

APPENDIX B

Outline Planning Decision Notice

REPRINT OF DECISION NOTICE FROM THE PLANNING REGISTER

Local Authority Application Reg 4(1)

Applicant	Leeds City Council	Application Number:	09/05546/LA
Agent:	Leeds City Council R Fenton City Development The Leonardo Buildings 2 Rossington Street Leeds LS2 8HD	Date Accepted:	4 January 2010
		Date of Decision:	12 February 2010

Proposed Development At: Land Adjacent, Halton Moor Road, Halton, Leeds, , .

Proposal: Variation of conditions 10, 11, 12, 13, 16, 25, 27, 30, 31, 32, 38 and 40 of application number 21/8/03/OT (these are, details of a car parking management scheme, travel plan, samples of building materials prior to commencement, detail of boundary treatment prior to commencement, details of hard and soft landscaping, Details of any emissions to the atmosphere, details of extraction and ventilation systems, details of a site investigations for contamination, method of storage and disposal of litter and waste, a remediation statement should be approved prior to commencement, intrusive investigation to assess potential contamination, and a survey of the effects of buildings on local television coverage.)

Local Authority Application Reg 4(1) granted in accordance with the approved plans and specifications and subject to the condition(s) set out below:

Condition(s) and Reason(s):

- 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.
Detailed siting of the building(s).
Design.
External Appearance.
Means of Access.
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 reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be agreed whichever is the later.

Imposed pursuant to the provisions of Section 92 of the Town and Country Planning Act 1990.

- 3) The development hereby approved shall not exceed the total amounts of gross floor area / scale of development set out below:

26,600 sq m of Class B1/ B2 / B8 employment use of which no more than 18,900 sqm shall be Class B1(a) office use plus

Car parking serving the B1 / B2 / B8 development not to exceed 692 spaces

(The Use Classes are those set out in the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification)

To ensure that the level of development can be accommodated ensuring the safe operation of the highway network

- 4) The Class B1 / B2 / B8 development hereby approved shall be carried out in a minimum of three phases, the amount in each phase not to exceed the following areas:

Phase 1: not to exceed 60% of the gross floor area approved under Condition 3

Phase 2: not to exceed 80% of the total gross floor area approved under Condition 3 on a cumulative basis taking into account the gross floor area approved for Phase 1.

Phase 3: the remainder of the total gross floor area approved under Condition 3

Notwithstanding the forgoing, sub-phases of the development may be carried out subject to the limits specified for each phase both individually and cumulatively not being exceeded.

To ensure that the level of development can be accommodated within the safe operation of the highway network.

- 5) a) No development shall commence on any part of Phase 2 of the site (as defined by Condition 4 above) unless the sum of the following calculation is less than or equal to 264 vehicle trips for the mixed B1 / B2 / B8 use class development;

i The preceding 3 month average of the recorded weekday morning peak period arrivals between 08.00 and 09.00 (as measured and provided to the local planning authority in accordance with Conditions 6 and 7), plus

ii. The predicted weekday morning peak period arrivals between 08.00 and 09.00 for any gross floor area (GFA) which already has reserved matters approval but is not yet occupied using the vehicle trip ratio of 1.38 entry trips per 100 sqm GFA for B1plus

0.9 entry trips per 100 sqm GFA for B2 plus 0.3 entry trips per 100 sqm GFA for B8, plus

iii. The predicted weekday morning peak period arrivals between 08.00 and 09.00 for any gross floor area which is being applied for as part of Phase 2 using the vehicle trip ratio of 1.38 entry trips per 100 sqm GFA for B1 plus 0.9 entry trips per 100 sqm GFA for B2 plus 0.3 entry trips per 100 sqm GFA for B8.

b) No development shall commence on any part of Phase 3 of the site (as defined by Condition 4 above) unless the sum of the following calculation is less than or equal to 330 vehicle trips for the mixed B1 / B2 / B8 use class development;

i. The preceding 3 month average of the recorded weekday morning peak period arrivals between 08.00 and 0.900 (as measured and provided to the local planning authority in accordance with Conditions 6 and 7), plus

ii. The predicted weekday morning peak period arrivals between 08.00 and 09.00 for any gross floor area which already has reserved matters approval but is not yet occupied using the vehicle trip ratio of 1.38 entry trips per 100 sqm GFA for B1 plus 0.9 entry trips per 100 sqm GFA for B2 plus 0.3 entry trips per 100 sqm GFA for B8, plus

iii. The predicted weekday morning peak period arrivals between 08.00 and 09.00 for any gross floor area which is being applied for as part of Phase 3 using the vehicle trip ratio of 1.38 entry trips per 100 sqm GFA for B1 plus 0.9 entry trips per 100 sqm GFA for B2 plus 0.3 entry trips per 100 sqm GFA for B8.

