

# **EAST LEEDS ORBITAL ROAD:**

COMPULSORY PURCHASE ORDER &  
SIDE ROADS ORDER  
CORE DOCUMENTS



## **CD 3. ELOR planning permission and related documents**

### **CD 3.1 ELOR Planning Decision Notice and Planning Conditions (ref 17/04351/LA)**

Town and Country Planning Act 1990  
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**Grant of Full Planning Permission**

Applicant:	Leeds City Council	Application Number:	17/04351/LA
Agent:	Mouchel N Kretschmer 2 Mermaid House Puddle Dock London EC4V 3DS	Date Accepted:	18 July 2017
		Date of Decision:	11 December 2017

**Proposed Development At:** Land Between Ring Road Shadwell And Thorpe Park Leeds

**Proposal:** Construction of a dual carriageway orbital route incorporating new roundabouts, cycle and pedestrian bridges, underpass and overbridge; laying out of country park

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

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

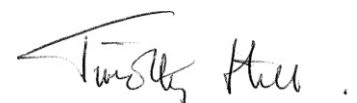
Imposed pursuant to the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

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

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

- a) a Construction Traffic Management Plan which will set out how the phase will be accessed in order to minimise any delay for road users on the local road network
- b) location of site compound and construction workers parking, loading and unloading of all contractors' plant, equipment and materials;



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- c) the methods to be employed to prevent mud, grit and dirt being carried onto the public highway from the development hereby approved;
- d) measures to control the emissions of dust and dirt during construction;
- e) incorporates surface water control measures for any enabling works required
- f) control of construction workers parking in the surrounding area; and
- h) how this Statement of Construction Practice will be made publicly available by the developer.

Notwithstanding the above, construction working hours for the road (including the receipt of deliveries) shall be restricted to the following unless otherwise first agreed in writing by the Local Planning Authority:

08.00 to 18.00 hours Monday to Friday  
08.30 to 13.00 hours on Saturdays  
Not at all on Sundays or Bank Holidays

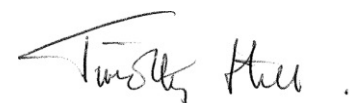
The approved details shall be implemented at the commencement of work on site for the relevant phase, and shall thereafter be retained and employed until completion of works for that phase. The Statement of Construction Practice shall be made publicly available for the lifetime of the construction phase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

In the interests of highway safety, general amenity and to prevent flooding and protect the aquatic environment.

- 4) No works shall begin on any phase of road until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological recording for that phase. 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 and approved in writing by the Local Planning Authority.

To ensure any matters of archaeological interest are accurately recorded as part of the development.

- 5) Notwithstanding the details already provided, no works shall take place on a phase of the road until final detailed design and construction details of the road, including all associated earthworks for that phase have been submitted to and approved in writing by the Local Planning Authority. The proposed works shall be subject to a Stage 2 (detailed design) Road Safety Audit. The audit shall be carried out in accordance with DMBR HD19/15 and shall be submitted to and approved in writing by the Local



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Planning Authority. The relevant phase of road shall be constructed in accordance with the agreed details.

In the interests of highway safety and visual amenity.

- 6) Notwithstanding the details already provided, no works shall begin on any phase of road until final details of the proposed bridge/under-bridge(s) for that phase (and including any specific lighting proposals and security requirements) have been submitted to and approved in writing by the Local Planning Authority. The relevant phase of road shall not be first brought into use until the approved bridge/under-bridge(s) has been installed. The approved bridge/under-bridge(s) shall be retained thereafter.

In order to provide for the needs of non-motorised users and in the interests of visual amenity, user safety and biodiversity.

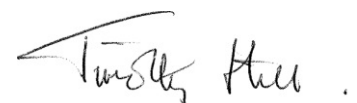
- 7) Notwithstanding the details already provided, no works shall begin on any phase of road until final details of the proposed orbital segregated cycle and pedestrian routes (taking into account the latest guidance where appropriate) for that phase have been submitted to and approved in writing by the Local Planning Authority. The relevant phase of road shall not be first brought into use until the approved cycle and pedestrian routes have been installed. The approved cycle and pedestrian routes shall be retained thereafter.

In order to provide for the needs of pedestrians and cyclists.

