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Planning Services
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Leeds
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By Planning Portal Only**Date:** 4 April 2024**Our ref:** 65380/01/JG/KJ/30648378v2

Dear Ian

Application to Discharge Conditions 3, 9, 10, 14, 15 and 17 of Planning Permission 23/05545/FU at Leeds City Academy

On behalf of our client, White Rose Academies Trust ("WRA"), we are pleased to provide details in order to address the requirements of planning conditions 3, 9, 10, 14, 15 and 17 pursuant to planning permission 23/05545/FU at Leeds City Academy, Woodhouse Cliff, Woodhouse, Leeds, LS6 2LG.

Application Submission

The application has been submitted via the Planning Portal (reference: **PP-12921657**) and comprises this covering letter and the following documents:

- 1 Completed application form;
- 2 A copy of the Decision Notice 23/05545/FU;
- 3 Condition 3: Phase I & II Geo-Environmental Assessment (part 1 of 3), prepared by EPS (ref: UK22.6213 Issue 3);
- 4 Condition 9: Statement of Construction Practice, prepared by Morgan Sindall;
- 5 Condition 9: Project Execution Plan (PEP Part 1), prepared by Morgan Sindall (ref: PM PLN 01 Rev 2);
- 6 Condition 9: Construction Phase Health and Safety Plan (CPHSP) (PEP Part 2), prepared by Morgan Sindall (ref: SH PLN 01 Rev 7.1);
- 7 Condition 10: Species Enhancement Scheme, prepared by JCA;
- 8 Condition 14: Construction Environmental Management Plan, prepared by JCA (ref: 19638c/JF);
- 9 Condition 15: Biodiversity Enhancement and Management Plan, prepared by JCA (ref: 19638d/ELC Rev 1);
- 10 Condition 17: Arboricultural Method Statement, prepared by JCA (ref: 18073-F/AJB).

Payment of the application fee of £145 plus the Planning Portal's service charge has been made via the Planning Portal.

Application Context

Planning permission was granted on the 26 March 2024 (ref: 23/05545/FU) for the following development:

“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.”

Improvements to the school are sought to meet growing demand for pupil places. The school building is currently designed to accommodate 750 pupils but rising demand, alongside an increase in pupil numbers in the catchment area has meant that the school is currently accommodating 951 pupils and is set to accommodate 1,050 pupils by 2024.

This application seeks to fully discharge all pre-commencement conditions attached to the above permission to allow development to commence on site. The conditions being discharged are set out below.

Condition 3 (Phase I Desk Study)

Condition 3 requires a Phase I Desk Study to be submitted and approved in writing, prior to the commencement of development, excluding demolition. Where the approved Phase I Desk Study indicates intrusive investigation is necessary, development shall not commence until a Phase II Site Investigation Report has been submitted and approved. The enclosed Phase I & II Geo-Environmental Assessment (ref: UK22.6213) confirms that the site is at a low risk in relation to contaminated land, with no further works or remedial measures recommended.

Laboratory analysis of shallow soils sampled across site identified no contaminants of concern at levels that exceeded screening criteria for human health and, therefore, no additional works are considered necessary in relation to human health risk assessment or remediation. An unacceptable risk to groundwater is not considered to be present and there is not an unacceptable risk associated with ground gas and therefore no gas protection measures are needed.

The risks identified by this work can be addressed through implementation of the following recommendations:

- 1 All construction workers operating at the site will be advised of the potential for contact with made ground material within shallow soils, particularly beneath the existing buildings and hardstanding. Appropriate health and safety precautions will be adopted during any excavation works to avoid exposure to infilled soils. Reference will be made to relevant health & safety guidance including the following CIRIA document: R132 Guide to Safe Working on Contaminated Sites.
- 2 Although the findings of the investigation would suggest that significant quantities of asbestos are unlikely to be encountered, the possibility of discrete pockets of this material existing within the made ground remains. If any evidence of visually identifiable ACM is suspected and is to be disturbed during the site development, it is recommended that all works are postponed until

suitable assessment and control measures (including a Working Method Statement (WMS)) are created. This WMS should be in accordance with guidance from CIRIA as well as the CL:AIRE /Joint Industry Working Group industry guidance on Interpretation for Managing and Working with Asbestos in Soil and Construction and Demolition Materials (2016).