Where

B1 is the gross floor area in square metres of any Class B1 development

B2 is the gross floor area in square metres of any Class B2 development

B8 is the gross floor area in square metres of and Class B8 development

In the interests of safety and the free flow of traffic on the M1 motorway, to ensure that the motorway network or its junctions are not overloaded in peak periods.

- 6) Prior to commencement of the development a system for automatic vehicle detection of the arrival and departure of vehicular trips to and from the development hereby approved shall be submitted to and approved in writing by the local planning authority. The system so approved shall be installed and commissioned to the written satisfaction of the local planning authority. It will then be maintained on a basis to be agreed in writing with the local planning authority and operated to the satisfaction of the local planning authority on that basis.

To enable monitoring of traffic movements to and from the development to accord with condition 4 and 5.

- 7) The information obtained from the approved system of automatic vehicle detection detailed in condition 6 above shall be submitted to the local planning authority in such form and at such time intervals as agreed in writing with the local planning authority when the system is approved.

To enable the local planning authority and Highways Agency to monitor the traffic impact of the development on the local highway and trunk road networks.

- 8) The car parking spaces to be provided for employees and visitors to the development hereby approved shall be confined to those areas within the development specifically designated for such purpose and shall not exceed:

Phase 1 as defined in condition 4 - 415 spaces

Phase 2 as defined in condition 4 - 554 spaces inclusive of the provision of parking spaces in Phase 1

Phase 3 as defined in condition 4 - 692 spaces inclusive of the provision of parking spaces in Phase 1 and Phase 2

To ensure a satisfactory form of development and to ensure that the number of morning peak arrivals does not exceed the level necessary to ensure the safe operation of the highway network.

- 9) A car parking area management scheme for each plot or other phase of the development as agreed in writing by the local planning authority shall be submitted to and approved in writing by the local planning authority before the occupation of any of that plot or phase of the development hereby approved. Such scheme shall include for the layout, control and management of the designated parking areas together with measures for controlling the parking of vehicles on any other parts of the site (other than any publicly adopted highway), which are not shown for vehicular parking in the approved plans. The development shall thereafter be operated in accordance with the approved scheme.

To ensure a satisfactory form of development and to ensure that the number of morning peak arrivals does not exceed the level necessary to ensure the safe operation of the highway network.

- 10) Prior to the commencement of occupation of any plot or phase of the development hereby approved details for the implementation, monitoring and review of a Sustainable Travel Plan for the employees and visitors to that plot or phase of the development shall be submitted to and agreed with the Local Planning Authority. Such details shall include proposals for the appointment of a Travel Co-ordinator, provision of information on sustainable travel, targets for mode share, availability of public transport services, provision for cycling and walking to and from the development site, timescales for implementation, monitoring, reporting on and review of the Plan.

In the interests of sustainable development

- 11) No building works on each plot or other phase of the development as agreed in writing by the local planning authority shall take place until details and samples of all external walling and roofing materials have been submitted to and approved in writing by the Local Planning Authority. Such materials shall be made available on site prior to the commencement of their use, for the inspection of the Local Planning Authority who shall be notified in writing of their availability. The building works on each plot or phase shall be constructed from the materials thereby approved.

In the interests of visual amenity.

- 12) No development of each plot or other phase of the development as agreed in writing by the local planning authority, shall take place until details of the position, design, materials and type of all walls and/or fences or permanent boundary treatment, whether or not shown to be erected on the approved plans, have been submitted to and approved in writing by the Local Planning Authority. Such walls and fences, on each plot or phase, shall be erected in accordance with the approved details, before the land/buildings to which they relate are occupied, and shall thereafter be retained

and shall not be altered or removed without the written consent of the Local Planning Authority.

In the interests of amenity and visual amenity.

- 13) The development shall not be occupied or brought into use until that part of the site shown to be used by vehicles, on the approved plans, has been laid out, drained, surfaced and sealed, as approved, and that area shall not thereafter be used for any other purpose other than the vehicle related use approved.

In the interests of the free and safe use of the highway.