- 8) Notwithstanding the details already provided, the section of the road between the A58 and the Ring Road shall not be brought into use until full details relating to the provision of improved bus stop facilities to the existing ring road - southbound carriageway stop (to include a shelter, Real Time Display, and accessibility kerbing) has been submitted to and approved in writing by the Local Planning Authority. The improved bus stop facilities shall be available when this phase of the road as identified on the phasing plan is first brought into use.

To help facilitate the use of public transport options in the area.

- 9) No development shall take place until a phasing strategy including a phasing plan for the construction of the road and associated junctions (including the identified junction improvement works covered by condition Nos. 10 to 14) hereby approved has been submitted to and approved in writing by the Local Planning Authority. The road shall only be constructed in accordance with the agreed phasing strategy.



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In the interests of highway safety and to ensure the efficient delivery of this road infrastructure.

- 10) Notwithstanding the details already provided, no works shall take place until final details relating to the off-site mitigation works at the A58/Wetherby Road/Boggart Hill Drive junction(s), including a timetable for delivery have been submitted to and approved in writing by the Local Planning Authority. The proposed works shall be subject to a Stage 2 (detailed design) Road Safety Audit. The audit shall be carried out in accordance with DMRB HD19/15 and shall be submitted to and approved in writing by the Local Planning Authority. The junction works shall be implemented in accordance with the approved details and the phasing strategy as approved under condition No. 9)

In the interests of highway safety.

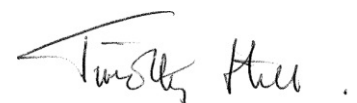
- 11) Notwithstanding the details already provided, no works shall take place until final details relating to the off-site mitigation works at the A64/Scholes Lane junction(s), including a timetable for delivery have been submitted to and approved in writing by the Local Planning Authority. The proposed works shall be subject to a Stage 2 (detailed design) Road Safety Audit. The audit shall be carried out in accordance with DMRB HD19/15 and shall be submitted to and approved in writing by the Local Planning Authority. The junction works shall be implemented in accordance with the approved details and the phasing strategy as approved under condition No. 9)

In the interests of highway safety.

- 12) Notwithstanding the details already provided, no works shall take place until final details relating to the off-site mitigation works at the Leeds Road/Main Street Scholes junction(s), including a timetable for delivery have been submitted to and approved in writing by the Local Planning Authority. The proposed works shall be subject to a Stage 2 (detailed design) Road Safety Audit. The audit shall be carried out in accordance with DMRB HD19/15 and shall be submitted to and approved in writing by the Local Planning Authority. The junction works shall be implemented in accordance with the approved details and the phasing strategy as approved under condition No. 9).

In the interests of highway safety.

- 13) Notwithstanding the details already provided, no works shall take place until final details relating to the signal timing adjustments at A64/Selby Road, A64/Seacroft Hospital West, A64/Seacroft Hospital East, A64/Cross Gates Road/Foundry Lane and A6120/Selby Road/Stile Hill Way junctions, including a timetable for implementation



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have been submitted to and approved in writing by the Local Planning Authority. The signal timing adjustments shall be implemented in accordance with the approved details and the phasing strategy as approved under condition No. 9).

In the interests of highway safety.

- 14) Prior to commencement of development works on the site, details of improvements to M1 junction 46, as illustrated in principle on WSP drawings 172071-MOU-T00-XXDR-T-0002 and 172071-MOU-T00-XX-DR-T-0003 (both dated 24/08/17), shall be submitted to and approved in writing by the Local Planning Authority. The proposed works shall be subject to a Stage 2 (detailed design) Road Safety Audit which shall be carried out in accordance with DMRB HD19/15 and submitted to and approved in writing by the Local Planning Authority.

In the interests of safety and the free flow of traffic on the M1 and its junctions.

- 15) Prior to the road hereby approved being first brought into use the required improvements to M1 junction 46 (as secured by condition No. 14) shall be completed to the satisfaction of the Local Planning Authority.

In the interests of safety and the free flow of traffic on the M1 and its junctions.

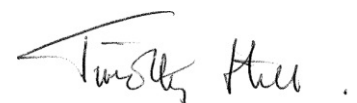
- 16) Stage 4 (monitoring) Road Safety Audits shall be carried out using 12 months and 36 months of accident data from the time the improvements works (as set out in Condition No. 14) become operational. The Audits shall be carried out in accordance with DMRB HD19/15 and shall be submitted to and approved in writing by the Local Planning Authority.

