



Appeal Decision

Site visit made on 1 December 2025

by **M Willis BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 January 2026

Appeal Ref: APP/N4720/W/25/3374143

Land off Haworth Lane, Yeadon, Leeds LS19 7EN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Lidl GB Limited against the decision of Leeds City Council.
 - The application Ref is 25/02836/FU.
 - The application sought planning permission for the demolition of existing buildings and erection of a food store (Use Class E) with associated access, parking, servicing area and landscaping without complying with a condition attached to planning permission Ref 22/06242/FU, dated 24 March 2023.
 - The condition in dispute is No. 2 which states that: The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans and Specifications above.
 - The reason given for the condition is: For the avoidance of doubt and in the interests of proper planning.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing buildings and erection of a food store (Use Class E) with associated access, parking, servicing area and landscaping at Land off Haworth Lane, Yeadon, Leeds LS19 7EN in accordance with the application Ref 25/02836/FU without compliance with condition number 2 previously imposed on planning permission Ref 22/06242/FU dated 24 March 2023 and subject to the conditions as set out in the attached schedule.

Background and Main Issue

2. The appellant is seeking to revise the design and position of the approved store building within the site. Condition 2 of the previously approved planning permission requires the development to be carried out in accordance with the approved plans and details that formed part of the application. The appellant is therefore seeking to amend the details and plans referred to within this condition to reflect the revisions sought.
3. The main issue to be considered is the effect of the revised position of the building on the living conditions of neighbouring residents with particular regard to outlook and effects on landscaping.

Reasons

Living conditions of neighbouring residents with particular regard to outlook and effects on landscaping

4. The appeal site is currently occupied by a vacant two storey, red brick former industrial building which is located towards the north-western corner of the site.

The existing building lies very close to the site's western boundary which forms the rear boundary of the gardens associated with the residential properties which front Walkers Row. The properties along Walkers Row comprise semi-detached bungalows which, given the difference in levels between these properties and the appeal site, are located at a significantly lower level and so have very clear views of the existing industrial building.

5. Under this revised proposal, the proposed store building overall remains very similar to that previously approved, with the building located on the northern part of the site and car parking to the south. The store building would largely be accommodated within the footprint of the existing building and broadly in the same position as the previously approved scheme. The revised building would, however, be slightly longer and narrower in size compared to that which has previously been approved. To accommodate the proposed change, the building and its service yard would be repositioned closer to the site's western boundary. According to the appellant the store building would be 3.5m closer to the western boundary and a line of trees would be planted in the gap to create a visual screen.
6. The Council says repositioning the building would reduce the separation distance between the site's western boundary and the proposed store building from 10.8m (as currently approved) to 6.9m and the distance to the rear elevations of the nearest properties on Walkers Row from 24.8m to 19.8m. This revision would consequently also reduce the area and number of trees that are able to be planted within this gap and along the northern boundary of the site when compared with the existing approved scheme.
7. As I observed during my site visit, there are currently very few trees between the existing building on site and the rear gardens of properties on Walkers Row and the northern boundary of the site. The level changes between the appeal site and the properties along Walkers Row are also significant and accentuate the visual presence and dominance of the existing building. I appreciate the revised position of the store building would be closer to the western boundary of the site compared to the previously approved scheme and that less space would be available for planting to occur in this gap. However, the store building would still be set back from the western boundary when compared with the current building on site and, being single storey and its sympathetic choice of materials, this would significantly reduce its visual presence and dominance on the surrounding area and the properties along Walkers Row.
8. The plans supporting the application show closeboard fencing being erected along the site boundaries with further fencing being erected closer to the western elevation of the building. Whilst I accept fewer trees would be planted within the gap between the store building and the rear gardens of the properties along Walkers Row compared to the previously consented scheme, planting would still be carried out. Planting would also be carried out along the northern boundary of the site which would be an improvement over the current situation. In order to compensate for the additional trees that would be removed as a result of this proposal, the appellant has also offered to fund for trees to be planted off-site. This funding is secured through a Deed of Variation (DoV) which has been submitted as part of the appeal and which amends the existing S106 Planning Obligation secured as part of the previously consented scheme. The Council has confirmed the DoV is acceptable and would ensure the proposal complies with the

requirements of Policy LAND2 of the Natural Resources and Waste Development Plan (2013).

