

Town and Country Planning Act 1990

Grant of Full Planning Permission

Applicant:	White Rose AcademiesTrust	Application Number:	23/05545/FU
Agent:	Lichfields 3rd Floor 15 St Pauls Street Leeds LS1 2JG	Date Accepted:	12 September 2023
		Date of Decision:	26 March 2024

Proposed Development At: Leeds City Academy Woodhouse Cliff Woodhouse Leeds LS6 2LG

Proposal: Construction of a two-storey rear extension to provide additional teaching facilities, construction of single storey extension to dining hall, new hard surfaced sports pitches/playing areas, new substation, improvements to car parking and associated works. (Previously proposed artificial pitch is now omitted from the scheme).

Plans and specifications that this decision is based on:

Plan Type	Plan Reference	Received
Roof Plan	LCA-WBA-XX-RF-DR-A-PL_205	12.09.2023
Floor Plans	LCA-WBA-XX-00-DR-A-PL_202	12.09.2023
Levels	LCA-WBA-XX-ZZ-DR-A-PL_209P1	12.09.2023
Roof Plan	LCA-WBA-XX-RF-DR-A-PL_204	12.09.2023
Arboricultural Survey		23.01.2024
Arboricultural Survey	tree constraints plan	12.01.2024
Other	11225-FPCR-XX-XX-DR-L-0005P11	05.03.2024
Other	11225-FPCR-XX-XX-DR-L-0007P11	05.03.2024
Sections/Cross Sections	150mm porous section	23.01.2024
Other	11225-FPCR-XX-XX-SP-L-0002 P02landscape management	23.01.2024
Other	LCA-ACE-00-XX-DR-C-03401P4	23.01.2024
Other	LCA-ACE-00-ZZ-DR-C-3400P3	23.01.2024
Landscape Scheme	11225-FPCR-XX-XX-DR-L-0001P22	05.03.2024
Sections/Cross Sections	11225-FPCR-XX-XX-DR-L-0010P02	05.03.2024
Site Location Plan/Red Line/OS Plan	LCA-WBA-XX-XX-DR-A-PL_001 P2P2	12.09.2023
Block Plan/Layout Plan	LCA-WBA-XX-XX-A-PL_002P4	25.03.2024
Proposed Elevations and Floor Plans	LCA WBA SI XX DR A 90-103P01	25.03.2024
Proposed elevation(s)	LCA-WBA-XX-XX-DR-A-PL_207	12.09.2024

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Proposed elevation(s)	LCA-WBA-XX-XX-DR-A-PL_208P1	12.09.2024
Proposed elevation(s)	LCA-WBA-XX-ZZ-DR-A-PL_206P1	25.03.2024
Proposed floor plan(s)	LCA-WBA-XX-XX-DR-A-PL_200LCA- WBA-XX-XX-DLCA-WBA-XX-XX-DR- LCA-WBA-XX-XX-DR-A-PL_200A- PL_200R-A-PL_200	12.09.2023

Full 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 and Specifications above.

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

- 3) Development (excluding demolition) shall not commence until a Phase I Desk Study 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 (excluding demolition) 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 (excluding demolition) shall not commence until a Remediation Strategy 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 Strategy shall include a programme for all works and for the provision of Verification Reports.

It is strongly recommended that all reports are prepared and approved by a suitably qualified and competent person.

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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' with respect to land contamination.

- 4) If remediation is unable to proceed in accordance with the approved Remediation Strategy, or where significant unexpected contamination is encountered, or where soil or soil forming material is being imported to site, the Local Planning Authority shall be notified in writing immediately and operations on the affected part of the site shall cease. The affected part of the site shall be agreed with the Local Planning Authority in writing. An amended or new Remediation Strategy and/or Soil Importation Strategy 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 Strategy. Prior to the site being brought into use, where significant unexpected contamination is not encountered, the Local Planning Authority shall be notified in writing of such.

It is strongly recommended that all reports are prepared and approved by a suitably qualified and competent person.

To ensure that any necessary remediation works are identified to make the site 'suitable for use' with respect to land contamination.

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

It is strongly recommended that all reports are prepared and approved by a suitably qualified and competent person.

