

Town and Country Planning Act 1990

Grant of Outline Planning Permission

Applicant:	Acrivarn - Mrs S Cope	Application Number:	15/00169/OT
Agent:	ID Planning - Mr Tom Cook Atlas House 31 King Street Leeds LS1 2HL	Date Accepted:	3 February 2015
		Date of Decision:	20 January 2017

Proposed Development At: South Park Mills Hare Lane Pudsey Leeds LS28 8DR

Proposal: Outline application for residential development of up to 21 dwellings

Outline planning permission granted in accordance with the approved plans and specifications and subject to the condition(s) set out below:-

- 1) Application for approval of all 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 before the expiration of two years from the date of approval of the last of the reserved matters to be agreed.

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) 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

Access

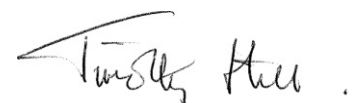
Scale

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.



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

In the interests of visual amenity.

- 5) Prior to the commencement of building operations, details showing the window frames inset from the face of the wall in the manner traditional to the area, and details of the proposed window and door frames, (to include details of materials, treatment and/or finish colour), shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and shall be retained as such thereafter.

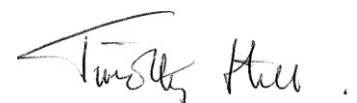
In the interests of the character and visual amenity of the area.

- 6) No development shall take place until details of the position, design, materials and type of all walls and/or fences or permanent boundary treatment including garden boundary treatment have been submitted to and approved in writing by the Local Planning Authority. Such walls and fences 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 prior written consent of the Local Planning Authority.

In the interests of amenity and visual amenity.

- 7) No building works shall take place until details and samples of all surfacing materials to the hard surfaced areas have been submitted to and approved in writing by the Local Planning Authority. Such materials shall be made available on site prior to the commencement of their use, for the inspection of the Local Planning Authority who shall be notified in writing of their availability. The surfacing works shall be constructed from the materials thereby approved.

In the interests of visual amenity.



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- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Amendment) (No 2) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) planning permission shall be obtained before any extensions/enlargements, roof alterations/enlargements, conservatories, garden buildings and structures are erected, other than those expressly authorised by this permission.

As the Local Planning Authority wish to keep control over the erection of these buildings in the interests of preserving the openness of the Green Belt.

- 9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) the garage(s)/car port(s) shall not be altered or otherwise converted in such a way as to prevent its/their use by motor vehicles, used incidentally to the enjoyment of the dwelling house as such.

In order to retain sufficient off-street car parking spaces within the curtilages of dwellings in the interests of the free and safe use of the highway.

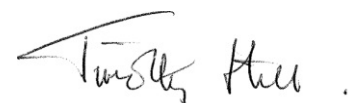
- 10) No building works shall take place until details of all external lighting have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall then be installed in accordance with the approved details prior to first occupation of the development and shall be so retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

In the interests of visual amenity.

- 11) 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.

- 12) Prior to the commencement of development full details (including siting, materials and means of enclosure) of the proposed bin store(s) shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the bin store(s) thereby approved have been provided. The bin store(s) shall thereafter be retained and maintained as such in accordance with the approved details.



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To ensure that adequate provision for bin storage is made and in the interests of visual and residential amenity.

- 13) Development shall not commence until details of cycle/motorcycle parking and facilities 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 the 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.

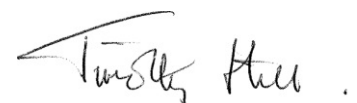
- 14) Development shall not commence until additional intrusive investigation involving characterisation of contamination and site ground conditions has been undertaken, and the report has been submitted to and approved in writing by the local planning authority. The site investigation report shall explain the methodology employed, an interpretative discussion of results and findings, a conceptual site model, a risk assessment and recommendations for further investigation/remediation.

To ensure that the presence of contamination is identified, risk assessed and recommendations are made in order to make the site suitable for use in accordance with Policy GP5 of the Leeds Unitary Development Plan.

- 15) Development shall not commence until a remediation statement has been submitted to and approved in writing by the Local Planning Authority, should the Phase II site investigation report conclude that remedial works are necessary. 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 and how the works will be verified.

To ensure that the remediation of any contamination is agreed with Local Planning Authority and is sufficient in order to make the site suitable for use in accordance with Policy GP5 of the Leeds Unitary Development Plan.

- 16) 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



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further remediation works which shall thereafter be carried out in accordance with the revised approved Statement.

