

Town and Country Planning Act 1990

Grant of Outline Planning Permission

Applicant:	Taylor Wimpey	Application Number:	17/02594/OT
Agent:	Johnson Mowat Mr M Johnson Coronet House Queen Street Leeds LS1 2TW	Date Accepted:	24 April 2017
		Date of Decision:	22 September 2021

Proposed Development At: Land Off Racecourse Approach Wetherby LS22

Proposal: Outline application for 800 dwellings, primary school, convenience store (up to 372 sqm), PoS and landscaping

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
Scale
Appearance
Landscaping

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) The outline consent hereby granted shall be for no more than 800 dwellings.

In order to satisfy the site requirements of the Site Allocations Plan and in the interests of proper planning.

- 5) Prior to the approval of any Reserved Matters, details of a comprehensive Design Brief for application area shall be submitted to and approved in writing by the Local Planning Authority. The Design Brief shall include principles of connectivity into the remaining parts of the wider allocation. Following approval, all Reserved Matters submissions relating to the layout, scale, appearance and landscaping of the site shall accord with the principles and details as set out within the approved Design Brief.

In order to ensure a coherent and comprehensive development of the site is delivered in the interests of proper planning.

- 6) No development shall commence until details of a phasing plan for the permitted site has been submitted to and approved in writing by the Local Planning Authority. The phasing plan shall demonstrate how each phase of the development is to be implemented, including all infrastructure (including Adjoining Site Accesses (as defined in the Section 106 Agreement)), residential development, the retail unit and all associated drainage systems and Greenspace.

In order to ensure that the development is planned in a coordinated way.

- 7) The development hereby permitted shall comprise public open space within the development, including the provision of children's play areas and equipment, in accordance with the requirements of the relevant Core Strategy policy at the time of the Reserved Matters submission. Such details shall also include details of landscaping, how the Greenspace is to remain public in perpetuity and details of its long term maintenance. Each phase of Greenspace should be laid out in accordance with the approved details prior to each phase of the development to which it relates.

In order to meet the requirements of Policy G4 of the Core Strategy (as amended 2019) and/or for the benefits of future residents.

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- 8) a) No retained tree/hedge/bush shall be cut down, uprooted or destroyed nor any tree be pruned, topped or lopped or suffer root severance other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any approved pruning, topping or lopping shall be carried out in accordance with current British Standards and any tree survey approved by the Local Planning Authority.

b) If any retained tree/hedge/bush is removed, uprooted or destroyed or dies the Local Planning Authority shall be notified forthwith in writing. Another tree/hedge/bush of an agreed size and species shall be planted at the same place and at such time, as may be specified in writing by the Local Planning Authority.

Retained tree/hedge/bush refers to vegetation which is to be retained, as shown on the approved plans and particulars, and the condition shall have effect until the expiration of five years from the date of occupation.

To ensure the continuity of amenity afforded by existing vegetation.

- 9) A landscape and woodland management plan, 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 the permitted site. The landscape and woodland management plan shall be carried out as approved.

To ensure successful aftercare of future landscape and woodland management.

- 10) No development shall take place on any phase of the permitted site until an Ecological Design Statement (EDS) relating to the watercourse, swales and Sustainable urban Drainage Systems have been submitted to and approved in writing by the LPA. The EDS shall include the following:

- a) Purpose and conservation objectives for the watercourse and water attenuation areas;
- b) Review of the site potential and constraints;
- c) Detailed design and working methods to achieve the stated objectives;
- d) Extent and location of proposed works on appropriate scale maps and plans
- e) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- f) Persons responsible for implementing the works; and
- g) Details of initial aftercare and long term future maintenance.

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The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

To ensure the protection, retention and enhancement of biodiversity, in accordance with Core Strategy policies G8 and G9 and the National Planning Policy Framework.

- 11) Prior to the commencement of each phase of the permitted site a Construction Environmental Management Plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:
- 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 LPA.

To ensure the protection of existing biodiversity features in accordance with Core Strategy Policy G8, the NPPF, and BS 42020:2013.

- 12) Prior to the commencement of each phase of the permitted site a Biodiversity Enhancement & Management Plan (BEMP) shall be submitted to and approved in writing by the LPA. The Plan shall 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 options for achieving Aims and Objectives;
 - f) Prescriptions for management Actions;

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- g) Preparation of a work schedule (including an annual plan capable of being rolled forward over a 5 year period);
- h) Details of the body or organisation responsible for implementation of the Plan, and;
- i) Ongoing monitoring and remedial measures.