9. When considered together, I am therefore satisfied that the design and scale of the building, along with the proposed boundary and landscaping treatments, would mitigate the visual harm and effect the building would have on the properties along Walkers Row. I am also satisfied that the DoV provides sufficient compensation for the additional tree losses that would arise as a result of this proposal.
10. For the above reasons, in my judgement the proposed revisions sought through the variation of condition 2 would not have an unacceptable adverse impact on the living conditions of neighbouring residents with particular regard to outlook and the effects on landscaping. The proposed development therefore complies with Policy P10 of the Leeds Local Plan Core Strategy (2014) (as amended by the Core Strategy Selective Review 2019) and saved Policy GP5 of the Leeds Unitary Development Plan (Review 2006). Together these policies require development to, amongst other matters, be appropriate to its location, scale and function and protect residential and general amenity.
11. Through the DoV the proposal also accords with Policy LAND2 of the Natural Resources and Waste Development Plan (2013) which requires suitable tree replacement to be provided for those lost through development and, where this cannot be achieved on-site, for off-site planting or financial contributions to be secured that will require tree planting elsewhere.

Other Matters

12. I recognise concerns have been raised by local residents regarding the potential effects of reduced light and noise; the lack of need for shops and a preference for alternative uses for the site and for a crossing to be provided on Haworth Lane. Whilst these are noted, the Council has raised no objection to the principle and location of the development; confirmed there are no sequentially preferable sites to the proposal site and that the retail impact of the proposed store would be acceptable. Similarly, no concerns are raised regarding the general design of the building or in relation to highways, access, flood risk or noise. Based on the evidence before me, I see no reason to disagree with the Council's conclusions on these matters. I am satisfied that the proposal accords with the development plan policies relevant to these matters and the development plan as a whole.
13. The proposal offers potential multiple economic and social benefits such as new investment, training and employment opportunities; the delivery of a modern, low-energy, sustainable building; an increased range and retail choice for consumers; a well-located and easily accessible development for all users as well as improvements to an existing public right of way; improved landscaping and demolition of the current dilapidated building which attracts antisocial behaviour, trespass and poses safety concerns. Whilst these benefits would be delivered and materialise through the previously consented scheme they equally apply to this revised proposal and are afforded substantial positive weight in favour of the development.

Conditions and Legal Agreement

14. The Planning Practice Guidance (PPG) makes clear that decision notices for the grant of planning permission under section 73 should also restate the conditions imposed on earlier permissions that continue to have effect. The Council provided a list of the original planning conditions and the appellant has commented upon these.
15. Some of the conditions imposed on the original permission were pre-commencement conditions. Although I understand details and matters required by some of these conditions have previously been discharged, as those approvals/details are not before me I am unable to determine whether these are still accurate and relevant to this revised scheme.
16. I have therefore reimposed all those pre-commencement conditions that I consider remain relevant (namely conditions 12, 21, 22, 27, 31 and 36). I am satisfied that these conditions need to be pre-commencement conditions as the details and information required needs to be secured before the development commences in the interests of ensuring highway safety, flooding, biodiversity and contaminated land matters are appropriately addressed. In the event that some of the conditions reimposed have in fact been discharged, that is a matter which can be addressed by the parties.
17. In addition to reimposing the original conditions, where necessary, I have also made some minor revisions, in the interests of clarity and precision, and I have:
 - updated the time limit condition to require the development to commence by no later than 23 March 2026 as this reflects the deadline set by the original permission.
 - updated the plans condition (2) so as to identify the plans that supported the application and which reflect the development upon which the decision is based, in the interests of precision and clarity.
 - replaced condition 8 with a new condition that requires a Car Park and Servicing Management Plan to be submitted for approval. This condition is based upon that which was suggested by the Council, and which the appellant agreed to, and is necessary as the document referred to within original condition 8 did not form part of the documentation supporting this appeal. The new condition provides a mechanism to secure details of the hours and frequency of deliveries and therefore the same information originally subject of this condition and is attached in the interests of highway safety and the amenity of nearby residents.
 - updated condition 14 to remove reference to acoustic fencing along the site's eastern boundary (as no acoustic fencing is proposed) and to instead refer to that which is to be installed along the sites northern, western and southern boundaries and the delivery/ loading bay. The condition is necessary to ensure the fencing installed adheres to the recommendations/specifications of the Noise Impact Assessment, in the interests of protecting the amenity of nearby residents.
 - updated condition 16 to require details of the electric vehicle charging infrastructure to be submitted for approval. This condition is necessary as

