

## 10/00923/OT - APPENDIX 1

- 1) Approval of the following details (hereinafter referred to as the reserved matters) shall be obtained from the Local Planning Authority, in writing before the development is commenced.

Layout  
Scale  
Appearance  
The landscaping of the site

Plans and particulars of the reserved matters shall be submitted utilising a planning application form and shall be carried out as approved.

Because the application is in outline only and as no details have been submitted of the reserved matters, they are reserved for subsequent approval by the Local Planning Authority.

- 2) Application for approval of all reserved matters for the first phase of development shall be made to the Local Planning Authority before the expiration of five years from the date of this permission. Thereafter, applications for approval of all subsequent reserved matters relating to all additional phases (up to a maximum of four phases) shall be made to the Local Planning Authority before the expiration of two years from the date of approval of the reserved matters of the preceding phase.

The development of the first phase shall be begun within seven years of the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be agreed for that phase, whichever is the later. All further phases shall be commenced within two years of the approval of the last reserved matters for that phase.

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.

- 3) 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.

- 4) With each reserved matters submission the information listed below shall be submitted and agreed in writing by the Local Planning Authority:

- A phasing plan identifying the building plots to be developed within each phase (identifying up to a maximum of four phases).
- Revised horizontal and vertical parameters plans reflecting the layout and scale of the development built and/or proposed to date.

The agreed phasing and parameter plans shall be adhered to thereafter unless otherwise agreed in writing by the Local Planning Authority.

To ensure the future phased development reflects the parameters agreed at outline stage in accordance with adopted UDPR policies GP5 and N12.

- 5) Landscaping works for a phase shall not commence until full details of both permanent and temporary hard and soft landscape works, including an implementation programme, have been submitted to and approved in writing by the Local Planning Authority. Hard landscape works shall include
- (a) proposed finished levels and/or contours,
  - (b) boundary details and means of enclosure,
  - (c) car parking layouts,
  - (d) other vehicle and pedestrian access and circulation areas,
  - (e) hard surfacing areas,
  - (f) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.),
  - (g) proposed and existing functional services above and below ground (e.g. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.).
  - (h) public art.
- Soft landscape works shall include
- (i) planting plans
  - (j) written specifications (including soil depths, cultivation and other operations associated with plant and grass establishment) and
  - (k) schedules of plants noting species, planting sizes and proposed numbers/densities.

All hard and soft landscaping works shall be carried out in accordance with the approved details, approved implementation programme and British Standard BS 4428:1989 Code of Practice for General Landscape Operations. The developer shall complete the approved landscaping works and confirm this in writing to the Local Planning Authority prior to the date agreed in the implementation programme.

To ensure the provision and establishment of acceptable landscape in accordance with adopted Leeds UDP Review (2006) policies GP5, N23, N25 and LD1.

- 6) A landscape management plan relating to each phase, including long term design objectives, management responsibilities and maintenance schedules shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of that phase. The landscape management plan shall be carried out as approved.

To ensure successful aftercare of landscaping, in accordance with adopted Leeds UDP Review (2006) policies GP5 and LD1.

- 7) If within a period of five years from the date of the planting of any tree/hedge/shrub that tree/hedge/shrub, or any replacement, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree/hedge/shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the Local Planning Authority.

To ensure maintenance of a healthy landscape scheme, in accordance with adopted Leeds UDP Review (2006) policies GP5 and LD1.

- 8) Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in accordance with chapters 13 'Design Code', 14 'Flexibility and Phasing' and Appendix 1 and 2 of the approved Design and Access Statement dated September 2011.

In the interests of visual amenity and to ensure appropriate temporary landscaping works are carried out in accordance with adopted UDPR policies GP5, N12 and LD1.

- 9) Unless otherwise agreed in writing by the Local Planning Authority, each reserved matters submission shall be accompanied by a detailed wind study that assesses the likely impact of the proposed development on the micro-climate within the vicinity of the site. The study shall identify any necessary mitigation measures and these shall be agreed in writing by the Local Planning Authority and be implemented prior to first occupation of the relevant phase and be retained and maintained thereafter.

To ensure there is no adverse impact on amenity in accordance with adopted UDPR policy GP5 and the Tall Buildings Design Guide Supplementary Planning Document.