To ensure that the remediation works are fully implemented as agreed and the site has been demonstrated to be 'suitable for use' with respect to land contamination.

- 6) Notwithstanding the approved details, works above the ground floor slab level shall not commence until full details of cycle/motorcycle parking and facilities have been submitted to and approved in writing by the Local Planning Authority. The approved cycle/motorcycle parking and facilities shall be provided prior to first occupation of the development and retained thereafter for the lifetime of the development.

In the interests of highway safety and promoting sustainable travel opportunities.

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- 7) Development shall not be occupied until all areas shown on the approved plans to be used by vehicles, including roads, footpaths, cycle tracks, loading and servicing areas and vehicle parking space have been fully laid out, surfaced and drained such that loose materials and surface water does not discharge or transfer onto the highway. These areas shall not be used for any other purpose thereafter.

To ensure the free and safe use of the highway.

- 8) The development hereby approved shall not be occupied until the approved Electric Vehicle Charging Points, cable enabled spaces and associated infrastructure have been provided. The facilities shall thereafter be retained and maintained as approved for the lifetime of the development.

In the interest of promoting low carbon transport.

- 9) Development shall not commence 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 construction vehicle routing, means of access, location of site compound, storage and parking (including workforce parking), means of loading and unloading of all contractors' plant, equipment, materials and vehicles and associated traffic management measures.

b) Methods to prevent mud, grit and dirt being carried on to the public highway from the development hereby approved.

c) Measures to control the emissions of dust and dirt during construction.

d) How the statement of construction practice will be made publicly available by the developer.

The approved details shall be implemented at the commencement of works on site and shall thereafter be retained and employed until completion of the works on site. The Statement on 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 the amenities of local residents and highway safety, and accordingly details of construction practice is required to be agreed prior to commencement of works in order to protect such interests.

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- 10) Prior to the commencement of development, a Plan shall be submitted to and approved in writing by the local planning authority of: integral bat roosting and integral bird nesting features (for species such as House Sparrow and Swift) within buildings. Features that are not integral will only be considered for approval if an appropriately qualified ecologist provides assurance that, following discussions with the building architect, integral features are not possible. The agreed Plan shall show the number, specification of the bird nesting and bat roosting features and where they will be located, together with a timetable for implementation and commitment to being installed under the instruction of an appropriately qualified bat consultant. All approved features shall be installed prior to first occupation of the dwelling on which they are located and retained in the manner as approved thereafter.

To maintain and enhance biodiversity in accordance with Core Strategy Policy G9, NPPF, and BS 42020:2013.

- 11) Prior to first use of the building written confirmation of integral bat roosting and/or integral bird nesting features will be submitted to the local planning authority. This should include photographs of features in-situ and a written statement that all features have been installed as per the agreed specifications and locations.

To maintain and enhance biodiversity in accordance with Core Strategy Policy G9, NPPF, and BS 42020:2013

- 12) The approved external extract ventilation system/air conditioning plant shall be installed and maintained in accordance with the approved details prior to the first occupation / use of the building. The system shall limit noise to a level no higher than the existing background noise level (L90) when measured at noise sensitive premises, with the measurements and assessment made in accordance with BS4142:2014. The rating level shall include the addition of any character corrections as appropriate. If the character is unknown at the design stage or cannot be evidenced then a penalty of 5dB should be applied to take into account of potential corrections. The system shall be installed and maintained in accordance with the approved details and retained for the lifetime of the development.

In the interests of visual and residential amenity.

Hot food uses will often require an extract ventilation system to deal with odour and fumes. Guidance on suitable design is provided in DEFRA guidance at: <http://www.defra.gov.uk/publications/files/pb10527-kitchen-exhaust-0105.pdf>

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- 13) Prior to the development being brought into use, a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The Scheme shall include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon commencement of use of the development.

To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport.

- 14) Prior to the commencement of development 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 to BS 5837:2012, 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 local planning authority.