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 company 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 scheme. The approved Plan will be implemented in accordance with the approved details.

To ensure the protection, retention and enhancement of biodiversity, in accordance with adopted Core Strategy policies G8 and G9 and the National Planning Policy Framework.

- 13) No development shall commence for each phase of the permitted site until an updated bat survey and impact assessment has been submitted to and approved in writing by the Local Planning Authority. Once approved, any recommended actions and mitigation measures derived from the survey and impact assessment shall be implemented in full prior to occupation of the relevant phase of the development.

To ensure the protection, retention and enhancement of biodiversity, in accordance with adopted Core Strategy policies G8 and G9 and the National Planning Policy Framework.

- 14) Prior to the commencement of development on each phase of the permitted site, a plan shall be submitted to and approved in writing by the LPA of bat roosting and bird nesting opportunities (for species such as House Sparrow, Starling, Swift, Swallow and House Martin) to be provided within buildings and elsewhere on-site. The agreed Plan shall show the number, specification of the bird nesting and bat roosting features and where they will be located for the relevant phase. All approved features shall be installed prior to first occupation of the dwelling on which they are located and retained thereafter.

In the interests of nature conservation and biodiversity enhancement, in accordance with Core Strategy Policy G8 and the National Planning Policy Framework.

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- 15) No development shall commence on the permitted site until a scheme detailing surface water drainage works, include details of the Sustainable Urban Drainage scheme, has been submitted to and approved in writing by the Local Planning Authority. 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.

The surface water and Sustainable Urban Drainage scheme forms an integral part of the overall design of the development and failure to provide an appropriate scheme would be harmful to interests of flood prevention and sustainable drainage.

- 16) There shall be no discharges of foul water from the permitted site until a foul drainage scheme including details of provision for its future maintenance (e.g. adoption by a Water Company) has been implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

To ensure satisfactory drainage and pollution prevention.

- 17) Notwithstanding the submission of the approved Flood Risk Assessment (FRA) 19/04/2017 / MT/LDS/WDL/P16-362/006 / Morgan Tucker Ltd, no development shall commence until an updated Flood Risk Assessment has been submitted to and approved in writing by the Local Planning Authority with updated and approved flood risk modelling of Sand Beck and agreement to any mitigation measures required to ensure there is no net loss of flood zone capacity. Once approved, the mitigation measures shall be fully implemented prior to occupation of the development hereby permitted.

To reduce the risk of flooding to the proposed development and future occupants.

- 18) Construction in the relevant area(s) of the site shall not commence until works to protect the 4" water main that is laid within the site boundary have been implemented in full accordance with details that have previously been submitted to and approved by the Local planning Authority. No trees shall be planted within 5 metres either side of the water main.

In order to protect the public water supply and ensure access for purposes of maintenance and repair for the statutory undertaker at all times.

- 19) No building or other obstruction including hard landscape features shall be located over or within 3.5 metres either side of the centre line of the 450mm public sewer ie. a protected strip width of 7 metres, that crosses the site. No trees shall be planted within

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3 metres either side of the sewer. If the required stand -off distance is to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been undertaken.

In order to protect the public sewerage and ensure access for purposes of maintenance and repair for the statutory undertaker at all times.

- 20) No development approved by this permission shall be commenced until the Local Planning Authority in consultation with the Ainsty Internal Drainage Board has approved a Scheme for the provision of surface water drainage works. Any such Scheme shall be implemented to the reasonable satisfaction of the Local Planning Authority before the development is brought into use.

To ensure the development is provided with satisfactory means of drainage and to reduce the risk of flooding.

- 21) A feasibility study into the use of infiltration drainage methods shall be submitted to the LPA for approval together with the submission of the final drainage details for the development. The undertaken Study shall include the results of soakaway tests carried out in accordance with the BRE Digest 365 with an appraisal of various infiltration and SuDS based systems that could be reasonable employed at the development site. The results of the Study shall confirm the options for surface water drainage of the development with due consideration for the hierarchy of surface water drainage as set out in the councils Minimum Development Control Standards for Flood Risk.

To ensure sustainable drainage and flood prevention in accordance with NRWLP policy Water 7 and GP5 of the UDP.