- 14) No development shall take place until a plan showing details of the access to the site has been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details

In the interests of the free and safe use of the highway.

- 15) No development of each plot or other phase of the development as agreed in writing by the local planning authority, shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include (a) proposed finished levels and/or contours, (b) car parking layouts, (c) other vehicle and pedestrian access and circulation areas, (d) hard surfacing areas, (e) minor artefacts and structures (eg, furniture, play equipment, refuse or other storage units, signs, lighting etc.), (f) proposed and existing functional services above and below ground (eg. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.). Soft landscape works shall include (g) planting plans, (h) written specifications (including cultivation and other operations associated with plant and grass establishment), (i) schedules of plants noting species, planting sizes and proposed numbers/densities.

To ensure the provision of amenity afforded by appropriate landscape design.

- 16) Hard and soft landscaping works shall be fully carried out in accordance with the approved details prior to the occupation of any part of that plot or phase of the development in accordance with the programme agreed with the Local Planning Authority and to a reasonable standard in accordance with the relevant provisions of appropriate British Standards or other recognised codes of good practice.

To ensure the provision, establishment and maintenance to a reasonable standard of landscaping in accordance with the approved proposals.

- 17) If, within a period of five years from the planting of any trees or plants, those trees or plants or any trees or plants planted in replacement for them is removed, uprooted, destroyed or dies or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to a variation.

To ensure the maintenance of a healthy landscape scheme.

- 18) Prior to being discharged into any watercourse, surface water sewer or soakaway system all surface water drainage from parking areas and hardstanding shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. Roof water shall not pass through the interceptor.

To prevent pollution of the water environment.

- 19) Any above ground oil or liquid chemical storage tanks shall be located at least 10 metres from any watercourse and within a bund having a capacity of not less than 110% of the capacity of the largest tank, or if tanks are connected by pipework to allow equalisation of the level of the contents, then the bund capacity should be 110% of the largest combined volume. The floor and walls of the bund shall be constructed of brick, concrete or steel to be impervious to oil and water and resistant to any stored chemicals. Inlet, outlet, vent pipes and gauges must be within the bunded area, and any tap or valve shall be so arranged as to discharge vertically downwards and shall be kept locked shut when not in use. The disposal of contaminated surface water from within the bund shall be in a manner previously agreed with the Local Planning Authority. There shall be no uncontrolled discharge from the bunded area.

To prevent pollution.

- 20) There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.

To prevent pollution of the water environment.

- 21) A separate system of drainage for foul and surface water shall be provided.

To ensure that a separate system of drainage is provided.

- 22) Prior to commencement of development full details of the proposed methods of disposal of both water and foul waste from the site shall be submitted to and approved in writing by the Local Planning Authority.

In order to ensure adequate methods of disposal of surface water, ground water and foul waste in the interests of general amenity.

- 23) Unless otherwise agreed in writing by the Local Planning Authority there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no building shall be occupied or brought into use prior to completion of the approved foul drainage works.

To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal.

- 24) There shall be no emissions to atmosphere, resulting from any processes, plant or activity, until details of their treatment, including the method of treatment and height, position and manner of discharges, have been 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 unless otherwise agreed in writing by the Local Planning Authority.

In the interests of amenity.

- 25) No machinery, water tanks, boilers, or other plant and ancillary equipment within the development shall be installed, until details of its position and manner of installation has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the installation has taken place. The installations thus approved shall be retained at all times thereafter.

In the interests of amenity.

- 26) The development shall not be occupied until details of the extract ventilation system, including details of a filter to remove odour, and the methods of treatment of the emissions, have been submitted to and approved in writing by the Local Planning Authority and completed in accordance with the approved details. 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.

- 27) No plant and/or machinery shall be used on the premises, unless it is enclosed in sound-insulating material in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.

In the interests of amenity.

- 28) No mechanical ventilation or air conditioning system 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.

- 29) No development of each plot or other phase of the development as agreed in writing by the local planning authority shall take place until a site investigation and assessment has been carried out to determine if the site contains contaminants, and the findings, together with a scheme for any necessary remedial measures, has been submitted to and approved in writing by the Local Planning Authority. Such investigations shall identify the nature and level of any contaminates present. The scheme for remedial measures shall include details for the treatment and/or removal of the contamination. The approved remedial measures for that plot or phase shall be implemented as the development proceeds, and shall be completed before any part of the development is brought into use.

To ensure that the site is safe for development.