details have not been provided at this stage and are required in the interests of supporting low carbon travel.

- updated condition 26 to amend this from a pre-commencement condition to a prior to occupation condition as I do not consider the information required by this condition as necessary to be secured before the development commences.
 - updated the plan and document references in conditions 15, 19, 27 and 35 so as to reflect those which supported the application. These conditions are required to ensure suitable drainage is provided, in the interests of highway safety and biodiversity and the revisions are necessary to ensure precision and clarity.
 - imposed a new condition (37) which requires a Road Safety Audit to be carried out in the interests of highway safety.
18. I have not imposed the Council's suggested additional condition relating to off-site tree planting as this is secured by the DoV and so is not necessary.
19. The DoV also amends the S106 Planning Obligation and secures the same provisions that were secured as part of the previous scheme. These include the implementation of a Travel Plan, payment towards future monitoring and a commitment to work with Employment Leeds to develop an employment and training scheme. As the scheme subject of this appeal is similar to the approved scheme I am satisfied that the terms of this agreement meet the relevant tests as set out in paragraph 58 of the Framework.

Conclusion

20. For the reasons given above, I conclude that the appeal should be allowed and grant a new planning permission without the disputed condition but with an updated condition to refer to the latest approved plans to reflect the revised development. I have also retained those non-disputed conditions from the previous permission that appear still to be relevant and capable of taking effect.

M Willis

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall be begun before 23 March 2026.
- 2) The development hereby permitted shall be carried out in accordance with the approved plans listed below:

Title	Drawing No./ Reference
Site Location Plan 2	P1106 Rev.A
Proposed GA Floor Plan	P1102 Rev.C
Roof Plan	P1103 Rev.A
Proposed GA Site Plan	P1420 Rev.K
Proposed Setting Out Site Plan	P1421 Rev.L
Proposed Access Arrangements	001 Rev.A
Proposed Surfacing Plan	P1422 Rev.H
Proposed Boundary Treatment	P1423 Rev.I
Proposed Site Levels	P1426 Rev.H
Proposed Elevations	P2413
Drainage Arrangement	16-3157-105 P4
Landscape Details	R/2613/1p

- 3) Construction of external walls and roofs to any building subject of this permission shall not take place until details and samples of all external walling and roofing materials have been submitted to and approved in writing by the Local Planning Authority. Samples shall be made available on site prior to the commencement of building works, for inspection by the Local Planning Authority which shall be notified in writing of their availability. The building works shall be constructed from the materials thereby approved.
- 4) Construction of brickwork and stonework shall not take place until a sample panel of them has been approved in writing by the Local Planning Authority. The panels shall be erected on site to establish the details of the type, bonding and coursing of the stone and brick and colour and type of jointing material. The stonework and brickwork shall be constructed in strict accordance with the sample panels, which shall not be demolished prior to completion of the development.
- 5) No part of the development shall be occupied until details of the position, design, materials and type of all walls and/or fences or permanent boundary/screening treatment, whether or not shown to be erected on the approved plans, have been submitted to and approved in writing by the Local Planning Authority. Such walls and fences must also be erected in accordance with the approved details, before the land/buildings to which they relate are occupied and shall thereafter be retained for the lifetime of the development.
- 6) The opening hours of the store shall be restricted to 8am to 10pm.
- 7) Demolition and construction activities shall be restricted to 0800 to 1800 hours Monday to Friday and 0800 to 1300 hours on Saturdays with no demolition or construction activities on Sundays and Bank Holidays.