In the interests of safety and the free flow of traffic on the M1 and its junctions.

- 17) No phase of the road shall have its top, wearing surface laid until details for the specification of this material has been submitted to and approved in writing by the Local Planning Authority. The road shall be surfaced in accordance with the agreed details.

In the interests of visual, residential amenity and highway safety.

- 18) The road hereby approved shall not be brought into use until details relating to a monitoring scheme for the Red Hall Lane junction (E) with the A58 and visibility splay to be provided at the Red Hall Lane (E) arm have been submitted to and approved in



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writing by the Local Planning Authority. Monitoring shall take place in accordance with the agreed details.

In the interests of highway safety.

- 19) Notwithstanding the details already provided, no works shall take place on a phase of the road that includes road closure(s) until final details relating to the road closure(s) within that phase have been submitted to and approved in writing by the Local Planning Authority. Any required road closure shall only take place in accordance with the agreed details.

In the interests of highway safety and visual amenity.

- 20) Notwithstanding the information already provided, no works shall begin on any phase of the development until full details relating to the external lighting within that phase have been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be installed and retained thereafter in accordance with the approved details.

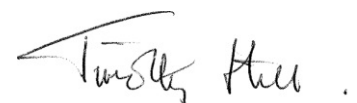
In the interests of residential amenity, highway safety and for biodiversity reasons.

- 21) No piped discharge of surface water from any phase of the road shall take place until works to provide a satisfactory outfall for that phase, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network.

- 22) No works shall begin on any phase of road until the means by which the public water supply and public sewerage infrastructure that is laid within the site boundary will be protected during that phase of the development have been submitted to and approved in writing by the Local Planning Authority. If the required protection measures are to be achieved via diversion or closure of the infrastructure, appropriate evidence shall be submitted to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker. Furthermore, prior to construction in the affected area(s), evidence shall be submitted and approved by the Local Planning Authority that the approved works have been undertaken in accordance with the approved details.

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



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- 23) Notwithstanding the details already provided, no works shall begin on any phase of road until a drainage scheme (ie drainage drawings, summary calculations and investigations) detailing the surface water drainage works for that phase 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 that phase of the development is first brought into use, or as set out in the approved phasing details.

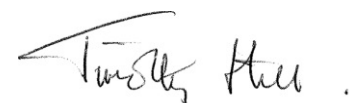
To ensure sustainable drainage and flood prevention.

- 24) Notwithstanding the details already provided, no works in connection with the phase of road that crosses over Cock Beck shall be undertaken until full details of landscaping and in channel treatment for the provision and management of geomorphology and compensatory habitat creation have been submitted to and approved in writing by the Local Planning Authority. The agreed measures shall be implemented in full as part of this phase of the road.

To ensure that appropriate mitigation measures are put in place, so that the development does not result in unacceptable impacts to the geomorphological and ecological environment.

- 25) No works shall begin on any phase of road until an Ecological Design Statement (EDS) that addresses adverse impacts on bats commuting and foraging within that phase and including an assessment of any adjacent land as necessary has been submitted to and approved in writing by the Local Planning Authority. The EDS shall include the following:

- a) Purpose and conservation objectives for the proposed works.
- b) Review of the site potential and constraints.
- c) Detailed design and working methods to achieve the stated objectives to include the Design Considerations in 5.3.1 of the Appendix 11B Bat Survey Report dated March 2017 by Mouchel.
- d) Extent and location of proposed works on appropriate scale maps and plans to include Locations 1-6 inclusive shown on Figure 11.2 of the Bat Survey Report dated March 2017 by Mouchel.
- e) Type and source of materials to be used e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and maintenance.



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- i) Details for monitoring and remedial measures.

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

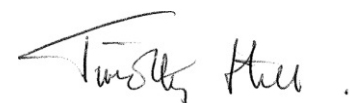
To ensure no adverse impact on a protected species

- 26) No works shall begin on any phase of the development until a Construction Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The CEMP 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) Responsible persons 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 for that phase, unless otherwise first agreed in writing by the Local Planning Authority.

To ensure the protection of existing biodiversity features.

