 18/07367/FU), are anticipated to confirm this prior to Plans Panel, where a verbal update will be given. Indeed the works are intended to better protect the Multi Use Games Area (MUGA) / tennis courts and Pavilion Building by constructing raised boundary treatment defences to protect these sporting assets from any flood waters that may occur during an event.
112. The walls proposed to the south-eastern boundary of the MUGA and tennis courts are set over a proportionate length to the facility and at around 1.4m high offset close to this existing infrastructure, their insertion / position is not considered to be of detriment to the wider use of playing facilities and indeed will provide additional protection to the benefit of recreational sporting use.
113. The boundary defence works at the Pavilion are broadly equivalent to the height of this modern structure at just over 2m high and these would be offset from the footprint by around 2-3m. Built with flood doors, they are intended to protect their long term use for sporting use / changing / class activities at the School.
114. Flood Risk and Surface Water
115. A flood model (encapsulated within the submitted Flood Risk Assessment) has informed the detailed design and the required heights / structural interventions along the riverside. The Council's Flood Risk Management team and the Environment Agency, subject to condition acknowledge that the application will provide a reduction in flood risk to the West Leeds community.
116. In addition Yorkshire Water and the Canal & Rivers Trust also consider that the scheme will not unacceptably impact upon local surface water drainage conditions including into the River Aire and the Leeds – Liverpool Canal.
117. Heritage

118. The vast majority of the proposed FSR sits outside of the Cragg Wood Conservation Area boundary which is set adjacent / beyond the immediate north-east boundary where the footpath track runs from Woodbottom in the east to Underwood Drive in the north-west. The section of the zone that does sit within the Conservation Area is the formation of the access track generally which runs perpendicular to the existing bridleway running from east-west from Woodbottom. The new track here following the application of landscaped renovation to this temporary construction route will be assimilated into the landscape subtly using fencing and stone walling to soften its visual appearance, similar to existing boundary treatments already found within this section of the Conservation Area.
119. The minor work to install a slim line flow control measuring gauge at the listed Calverley Bridge is not considered to adversely affect the setting of this asset or the character of the Conservation Area it sits within. Additional strengthening work is also required at Apperley Bridge under the control of City of Bradford MDC.
120. The bridge is within 15m of piled walls; as such there is the potential for permanent damage from vibration during construction. The interface detail between the bridge parapet and the flood wall will abut the parapet with a hydrophilic seal. It will not physically impact the bridge or understanding of its heritage value
121. The Apperley Bridge works involve the removal of the stone masonry walls in a careful sequenced manner to be replaced with matching stone clad reinforced concrete L-walls. The parapet coping running across the bridge arches will be also removed and replaced upon completion of the work in line with the strengthened structure. The appearance of the bridge and its setting once the works are complete will be relatively unchanged. The bridge will have a number of small round circles on the arches and parapet where the anchor ties have been secured. These will be filled with an appropriate mortar and the stone plug removed from the stone facing and replaced. As such it will still be possible to understand the context and external construction of the heritage asset and the contribution this makes to its heritage value.
122. In terms of the Public Houses, there will be no physical impact to these heritage assets and much of their individual settings will remain unaltered. The insertion of new walls up to 1.2m high in these locations has the potential to impact on the setting of this asset by providing an obstacle between the River and the asset and therefore disrupting this historic view and association. However, the assets are on higher ground levels and suitable distances from the works such that works are not considered to over-dominate or obtrude on their setting.
123. The key view with the George & Dragon - showcasing the connection between the bridge and the asset will be retained. As such, the works are considered to have only a minor impact.
124. A small pumping station will be located in the car park of the George and Dragon, placed away from the building, finished in stone and designed to respect the character of the heritage asset. There is also the potential for an indirect impact whereby the reduction in size of the pub car park will result in more people parking on the street, again impacting the historic character of the pub.
125. The asset will not be physically impacted. Flood defence walls will be up to 1.2m tall on the western and south side of the carpark. These heights will enable key views across the landscape to the river to be maintained from the asset. Whilst it will

introduce a new feature into a currently open landscape it will have a minimal impact on the ability to understand the contribution the setting makes to the heritage value of the asset.

126. In respect of the listed domestic properties at Elm Tree Farmhouse and 1-4 Waterloo Crescent, these assets will not be physically impacted. The insertion of walls (up to 1.8m high) in this vicinity has the potential to disrupt the historic understanding between the asset and the historic landscape that surrounds it. However, these assets are situated significantly higher than the surrounding historic landscape and are also divided from it by a screen of mature trees. The walls are to be appropriately clad, and are considered to have a minimal impact on the setting of these assets.
127. Whilst the impact of the works on the above listed properties are primarily matters for the neighbouring Authority to fully consider, it is considered within this report that the works will cause 'less than substantial harm' to their listed structure and settings. The harm is however considered to be offset and justified by the significant public benefits the development of Step 2 will bring to both increased protection to these assets and also increased flood protection downstream to communities within the wider West Yorkshire catchment area. The proposal is considered acceptable therefore under paragraph 196 of the NPPF.
128. Landscape, Visual Amenity, Design
129. The proposed FSR sits within a wider Special Landscape Area designated under saved UDPR N37. The whole of this area is characterised by a well-maintained field pattern of walls, hedges, trees and substantial woodlands, with steep lanes following small valleys and connecting the farms, hamlets and small villages which punctuate the landscape. North of Calverley a narrow belt of fields is separated from the River Aire and the canal by the extensive Calverley Wood, while further east there are uninterrupted views northwards across the valley. North of the flat valley bottom the land rises again to the A65 which affords spectacular views of the whole valley. Around the heavily wooded Victorian residential estate of Cragg Wood the large stone houses are largely hidden in the trees.
130. The infrastructure of the weir control works within the river, associated Control Building and shaped embankments here are considered to sit in general longer distance inconspicuously in the landscape given their overall height, position in the valley bottom and the mature trees that screen around the site area, which will be increased in number due to the area of replanting connected with both Step 1 and Step 2. Nevertheless where the works are sited and where they are seen from public views, railway, footpaths etc, they are considered to form interesting and impressive engineered infrastructure that will sit between / adjacent to and in context with other existing infrastructure in the form of the Yorkshire Water treatment works and the railway line.
131. The works will be fully controlled under condition in their detail (like has been done within Step 1) to ensure full appraisal of the individual areas / sections of the route length affected are individually designed and assessed based on their particular characteristics. This will also allow for any construction details around and such as the stone walling condition by the new access track referenced by the Cragg Woods Residents Group in their representation to be addressed appropriately.
132. Arboriculture