- 8) Development shall not be occupied until a Car Park and Servicing Management Plan (including timescales) has been submitted to and approved in writing by the Local Planning Authority. The plan shall include information on servicing/deliveries associated with the site, including periods, frequency and hours. The plan shall be fully implemented, and the development thereafter operated in accordance with the approved timescales.
- 9) Prior to the first occupation of the building hereby approved a scheme detailing how the car park is to be secured and monitored outside the opening hours of the site shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to the first opening of the store and retained thereafter.
- 10) The store building shall not be occupied until full details of shower facilities for staff have been submitted to, and been approved in writing by, the Local Planning Authority. The approved facilities shall thereafter be provided in accordance with the approved details and retained for the lifetime of the development.
- 11) The store building 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.
- 12) 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 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 work on site and shall thereafter be retained and employed until completion of works on site. The statement of construction practice shall be made publicly available for the lifetime of the construction phase of the development in accordance with the approved method of publicity.

- 13) Prior to occupation of the development, details of the below works shall be submitted to and approved in writing by the Local Planning Authority and shall have been fully implemented.

Zebra crossing on Haworth Lane between Kirk Lane and Manor Square. Mini roundabout at Haworth Lane / Queensway junction and associated infrastructure works shall be fully delivered.

- 14) Prior to the development hereby approved being brought into use full details of acoustic fencing to be erected adjacent to the delivery/ loading bay and along the northern, western and southern boundaries of the site shall be submitted to, and be approved in writing by, the Local Planning Authority. The fencing shall then be installed in accordance with the approved details prior to the first occupation of the store building and shall be retained for the lifetime of the development.
- 15) Means of vehicular access to and from the site shall only be as shown on the approved Drawing No. 1421 Rev.L and delivered prior to the first occupation of the store building and thereafter retained for the lifetime of the proposed development.
- 16) The store building shall not be occupied until full details and a scheme for the provision of electric vehicle charging points, cable enabled spaces and associated infrastructure have been submitted to, and been approved in writing by, the Local Planning Authority. The facilities shall be provided in accordance with the approved details prior to the first occupation of the store building and thereafter retained and maintained as approved for the lifetime of the development.
- 17) The store building shall not be occupied until full details of cycle parking and associated facilities for both customers and staff have been submitted to, and been approved in writing by, the Local Planning Authority. Staff cycle parking must be secure, enclosed and covered. The facilities shall be provided prior to the first occupation of the store building in accordance with the approved details and thereafter be retained and maintained for the lifetime of the development.
- 18) The vehicular access gradient shall not exceed 1 in 40 (2.5%) for the first 10m and 1 in 20 (5%) thereafter, unless otherwise agreed in writing by the Local Planning Authority. The gradient of the pedestrian access shall not exceed 1 in 20 (5%).
- 19) The development shall be undertaken in accordance with Drawing No. 16-3157-105, Rev.P4 'Drainage Arrangement' and Cora document entitled 'Surface Water Maintenance and Management Plan' (dated 30 April 2025 document ref: T004, Issue 2). The works shall be fully implemented in accordance with the approved scheme/details before the development is brought into use, or as set out in the approved phasing details.
- 20) The site shall be developed with separate systems of drainage for foul and surface water on and off site.
- 21) Development shall not commence until details and a method statement for interim and temporary drainage measures during the demolition and construction phases have been submitted to and approved in writing by the Local Planning Authority. This information shall provide full details of who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving watercourse or sewer system. Where temporary discharges to a sewer are proposed, written confirmation from the sewer owner that these have been accepted shall be provided. The site works and construction phase shall

thereafter be carried out in accordance with approved method statement, unless alternative measures have been subsequently approved by the Planning Authority.

