



## Report of the Chief Planning Officer

### PLANS PANEL SOUTH AND WEST

Date: 19<sup>th</sup> March 2015

**Subject: 14/06211/FU Demolition of existing buildings and erection of non - food retail unit (Class A1) with garden centre, two retail food stores (Class A1), provision of associated access, customer car parking, landscaping and associated works at Former Denso Marston Premises, 45 – 49 Armley Road, Armley Leeds, LS12 2JL**

#### APPLICANT

OPUS Land North (Armley)  
LTD

#### DATE VALID

6 November 2014

#### TARGET DATE

2<sup>nd</sup> April 2015

#### Electoral Wards Affected:

**Armley**

Y

Ward Members consulted  
referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### RECOMMENDATION:

DEFER and DELEGATE approval to the Chief Planning Officer subject to the conditions specified (and any other which he might consider appropriate ) and the completion of a Legal Agreement to include the following obligations:-

1. Travel Plans, Travel Plan Coordinators and monitoring fees of £7,500
2. Public Transport Contributions of £97, 251
3. Off-site highways work contribution towards Armley Road and/Stanningley Road junction - £140,000
4. Local Employment Initiatives

In the circumstances where the Legal Agreement has not been completed before April 2<sup>nd</sup> 2015, the final determination shall be delegated to the Chief Planning Officer. The following pooled contribution will be Community Infrastructure Levy (CIL) liable, public transport contributions and the following non pooled contribution will remain subject to a Section 106 agreement Travel Plans (£7,500), off site highways works (£140,000) and local employment initiatives (total of 147,500).

Conditions:-

Time limit

Plans to be approved

Submission of a construction phasing

Sample of all walling and roofing and external materials

Sample of surfacing materials

Hours of opening

Hours of delivery

Landscaping conditions

Tree protection

Replacement tree conditions

Remediation conditions

Delivery and Car Park management plan

Highways conditions

Drainage conditions

Cycle and bins storage location and details

Boundary treatments – proposed and existing (including retaining walls to be retained)

Details of garden centre enclosure

Existing and proposed level and finished floor levels

Drainage conditions

Nature Conservation conditions

Environmental health conditions

Permitted development right removed (all)

## **1.0 INTRODUCTION:**

- 1.1 This application is brought to Plans Panel as the proposal is for a retail development outside of a designated centre.

## **2.0 PROPOSAL:**

- 2.1 The proposal seeks full planning permission for the demolition of all buildings on the site and the erection of three retail units with car parking and landscaping. The proposal comprises of:-
- The new access is three quarters of the way up the site frontage off Armley Road.
  - **Unit 1** is located to the front left hand-side of the site and is a non- food retail A1 unit which is 2, 044 sq m with garden centre 464 sq m (B and M Bargains) and the building would be length 48.5m x width 43.5m x and height 9m.
  - **Unit 2** is next to unit 1 and is located to the rear of the site with servicing area to the rear and is an A1 retail unit which is 929 sq m (Iceland) and the building would be length 41m x 24m x 6m
  - **Unit 3** is located at the rear of the site in the right hand corner with servicing to the side and is 1965 sq m (Lidl) the building would be a length of 61m and minimum of 51.5m x width 38m x height of 8m and minimum height of 5 m (at the rear) to a maximum height of 8m at the front.
  - The total gross floor area would be 4,938 sq m + garden centre (464sq m)

- 199 car parking spaces are provided for the development located predominantly to the front of the site.

- 2.3 The buildings are single storey and are configured around a central car park easily accessed from the ramped vehicular site entrance. The proposed buildings are to be constructed in high quality, composite, flat cladding panels with a plinth of facing brickwork. The cladded elevations feature a horizontal expressed trim to emphasize the horizontal aspects of the building form. The shopfronts are glazed and include feature surrounds and glazed walkway canopies.
- 2.4 There are level differences on the site and this will be plateaued out but there will be a difference in levels between the road and development plateau and these banking will incorporate landscaping.

### **3.0 SITE AND SURROUNDINGS:**

- 3.1 The site is located on the south side of Armley Road (A647) to the west of Leeds city centre and to the east of Armley Town Centre itself and is a key arterial road and a gateway to Armley.
- 3.2 The site itself is approximately 1.6 hectares in size. The site is presently covered with either buildings or extensive hard standing with little vegetation on the site. A single storey industrial warehouse occupies the eastern part of the site and a large, part two storey factory building to the west. Some smaller, detached, single storey industrial units are located in the south-western corner. The main factory building has a date stone of 1922 and the later buildings are approximately 40 years old. All buildings are in a poor state of repair. The site slopes from front to back by approximately 8m . The buildings in the south-western corner are elevated above the rest of the buildings and these sit at a similar level to the gardens of the residential properties to the rear. The existing development plateau is also generally elevated above Armley Road in order to address the difference in levels. Grass bankings are evident to the road frontage and retaining walls have been constructed to parts of the remaining boundaries. Part of the Armley prison wall is at the rear of the site.
- 3.3 Surrounding uses include residential properties to the south-west, other employment premises to the immediate east and west of the site and Armley prison to the south. Adjacent uses include a terrace of small employment units (Armley Link) and further employment.
- 3.4 The existing vehicular Access to the site is from the north east corner off Armley Road with a relatively wide access point to provide access for larger vehicles.
- 3.5 The site was previously used for industrial/employment use occupied by Denso Marston Radiators and had been vacant for a number of years now.