133. The site area in parts contains some groups / lines of tree cover given its mainly rural landscape nature. Some vegetation clearance will need to occur across Step 2 during the construction phase, to facilitate the works. Tree loss is restricted to the absolute minimum required to undertake the necessary access and works. An Arboricultural Report presents the findings of an arboricultural assessment, assessing the impact to trees across the site.
134. To facilitate construction of Zone 14: Calverley, a total of 123 trees will be required to be removed. None of these are within areas of ancient woodland or affecting veteran trees as per the advice of policy G2. No individual trees in Category A (high quality) are to be removed. 19 trees from within one Category A group are to be removed within the area affected by the new access road / Control Building to the FSR. There are 3 individual Category B (moderate quality) trees and 4 trees from within one Category B group to be removed. The majority of the trees to be removed are classified as being Category C (low quality); these are made of 14 individual trees and 77 from within six groups. A further 8 trees in Category U (removal recommended on arboricultural grounds) are to be removed.
135. At Appleley Bridge (zone 15), a total of 56 trees are to be removed, none in Category A and 4 within one Category B group. The vast majority are in Categories C and U.
136. In total, this reflects a total removal of 179 trees to facilitate the construction of Step 2. These are mainly Category C trees affected, with some Category B trees and a total of 19 Category A trees removed to facilitate the construction of the Scheme. However, this represents the expected impact and it is entirely possible that this could be reduced through detailed design (as has been done throughout Phase One and Phase Two Step 1 under condition).
137. As per the requirements of policy LAND2 in the Leeds Natural Waste and Resources DPD, it is proposed that the replanting ratio will be 3:1, resulting in approximately 3.9ha of trees being replanted. This is again primarily proposed within Calverley at zone 14, at the northern end of the Scheme. However where possible across the wider area of Step 2, replacement tree planting will be localised near flood defences where opportunities arise to ensure that tree cover is replicated as near as possible to any lost in the alignment of the walls. This is dependent on where there is suitable space and the potential to long term structural damage to the scheme or other committed developments. The localised re-planting opportunities will be picked up within the detailed discharge of conditions process as per the requirements of policy LAND2 and 3:1 tree replacement.
138. Also controlled through the discharge of condition process by character zone area will be matters such as the submission of an Arboricultural Method Statement for site layout designs ensuring that other existing trees, will be safeguarded during construction works.
139. The application is considered acceptable under NWRDPD policy LAND2, Core Strategy policies P12 and G2 and saved UDPR policy GP5, in addition to advice set out in the NPPF.
140. Ecology and Biodiversity
141. An Environmental Statement accompanies the application which includes an Ecology and Biodiversity Technical Report. This includes:
- a Preliminary Ecological Assessment (PEA);

- Otter Report
- National Vegetation Classification Survey
- Fish Technical Note
- Biodiversity Net Gain (BNG) Report
- River Habitat Survey

142. There is one statutory designated site within 2km of the proposed Scheme, the Leeds-Liverpool Canal Site of Special Scientific Interest (SSSI) which is parallel to the majority of the Scheme. There are three non-statutory designated sites which lie within or adjacent to the Site extent. Additionally, the site falls within the Leeds Wildlife Habitat Network and the Bradford Wildlife Habitat Network. A further 12 non-statutory designations are present within 2km of the Scheme.

143. There are a number of recorded protected and notable species and protected and notable habitats within 2km of the site, as summarised in the below table outlining the Ecological impacts and effects that will be caused by the Scheme during its construction and operation.

<b>Ecological Receptors</b>	<b>Construction Impacts / Effects</b>	<b>Operational Impacts / Effects</b>
<b>Statutory Designates Sites</b>	No change / Neutral	No change / Neutral
<b>Non-Statutory Designated Sites</b> <ul style="list-style-type: none"> <li>● Craggs Wood</li> <li>● Millman Bridge Ox-bow Lake</li> <li>● Leeds Wildlife Habitat Network and Bradford Habitat Network</li> </ul>	<ul style="list-style-type: none"> <li>● No change / Neutral</li> <li>● Negligible negative / Slight adverse</li> <li>● Minor negative / Slight adverse</li> </ul>	<ul style="list-style-type: none"> <li>● Minor negative / Slight adverse</li> <li>● No change / Neutral</li> <li>● Negligible positive / Slight beneficial</li> </ul>
<b>Habitats</b>	No change / Neutral	No change / Neutral
<b>Invasive Non-native Plant Species</b>	Negligible positive / Neutral	Negligible positive / Neutral
<b>Breeding Birds</b>	Negligible negative / Slight adverse	Negligible negative / Neutral
<b>Bats</b>		
<ul style="list-style-type: none"> <li>● Roosting</li> <li>● Foraging and Commuting</li> </ul>	<ul style="list-style-type: none"> <li>● No change / Neutral</li> <li>● Negligible negative / slight adverse</li> </ul>	<ul style="list-style-type: none"> <li>● Minor positive / Moderate beneficial</li> <li>● Negligible positive / Slight beneficial</li> </ul>
<b>Otters</b>	Negligible positive / Slight beneficial	Minor positive / Moderate beneficial
<b>Badger</b>	Minor negative / Slight adverse	Positive impact / Slight beneficial
<b>Other Mammals</b>	Negligible negative / Slight adverse	Negligible positive / Slight beneficial
<b>Other Amphibians</b>	Negligible negative / Neutral impact	Minor positive / Slight beneficial
<b>Widespread Reptiles</b>	Negligible negative / Neutral impact	Minor positive / Slight beneficial
<b>Invertebrates</b>	Moderate negative / Slight adverse	Negligible positive / Slight beneficial