- 22) a) 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 been approved in writing by the Local Planning Authority. Works shall then be carried out in accordance with the approved method statement.
- b) No works or development shall commence until a written Arboricultural Method Statement (AMS) in accordance with BS5837 has been submitted to and been approved in writing by the Local Planning Authority. Works or development shall then be carried out in accordance with the approved method statement.
- 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) The AMS shall include details of access, any scaffolding, storage, contractors parking, service runs, drainage, changes in levels etc. Works or development shall then be carried out in accordance with the approved method statement.
- e) The approved AMS should include for the ongoing engagement of a qualified Arboriculturist throughout the construction process. In accordance with section 6.3 of BS5837:2012, the AMS shall include for on-site monitoring including site visits at key stages and on site supervision of specific operations that relate to trees. The AMS shall therefore include a Site Supervision Schedule i.e. a list of site visits and the operational specifics related to trees for the full construction duration and reporting back to the Local Planning Authority immediately after each site supervision intervention (written & photographic).
- f) 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.
- g) Seven days written notice shall be given to the Local Planning Authority that the protection measures are in place prior to demolition and/or approved works, to allow inspection and approval of the works.
- 23) 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, damage 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-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.

- b) Within one month of a pruning, topping, lopping or root severance 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.
- 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 hedge/s 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) or c) 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.

- 24) The development hereby permitted shall not be occupied until full details of both hard and soft landscape works, have been submitted to and approved in writing by the Local Planning Authority.

Hard details including proposed finished levels/gradients and sections/elevations identifying construction standards, material dimensions/types, preservative treatments, below ground foundations, colours, textures etc. associated with:

- a) boundary treatments/ fencing;
- b) road and pedestrian paving areas;
- c) minor artefacts and structures (e.g., seating, bollards, refuse or other storage units, lighting etc.).

Soft landscape works shall include:

- d) detailed planting plans;
- e) written specifications (including cultivation, stock handling/quality, seasonal/weather restrictions, planting methods, soil amelioration, surface finish and other B.S compliant operations associated with tree, plant and grass establishment);
- f) schedules of plants noting species, planting sizes and proposed numbers/densities;
- g) separate sub-soil and top-soil stripping, storage and spreading to prevent contamination of existing topsoil/subsoil, smearing, compaction etc. that will result in poor drainage affecting healthy plant growth; and
- h) an implementation programme.

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.

- 25) The soft landscape works shall be completed by no later than the end of the planting season following the substantial completion of the development. The developer shall confirm this in writing to the Local Planning Authority prior to the date agreed in the implementation programme.
- 26) The development hereby permitted shall not be occupied until a Landscape Maintenance and Management Plan (LMMP), in accordance with BS.5837:2012 Section 8, long term design objectives, management responsibilities and maintenance schedules, for all landscaped areas has been submitted to and approved in writing by the Local Planning Authority.

The LMMP shall include details of the arrangements for maintenance implementation. Maintenance shall commence when the landscape scheme is completed and shall be carried out in accordance with the approved schedule.

The minimum aims and objectives of the landscape maintenance and management should include:

- The successful establishment and continued growth through to maturity of the trees, shrubs, hedges, and grass areas identified on Landscape Plans.
- Landscaping that develops in a manner commensurate with the original design intentions.
- The long term future for the new trees and shrub planting with particular emphasis upon achieving enhancement of biodiversity, ecological potential, screening and visual amenity.
- The rapid establishment of the plant material with resultant total ground cover, thereby suppressing weed growth and reducing maintenance requirements.
- The retention of natural growth form and the maximisation of the seasonal potential of individual species by the pruning methods adopted.
- The management of landscape to ensure the safety of site users, such as maintaining clear footways, removal of dead, dying or diseased tree branches etc.