- 27) No works shall begin on any phase of the development until a Biodiversity Enhancement & Management Plan (BEMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. 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
  - g) Preparation of an annual work schedule (to cover a 5 year period)



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- h) Details of the body or organisation responsible for implementation of the Plan
- i) Ongoing monitoring and remedial measures
- j) For the first 5 years of the BEMP, an annual progress report sent to the Local Planning Authority reporting on progress of the annual work schedule and recommendations for the next 12 month period
- k) The Plan will be reviewed and updated every 5 years and implemented for perpetuity

The Plan shall include details of the mechanisms by which the long-term implementation of the Plan will be secured with the management body/organisation responsible for its delivery. The Plan shall also set out (where the results from the monitoring show that the Aims and Objectives of the BEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the Objectives of the originally approved scheme. The approved Plan will be implemented in accordance with the approved details.

To ensure the enhancement of biodiversity.

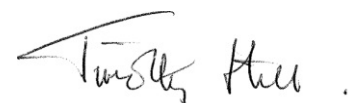
- 28) No works shall begin on any phase of the development until a Method Statement for the control and eradication of Himalayan Balsam and Japanese Knotweed (hereafter referred to as the Target Species) for that phase has been submitted to and approved in writing by the Local Planning Authority. The Method Statement will include post-treatment monitoring of the site to ensure a continuous 12-month period of time occurs where none of the Target Species are identified growing within that phase, if any Target Species is identified as growing within the phase during the 12-month monitoring period then treatment shall resume and continue until a continuous 12-month period with no Target Species occurs. The agreed Method Statement shall thereafter be implemented in full for that phase.

To control the spread of invasive plant species.

- 29) No works shall begin on any phase of road until a plan showing dedicated bat roosting features for that phase (if applicable) has been submitted to and approved in writing by the Local Planning Authority. The agreed plan shall show the number, specification of the bat roosting features and where and when they will be located, together with a commitment to being installed and/or inspected by an appropriately qualified bat consultant and be implemented in accordance with the approved details.

To maintain and enhance bat activity within the area.

- 30) a) No works within a phase of the development shall commence until all existing trees, hedges, bushes shown to be retained within that phase are fully safeguarded by



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protective fencing and ground protection in accordance with approved plans and specifications and the provisions of British Standard 5837 (2012) Trees in relation to design, demolition and construction, unless otherwise agreed in writing by the Local Planning Authority. Such measures shall be retained for the duration of construction activity.

b) No works or development shall commence within a phase of the development until a written arboricultural method statement for a tree care plan for that phase has been submitted to and approved in writing by the Local Planning Authority. Works or development shall then be carried out in accordance with the approved method statement.

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

d) Seven days written notice shall be given to the Local Planning Authority that the protection measures for a particular phase of the development are in place prior to construction activity taking place, to allow inspection and approval of the works.

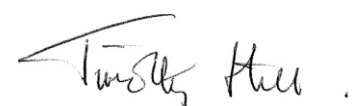
To ensure the protection and preservation of trees, hedges, bushes and other natural features during construction works in that phase.

- 31) Notwithstanding the details already provided, no works on any phase of the development shall taken place until a written arboricultural method statement for a tree care plan during construction in accordance with British Standard S5837 (2012) Trees in relation to design, demolition and construction for that phase has been submitted to and approved in writing by the Local Planning Authority. Works or development shall then be carried out in accordance with the approved method statement.

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

- 32) Notwithstanding the details already provided, no works shall begin on any phase of the development until full details of both hard and soft landscape works, including an implementation programme for that phase 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,



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- (b) boundary details and means of enclosure,
- (c) access and circulation areas,
- (d) hard surfacing areas (e.g. surfacing materials),
- (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
- (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.

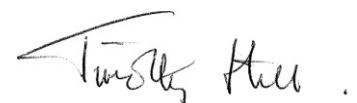
All hard and soft landscaping works shall be carried out in accordance with the approved details, approved implementation programme and British Standard BS 4428:1989 Code of Practice for General Landscape Operations. The developer shall complete the approved landscaping works and confirm this in writing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

To ensure the provision and establishment of acceptable landscape.

- 33) A landscape management plan for each phase of the development, 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 that phase of the development being first brought into use (be that the road or any associated publicly accessible areas). The landscape management plan shall be carried out as approved.

To ensure successful aftercare of landscaping.