**Fish**Minor negative / Slight  
adverse

No Change / Neutral

144. Overall, the Ecology and Biodiversity Technical Report has concluded that there will be some negative impacts as a result of the construction of the scheme, however this is not considered to be significant. The Ecology and Biodiversity Technical Report details how mitigation measures have been incorporated into the design of the Scheme to lessen the ecological impact of the scheme during construction and operation. These can be summarised as follows:
- Tree removal avoided where possible
  - Where trees removed, replanting at 3:1 ratio will take place
  - Habitat as a minimum reinstated, if not enhanced
  - Improvements to habitat creation include creation of causeways, stock fencing (designed also to not prevent badger movement) etc to safeguard aquatic habitat, otters, amphibians etc
  - Embankments installed with species rich grasslands, wildflower meadow mixes etc
  - Designated refuelling areas (set minimum 10m away from watercourses)
  - Method Statement for controlling non-native invasive species
  - Surveys by Ecologists (under condition) for kingfishers and nesting birds for piling activity between March – August
  - Pre-construction otter surveys
  - Pre-construction checks for reptiles and amphibians
  - Raft of measures to accommodate requirements of fish in accordance with Environmental Good Practice on site guide
  - Erosion protection within / adjacent to the river channel softened and pre-planted
  - Control building roof space designed and constructed to accommodate bats and swift bricks used alongside nesting boxes
  - Dipper / wagtail nesting box downstream of Apperley Bridge
  - Biodiversity net gains including habitat creation, hedgerow creation and improvement of grassland conditions
145. Much of the above will also be controlled by a Construction Environmental Management Plan during the construction period.
146. Following completion of the works there will be an overall positive and beneficial impact to the local ecological environment. Furthermore, ecological and biodiversity enhancements have been included as part of the application to result in an overall net gain of local biodiversity (and indeed of the wider Phase Two Scheme). Such mitigation and enhancement are subject of controls under planning conditions.
147. The Nature Conservation Officer has stated that as per previous comments it will be necessary to condition biodiversity protection measures through a Biodiversity Construction Ecology Management Plan (CEMP), and indeed mitigation/compensation through a Biodiversity Ecology Management Plan.
148. The Additional Water Framework Directive (WFD) Assessment highlights a range of mitigation/compensation that would be acceptable for biodiversity (in-channel works and bankside re-naturalisation, woodland creation etc) but appropriate wording through conditions will control the detail of this alongside WFD related legislation subject of compliance with the Environment Agency.

149. Final comments are expected from Natural England (at time of writing) which will be reported verbally at Panel (now that the consultee has had recent sight of the full information provided by the applicant) however the Environment Agency raises no objection subject to condition wording agreed between the LPA, the Agency and the applicant. Indeed much of the planning of the work in these character areas (zones) and the relationship to localised ecology interests will be discharged through conditions in close collaborative working with both consultees and where appropriate local stakeholders / landholders. An outstanding comment recently received from Yorkshire Wildlife Trust on badger crossing / setts and related construction activity has recently gone back to the applicants for further clarification where by Panel it is expected / hoped this can be updated verbally to Panel. Overall it is considered that the revised Scheme remains in accordance with the NPPF and Policies G6, G8 & G9 of the Leeds Core Strategy.
150. Transport, Access, Public Rights of Way
151. Two Transport Statements have been prepared to support this application, one associated with the Zone 14: Calverley Flood Storage Reservoir, and one associated with the works proposed at Zone 15: Apperley Bridge. These statements have concluded that the main traffic impact from the proposed application would be during its construction phase.
152. Trips that would be generated from the proposed works following its completion would be those associated with its operational maintenance. Once operational, like Step 1, Step 2 will not generate any significant traffic, with only maintenance and repair vehicles being required to access the Scheme, on infrequent occasions. The impact of construction traffic on the local highway network is considered acceptable. The Highways consultee has confirmed no objections to the application.
153. The main contractor will be expected to produce a full Framework Construction Traffic Management Plan (CTMP) prior to construction of the Scheme. This will detail proposals to control and manage construction related traffic during the construction phase. The final version of this document is to be agreed under condition and will be submitted for approval to both Leeds and Bradford LPA's.
154. Other mitigation measures that are expected to be adopted by the contractor include:
- The management of construction traffic timings through the implementation of a booking system for deliveries
  - The implementation of a Signing and Routing Strategy
  - Other measures such as: – Minimising the number of abnormal loads. Where this is not possible these should be arranged outside of peak highway periods;
  - Provision of Wheel washing facilities;
  - Arranging for Workforce Travel, where safe to do so.
155. During the construction phase all matters pertaining to traffic management will be monitored by the contractor and should unforeseen issues arise they will be addressed by changes to the management regime.
156. The access road to the new FSR will be constructed to provide suitable terrain and width for construction vehicles before being narrowed for use by smaller vehicles undertaking the planting and mitigation works. The existing Public Right of Way here

will need to be temporarily closed and diverted to enable construction of the scheme and this would be re-instated upon the finalisation of the works.

157. A small bridge is to be formed over the culvert across one Public Right of Way (no 107), as there is currently no structure recorded here, this specific part of the scheme requires owner (applicant's asset) information to detail future maintenance under condition, as opposed to being maintained by the PRoW team.
158. Conditions for detailed design work will be used to control aspects of the proposals where it creates new boundary treatment, route extensions of and surfacing / re-surfacing details over and adjacent to existing Public Rights of Way (notwithstanding separate controls existing around temporary diversions etc made directly with this consultee).
159. In terms of the linear defences, there are not envisaged to be a large number of vehicular movements either through construction or ongoing maintenance. The Transport Statement provides commentary on a selection of sites in respect of the various main construction areas although the above two locations appear to be most significant in respect of vehicular movements. The Highways consultee raises no objections to the application.
160. Amenity
161. A Noise and Vibration Technical Report has been submitted, which assesses the likely noise and vibration impacts and associated effects of the application during construction.
162. With the exception of the rising weir at Calverley, and an enclosed underground pumping station which will only operate for a transient period when the River Aire is in flood and twice a year for a short daytime period for maintenance, the proposed Step 2 works are passive in nature.
163. Nearest residential property to the FSR in zone 14 is that contained within primarily the new housing development off Low Hall Road to the east and Cragg Wood to the north. Within zone 15, a number of properties are more immediately set close to defence works at Apperley Bridge around Waterloo Crescent for example.
164. The Environmental Health Officer considers that all potential impacts have been identified but they wish to oversee under condition, piling works near to sensitive receptors in terms of method, duration, mitigation etc through information contained in the Construction Environmental Management Plan (CEMP). Hours of operation (controlled in full detail through the CEMP) are expected to be in broad accordance with the EHO's advice, namely hours of 08:00 to 18:00 Monday to Friday, Saturdays 09:00 – 13:00 with no working on Sundays and Bank Holidays.
165. There are considered to be no significant adverse effects within the application that relate to noise and vibration and how this relates to the operation of the wider Phase Two Scheme.
166. One representation made from a property at Miller Walk that aligns / overlooks the access route raises concerns over matters of noise, dust, nuisance and longer term impact upon enjoyment of their garden / current landscape setting. It is expected here that through the control of the CEMP, these impacts can be limited, temporary in nature whilst the construction of the FSR takes place and already discussion /



analysis of how the route can be screened (using scaffolding etc) during this period in consultation with neighbours has been undertaken.