To ensure that any necessary remediation works are identified to make the site suitable for use in accordance with policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

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

To ensure that the remediation works are fully implemented as agreed and the site has been demonstrated to be suitable for use in accordance with policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

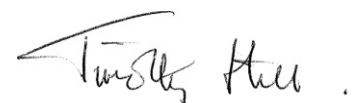
- 18) Equipment to enable mud and grit to be removed from the wheels, tyres and underside of construction vehicles prior to their leaving the development site and entering onto Hare Lane shall be provided, utilised and maintained in working order at all times when construction traffic is leaving the site. The internal site access road shall be maintained in a clean condition at all times when traffic is leaving the site.

To ensure that mud is not deposited on the road in the interests of amenity and highway safety.

- 19) Dust generated by construction vehicles on Hare Lane, and 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 residential properties.

- 20) Development shall not begin until a feasibility study into the use of infiltration drainage methods, for example soakaways and/or permeable surfacing has been submitted to and approved in writing by the Local Planning Authority. The analysis shall contain the results of ground infiltration tests and an appraisal of the various infiltration drainage methods of surface water disposal proposed for the site.



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To ensure compliance with Leeds City Councils sustainable drainage policies.

- 21) Unless otherwise agreed in writing by the Local Planning Authority, there shall be no additional surface water discharge from the development site to open and culverted watercourses within and adjacent to the development site.

To prevent flooding by ensuring the satisfactory disposal of surface water.

- 22) Development shall not commence until a scheme detailing surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage works should be consistent with the recommendations of the FRA report ref: 724/01r2 dated October 2013. The works shall be implemented in accordance with the approved scheme before the development is brought into use, or as set out in the approved phasing details.

To ensure sustainable drainage and flood prevention in accordance with policies GP5, N39A of the adopted Leeds UDP Review (2006).

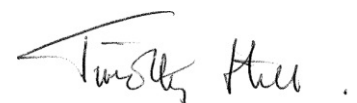
- 23) Unless otherwise agreed in writing by the Local Planning Authority, no building or other obstruction shall be located over or within three metres either side of the water main and sewers, which cross the site.

To allow sufficient access for maintenance and repair works at all times.

- 24) The site shall be developed with separate systems of drainage for foul and surface water on and off the site.

In the interests of satisfactory and sustainable drainage.

- 25) No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing and off-site works, have been submitted to and approved in writing by the Local Planning Authority. The drainage works shall then be implemented in accordance with the approved details and there shall be no discharge of surface water from the development prior to completion of the approved surface water drainage works and no dwellings shall be occupied or brought into use prior to completion of the approved foul drainage works.



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To ensure that the development can be properly drained and that no foul or surface water discharges take place until proper provision has been made for their disposal.

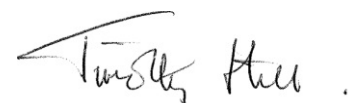
- 26) Prior to the commencement of any site clearance, demolition or remediation works, a biodiversity protection and enhancement plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be based on the recommendations in the Ecological Assessment dated September 2013 and shall include detailed measures to protect and enhance biodiversity on the site together with a programme for implementation. The approved plan shall thereafter be implemented in accordance with the approved implementation programme.

To maintain and enhance biodiversity.

- 27) a) All existing trees, shrubs, hedges and other natural features shown on the approved plans to be retained shall be fully safeguarded during the course of the site works and building operations in accordance with the provisions of British Standard 5837:2005 (Trees in relation to Construction), or with the particulars specified in the approved plans and specifications.
- b) No development shall commence until all trees, shrubs or features to be protected have been protected in accordance with the approved details, or in the absence of such details, in accordance with BS 5837:2005, and the Local Planning Authority has been notified and has approved the protection measures in writing.
- c) The protective measures shall be maintained during the course of the site works, and no equipment, machinery or materials shall be stored or fires burnt within any area protected in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made including the provision of any underground services, without the prior written consent of the Local Planning Authority.
- d) The protective measures shall be retained in position until all equipment, machinery or materials have been removed from the site and the site has been occupied, unless otherwise agreed in writing by the Local Planning Authority.

To ensure the protection and preservation of trees, shrubs, hedges and other natural features during construction works.

- 28) The development shall not commence until details of measures to protect banks of watercourses during remediation and construction works have been submitted to and



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approved in writing by the Local Planning Authority. The submitted details shall include details of any reinstatement works together with a timescale for implementation. The measures shall then be implemented in accordance with the approved details and timescale.

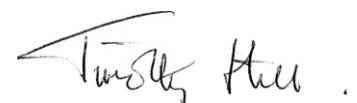
In the interests of amenity and to maintain biodiversity.

- 29) Development shall not commence until full details of both 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) car parking layouts,
 - (c) other vehicle and pedestrian access and circulation areas,
 - (d) hard surfacing areas,
 - (e) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.),
 - (f) proposed and existing functional services above and below ground (e.g. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.).
- Soft landscape works shall include
- (g) planting plans, to include provision of wildlife habitat in non-accessible areas, and the laying out of public open space;
 - (h) written specifications (including soil depths, cultivation and other operations associated with plant and grass establishment) and
 - (i) 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.