- 34) Notwithstanding the details already provided, no works shall take place on a phase of the road until further site investigation works for that phase have been submitted to and approved in writing by the Local Planning Authority. The investigation works shall address the following matters:
- a) The submission of a scheme of further intrusive site investigations for approval;
  - b) The undertaking of that scheme of intrusive site investigations;
  - c) The submission of a report of findings arising from the intrusive site investigations;
  - d) The submission of a scheme of any required remedial works for approval; and
  - e) Implementation of those remedial works.



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The relevant phase of road shall be constructed in accordance with the agreed details.

To ensure the stability of the development.

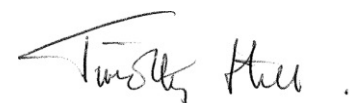
- 35) Notwithstanding the information already provided, no works in connection with the formation of any publicly accessible amenity space within a particular phase of the development shall take place until a Phase I Desk Study for that phase has been submitted to, and approved in writing by, the Local Planning Authority and:
- (a) Where the approved Phase I Desk Study indicates that intrusive investigation is necessary, development in the relevant phases shall not commence until a Phase II Site Investigation Report has been submitted to, and approved in writing by, the Local Planning Authority,
  - (b) Where remediation measures are shown to be necessary in the Phase I/Phase II Reports and/or where soil or soil forming material is being imported to site, development in the relevant phase 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.

- 36) If remediation within a phase is unable to proceed in accordance with the approved Remediation Statement for that phase, 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.

- 37) Any soil or soil forming materials brought to site for a particular phase of the road and associated landscape areas (including the country park) for use in 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 for that phase shall be submitted to, and approved in writing by, the Local Planning Authority prior to these



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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 for the relevant phase.

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

- 38) Remediation works shall be carried out in accordance with the approved Remediation Statement for that phase. On completion of those works, the Verification Report(s) shall be submitted to the Local Planning Authority in accordance with the approved programme agreed as part of the Remediation Statement. 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.

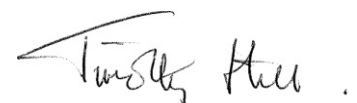
- 39) No works shall take place within 50m of the Scheduled monument boundary to the Barnbow First World War munitions factory site until a detailed mitigation strategy has been submitted to and approved in writing by the Local Planning Authority. The agreed mitigation shall be undertaken as approved as part of the construction of the road adjacent to the scheduled monument and shall be retained thereafter.

To help mitigate the impact of the road on this scheduled monument.

- 40) No works shall take place within 50m of the Grade II listed Pigeon House at Red Hall until a mitigation scheme to address the impacts of the construction and operation of the road has been submitted to and approved in writing by the Local Planning Authority. The agreed mitigation shall be undertaken as approved as part of the construction of the road adjacent to the Pigeon House and any specific setting enhancements shall be retained thereafter for as long as the Pigeon House remains.

To help preserve the historic fabric and future of the building and ensure an appropriate setting is provided as part of the road proposal.

- 41) Notwithstanding the information provided, no works shall begin on any phase of the road until full details of a scheme to protect existing and future occupiers from road



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noise associated with that phase have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed as approved prior to that phase of the road being first brought into use and shall be retained thereafter. For the avoidance of doubt, consideration of future occupiers relates to those households which will come forward as part of the East of Leeds Extension UDPR housing allocation and the basic assessment criteria and approach to noise mitigation shall be in accordance with that set out in the submitted Environmental Statement.

In the interests of residential amenity.

- 42) No right of way diversion works relating to the routes along and linking into Wood Lane shall take place until details for the re-surfacing proposal for Wood Lane itself have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be undertaken in advance of any diversion works taking place or in accordance with an alternative timescale if first agreed in writing by the Local Planning Authority.

In the interests of providing a better route for users in recognition that future usage is likely to increase as a result of the development.

- 43) On completion of road hereby approved, a Bat Foraging and Commuting Monitoring Strategy shall be submitted to and agreed in writing by the Local Planning Authority. The Strategy will:
- a) adhere to the Bat Conservation Trusts Good Practice Guidelines 2016;
  - b) include both sides of the road at all 6 Locations shown in Figure 11.2 of the Bat Survey Report dated March 2017 by Mouchel;
  - c) cover a 3 year period.
  - d) put forward remediation measures where the monitoring results show that additional mitigation measures are required.

The approved strategy will be implemented in full.

To ensure long-term safeguarding of a protected species (bats).