167. This would be specifically referenced in the CEMP. Noise and dust controls will be controlled carefully to ensure passing vehicle movements are limited, speed and time controlled and not intensive in frequency. Longer term, this area is to be landscaped with the use of appropriate boundary treatment in the form of fencing, walling and hedging under detailed design to obscure views of the new access road in the wider landscape.
168. Technical Construction Matters / Existing Infrastructure
169. The application in consultation and indeed the applicants prior to and during submission, have been working through some detailed technical requirements of the construction in respect of (statutory) consultees such as National Grid / Northern Gas Networks; this in relation to electric and gas infrastructure in the site area. This includes overhead cabling and an underground high pressure gas pipeline. It is expected that these matters can be controlled through review of further information (ongoing) and under condition. Approval of the scheme would be dependent on these consultees lifting their Holding Objections.
160. Geotechnical / Contamination and Mineral Considerations
161. The Contaminated Land Officer has reviewed the submission documentation and in respect of works within zone 14 (Leeds) is content that development can proceed subject to conditions. This includes the submission of a more detailed Generic Quantitative Risk Assessment and will also include some more detailed gas risk assessment investigation to inform the design of the sub-base to the Control Building; this is further to the current submitted factual geotechnical report.
162. Given the land affected is over a Hectare in size, more detailed consideration of the land for sand and gravel and coal extraction will be considered under condition to dovetail with the above further geotechnical information (further to NWRDPD policies Minerals 2 and 3).
163. The Coal Authority raise no objection to the works, noting the content of the proposal within the small area of 'high risk', being primarily for the construction of the access road only.
164. **CONCLUSIONS:**
165. In conclusion it is considered that the proposals represent a further important milestone in the delivery of a strategically important key part of the Core Strategy and City's ongoing commitment to developing the wider Leeds Flood Alleviation Scheme. This would reduce flood risk to a large number of businesses and homes by raising the standard of protection from the effects of flooding of a 1:200 (+ climate change) year event and protect employment in the West Leeds catchment.
166. Detailed design through condition discharge will further develop the indicative proposals and this will be undertaken on a character, zone by zone basis, as has been the process in the Phase One and Two (Step 1) stages to date. This will again consider carefully in further site specific detail the relationship of heritage assets, ecological interests and relationship to trees. Some impacts that will be unavoidable will be mitigated through ecological enhancements and tree replacement, carefully

to be controlled through condition and in liaison with statutory and non-statutory consultees.

167. Following consultation and assessment, a Listed Building application at Apperley Bridge for works to this asset will be formally considered by City of Bradford MDC to preserve the special character and setting of this particular listed building. Where proposed works are independent of but within the setting of other listed buildings (including at Calverley Bridge) these are also considered to preserve their special character and in the case of Calverley Bridge and Rawdon Cragg Wood, the Conservation Areas affected.
168. Therefore the proposal is in accordance with the Development Plan and is considered to be acceptable and is recommended for planning approval subject to the conditions set out in Appendix 1.

**Background Papers:**

Application and history files.

Certificate of ownership: Signed on behalf of the applicant.

## **Appendix 1 – Draft Conditions – 21/00522/FU**

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

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

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

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

3. No works, except in the construction of the cofferdam, shall commence until a Construction Environmental Management Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. The plan should comply with the Considerate Constructors Scheme and include the following details:

- i) Details of access routes to the site to be used by construction traffic;
- ii) Location of site compounds
- iii) Parking of vehicles of site personnel, operatives and visitors
- iv) Loading and unloading of plant and materials
- v) Storage of plant and materials in constructing the development
- vi) Storage of oil, fuel and chemicals
- vii) Prevention of mud being deposited on highway
- viii) Measure for the control and reduction of noise and dust from construction works
- ix) Measures for control of construction traffic within the site and on the surrounding highway network
- x) Hours of operation of construction works, deliveries and other works on the site
- xi) Measures for the monitoring and enforcement of the plans
- xii) The erection and maintenance of security hoarding, including decorative displays and facilities for public viewing, where appropriate.

A specific section covering biodiversity must be included within the CEMP and shall include the following measures to retain and protect the 315.88 Core Habitats Biodiversity Units and 5.15 Linear Habitats Biodiversity Units and 21.94 Rivers Biodiversity Units as shown in Table 1 and Tables 3.1 to 3.3 of the Biodiversity Net Gains Report March 2021 and mitigation in Table 5.1 of the Ecology and Biodiversity Technical Report November 2020:

- a) Risk assessment of potentially damaging construction activities
- b) Identification of "biodiversity protection zones"
- c) Measures to avoid or reduce impacts during construction
- d) Location and timings of sensitive works to avoid harm to biodiversity features, including nesting birds
- e) The times during construction when specialist ecologists need to be present on site to oversee works
- f) The role of a responsible person (Ecological Clerk of Works) and lines of communication
- g) Use of protective fences, exclusion barriers and warning signs

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

To ensure the protection of existing biodiversity features in accordance with Core Strategy Policy G8, the NPPF, and BS 42020:2013. To avoid congestion on the surrounding roads and to protect the amenities of nearby residential areas and occupiers and to safeguard a protected species (Bats) in accordance with the Wildlife & Countryside Act 1981 (as amended) and BS 42020:2013

4. No works, except in the construction of the cofferdam, shall commence until a Biodiversity Enhancement & Management Plan (BEMP) shall be submitted to and approved in writing by the Local Planning Authority.