- 3 Should any palpable evidence of unexpected contamination be encountered during the redevelopment work, it will be reported to EPS so that an inspection can be made, and appropriate sampling and assessment work carried out.

Condition 3 can therefore be discharged. The results from the Phase I & II report confirm that no further works or remedial measures are recommended, and no additional works are considered necessary. This demonstrates that no further information is required to satisfy Conditions 4 and 5.

Condition 9 (Statement of Construction Practice)

Condition 9 requires a Statement of Construction Practice to be submitted and approved prior to the commencement of development. This application is accompanied by a Statement of Construction Practice, a Project Execution Plan, and Construction Phase Health and Safety Plan.

The Statement of Construction Practice confirms that vehicle and pedestrian access will be provided into the site via Woodhouse Cliff. An area of the existing playground will be used for site parking and site accommodation will be positioned on the existing hardstanding. Dust creating activities will be completed away from sensitive receptors.

Working hours will be restricted to 7.00am – 5.00pm and deliveries will be scheduled to avoid academy start and finish times (8.00-8.40am and 2.50-3.30pm). Deliveries will be approved by Morgan Sindall management prior to them being despatched to site and deliveries will be staggered to avoid congestion on site or at the site entrance.

Wheel wash facilities will be provided to prevent mud being transported onto the public highway, which will be combined with road sweeping. The wheel wash facility will comprise of a water bowser and a high pressure washer located on site adjacent to the entrance/exit gate to enable vehicles to be manually washed down prior to leaving site.

Vehicles will be well maintained to minimise release of particulate matter and they will be limited to 5 mph on unsurfaced haul routes and work areas, and 10 mph on surfaced haul routes and work areas. The contractor will carry out regular inspections to monitor dust levels and will continually monitor the effectiveness of these procedures and make changes where necessary.

The project will sign up to the Considerate Constructors Scheme and notice boards containing site contact details will be positioned at the site entrance and on the perimeter hoarding. A copy of the Statement of Construction Practice and the Construction Phase Health and Safety Plan will be kept on-site and made publicly available to contractors throughout the construction process.

The details set out in this statement will be adhered to throughout the construction process. Condition 9 can therefore be fully discharged.

Condition 10 (Integral Bat Roosting and Integral Bird Nesting Features)

Condition 10 requires a plan showing integral bat roosting and integral bird nesting features (for species such as House Sparrow and Swift) within buildings.

The Species Enhancement Scheme confirms that two build in swift nest boxes will be installed. They will be constructed from long lasting FSC certified Woodstone with a plywood backing. They will be sited at least 5m high with a clear flight path and avoid south facing sites. Two enclosed bat boxes will be installed which are designed for the pipistrelle bat. They are ideal for new buildings as they can be integrated directly into the brickwork. They will provide several roosting zones inside which are ideal for crevice dwelling bats and they require no maintenance as the bottom entrance means that droppings will fall out of the bottom.

The accompanying plan shows the location of the bird nesting and bat roosting features. The features will be installed under the instruction of an appropriately qualified bat consultant, and they will be installed prior to first occupation of the extension. Condition 10 can therefore be fully discharged.

Condition 14 (Construction Environmental Management Plan (CEMP: Biodiversity))

The application is accompanied by a Construction Environmental Management Plan (CEMP: Biodiversity) (ref: 19638c/JF) which sets out how risks to the environment will be minimised. This includes the use of temporary protective fencing to delineate working areas, site boundaries and protect sensitive features from disturbance, and protective Heras fencing at least 1.8m in height, is to be installed between the development and the deciduous woodland to the north and east of the site. This fence is to be retained for the duration of the works to prevent species such as badgers and hedgehogs from accessing the site and to prevent construction works causing any damage to the woodland.

No refuelling or plant operations will take place within 30m of the woodland. To prevent chemical contamination from entering the woodland, use on site will be limited. If chemical use is unavoidable, appropriate preventative measures will be in place, including a plan to quickly combat any chemical spills that may occur. The use of herbicides will be limited, and the manual removal of vegetation will be adopted to limit herbicide runoff into the woodland. Track matting will be used to limit the impact of the development to any retained habitats.