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

- 15) Prior to the commencement of development a Landscape & Biodiversity Net Gain Management Plan shall be submitted to and approved in writing by the local planning authority. The Plan shall deliver a minimum of 6.67 Habitat Units on land identified in the Ecological Impact Assessment Scoping Report, 19638/AuB REV 2, dated 20/08/23, by JCA Limited and include details of the following:
- a) Description of features to be managed to include Baseline Metric calculations of Biodiversity Units with Condition assessments and UKHab mapping
 - b) Extent and location/area of proposed features and Biodiversity Units on scaled maps and plans using UKHab mapping, with Target Condition assessments and Metric calculations
 - c) Ecological trends and constraints on site that might influence management

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- d) Aims and Objectives of management to include Target Biodiversity Units and Target Condition Criteria
- e) Appropriate management Actions for achieving Aims and Objectives
- f) A dated Annual Work Programme (to cover the initial 5 year period)
- g) Details of the specialist ecological management body/organisation responsible for implementation of the Plan
- h) How the Plan is to be funded and confirmation from the landowner that it can be delivered
- i) For each of the first 5 years of the Plan, a progress report sent to the LPA, within 3 months of each year being completed, by an appropriately qualified ecological consultant reporting on progress of the Annual Work Programme and confirmation of required Actions for the next 12 month period
- j) Confirmation that habitat monitoring will be carried out in years 1, 3, 5,10, 20 and 30 and how this will be funded
- k) The Plan shall set out how contingencies and/or remedial action will be identified, agreed and implemented when necessary
- l) The Plan will be reviewed and updated every 5 years and implemented for the lifetime of the development
- m) The approved Plan will be implemented in full accordance with the approved details.

To ensure the long-term protection and enhancement of biodiversity in accordance with Core Strategy Policy G8 and G9, NPPF and BS 42020:2013.

- 16) Development shall not be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall comprise measures to encourage alternative modes of transport for (staff/residents/customers) other than single occupancy of vehicles, including timescales for when those measures shall be put into place and procedures for monitoring the uptake of alternative modes of travel and providing evidence of compliance. The Travel Plan shall be fully implemented and operated in accordance with the agreed timescales.

In the interests of encouraging transport other than single car occupancy in accordance with sustainable transport principles.

- 17) a) No works shall commence (including any demolition, site clearance, ground works or drainage etc.) until all existing trees, hedges and vegetation shown to be retained on the approved plans are fully safeguarded by protective fencing and ground protection in accordance with approved plans (as approved pursuant to b) below) and the 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. NOTE: safeguarding includes any ground areas intended for

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Structural Planting (clause 6.2 of BS5837) and only the BS5837 default barrier with the scaffold framework shall be employed. A fully dimensioned tree protection plan drawing shall be included in the submission. Such measures shall be retained for the full duration of any demolition and/or approved works.

b) No works or development shall commence until a written Arboricultural Method Statement (AMS) in accordance with BS5837 for a tree care plan has been submitted to and approved in writing by the Local Planning Authority. Works shall then be carried out in accordance with the approved method statement. The AMS shall include a Site Supervision Schedule i.e. a list of site visits and the operational specifics related to trees for the full construction duration. The AMS shall include for reporting back to the Local Planning Authority immediately after each site supervision intervention (written & photographic).

NOTE - this item cannot be discharged until the last supervision visit report is submitted.

c) Evidence shall be submitted, such as a written appointment (including site specifics), that confirms that a qualified Arboriculturist/competent person has been appointed to carry out this Arboricultural monitoring/supervision.

d) Seven days written notice shall be given to the Local Planning Authority that the protection measures are in place prior to demolition/ approved works commencing, to allow inspection and approval of the protection measures as implemented on site.
NOTE - this item cannot be discharged until post inspection approval is confirmed.

e) 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/drainage, without the prior written approval of the Local Planning Authority.

To ensure the protection and preservation of trees and vegetation during construction works, in accordance with Leeds City Council policies.