The Plan shall deliver a minimum of 468.66 Biodiversity Core Habitats Biodiversity Units and 6.11 Linear Habitats Biodiversity Units and 39.70 Rivers Biodiversity Units as shown in Table 1 and Tables 3.4 to 3.9 of the Biodiversity Net Gains Report March 2021, and the mitigation in Table 5.1 and 5.2 of the Ecology and Biodiversity Technical Report November 2020, and include details of the following:

- a) Description and evaluation of features to be managed and enhanced
- b) Extent and location/area of proposed enhancement works on appropriate scale maps and plans
- c) Ecological trends and constraints on site that might influence management
- d) Aims and Objectives of management
- e) Appropriate management Actions for achieving Aims and Objectives
- f) An annual work programme (to cover an initial 5 year period)
- g) Details of the specialist ecological management body or organisation responsible for implementation of the Plan
- h) For each of the first 5 years of the Plan, a progress report sent to the LPA reporting on progress of the annual work programme and confirmation of required Actions for the next 12 month period
- i) The Plan will be reviewed and updated every 5 years and implemented for perpetuity

The Plan shall include details of the legal and funding mechanisms by which the long-term implementation of the Plan will be secured by the developer with the specialist ecological management body or organisation responsible for its delivery.

The Plan shall also set out (where the results from the monitoring show that the Aims and Objectives of the BEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the Objectives of the originally approved Plan. The approved Plan will be implemented in accordance with the approved details.

To ensure the long-term protection and enhancement of biodiversity in accordance with Core Strategy Policy G8 and G9, NPPF and BS 42020:2013.

5. No works, except in the construction of the cofferdam, shall commence until a first edition Biodiversity Monitoring Programme & Monitoring Report carried out by an appropriately qualified ecological consultant shall be submitted to and agreed by the Local Planning Authority. It shall include the first Monitoring Report and specify the frequency and timing of subsequent Monitoring Reports to cover a minimum 30 year period to be submitted to the Local Planning Authority.

The Monitoring Report will include the following:

- a) Confirmation of the number of Biodiversity Units present based on a survey at an appropriate time of year and how this compares to Table 1 and Tables 3.4

to 3.9 of the Biodiversity Net Gains Report March 2021

b) Where the target condition is not yet met provide an assessment of time to target condition for each habitat and any changes to management that are required

c) Confirmation that all integral bird nesting and bat roosting features in the FSR Control Building are in place as approved

The Monitoring Programme shall include details of the legal and funding mechanisms by which the long-term implementation of the monitoring will be secured by the developer with the specialist ecological organisation responsible for its delivery. Monitoring Reports will be submitted to the Local Planning Authority as stated in the Monitoring Programme and where remedial measures or changes in management are required these will be referred to and addressed in the Biodiversity Enhancement & Management Plan (BEMP) annual work programmes.

To ensure Biodiversity Units are delivered as agreed in the approved BEMP for a minimum of 30 years.

6. No works, except in the construction of the cofferdam, shall commence until a Method Statement for the control and eradication of Snowberry, Montbretia and Cherry Laurel in Cragg Wood, and also Himalayan Balsam, Japanese Knotweed, Giant Hogweed across the site (hereafter referred to as the Target Species) shall be submitted to and approved in writing by the Local Planning Authority. The Method Statement will include post-treatment monitoring of the site to ensure a continuous 12-month period of time occurs where none of the Target Species is identified growing on the whole site, if any Target Species is identified as growing on-site during the 12-month monitoring period then treatment shall resume and continue until a continuous 12-month period with no Target Species occurs. The agreed Method Statement shall thereafter be implemented in full.

To control the spread of non-native invasive plant species in accordance the Wildlife & Countryside Act 1981 (as amended) and BS 42020:2013.

7. A Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules shall be submitted to and approved in writing to the Local Planning Authority prior to the use (operation) of the development. The scheme shall be in full accordance with the approved Landscape Management Plan and the submitted WFD Assessment and appendices dated 19 March 2021, LFD-BMM-EGP-YY2-RP-YE-0001, specifically the mitigation drawings detailed with Appendix N of the report (as listed below):

Proposed mitigation drawings:

- LFD-BMM-ELS-Z14\_XX-DR-L-0014 Landscape overview plan
- LFD-BMM-7.ELS-Z14\_XX-DR-L-0015 General Arrangement Sheet 1 of 3
- LFD-BMM-ELS-Z14\_XX-DR-L-0016 General Arrangement Sheet 2 of 3
- LFD-BMM-ELS-Z14\_XX-DR-L-0017 General Arrangement Sheet 3 of 3
- LFD-BMM-ELS-Z14\_XX-DR-L-0018 Mitigation proposals sections sheet 1
- LFD-BMM-ELS-Z14\_XX-DR-L-0019 Mitigation proposals sections sheet 2
- LFD-BMM-ELS-Z14\_XX-DR-L-0021 Mitigation proposals sections sheet3
- LFD-BMM-ELS-Z14\_XX-DR-L-0020 Landscape Planting Schedules and with the River Monitoring and Maintenance Plan, detailed under Appendix O

Document reference LFD-BMM-EGN-Z14\_XX-TN-YE-0002

In order to ensure successful aftercare of landscaping.

8. No works, except in the construction of the cofferdam, shall commence until an 'Otter Strategy' has been submitted and approved in writing by the local planning authority in consultation with the Environment Agency. The scheme shall be implemented as approved.

The scheme shall include but not necessarily be limited to the detail outlined in;

- the Environmental Statement - Leeds Flood Alleviation Scheme Phase 2 Step 2 Main Statement (dated January 2021) ref. LFD-BMM-EGN-YY2-RP-YE-0008 and related volumes and appendixes.
- the requirement for an artificial otter holt to be provided prior to any works which will disturb or remove otter resting site 92 as stated under section 9.5.48.

To ensure that the scheme is assessed for impacts on otter and that mitigation is provided for any detrimental impacts. This is in line with LCC Policy G8 which requires the protection of habitats and protected species. Otters are designated as a European Protected Species under the Conservation of Habitats and Species Regulations 2017 and as a Species of Principle Importance under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. They also have protection under the Wildlife and Countryside Act 1981.

9. The development hereby permitted shall be carried out in accordance with the submitted Fish Passage: Flow Control Structure Report dated March 2021. Document reference: LFD-BMM-EGF-Z14\_FS08-RP-YE-0001.

To ensure the development is compliant with the Salmon and Freshwater Fisheries Act 1975. The River Aire, in the location of the development, is valuable habitat for a wide variety of fish populations protected under the Salmon and Freshwater Fisheries Act 1975 (as amended).

10. The development hereby permitted shall be carried out in accordance with the submitted Fisheries Technical Report dated 19.03.2021. Document reference: LFD-BMM-EGF-YY2-RP-YE-0001:

To ensure the development is compliant with the Salmon and Freshwater Fisheries Act 1975. The River Aire, in the location of the development, is valuable habitat for a wide variety of fish populations protected under the Salmon and Freshwater Fisheries Act 1975 (as amended).