- 22) Before development of any phase commences, the detailed SuDS based Drainage Scheme based on the principles of The SUDS Manual (C753) with design criteria as set out within the Councils Minimum Development Control Standards for Flood Risk should be submitted and approved in writing by the Local Planning Authority. The application should provide suitable drainage drawings, summary calculations and results of all investigations detailing the surface water drainage works as set out below. The maximum rate of discharge shall be in line with the drainage strategy as set out within the Morgan Tucker Drainage Feasibility Statement (ref MT/LDS/WDL/P16-362/004 Rev D dated 06/04/17) unless otherwise agreed with the LPA. The works shall

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be implemented in accordance with the approved scheme before the development is brought into use, or as set out in the approved phasing details.
The detailed design drawings, calculations and supporting information shall include the following:

- (i) Model Information (Micro Drainage or similar approved) to include a plan showing pipework model numbering and network details,
- (ii) Results: Summary of Results showing all the modelling criteria and summary network results for critical 1 in 2 year, 1 in 30 year and 1 in 100 year plus 40% CC storm events showing maximum water level, flow and velocity and details of any surface flooding anticipated.
- (iii) A drawing showing the proposed impermeable areas, suitably annotated.
- (iv) Calculations and any supporting survey and investigations to justify and demonstrate the existing and proposed discharge rate.
- (v) Drainage Plan showing drainage layout, manholes including cover and invert levels, proposed levels, pipe sizes and gradients, all on -line controls, on and off line storage structures and outfall details.
- (vi) Plan showing overland exceedance routes in the event of a failure of the drainage system or storm event in excess of the 1 in 100 + 40% CC storm event.
- (vii) Summary Drainage Report setting out the Drainage Strategy and results of the calculations demonstrating compliance with the above.
- (viii) Where third party agreements to construct sewers and to discharge flows are required, then written evidence of these two agreements shall be provided.
- (ix) A timetable for implementation of the drainage works including an assessment of any phasing of the development.
- (x) Demonstrating that adequate water quality of the off- site surface water flows in accordance with the Simplified Index Approach as set out within Section 26 of the SUDS Manual (C753) can be achieved during all phases of the development.
- (xi) Where SUDs are only proposed in part or not at all, then a full justification statement shall be provided to demonstrate why it is not considered appropriate or reasonable.

To ensure sustainable drainage and flood prevention in accordance with NRWLP policy Water 7 and GP5 of the UDP.

- 23) No piped discharge of surface water from the permitted site and any phase shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

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To ensure that the site drained in accordance with sustainable drainage principles and in order to prevent overloading, surface water is not discharged to the foul sewer network.

- 24) No development shall commence for each phase of the permitted site until details of any required compensatory flood storage works have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the location of the works, detailed cross sections, details of the maintenance and long term management and details of their implementation. Once approved, the compensatory flood storage works shall be implemented in accordance with the agreed details.

In the interests of sustainable drainage and visual amenity.

- 25) The approved Phase I Desk Study report indicates that a Phase II Site Investigation is necessary, and therefore development 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 shall not commence until a Remediation Statement demonstrating how the site will be made suitable for the intended use has been submitted to, and approved in writing by, the Local Planning Authority. The Remediation Statement shall include a programme for all works and for 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'.

- 26) 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.

- 27) 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

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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.

- 28) Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, public open space or for filling and level raising shall be tested for contamination and suitability for use. A methodology for testing these soils shall be submitted to, and approved in writing by, the Local Planning Authority prior to these materials being imported onto site. The methodology shall include information on the source of the materials, sampling frequency, testing schedules and criteria against which the analytical results will be assessed (as determined by risk assessment). Testing shall then be carried out in accordance with the approved methodology. Relevant evidence and verification information (for example, laboratory certificates) shall be submitted to, and approved in writing by, the Local Planning Authority prior to these materials being imported onto the site.

To ensure that contaminated soils are not imported to the site and that the development shall be suitable for use.

- 29) No works shall begin on the development until a Statement of Construction Practice has been submitted to and approved in writing by the Local Planning Authority. The Statement of Construction Practice shall include full details of:

- a) the methods to be employed to prevent mud, grit and dirt being carried onto the public highway from the development hereby approved;
- b) measures to control the emissions of dust and dirt during construction;
- c) location of site compound and plant equipment/storage;
- d) details of workforce parking; and
- e) how this Statement of Construction Practice will be made publicly available by the developer.

The approved details shall be implemented at the commencement of work on site, and shall thereafter be retained and employed until completion of works on site. The Statement of Construction Practice shall be made publicly available for the lifetime of the construction phase of the development in accordance with the approved method of publicity.

The carrying out of the development could result in significant harm to highway safety and accordingly details of construction practice is required to be agreed prior to the commencement of works in order to protect such interests.