- 18) The development hereby permitted shall not be occupied until full details of both hard and soft landscape works, including a dated implementation programme (inclusive of any phasing), have been submitted to and approved in writing by the Local Planning Authority. Hard landscape works shall include
- (a) proposed finished levels and/or contours,
 - (b) boundary details, means of enclosure and retaining structures,
 - (c) car parking layouts,
 - (d) other vehicle and pedestrian access and circulation areas,
 - (e) hard surfacing areas,

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- (f) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.),
- (g) existing trees with Root Protection Areas (RPAs) and all other retained vegetation. Soft landscape works shall include
- (h) planting plans (display existing trees with Root Protection Areas (RPAs) and all other retained vegetation),
- (i) written specifications (including soil depths, cultivation and other operations associated with plant and grass establishment) and
- (j) schedules of plants noting species, planting sizes, root packaging and proposed numbers/densities,
- (k) drainage proposals.

All hard and soft landscaping works shall be carried out in accordance with the approved details, approved implementation programme, British Standard BS 4428:1989 (Code of Practice for General Landscape Operations) and in accordance with Leeds City Council website landscape guidance under "Landscape Planning and Development". The landscaping works shall be maintained in accordance with the approved details for the lifetime of the development.

To ensure the provision and establishment of acceptable landscaping.

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

To ensure maintenance of a healthy landscape scheme.

- 20) Within 5 years of occupation, no approved retained tree/hedge/bushes 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 (LPA). In the event of any such works being carried out without having first sought and received written approval from the LPA the following actions shall be undertaken:
- a) Within one month of the removal, uprooting or loss of any retained tree a replacement planting scheme shall be submitted to and approved in writing by the LPA. That replacement planting scheme shall include the replacement of trees in accordance with current policies (e.g. LAND 2 'Development and Trees') by semi-

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mature size trees (circumference 25/30cm) or an equivalent offsite mitigation planting scheme, where on site provision is not possible. The mitigation planting scheme shall be implemented in the first planting season following the receipt of the written approval of those details by the LPA. NOTE: trees additionally legally protected by TPO/located in a Conservation Area may result in parallel legal action for criminal damage.

b) Within one month of a pruning, topping, lopping or root damage of a retained tree, a Professional Arboricultural Report shall be submitted to and approved in writing by the LPA. The report shall include a full assessment of the unauthorised work, remediation proposals and implementation programme. NOTE: trees additionally legally protected by TPO/located in a Conservation Area may result in parallel legal action for criminal damage.

c) Within one month of removal, uprooting, damage or loss of any retained bush/bushes details of replacement planting and implementation scheme shall be submitted to and approved in writing by the LPA.

d) Within one month of removal, uprooting, damage or loss of any retained hedges details of replacement planting and implementation scheme that shall comprise or include "instant hedging" of at least 1m in height, shall be submitted to and approved in writing by the LPA.

Within one week following the implementation of the planting scheme agreed pursuant to a), b), c) or d) above documentation shall be submitted to the LPA that evidences the works have been carried out in accordance with the agreed details. This shall include photographic evidence.

Please note that 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.

In the interests of the character and amenities of the area, the best interests of nature conservation and bio-diversity.

For information:-

- 1) The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website and further discussion where appropriate to produce an acceptable development. For this particular application, positive discussions took place which resulted in further information being submitted to allow the application to be approved.

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

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

In respect of housing development, the applicant's attention is drawn to part Q1 of the 2010 Building Regulations and Approved Document Q1 (Unauthorised Access) 2015. Specifically that the standards for doors and windows (including locks and other hardware) shall be sufficiently robust and capable of resisting physical attack by a burglar, so as to include euro 'anti-snap' locks or equivalent standard.

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 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

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the approved plans and these conditions are complied with throughout the development and beyond. Failure to comply with any of the conditions may result in enforcement action.

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

This means:

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

A fee of £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.

You are advised that the approved development is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as is practicable following this decision notice. This contains details including the chargeable amount, when this is payable and when and how exemption from or relief on the charge can be sought. Please note that an Assumption of Liability Notice (Form 1) and a Commencement Notice (Form 6) must be received by the Council at least one day before commencement of development. Failure to complete an Assumption of Liability Notice and Commencement Notice will incur penalty surcharges. CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Exemption or relief may be withdrawn if you fail to meet the statutory requirements relating to CIL. For further details please visit the Council's website <https://www.leeds.gov.uk/your-council/planning/community-infrastructure-levy>.

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

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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/appeal-planning-decision or by email from enquiries@planninginspectorate.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