11. The development hereby permitted shall be carried out in accordance with the submitted WFD Assessment and appendixes dated 19.03.2021. Document reference: LFD-BMM-EGP-YY2-RP-YE-0001.

Specifically, the mitigation drawings detailed within Appendix N of that report (as listed below):

Proposed mitigation drawings:

- LFD-BMM-ELS-Z14\_XX-DR-L-0014 Landscape overview plan
- LFD-BMM-ELS-Z14\_XX-DR-L-0015 General Arrangement Sheet 1 of 3
- LFD-BMM-ELS-Z14\_XX-DR-L-0016 General Arrangement Sheet 2 of 3
- LFD-BMM-ELS-Z14\_XX-DR-L-0017 General Arrangement Sheet 3 of 3
- LFD-BMM-ELS-Z14\_XX-DR-L-0018 Mitigation proposals sections sheet 1
- LFD-BMM-ELS-Z14\_XX-DR-L-0019 Mitigation proposals sections sheet 2
- LFD-BMM-ELS-Z14\_XX-DR-L-0021 Mitigation proposals sections sheet3
- LFD-BMM-ELS-Z14\_XX-DR-L-0020 Landscape Planting Schedules and with the River Monitoring and Maintenance Plan, detailed under Appendix O

- Document reference LFD-BMM-EGN-Z14\_XX-TN-YE-0002”

The scheme shall be fully implemented, in accordance with these details.

To ensure the detailed design of the development is compliant with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 / Water Framework Directive 2000/60/EC. Mitigation and creation of compensatory habitat, as detailed in the WFD assessment, is required to ensure the scheme will not contravene WFD objectives. This approach is supported by paragraphs 170 and 175 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused. This condition is also supported by legislation set out in the Natural Environment and Rural Communities Act 2006 and Article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity.

12. The development shall be carried out in accordance with the submitted flood risk assessment (dated 06 Nov 2020 / ref LFD-BMM-EGN-YY2-RP-YE-0010 / by Mott MacDonald). The scheme shall be fully implemented, in accordance with these details. The measures detailed within the FRA shall be retained and maintained thereafter throughout the lifetime of the development.

To ensure the detailed design of the development is one for which appropriate flood risk assessment has been undertaken and demonstrated not to unacceptably increase flood risk to others.

13. Notwithstanding the submitted details, no works, except in the construction of the cofferdam, shall commence until full details of surface water management for zone 14 have been submitted to and approved by the Local Planning Authority. The works shall be implemented in accordance with the approved details and maintained as such thereafter.

In the interests of maintaining suitable surface water drainage management through construction in compliance with policy GP5 of the Unitary Development Plan Review (2006).

14. No works, except in the construction of the cofferdam, shall commence until measures to protect the critical public sewerage and water supply infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to construction methodology (piling etc.) and the means of ensuring that access to the infrastructure for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times. If any required protection measures are implemented via diversion, closure or other agreed alternative scheme i.e. an agreement to build over a sewer or water main, the developer shall submit evidence to the Local Planning Authority that the necessary arrangements have been agreed with the relevant statutory undertaker and that, prior to construction in the affected area, the approved works have been undertaken. In addition, no trees shall be planted at least 5 (five) metres either side of the centre-line of any public sewers or water mains crossing the site.

In the interest of public health and in order to protect the public sewerage and water supply networks.

15. The approved Phase I Desk Study report indicates that a Phase II Site Investigation is necessary, and therefore development (excluding demolition and the cofferdam works) 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 (excluding demolition) shall not commence until a Remediation Strategy 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 Strategy shall include a programme for all works and for the provision of Verification Reports.

It is strongly recommended that all reports are prepared and approved by a suitably qualified and competent person.

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' with respect to land contamination.

16. If remediation is unable to proceed in accordance with the approved Remediation Strategy, or where significant unexpected contamination is encountered, or where soil or soil forming material is being imported to site, the Local Planning Authority shall be notified in writing immediately and operations on the affected part of the site shall cease. The affected part of the site shall be agreed with the Local Planning Authority in writing. An amended or new Remediation Strategy and/or Soil Importation Strategy 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 Strategy. Prior to the site being brought into use, where significant unexpected contamination is not encountered, the Local Planning Authority shall be notified in writing of such.

It is strongly recommended that all reports are prepared and approved by a suitably qualified and competent person.

To ensure that any necessary remediation works are identified to make the site 'suitable for use' with respect to land contamination.

17. Remediation works shall be carried out in accordance with the approved Remediation Strategy. 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.

It is strongly recommended that all reports are prepared and approved by a suitably qualified and competent person.

To ensure that the remediation works are fully implemented as agreed and the site has been demonstrated to be 'suitable for use' with respect to land contamination.

18. In respect of works in construction of the cofferdam, the Local Planning Authority shall be notified in writing immediately where unexpected significant contamination is encountered during any development works and operations in the affected part of



the site shall cease. The affected part of the site shall be agreed with the Local Planning Authority in writing.

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

Remediation works shall be carried out in accordance with the approved Remediation Strategy. On completion of those works, the Verification Report(s) shall be submitted to the Local Planning Authority in accordance with the approved programme. The site or phase of a site shall not be brought into use until such time as all necessary verification information has been approved in writing by the Local Planning Authority.

In the event that no unexpected significant contamination is encountered, written confirmation shall be submitted to the Local Planning Authority prior to occupation of the site.

It is strongly recommended that all reports are prepared and approved by a suitably qualified and competent person.

To enable the Local Planning Authority to ensure that unexpected contamination at the site will be addressed appropriately and that the development will be 'suitable for use' with respect to land contamination.

19. The approved Flood Storage Reservoir shall not be put into operation unless details of measures to protect the canal retaining structure(s) at Apperley Bridge have first been submitted to and approved in writing by the Local Planning Authority. Details shall include detailed cross sections showing the existing and proposed flood water levels relative to the canal and associated supporting structures (including retaining walls and sloping land). The details shall correspond with sections A and B shown within drawing number LFD-BMM-AGN-Z14\_FS01-SK-C-0017 Revision P01. In the event that the submitted details indicate that there is a risk of the revised flood levels adversely impacting any retaining structure supporting the canal, details of new support structures or mitigation required to address this risk shall be provided. Any identified mitigation shall be installed prior to the commencement of operation of the flood storage reservoir.