- 10) Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) planning permission shall be obtained before any change of use of the A3, A4, or A5 premises referred to in this permission, to any use within Use Classes A1 or A2 as detailed in the Town and Country Planning (Use Classes) Order 2010 (or any Order revoking or re-enacting that Order with or without modification).

In order that the Local Planning Authority can retain control over uses which it considers could be harmful to the character of the area and the viability of the City Centre in general in accordance with adopted UDPR policy S1.

- 11) Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out and occupied in accordance with approved Taylor Young drawing SK(90)52 Rev.128 that identifies the location of active frontages (ie those frontages which would contain class A1 uses as detailed in the Town and Country Planning (Use Classes) Order 2010 (or any Order revoking or re-enacting that Order with or without modification), incorporate large areas of glazing to provide views of the uses within the building, include main pedestrian entrances to buildings and where vehicular entrances, services yards and blank walls will be avoided).

In the interests of visual amenity, to create a vibrant site and to ensure the class A1 uses are dispersed across the site in accordance with adopted UDPR policy GP5, N12 and S1.

- 12) Unless otherwise agreed in writing by the Local Planning Authority, prior to the occupation of a phase that includes a building that will be delivering a class A1 use as detailed in the Town and Country Planning (Use Classes) Order 2010 (or any Order revoking or re-enacting that Order with or without modification), details of the size of A1 unit(s) and nature of goods to be sold from the unit(s) shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be occupied in accordance with the agreed details thereafter.

To ensure the development delivers convenience class A1 retail units and prevents the introduction of large comparison goods stores which would be to the detriment of the Prime Shopping Quarter, in accordance with adopted UDPR policy S1.

- 13) Unless otherwise agreed in writing by the Local Planning Authority, the development shall not be occupied until the off site highway works identified on the approved Arup drawings C0-PR-12 Issue 05 and C0-PR-14 Issue 03 have been completed.

In the interests of highway safety in accordance with adopted UDPR policy GP5.

- 14) Development of a phase shall not commence until details of the cycle/motorcycle parking and facilities for that phase have been submitted to and approved in writing by the Local Planning Authority. Details shall include the method of securing the cycles and their location, provision of showers and storage lockers. The approved cycle/motorcycle parking and facilities shall be provided prior to occupation of that phase of development and thereafter be retained for the lifetime of the development.

In order to meet the aims of adopted Leeds UDP Review (2006) policy T2 and T7A and T7B.

- 15) No development shall take place on any part of the site until a detailed scope of works for further intrusive investigation involving characterisation of contamination and site ground conditions, and a detailed programme of any phased development, has been submitted to and approved in writing by the local planning authority.

To ensure that the additional intrusive investigation undertaken is sufficient to determine the presence of land contamination and ensure that the site is suitable for use in accordance with Policy GP5 of the Leeds Unitary Development Plan.

- 16) No development shall take place on any phase of the site until an intrusive investigation involving characterisation of contamination and site ground conditions has been undertaken for that phase of the site, in line with the approved scope of site investigation works and the approved detailed programme of phased development, as a minimum, and the report has been submitted to and approved in writing by the Local Planning Authority. The site investigation report shall explain the methodology employed, an interpretative discussion of results and findings, a conceptual site model, a risk assessment and recommendations for further investigation/remediation, if necessary.

To ensure that the presence of land contamination at the site has been determined and that the environmental risks it presents have been assessed to ensure that the site is 'suitable for use' in accordance with Policy GP5 of the Leeds

- 17) On any phase of the site, as defined in the approved detailed programme of phased development, where remediation measures are shown to be necessary or where soil or soil forming material is being imported to site, development shall not commence until a Remediation Statement demonstrating how that part of the site will be made suitable for the intended use has been submitted to, and approved in writing by, the Local Planning Authority. The Remediation Statement shall include a programme for all works, and confirm the provision of Verification Reports.

To ensure that the presence of contamination is identified, risks assessed and proposed remediation works are agreed in order to make the site 'suitable for use' in accordance with Policy GP5 of the Leeds Unitary Development Plan.

- 18) Remediation works for each phase of the site, as detailed in the approved programme of phased development, shall be carried out in accordance with the approved Remediation Statement. On completion of those works, the Verification Report(s) shall be submitted to the Local Planning Authority in accordance with the approved programme. The phase of the site covered by that remediation statement and verification report shall not be brought into use until such time as all verification

information, concerning that part of the site has been approved in writing by the Local Planning Authority.