- 30) 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



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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.

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

To ensure successful establishment and aftercare of the completed landscape scheme.

Plans Schedule - as referred to in Condition No. 3 above:-

Plan Type	Plan Reference	Received
Site Location Plan/Red Line/OS Plan		03.02.2015

For information:-

- 1) In reaching a decision the case officer dealing with the application has worked with the applicant/agent in a positive way to produce an acceptable scheme in accordance with paragraphs 186 and 187 of the National Planning Policy framework.
- 2) This permission does not absolve the applicant(s) from the requirements for compliance with a Building Regulation approval, or the duty of compliance with any requirements of any Statutory Body, Public Utility or Authority.

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The applicant is advised that where any of the following apply, The Party Wall Act 1996 provisions are relevant, and you may well need to serve notice and get agreement from adjoining owners/neighbour(s) to carry out the work;

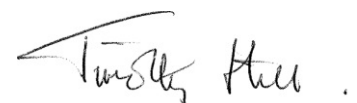
- work carried out directly to an existing party wall or structure
- new building at or astride the boundary line between properties
- excavation within 3 or 6 metres of a neighbouring building or structure depending on the depth of the hole or proposed foundations.

- 3) This notice of decision does not grant consent or imply any grant of consent for the applicant to enter onto any adjoining land, to either construct or subsequently to maintain the proposed development.
- 4) All reports addressing land contamination should be compiled in accordance with best practice and policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

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.

- 5) The applicant is advised that remediation of any contaminated site is required to a standard such that the site would be suitable for use policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006. This includes the quality of imported soils and soil forming materials. The developer is responsible for the ensuring that development is safe and suitable for use for the intended purpose.
- 6) 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.



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- 7) A public sewer passes through the site. No building may be erected over the sewer or within its easement without the prior written consent of the local authority. Please contact Leeds City Council (Flood Risk Management) to discuss.
- 8) The applicant is informed that a formal footpath diversion is necessary before the development commences which must be equally accessible for disabled people.
- 9) The applicant is advised that greenspace should be provided on site in accordance with Policy G4 of the adopted Core Strategy and should be clearly demonstrated on any submission made for layout and landscaping reserved matters.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Applicants are requested to remove any site notices related to this application from outside the property to which the application relates.

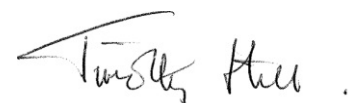
Important Information about Your Planning Permission

Town and Country Planning (Development Management Procedure) (England) Order 2010

This decision notice only relates to the grant of outline planning permission. It does not give any approval or consent which may be needed under any legislation, enactment, bye-laws, order or regulation other than the Town and Country Planning Act 1990 as amended. You may need other approvals, consents or licenses for the development eg reserved matters approval or building regulations approval.

This permission is granted in strict accordance with the approved plans. It should be noted however that:

- (a) A variation from the approved plans following commencement of the development is likely to constitute unauthorised development and may be liable to enforcement action.
- (b) Variation to the approved plans will require the submission of a new planning application.



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This planning permission is granted subject to conditions. Please read the conditions carefully and make sure that you understand what is required to comply with them. It is the responsibility of the owner(s) and the person(s) implementing the development to ensure that the approved plans and these conditions are complied with throughout the development and beyond. Failure to comply with any of the conditions may result in enforcement action.

Conditions which require work to be carried out or details to be approved prior to commencement are very important and are called '**conditions precedent**'.

This means:

- (a) If a condition precedent is not complied with, the whole of the development might be unauthorised and you may be liable to enforcement action.
- (b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify this is by the submission of a new application to obtain a fresh planning permission.

A fee of £97 per request or £28 if the request relates to a householder application is payable to discharge condition(s). The request needs to identify the planning application number and the condition(s) concerned; a form is available from our website www.leeds.gov.uk/planningforms titled Approval of Details application form.

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to grant permission for the proposed development subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990 as amended.

If you want to appeal, you must do so within **six months** of the date of this notice, unless a valid Enforcement Notice exists for the same or substantially the same development. In this case the period for appeal is **28 days** from the date of this notice. You should use a form which you can obtain from www.gov.uk/government/organisations/planning-inspectorate or by email from enquiries@pins.gsi.gov.uk or by phoning 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to do so unless there are special circumstances which excuse the delay in giving notice of appeal.

You must send one copy of the completed form to planning.appeals@leeds.gov.uk or Appeals Administration, Planning Services, Leeds City Council, The Leonardo Building, 2

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Rossington Street, Leeds, LS2 8HD as well as to the Planning Inspectorate at the address on the form.