In the interests of minimising the risk of creating land instability in accordance with the advice and guidance contained in paragraphs 170 (part e) and 178 of the National Planning Policy Framework.

20. No works, except in the construction of the cofferdam, shall commence until a condition survey, strategy and construction details of existing and any future proposed Public Rights of Way, including any crossing assets (such as small bridges) within and adjacent to the site have been submitted to and approved in writing by the Local Planning Authority. Public Rights of Way (footpaths) shall be constructed / re-constructed / repaired in accordance with the approved details and as such maintained thereafter.

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

21. Notwithstanding the submitted plans, no works, except in the construction of the cofferdam, shall commence within zone 14, until full details of the works to be carried out within that phase shall be submitted to and approved in writing by the Local Planning Authority.

The details shall include but not be limited to the following:

- Detailed drawings of the proposed works.
- Details and/or samples of the proposed materials including details of any mortar and coursing of brick and stone work.
- Existing and proposed levels.
- Minor artefacts and structures (including interpretation panels plus any street furniture, seating, bins).
- Protection of any National Grid apparatus affected by site works
- Planting plans including written specifications (soil depths, cultivation etc) and schedules of planting species, sizes and numbers/densities.
- Details of Hard and Soft Landscaping (including 3:1 replacement planting further to policy LAND2)

The proposed works shall be carried out in accordance with the approved details. Landscaping works shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season shall mean the period from October to March) or otherwise in accordance with a timetable as to be agreed with the Local Planning Authority.

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

22. Notwithstanding the submitted plans, no works, except in the construction of the cofferdam, shall commence within zone 14, until:

- a) a full tree survey, identifying the trees and hedgerows that are required to be removed and retained, in accordance with British Standard 5837 (2012), is submitted and approved in writing by the Local Planning Authority
- b) No works shall commence until a written Arboricultural Method Statement (AMS) in accordance with BS5837 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. The AMS shall include for on-site monitoring including site visits at key stages and on-site supervision of specific operations that relate to trees. Proposals shall include for reporting back to the LPA at each intervention.
- c) Seven days written notice shall be given to the Local Planning Authority that the protection measures are in place prior to demolition/approved works commencing, to allow inspection and approval of the protection measures as implemented on site. The written notice shall include evidence, such as a written appointment (including site specifics), that confirms that a qualified Arboriculturist/competent person has been appointed to carry out the Arboricultural monitoring/supervision referred to at b) above.

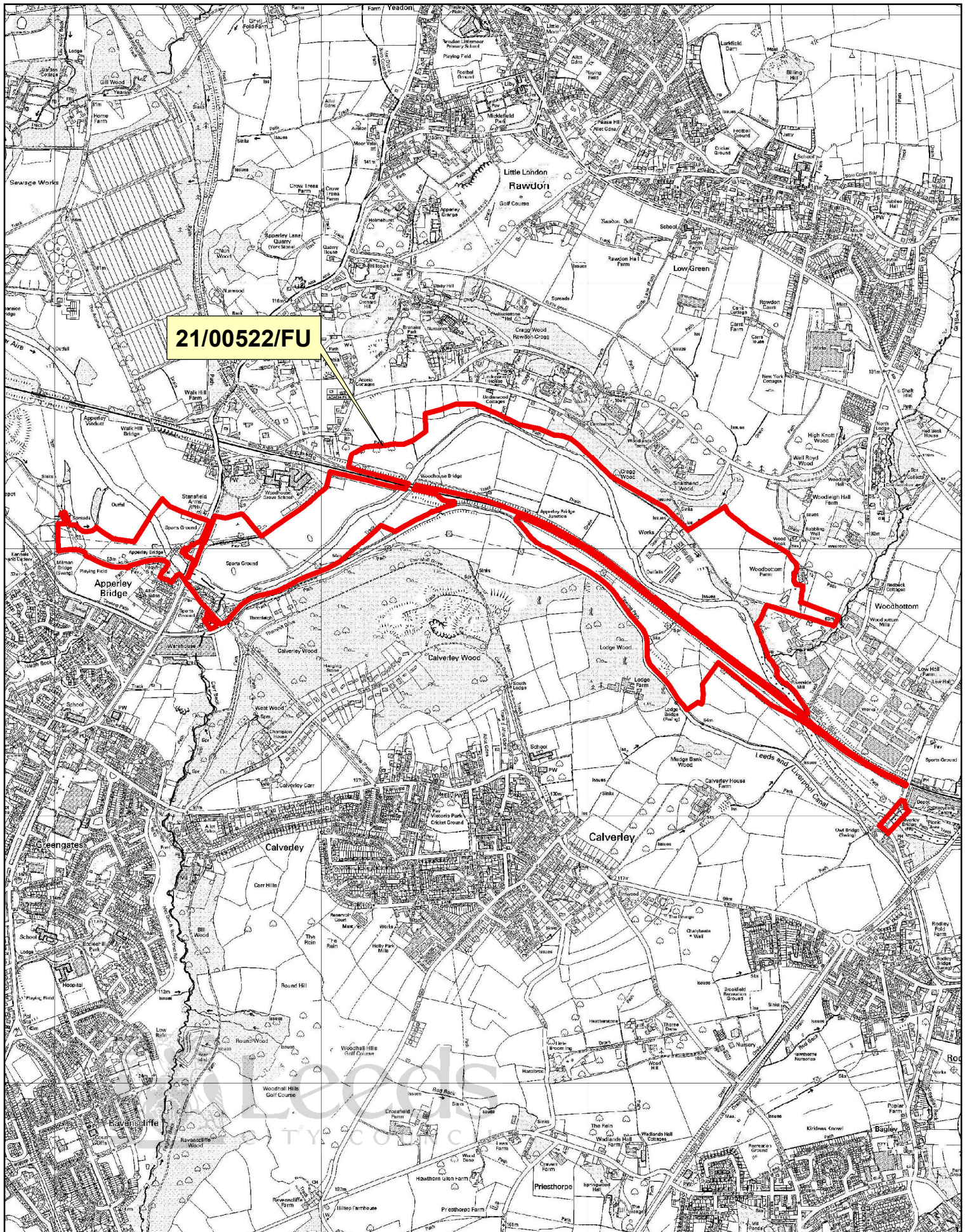
No equipment, machinery or materials shall be used, stored or burnt within any protected area. Ground levels within these areas shall not be altered, nor any excavations undertaken including the provision of any underground services, without the prior written approval of the Local Planning Authority.