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

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

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

- 20) The development shall be carried out in accordance with the UK Police 'Secured by Design' principles.

In the interests of public safety in accordance with adopted UDPR policy GP5.

- 21) Prior to the commencement of development of a phase, full details of the sound insulation and management measures to be incorporated into that phase shall be submitted to and agreed in writing by the Local Planning Authority. The details shall highlight how future occupiers of that phase will be protected from noise from other occupiers within the phase, adjacent developments and from external traffic noise. The agreed details shall be implemented prior to first occupation and be retained and maintained thereafter.

In the interests of amenity in accordance with adopted UDPR policy GP5.

- 22) Prior to the occupation of any class A1, A3, A4, A5 or D2 use as detailed in the Town and Country Planning (Use Classes) Order 2010 (or any Order revoking or re-enacting that Order with or without modification), the hours of opening for that use shall be submitted to and agreed in writing by the Local Planning Authority. The use shall operate in accordance with the agreed details thereafter.

In the interests of amenity in accordance with adopted UDPR policy GP5.

- 23) Prior to the occupation of any phase, the hours of delivery to and from the premises within that phase, together with loading and unloading

within the premises shall be submitted to and agreed in writing by the Local Planning Authority. The uses within that phase shall operate in accordance with the agreed details thereafter.

In the interests of amenity in accordance with adopted UDPR policy GP5.

- 24) No mechanical ventilation or air conditioning system or any other plant machinery shall be installed or operated until details of the installation and operation of the system have been submitted to and approved in writing by the Local Planning Authority. The system shall thereafter only be installed and operated in accordance with the approved details.

In the interests of amenity in accordance with adopted UDPR policy GP5.

- 25) Prior to the commencement of development of a phase, details of the extract ventilation system for that phase, including details of a filter to remove odour, and the methods of treatment of the emissions, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the works approved in accordance with this condition have been completed. Such works shall thereafter be retained.

In the interests of amenity and visual amenity in accordance with adopted UDPR policy GP5.

- 26) Prior to the occupation of a phase, a scheme detailing the method of storage and disposal of litter and waste materials, including recycling facilities for that phase, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a description of the facilities to be provided including, where appropriate, lockable containers and details for how the recyclable materials will be collected from the site with timescales for collection. The approved scheme shall be implemented before the development hereby permitted is brought into use and no waste or litter shall be stored or disposed of other than in accordance with the approved scheme.

In the interests of amenity and to promote recycling in accordance with adopted UDPR policy GP5.

- 27) Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out and retained and maintained in accordance with the recommendations contained within the WSP Flood Risk Assessment dated February 2010 (Ref 11171201-IF1).

To ensure the site is properly drained to prevent flooding in accordance with adopted UDPR policy GP5.

- 28) Before development commences for a phase, details of works for dealing with surface water discharges from the proposed development (i.e. plans and summary of calculations) shall be submitted to and approved in writing by the Local Planning Authority. These shall be in accordance with the Flood Risk Assessment dated February 2010 and be implemented prior to first occupation and be retained and maintained thereafter.

To ensure that the site can be properly drained without flooding in accordance with adopted UDPR policy GP5.

- 29) Prior to the commencement of development of a phase, details of the on-site storage provided for additional run-off from storm events up to the 1 in 100 yr + climate change shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented prior to first occupation of that phase and be retained and maintained thereafter.

To ensure compliance with council's Minimum Development Control Standards for Flood Risk and in accordance with adopted UDPR policy GP5.

- 30) Unless otherwise agreed in writing by the Local Planning Authority, no development in a phase shall take place until a plan showing details of an oil interceptor for that phase has been submitted to and approved in writing by the Local Planning Authority. Such oil interceptor as may be approved shall be designed to intercept all surface water from areas to be used by vehicles and any other areas likely to be subject to contamination. The phase shall not be brought into use until the oil interceptor has been provided, and it shall thereafter be retained and maintained in a satisfactory condition. Roof drainage should not be passed through an oil interceptor.

To prevent pollution of the watercourse and protect the environment in accordance with adopted UDPR policy GP5.