- 30) No development of each plot or other phase of development as agreed in writing by the local planning authority shall take place until a scheme detailing the method of storage and disposal of litter and waste materials has been 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. The approved scheme shall be implemented before that plot or phase of 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 scheme.

In the interests of amenity.

- 31) No development of each plot or other phase of the development as agreed in writing by the local planning authority shall take place until a remediation statement has been submitted to and approved in writing by the local planning authority. If it is concluded in the remediation statement that remedial works are necessary, then the remediation statement shall demonstrate how the works will render the site 'suitable for use' and shall describe the works in relation to the development hereby permitted. It shall include full details of any works to be undertaken, proposed site clean-up criteria, site management procedures, contingencies and how the works will be validated.

To enable the local planning authority to determine whether the proposed remediation works will make the site 'suitable for use' and to ensure that contamination will not present any significant environmental risks.

- 32) Any works required by an approved remediation statement, including any additional intrusive investigation works or monitoring activities, shall not commence unless the local planning authority has received three working days' prior written notification of the date of commencement of such works.

To enable the local planning authority to monitor remediation works.

- 33) Prior to the commencement of any part of the development other than those works required by this condition, any site remediation works to deal with contamination shall be fully carried out in accordance with the approved remediation statement (or any subsequent revision to it required by condition 34 below).

To ensure that the site is suitable for the development hereby permitted and that any contamination present at the site will not present a significant environmental risk.

- 34) In the event that remediation is unable to proceed in accordance with an approved remediation statement by, for example, reason of increased quantities of material to be moved or treated or contamination being more extensive than expected or other unforeseen circumstances, the local planning authority shall be notified in writing immediately. A revised remediation statement shall forthwith be submitted for the approval in writing of the local planning authority. Works shall thereafter be carried out in accordance with the approved revised remediation statement.

To enable the local planning authority to determine whether the proposed remediation works will make the site 'suitable for use' and to ensure that contamination will not present any significant environmental risks.

- 35) In the event that unexpected significant contamination is encountered during any development works including works required by an approved remediation statement, works in the affected part of the site must cease and the local planning authority shall be notified in writing immediately. The local planning authority may at this stage request that a remediation statement, outlining plans for further investigation and the proposed method of dealing with the contamination, be submitted for written approval prior to development works continuing in the affected part of the site.

To enable the local planning authority to ensure that contamination (expected or otherwise) at the site will not present any significant environmental risks and that the site will be made 'suitable for use'.

- 36) Within 3 months of the completion of the remediation works detailed in the approved remediation statement or prior to the start of the development hereby permitted, whichever is the earlier, a validation report shall be submitted to and approved in writing by the local planning authority. This report shall: -
- (i) Describe the remediation works carried out and any significant variations from the works set down in the approved remediation statement;
 - (ii) Include and discuss substantiating data (analytical or otherwise), and
 - (iii) Confirm that the remediation objectives set down in the remediation statement have been achieved.

To enable the local planning authority to determine whether the site has been made 'suitable for use' and that contamination has been dealt with so as not to present any significant environmental risks.

- 37) Development of each plot or other phase of the development as agreed in writing by the local planning authority shall not commence until an intrusive investigation has been undertaken to assess and characterise potential land contamination at the site and appropriate reports have 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 the results and findings, a conceptual site model, a risk assessment and recommendations for further investigation/remediation.

To ensure that the presence of land contamination at the site has been determined and that the environmental risks it presents have been assessed.

- 38) Unless otherwise agreed in writing by the Local Planning Authority no building or other obstruction shall be located over or within 5m of the lines of the sewer which cross the site.

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

- 39) Before development of each plot or other phase of the development as agreed in writing by the local planning authority commences, a survey into the potential effects of any building on the television coverage in the immediate area shall be undertaken and the results submitted to the Local Planning Authority. Any remediation measures which in the opinion of the Local Planning Authority are necessary shall be implemented before the building is constructed and thereafter retained

In the interests of residential amenity

- 40) 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.