To ensure the protection and preservation of trees, hedges, bushes and other natural features that make a positive contribution to the character and amenity of the area, and to safeguard local ecology, in accordance with the requirements of Policy P12 of the adopted Leeds Core Strategy, Saved Policies GP5 and LD1 of the adopted Leeds Unitary Development Plan, Policy LAND2 of the Natural Resources and Waste Development Plan Document, and Sections 12, 15 and 16 of the National Planning Policy Framework. In the absence of appropriate measures, the retention and long-term health of such vegetation could be compromised by the carrying out of the approved development.

23. If within a period of five years from the date of the planting of any tree/hedge/shrub within zone 14, if 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.





# CITY PLANS PANEL

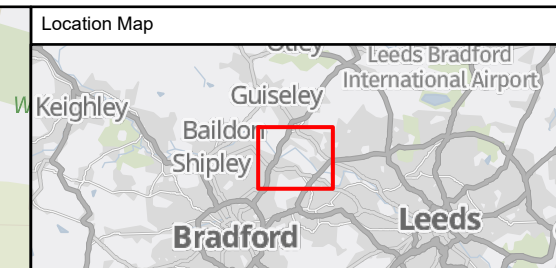
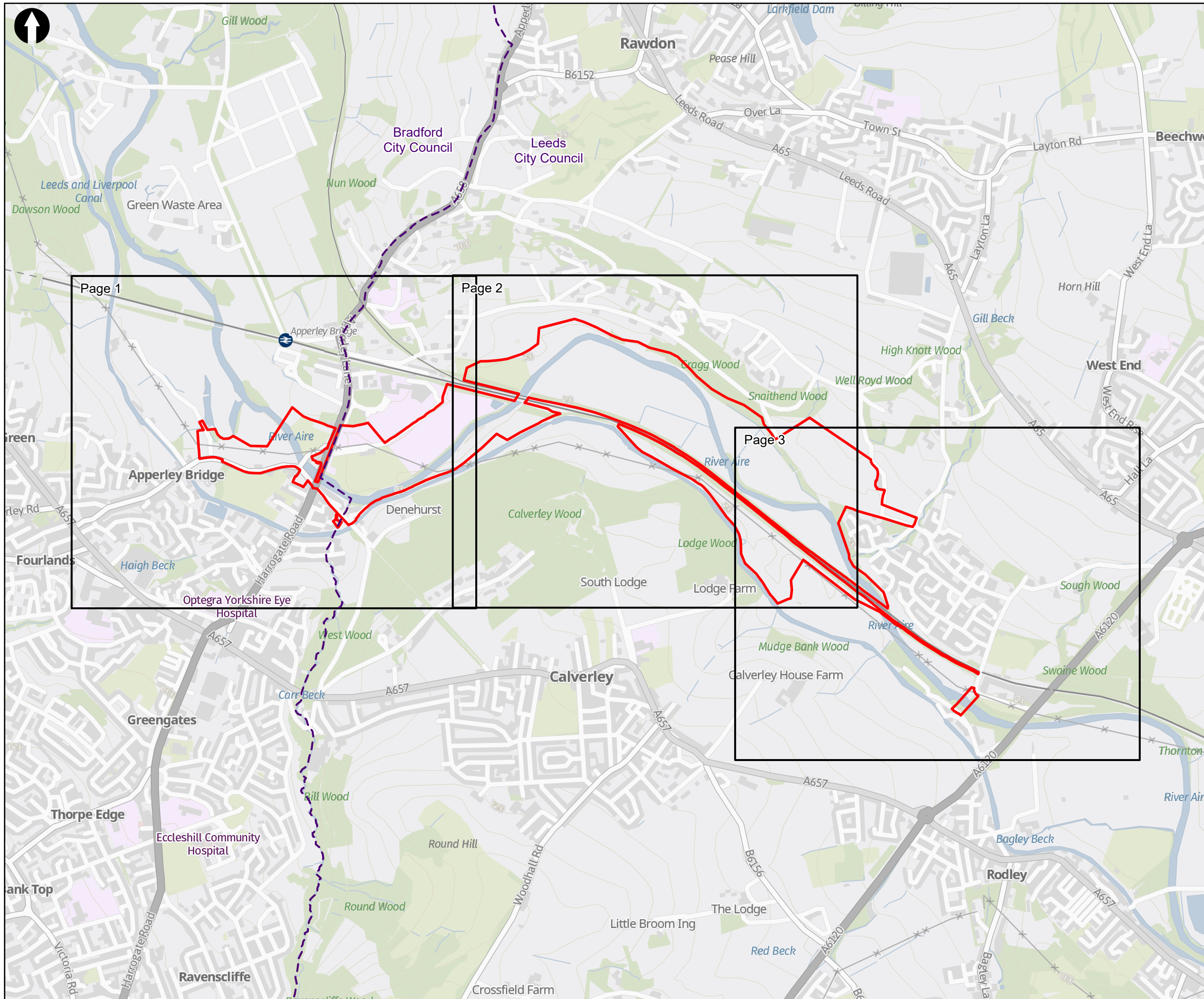
© Crown copyright and database rights 2021 Ordnance Survey 100019567

PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

SCALE : 1/18000







Key to Symbols

- Red line boundary
- Local government area boundary

Notes

Red line boundary: Mott MacDonald, October 2020  
 Contains OS data © Crown Copyright and database right 2020  
 Contains data from OS Zoomstack

Rev	Date	Drawn	Description	Ch'k'd	App'd
01	06/11/2020	SLG	For Information	SR	PC

**bmmjv** Floor 3  
 1 Whitehall Riverside  
 Leeds  
 LS1 4BN  
 T +44 (0)113 3946700  
 W mottmac.com

**bam** M M  
 nuttall MOTT MACDONALD



Title

**Leeds Flood Alleviation Scheme Phase 2  
 Step 2  
 Planning Red Line Boundary - Overview**

Designed	D Bull	Check	S Reeson
Drawn	S Glover	Coordination	I Biskup
GIS Check	T Graham	Approved	P Charlesworth
Scale at A3	Status	Rev	Security
1:15,000	INF	01	STD

Drawing Number LFD-BMM-EGN-YY2-DR-YE-0023