- 31) Prior to the commencement of development of a phase, a biodiversity protection and enhancement plan for that phase, to include details of measures required to maintain and enhance biodiversity on the site (including green and brown roofs), shall be submitted to and agreed in writing by the Local Planning Authority. The plan shall include a programme for implementation and the approved plan shall thereafter be implemented and maintained.

To maintain and enhance biodiversity across the site in accordance with adopted UDPR policy N51.

- 32) Prior to any site clearance works for a phase, details of measures to control Japanese knotweed and timescales for the works shall be

submitted to and approved in writing by the Local Planning Authority. The agreed details shall thereafter be implemented.

To control Japanese knotweed.

- 33) Prior to commencement of construction of a phase, a detailed energy assessment shall be submitted to and approved in writing by the Local Authority to i) clearly demonstrate that at least 10% of the energy supply for the development's overall energy requirement will come from decentralised and renewable or low-carbon energy sources, and ii) indicate what measures will be undertaken to future proof the development in terms of ensuring suitable installations and or design features are incorporated to enable direct linkages to potential future area heating systems, and iii) clearly indicate an agreed performance target with the planning authority in KW/m2/annum for the development and its phases. The development shall be carried out in accordance with the detailed scheme.

In the interest of sustainable development in accordance with UDPR policy GP11.

- 34) Unless otherwise agreed in writing by the Local Planning Authority, prior to the commencement of construction, at each phase of development, i) a Building Research Establishment BREEAM (no less than a 'Very Good' standard) and or a Code for Sustainable Homes pre-assessment to a minimum of level 3 (along with the associated BRE certificate(s) and scoring sheets for these standards), and ii) a recycled material content plan (using the Waste and Resources Programme's (WRAP) Net Waste toolkit), shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the detailed scheme; and (a) Prior to the occupation of the development a post-construction review statement shall be submitted by the applicant and approved in writing by the Local Planning Authority; (b) The development and buildings comprised therein shall be maintained and any repairs shall be carried out all in accordance with the approved detailed scheme and post-completion review statement or statements.

In the interests of sustainable development and in order to accord with Policy GP11 of the Council's Unitary Development Plan.

- 35) The construction of external facing materials for each phase shall not take place until details and samples of all external walling, window, door and roofing materials for that phase have been submitted to and approved in writing by the Local Planning Authority. Such materials shall be made available on site prior to the commencement of their use, for the inspection of the Local Planning Authority who shall be notified in writing of their availability. The building works shall be constructed from the materials thereby approved.

In the interests of visual amenity in accordance with adopted UDPR policy N13 and GP5.

- 36) Typical detailed 1:20 scale (or other appropriate scale) working drawings of the following elevational features shall be submitted to and approved in writing by the Local Planning Authority prior to their construction on a phase:
- (a) Sections through external windows and door reveals;
  - (b) External entrance areas at ground floor level;
  - (c) Junctions of materials;
  - (d) Changes in plane to the building elevations; and
  - (e) Details of roof parapets, eaves line and soffits to the buildings.

The works shall be implemented as thereby agreed.

In the interests of visual amenity and providing a high quality design in accordance with adopted UDPR policy N13.

- 37) No building works for each phase shall take place until details and samples of all surfacing materials for that phase have been submitted to and approved in writing by the Local Planning Authority. The surfacing works shall be constructed from the materials thereby approved.

In the interests of visual amenity in accordance with adopted UDPR policy GP5.

- 38) No works shall take place on a phase until full details of provision to be made for the storage, parking, loading and unloading of contractors' plant, equipment and materials, and the parking of vehicles of the workforce for that phase, has been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be provided for the duration of the development works for that phase.

In the interests of the free and safe use of the highway in accordance with adopted UDPR policies T2 and GP5.

- 39) No works shall begin on a phase until full details of the methods to be employed to prevent mud, grit and dirt being carried onto the public highway from the development of that phase, have been submitted for the approval in writing of the Local Planning Authority. The methods thereby approved shall be implemented at the commencement of work on site, and shall thereafter be retained and employed until completion of works on site.

To ensure that mud is not deposited on the road in accordance with adopted UDPR policy GP5.