Works in or adjacent to these habitats will endeavour to take place outside of the bird nesting season (February to August, inclusive). Where this is not possible, a pre-construction site walkover will be conducted by a suitably experienced ecologist to search for the presence of active birds' nests. An Ecological Clerk of Works (ECoW) will be supplied by JCA Ltd.

A wildlife friendly lighting design scheme will be incorporated into the scheme to ensure that no light spill falls into the adjacent woodland, scattered trees, and undeveloped grasslands. A 'good housekeeping' policy will be adopted across the site including no fires, disposal of waste in designated areas, removal of rubbish at frequent intervals and maintenance cleanliness surrounding the site.

Any necessary fuel and oil will be stored in accordance with the Control of Pollution (Oil Storage) (England) Regulations 2001. Refuelling will only be undertaken in designated area, designed to contain contaminated runoff, and by trained personnel, and emergency spill kits will be readily available.

The details set out in this statement will be adhered to and implemented throughout the construction period. It is therefore considered that Condition 14 can be fully discharged.

Condition 15 (Landscape & Biodiversity Net Gain Management Plan)

This application is accompanied by a Landscape & Biodiversity Net Gain Management Plan to discharge condition 15. This confirms that the proposed development will result in the retention of introduced shrub, woodland and mixed and urban trees. There will be the partial retention of modified grassland, developed land and sealed surface. It is proposed to create roughly 0.04ha of modified grassland, 0.27ha of other neutral grassland, and the planting of 12 native broad-leaved trees.

In total, 12 bat boxes and two enclosed bat boxes will be positioned around the site, within the new buildings and on several suitably sized existing trees. 10 bird boxes including designs aimed at supporting house sparrows, swifts, robins, blackbirds, and wrens will be erected onto the proposed buildings and fences, and two hedgehog shelters have been recommended.

An Implementation, Management, and Monitoring Plan is appended to the Landscape & Biodiversity Net Gain Management Plan which details how the soft landscaping will be implemented and managed for a minimum of 30 years. Condition 15 can therefore be discharged.

Condition 17 (Arboricultural Method Statement)

In accordance with condition 17, the application is accompanied by an Arboricultural Method Statement (AMS) to ensure good practice in the protection of retained trees during the development.

Damage to trees during the construction phase will be prevented by the installation of temporary protective fencing to create a Construction Exclusion Zone (CEZ). The protective fencing will be installed in accordance with BS 5837: 2012 and will comprise of a vertical and horizontal scaffold framework. All persons on site will be made aware of limitations that apply within the CEZ which will be a restricted area where no pedestrians, vehicles, equipment or machinery are allowed, and the storage of materials is not permitted, unless specified within the AMS. Where possible the protective barrier will enclose the entire Root Protection Area of the trees to make a CEZ. If any trees on site are damaged, it will be immediately reported to JCA.

The report confirms that ground protection is not required for retained trees on this occasion. Once installed, the appointed arboriculturist will be invited on site to inspect the protective fencing, ensuring that it is located in the correct position and that it has been constructed in accordance with the AMS. No other work, including soil stripping, excavation, or bringing materials or machinery onto site, shall commence until the barrier is installed and confirmed to be acceptable by the appointed arboriculturist. No operations shall take place which require the removal of part of the protective fencing without prior agreement with the Local Planning Authority. The protective fencing will be inspected for faults or damage by the site manager or other responsible named person on a regular basis and a written record will be kept.

When the development phase is complete and the main site machinery has been removed, the protective fencing will be dismantled and removed from site. Upon completion of the works, a JCA consultant will invite the Local Planning Authority representative to meet with them on site to agree on any remedial works which may be required.

In this regard, condition 17 can be partially discharged until the Local Planning Authority attends on site to inspect the fencing measures, prior to the commencement of any on site construction, including soil stripping, excavation, or bringing materials or machinery onto site.

Summary

I trust you have sufficient information to validate this application, and to fully discharge conditions 3, 9, 10, 14, and 15, and partially discharge condition 17 at Leeds City Academy. In the meantime, should you wish to discuss the application, or require further information, please contact me or my colleague Katie Jones on the number above.

Yours sincerely



Tom Willshaw
Associate Director
BA (Hons) MSc MRTPI