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- 30) The hours of construction and site deliveries shall be restricted, unless otherwise agreed with the Council, to 08.00hrs to 18.00hrs Monday to Friday and 08.00hrs to 13.00hrs on Saturdays with no works or deliveries taking place on Sundays and Bank Holidays.

In the interests of residential amenity in accordance with saved Leeds UDP Review (2006) policy GP5 and the National Planning Policy Framework.

- 31) No development shall commence until an updated air quality assessment is submitted to and approved in writing by the Local Planning Authority. Once approved, any associated air quality measures that are deemed necessary as a result of air quality related issues shall be implemented in full prior to first occupation of relevant phase of development.

Given the proximity to the A1(M) motorway in the interests of the residential amenity of future occupants.

- 32) No development shall commence until an updated noise survey and noise impact assessment is submitted to and approved in writing by the Local Planning Authority. Once approved, any associated noise mitigation measures that are deemed necessary as a result of noise issues shall be implemented in full prior to first occupation of relevant phase of development.

Given the proximity to the A1(M) motorway and Young Offenders Institute in the interests of the residential amenity of future occupants.

- 33) The development shall not be occupied until a Section 278 Agreement has been entered into and confirmed which secures the required off site highways works, including the following:

- a) Enhancements to Carr Lane, including the carriageway, as well as facilities for pedestrians, cyclists and horses;
- b) Footway / cycleway improvements including crossing facilities between junction 46 of the A1(M) and the northern most Racecourse Approach site access;
- c) All site access works from Racecourse Approach; and
- d) Improvements to York Road, including a footway along the northern flank, west of The Avenue.

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In order provide the required standard of access into the site and to mitigate any associated impact in the interests of highway and pedestrian safety.

- 34) All vehicular roads, footways and cycleways to be approved as part of any future Reserved Matters submissions shall be constructed up to the boundary of the site or any other agreed logical feature in order to facilitate access to other areas of land that form part of the overall allocation within the Site Allocation Plan.

In order to facilitate a comprehensive development and to allow reasonable access to other parts of the overall allocation in the interests of proper planning.

- 35) The retail unit hereby permitted shall not be occupied until details of servicing arrangements and car parking have been submitted to and approved in writing by the Local Planning Authority. Once approved, the servicing and car parking area shall be laid out prior to occupation of the retail unit and thereafter retained.

In the interests of highway safety.

- 36) Building operations shall not commence until a scheme for the provision of charging facilities for electrical battery powered vehicles has been submitted to and approved in writing by the Local Planning Authority. The approved charging facilities shall be provided prior to occupation of the relevant part of the development and thereafter be retained for the lifetime of the development.

In the interests of pollution prevention and in order to accord with the Travel Plan SPD, Saved UDP Review (2006) Policy GP5, Core Strategy Policy EN1 and the National Planning Policy Framework.

- 37) As part of the Reserved Matters submission, details of new pedestrian and cycle routes within the development which connect into the existing bridleway and public footpath network shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the agreed details shall be implemented in full and thereafter retained.

In order to integrate the development into the existing bridleway and public footpath network for the benefit of future occupants and users.

- 38) The details submitted pursuant to condition 2 above shall demonstrate how the development shall comply with Policy H4 of the adopted Core Strategy with regard to achieving an appropriate housing mix.

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To provide a sustainable form of development that meets the requirements of Policy H4 of the Core Strategy.

- 39) As part of the Reserved Matters submission, details and plans of all housetypes shall be submitted to the Local Planning Authority demonstrating compliance where practically possible with the Councils Accessible Housing Standards under Policy H10 of the Core Strategy. Once approved, the development shall be implemented in accordance with the approved details.

In order to achieve accessible homes in accordance with Policy H10 of the Core Strategy.

- 40) As part of the Reserved Matters submissions, all residential development should demonstrate compliance with the Councils Minimum Space Standards as set out within Policy H9 of the Core Strategy (as amended 2019).

In order to provide a satisfactory level of amenity for future occupants.

- 41) Prior to the commencement of above ground works within each phase an updated Sustainability Statement shall be submitted to and approved in writing by the Local Planning Authority, which will include a detailed scheme to demonstrate compliance with Core Strategy Policies EN1 and EN2 or any subsequent relevant policies relating to sustainability of climate change that may supersede these in the future, comprising:

- a) a recycled material content plan (using the Waste and Resources Programme's (WRAP) recycled content toolkit)
- b) a Site Waste Management Plan (SWMP)
- c) an energy plan showing the amount of on-site energy produced by the selected Low and Zero Carbon (LZC) technologies and that it produces a minimum of 10% of total demand
- d) details that demonstrate a minimum of 20% carbon dioxide emissions reduction against Part L of the 2013 Building Regulations,
- e) the implementation of the low water usage target 110 litres/person/day

The development of each phase shall be carried out in accordance with the detailed scheme approved for that phase, and

- f) Within 6 months of the final occupation of each phase a post-construction review statement shall be submitted to the Local Planning Authority including demonstration that the terms of the approved Sustainability Statement have been met.