- 40) Dust generated by vehicles on roads, haul routes and circulation areas within the site in dry weather conditions shall be suppressed by the use of equipment able to deliver sufficient volumes of water and provided on site for this purpose. Immediate preventative action, including the suspension of operations shall be taken if dust generated by machinery on site becomes airborne and can be seen being carried by the wind beyond the site boundary.

In the interests of general amenity and the amenity of occupants of nearby premises in accordance with adopted UDPR policy GP5.

- 41) The construction of any external finishing materials for a phase shall not commence until full details of the siting, design and external appearance of all external plant, flue pipes, external vents, roller shutters, lighting, solar panels or other excrescences to be located on the roof or sides of the buildings within that phase have been submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be implemented and retained thereafter.

In the interest of visual amenity in accordance with adopted UDPR policies GP5 and N13.

- 42) Unless otherwise agreed in writing by the Local Planning Authority, no building or other obstruction shall be located over or within 5.0 (five) metres either side of the centre line of the 450mm water main, which crosses the site, within 3.0 (three) metres either side of the centre line of the 4" water mains, which cross the site or within 5.0 (five) metres either side of the centre line of the sewers, which cross the site.

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

### **Reason For Approval**

In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government Guidance and Policy as detailed in the National Planning Policy Framework and (as specified below) the content and policies within Supplementary Planning Guidance (SPG) and The Development Plan consisting of The Yorkshire and Humber Plan - Regional Spatial Strategy 2008 (RSS) and the Leeds Unitary Development Plan Review 2006 (UDPR).

GP5, GP11, GP12, BD2, BD4, BD5, BD15, T2, T24, T5, T6, H4, A4, SA8, SP9, CC4, CC10, CC21, CC27, CC31, S1, N12, N13, LD1.

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

## **Directions :-**

The landscape management plan shall include reference to planting and landscaped areas, identifying the frequency of operations to reflect the enhanced maintenance requirement during the establishment period and provide for an annual inspection during late summer for the identification of any replacement tree and shrub planting. If development is phased, maintenance shall commence when each phase of development is completed.

In order to comply with condition 13 (off site highway works) the developer will need to enter into an appropriate agreement under the 1980 Highways Act with the Local Highways Authority and/or the Highways Agency to deliver the works (either S278 or S6).

The applicant is advised that remediation of any contaminated site is required to a standard such that the site would be suitable for use pursuant to national and Leeds City Council's planning guidance. This includes the quality of imported soils and soil forming materials. The developer is responsible for ensuring that development is safe and suitable for use for the intended purpose.

All reports addressing land contamination should be compiled in accordance with best practice, taking into account national and Leeds City Council's planning guidance.

Prior to preparing any reports in compliance with conditions related to land contamination the applicant is also advised to refer to the Leeds City Council guidance leaflets in the series:- The Development of Contaminated Sites:  
The Blue Leaflet (CL2) - Reports in Support of Planning Applications  
The Green Leaflet (CL3) - Human Health Quantitative Risk Assessment  
The Yellow Leaflet (CL4) - Residential Development on Land Affected by Contamination

These leaflets can be obtained from the council at the Leonardo Building Reception, 2 Rossington Street, Leeds, LS2 8HD or from our website [www.leeds.gov.uk/contaminatedland](http://www.leeds.gov.uk/contaminatedland).

If development is to proceed using a phased approach and land contamination is going to be investigated in line with these phases a detailed programme for this works and details about the contaminated land reports that will be submitted will need to be agreed with the Local Authority before these any investigation commences. This approach could be outlined in the detailed scope of works.

The North East Counter Terrorism Unit should be involved in the design and layout of this development. The developer should liaise with the CTU prior to the submission of any reserved matters applications in the

interest of public safety. CTU can be contacted directly by email to Colin Whitely, Senior Counter Terrorism Security Advisor, at [CW7@westyorkshire.pnn.police.uk](mailto:CW7@westyorkshire.pnn.police.uk)

Food businesses must be registered with the Local Authority. Please contact Leeds City Council Health and Environmental Action Service, Food and Health Services, Millshaw Park Way, Churwell, Leeds, LS11 0LS. Telephone: 0113 2477789 or email [env.health@leeds.gov.uk](mailto:env.health@leeds.gov.uk) for details

The site is on the flight path for Leeds Bradford International Airport therefore the applicant is advised to contact LBIA if any cranes, high level external lighting or radio masts are to be introduced.