The LMMP shall be a self-contained document that includes maintenance schedules of operations for each type of vegetation (i.e. amenity grass, meadow, bulbs, shrubs, perennials, hedges, trees etc.) time-tabled year to year; management of any existing mature trees; appendices to include the original specifications; all relevant drawings fully referenced into the document (actual plans included as part of the document). This LMMP shall thereafter be carried out as approved.

- 27) Prior to the commencement of development, a Biodiversity and Landscape Enhancement & Management Plan (BLEMP) shall be submitted to and approved in writing by the Local Planning Authority. The BLEMP include all the measures in Landscape Details Drawing Ref. R/2613/1p and 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) Details of the specialist ecological management body or organisation responsible for implementation of the BLEMP;
- e) Appropriate management Actions for achieving Aims and Objectives
- f) An annual work programme (to cover an initial 5 year period);
- g) For each of the first 5 years of the BLEMP, a progress report sent to the LPA reporting on progress of the annual work programme and confirmation of required Actions for the next 12 month period.
- h) The BLEMP will be reviewed and updated every 5 years and implemented for perpetuity

The BLEMP shall include details of the legal and funding mechanisms by which the long-term implementation of the BLEMP will be secured by the developer with the specialist ecological management body responsible for its delivery. The BLEMP shall also set out (where the results from the monitoring show that the Aims and Objectives of the BLEMP 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 BLEMP. The approved BLEMP will be implemented in accordance with the approved details.

- 28) Any music or amplified sound including tannoy systems used shall not be audible from any point on the site boundary.
- 29) The development hereby permitted shall not be occupied until details for the provision of bin stores (including siting, materials and means of enclosure) and (where applicable) storage of wastes and access for their collection shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full before the use commences and shall be retained thereafter for the lifetime of the development.
- 30) Prior to the construction of the store building, plans to show how solar panels are to be incorporated into the development along with the submission of an Energy Statement shall be submitted to and approved in writing by the Local Planning Authority. The building shall be constructed in accordance with the details thereby approved.
- 31) The approved Phase I Desk Study report indicates that a Phase II Site Investigation is necessary, and therefore 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. Where remediation measures are shown to be necessary in the Phase II Report and/or where soil or soil forming material is being imported to site, development (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.

- 32) 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.

- 33) 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.

- 34) The Definitive Footpath Aireborough 129 running between Queensway and Walkers Row shall be resurfaced and improved where necessary in accordance with a plan that shall be submitted to the Local Planning Authority. The improvements shall be fully carried out in accordance with the approved scheme prior to occupation of the development.

- 35) The pedestrian steps as indicated on plan P1421 Rev.L shall be improved by replacing the existing slabs, provision of guard rails and associated works. The improvements shall be carried out in accordance with a plan that shall be submitted to the Local Planning Authority, approved and fully delivered prior to occupation of the development.

- 36) Development shall not commence until a survey of the condition of Haworth Lane between Kirk Lane and Manor Square and Haworth Lane / Kirk Lane junction has been submitted to and approved in writing by the Local Planning Authority. Upon completion of the development (completion of the final approved building on the site) a further condition survey shall be carried out and submitted to the Local Planning Authority together with a schedule of remedial works to rectify damage to the highway identified between the two surveys. The approved mitigation works shall be fully implemented within 3 months of the remedial works being agreed with the Local Planning Authority. In the event that a defect is identified during other routine inspections of the highway that is considered to be a danger to the public it must be immediately made safe and repaired within 24 hours from the applicant being notified by the Local planning Authority.

- 37) No above ground construction works shall commence until a Stage 1 Road Safety Audit (RSA1) and designer response for the highway works shown in principle on Drawing No. 001 Rev.A have been submitted to and been approved in writing by the Local Planning Authority. The Stage 1 Road Safety Audit and the designer response shall be carried out in accordance with DMRB GG 119 standards. The highway works shall thereafter be designed in accordance with the recommendations set out in the approved RSA1.

END OF SCHEDULE