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**Plans Schedule** - as referred to in Condition No. 2 above:-

<b>Plan Type</b>	<b>Plan Reference</b>	<b>Received</b>
Site Location Plan/Red Line/OS Plan	ELOR-MOU-GEN-XX-DR-A-0016	18.07.2017
Block Plan/Layout Plan	ELOR-MOU-GEN-XX-DR-A-0011	18.07.2017
Block Plan/Layout Plan	ELOR-MOU-GEN-XX-DR-A-0012	18.07.2017
Block Plan/Layout Plan	ELOR-MOU-GEN-XX-DR-A-0013	18.07.2017
Block Plan/Layout Plan	ELOR-MOU-GEN-XX-DR-A-0014	18.07.2017
Block Plan/Layout Plan	ELOR-MOU-GEN-XX-DR-A-0017	18.07.2017
Other	ELOR-MOU-H00-XX-DR-C-0001	18.07.2017
Other	ELOR-MOU-H00-XX-DR-C-0002	18.07.2017
Other	ELOR-MOU-H00-XX-DR-C-0003	18.07.2017
Other	ELOR-MOU-H00-XX-DR-C-0004	18.07.2017
Other	ELOR-MOU-H00-XX-DR-C-0005	18.07.2017
Other	ELOR-MOU-H00-XX-DR-C-0006	18.07.2017
Other	ELOR-MOU-H00-XX-DR-C-0007	18.07.2017
Other	ELOR-MOU-H00-XX-DR-C-0008	18.07.2017
Other	ELOR-MOU-H00-XX-DR-C-0009	18.07.2017
Other	ELOR-MOU-H00-XX-DR-C-0010	18.07.2017
Other	ELOR-MOU-H00-XX-DR-C-0011	18.07.2017
Other	ELOR-MOU-H03-XX-DR-C-0001	18.07.2017
Other	ELOR-MOU-H03-XX-DR-C-0002	18.07.2017
Other	ELOR-MOU-H03-XX-DR-C-0003	18.07.2017
Other	ELOR-MOU-H03-XX-DR-C-0004	18.07.2017
Other	ELOR-MOU-H03-XX-DR-C-0005	18.07.2017
Other	ELOR-MOU-H03-XX-DR-C-0006	18.07.2017
Other	ELOR-MOU-H03-XX-DR-C-0007	18.07.2017
Other	ELOR-MOU-H03-XX-DR-C-0008	18.07.2017
Landscape Scheme	ELOR-MOU-ELS-XX-DR-L-0001	18.07.2017
Landscape Scheme	ELOR-MOU-ELS-XX-DR-L-0002	18.07.2017
Landscape Scheme	ELOR-MOU-ELS-XX-DR-L-0003	18.07.2017
Landscape Scheme	ELOR-MOU-ELS-XX-DR-L-0004	18.07.2017
Landscape Scheme	ELOR-MOU-ELS-XX-DR-L-0005	18.07.2017
Landscape Scheme	ELOR-MOU-ELS-XX-DR-L-0006	18.07.2017
Landscape Scheme	ELOR-MOU-ELS-XX-DR-L-0007	18.07.2017
Landscape Scheme	ELOR-MOU-ELS-XX-DR-L-0008	18.07.2017

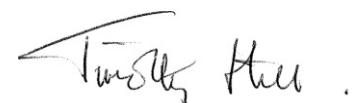


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Proposed Elevations and Floor Plans	1072071-MOU-SBR-01-DE-Z-1700-01	18.07.2017
Proposed Elevations and Floor Plans	1072071-MOU-SBR-03-DE-Z-1700-01	18.07.2017
Proposed Elevations and Floor Plans	1072071-MOU-SBR-04-DE-Z-1700-01	18.07.2017
Proposed Elevations and Floor Plans	1072071-MOU-SBR-05-DE-Z-1700-01	18.07.2017
Proposed Elevations and Floor Plans	1072071-MOU-SBR-06-DE-Z-1700-01	18.07.2017
Sections/Cross Sections	ELOR-MOU-ELS-XX-DR-E-0070	18.07.2017
Sections/Cross Sections	ELOR-MOU-ELS-XX-DR-E-0071	18.07.2017
Sections/Cross Sections	ELOR-MOU-ELS-XX-DR-E-0072	18.07.2017
Sections/Cross Sections	ELOR-MOU-ELS-XX-DR-E-0073	18.07.2017
Drainage Plan	1072071-MOU-H05-XX-RP-D-0002	18.07.2017
Other	1072071-MOU-EAC-XX-RP-A-0001	18.07.2017