Reason(s) for Decision:

- 1) 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 Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG) and The Development Plan consisting of

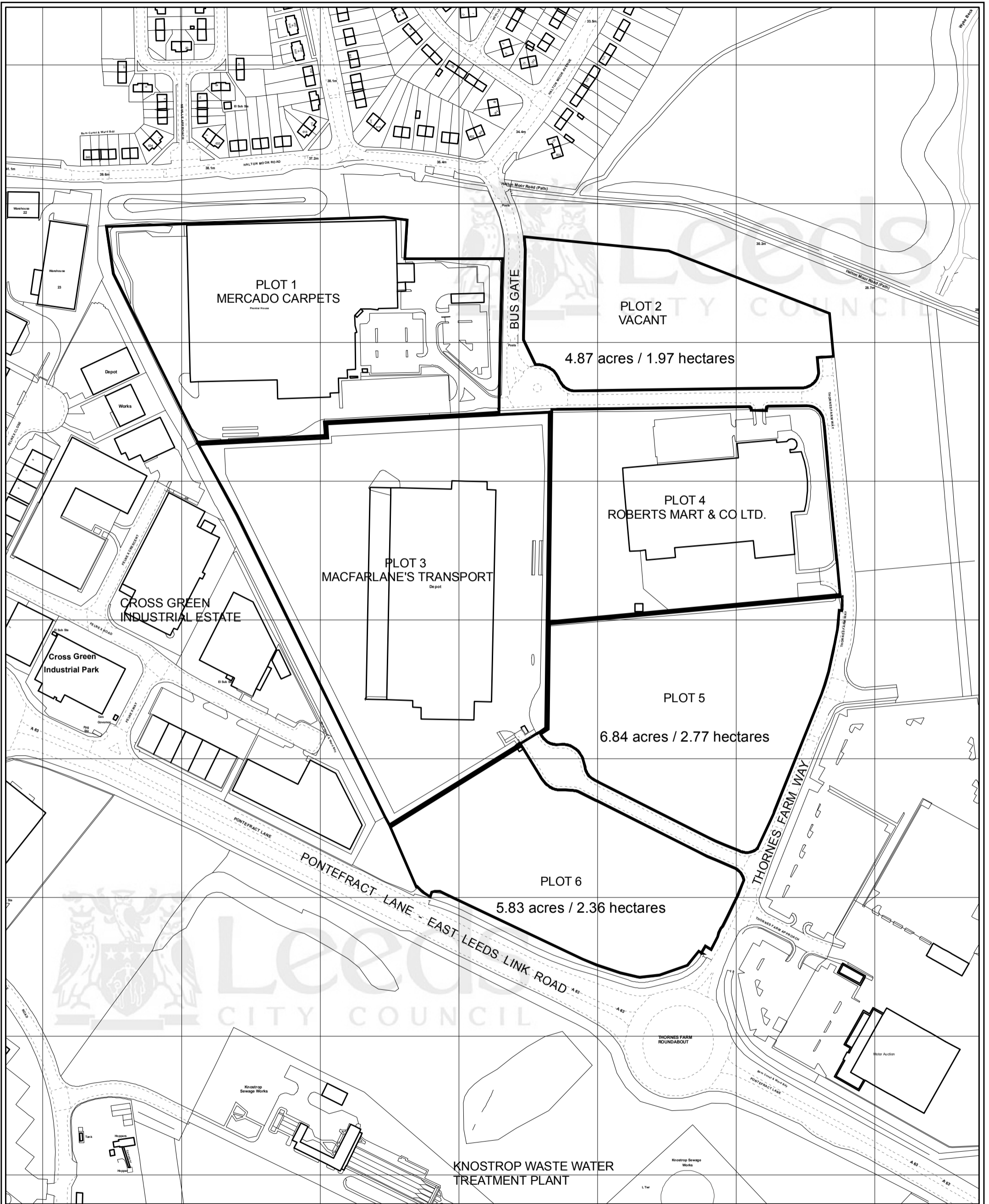
The Yorkshire and Humber Plan - Regional Spatial Strategy 2008 (RSS) and the Leeds Unitary Development Plan Review 2006 (UDPR).

Unitary Development Plan Policies: E3(4), E8:5, E7, GP5, T2, T20, BD5, N24, R1
RSS Policy: E2

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.

For Information:

- 1) The applicant should be aware that there is an Agreement/Obligation by way of undertaking under Section 106 of the Town and Country Planning Act 1990 affecting this site or that there is likely to be a need to enter into such Agreement/offer an Obligation to discharge the requirements of conditions above.



Leeds
CITY COUNCIL

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SITE PLAN
THORNES FARM
OSMONDTHORPE
LEEDS LS9

PREP BY B. HAZELWOOD
DATE 08/04/2009
OS No SE3332SW
Scale 1:2,500 (At A3)



PLAN No 10457/F