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The development and buildings comprised therein shall be maintained thereafter and any repairs shall be carried out all in accordance with the approved Sustainability Statement.

In the interests of sustainable development, and in compliance with Core Strategy Policies EN1 and EN2 or any subsequent relevant policies that may supersede these in the future.

- 42) The new primary school shall not be occupied until the relevant certification to show that the development meets BREEAM standard of excellent has been submitted to the local planning authority.

In the interest of producing a sustainable form of development.

- 43) Within 3 months from the date of the outline approval, details of the location of the primary school shall be submitted and approved writing within a period of 16 weeks of submission by the Local Planning Authority. The approved location shall thereafter form the basis of the future Reserved Matters submission.

In order to provide certainty over the location of the school in the interests of proper planning.

- 44) No development shall take place until a programme of archaeological recording has been secured. This recording must be carried out by an appropriately qualified and experienced archaeological consultant or organisation, in accordance with a written scheme of investigation which has been submitted in writing to and approved in writing by the Local Planning Authority. The works shall be implemented in full in accordance with the approved scheme.

To ensure appropriate archaeological recording in accordance with saved Leeds UDP Review (2006) policies N29 and ARC5, and the National Planning Policy Framework.

- 45) No part of the primary school shall be occupied until details of a Community Use Agreement have been submitted to and approved in writing by the Local Planning Authority. The Community Use Agreement should include details of what facilities will be made available, details of marketing and booking arrangements, details of affordability, timescales and availability of facilities and management responsibilities. Once approved, the school shall be operated in accordance with the agreed Community Use Agreement.

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In order to make use of the school land in the interests of sustainability and promoting inclusivity and social integration.

- 46) Prior to the occupation of the Primary School, a School Travel Plan which shall demonstrate measures to encourage alternative modes of transport for staff other than single occupancy of vehicles and include timescales for when those measures shall be put into place, shall be submitted to and approved in writing by the Local Planning Authority. The provisions of the plan, which shall also include procedures for monitoring the uptake of alternative modes of travel and providing evidence of compliance to the Local Planning Authority shall be put into place and thereafter operated in accordance with the approved timescales.

In the interests of amenity and to encourage the use of transport other than single occupancy of a car in accordance with the principles of sustainable transport.

- 47) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and any associated provisions of the Town and Country Planning General Permitted Development Order 2015 (including any future amendment or enactment of those Orders), the Class A use hereby permitted shall be A1 shops only and no other use.

In order for the Local Planning Authority to seek control of the use in the interests of sustainable development.

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

Plan Type	Plan Reference	Received
Access	ITM8252-GA-001C	05.11.2020
Access	ITM8252-GA-002E	05.11.2020
Access	ITM8252-GA-003B	05.11.2020
Access	ITM8252-GA-005C	21.09.2020
Access	ITM8252-GA-016B	28.01.2019
Site Location Plan/Red Line/OS Plan	P16 5043 01A	19.04.2021

For information:-

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- 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 the National Planning Policy framework.
- 2) THIS APPLICATION HAS BEEN DETERMINED BY PANEL RESOLUTION ON 29TH AUGUST 2019.
- 3) 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.
- 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 Yellow Leaflet (CL4) - Residential Development on Land Affected by Contamination

These leaflets can be obtained at www.leeds.gov.uk/contaminatedland

- 5) 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.

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.

- 6) The public footpath/bridleway which crosses/abuts the site should not be closed at any time without the written consent of the Local Highway Authority.

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- 7) This permission does not convey or imply any authority for the applicants to enter on to land not in their ownership or control in order to carry out the development hereby approved.

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 2015

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.

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.

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A fee of £116 per request or £34 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, Merrion House, 110 Merrion Centre, Leeds, LS2 8BB as well as to the Planning Inspectorate at the address on the form.

If you intend to submit an appeal that you would like examined by inquiry, you should notify the Local Planning Authority (planning.appeals@leeds.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) of your intention to appeal a minimum of 10 working days before the appeal is submitted to the Planning Inspectorate.

The notification form and further guidance is available at www.gov.uk/government/publications/notification-of-intention-to-submit-an-appeal