**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) The applicant is reminded of the need to obtain Scheduled Monument Consent for all works affecting the Barnbow First World War munitions factory site over and above the requirements outlined in condition No. 39.
- 3) The applicant is advised that in order to satisfy the requirements of condition No. 15 these works need to be procured via a Section 278 Agreement with Highways England and would require a Stage 3 (completion of construction) Road Safety Audit. The Audit shall be carried out in accordance with DMRB HD19/15 and needs to be approved in writing by the Local Planning Authority.
- 4) The applicant is advised that in seeking to discharge condition No. 23 the drainage strategy shall follow the recommendations as contained within the submitted Flood Risk Assessment. In addition, a feasibility study into the use of infiltration drainage methods shall also be undertaken. The study should contain the results of soakaway tests carried out in accordance with BRE Digest 365 and an appraisal of various infiltration systems that could reasonably be employed on the site which shall then inform the detailed drainage strategy.



**Tim Hill**  
**Chief Planning Officer**

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- 5) The applicant is reminded of the following requirements when seeking to develop the detailed design for the bridge/underbridge features required under condition No. 6:
- a) All bridge structures to be positioned outside of the assessed 1 in 100 year flood extent, taking the impacts of climate change into account (based on a 20% increase in flows as a climate change factor).
  - b) Soffit levels of the bridge deck to be set no lower than 71mAOD, as per the FRA and Figure 2 of Environmental Statement Appendix 16E - Cock Beck Diversion Modelling.
- 6) The applicant is provided with the following advice which has been provided by the Environment Agency (EA):

#### Water Framework Directive

The applicant will need to ensure that it can demonstrate adherence to 'best practice' with regard to the Water Framework Directive (WFD). The EA will consider WFD implications when assessing future details in respect of the above conditions and also through the Environmental Permitting Regime.

#### Sediment Impacts on Water Quality

The EA considers that enough information has been submitted to consider the proposals acceptable from a planning perspective. The proposals to discharge surface water will require an environmental permit, including during the construction phase, when sediment issues tend to be most prevalent. The applicant should refer to further details at the following link:

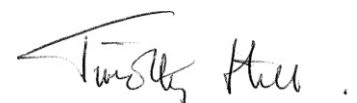
<https://www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits>.

#### Dust Suppression and Water Abstraction

It is noted that dust suppression will be needed at site. If the water used isn't from a mains supply then an abstraction licence may be required. If it is intended to abstract more than 20 cubic metres of water per day from a surface water source (e.g. stream or drain) or from underground strata (via borehole or well) for any particular purpose then an abstraction licence will be needed. There is no guarantee that a licence will be granted as this is dependent on available water resources and existing protected rights. The applicant should refer to further details at the following link:

<https://www.gov.uk/topic/environmental-management/water>.

#### Flood Risk Activity Permit



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This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the EA for any proposed works or structures, in, under, over or within eight metres of the top of the bank of the Cock Beck, designated a 'main river'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website:

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

- 7) All reports addressing land contamination should be compiled in accordance with best practice.

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

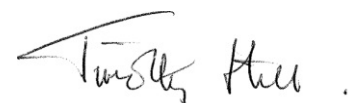
These leaflets can be obtained at [www.leeds.gov.uk/contaminatedland](http://www.leeds.gov.uk/contaminatedland)

- 8) 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.

- 9) The applicant is advised that remediation of any contaminated site is required to a standard such that the site would be suitable for use. 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.
- 10) In seeking to discharge the requirements of condition No. 41, the applicant should follow the relevant assessment criteria as set out in the submitted Environmental Statement that accompanies the planning application.



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The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

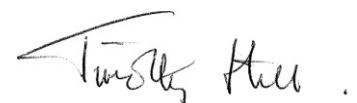
Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com) or a similar service provider.

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

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.



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

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- (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](http://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](http://www.gov.uk/government/organisations/planning-inspectorate) or by email from [enquiries@pins.gsi.gov.uk](mailto: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](mailto:planning.appeals@leeds.gov.uk) or Appeals Administration, Planning Services, Leeds City Council, The Leonardo Building, 2 Rossington Street, Leeds, LS2 8HD as well as to the Planning Inspectorate at the address on the form.