### **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 14/07296/FU – Denso Marston 49 – 59 Armley Road – external alterations to existing industrial building southern elevation - Approved 4<sup>th</sup> February 2014.
- 4.2 Before the permission above, all planning permissions related to the industrial use of the site between 1974 and 1988.

- 4.3 There have been a number of pre-application discussions over the last few years but no applications were submitted as a result.

## **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 A formal pre-application was submitted and involved discussion regarding issues of principle, layout design, gateway site, landscaping and highways issues. Further discussions have occurred since the application was submitted resulting in the scheme submitted to Plans Panel.

## **6.0 PUBLIC/LOCAL RESPONSE:**

- 6.1 A public consultation event was held at the Armley Forum on 19<sup>th</sup> September 2014.
- 6.2 The application was advertised by site notice posted 21<sup>st</sup> November 2014, and a press notice published 12 November 2014.
- 6.3 1 letter of representation has been received raising the following points
- Objection is to the removal of the party wall at the rear off my property. This not Only provides security but also retains my garden from subsiding into the adjacent property.
  - no immediate objections to the use of the site
  - will asbestos panels be safely removed

### Ward Members

- 6.4 Ward Members have been briefed through the pre-application process and consideration of the planning application and are generally supportive of the development of the site as it bring the site back into use and would provide local jobs.

## **7.0 CONSULTATIONS RESPONSES:**

### **Statutory**

- 7.1 Highways – following significant negotiation, no objection is raised regarding highway safety subject to a S106, off site highways works and conditions.
- 7.2 Environment Agency – no objection subject to conditions

### **Non –statutory**

- 7.3 Yorkshire Water – no response received
- 7.4 Flood Risk Assessment – no objection subject to conditions
- 7.5 Public Transport and NGT Project team – the development proposal requires a contribution of £97, 251. 3 – 4 metres was requested from the front of the site for the 'Leeds Bradford Corridor.
- 7.6 Contaminated Land – no objection subject to conditions
- 7.7 Travel Wise - Travel plans, monitoring fee to be secured through a S106.

- 7.8 Landscape – following significant negotiation, no objection subject to conditions.
- 7.9 Design – following significant negotiation, no objection is raised to layout and design of the scheme subject to conditions.
- 7.10 Forward Planning – No objection to the loss of employment site and no objection to the retail proposal.
- 7.11 Environmental Protection team – no objection subject to conditions
- 7.12 Public Rights of Way – no objection
- 7.13 Nature Conservation – no objection subject to conditions

## **8.0 PLANNING POLICIES:**

8.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for the area consists of the adopted Core Strategy, saved policies within the Unitary Development Plan Review (UDPR) and the Natural Resources and Waste DPD, along with relevant supplementary planning guidance and documents.

### 8.2 Local Development Framework Core Strategy policies:

The site has no allocation under the Policies Map, it is located within an area of employment retention within the West Leeds Gateway and there is no proposed allocation under the draft Site Allocation DPD.

SP1 Location of Development

SP 2 Hierarchy of Centre and Spatial Approach to Retailing, Offices, Intensive Leisure and Culture' states:

P1 Town and Local Centre Designations', designates Leeds' Town and Local Centres.

P2 Acceptable Uses in and on the Edge of Town Centres'

P5 Approach to Accommodating New Food Stores across Leeds

P6 ' Approach to Accommodating New Comparison Shopping in Town and Local Centres

P8 Sets out the catchments for undertaking Sequential and Impact Assessments

T1 Transport management

T2 Accessibility requirements and new development

P10 Design

P12 Landscape

ID2 Planning obligations and developer contributions

### 8.3 Saved Policies of Leeds Unitary Development Plan Review (UDPR):

GP1 Land use and the proposals map

GP5 General planning considerations

N25 Landscape design and boundary treatment

T7A Cycle parking guidelines

### 8.4 Relevant Supplementary Planning Guidance:

Building for Tomorrow Today – Sustainable Design and Construction (2011):  
Sustainability criteria are set out including a requirement to meet BREEAM standards.  
Natural Resources and Waste Development Plan Document  
Neighbourhoods for Living – A Guide for Residential Design in Leeds  
Designing for Community Safety – A residential Design Guide  
Street Design Guide – Supplementary Planning Document  
Travel Plans – Supplementary Planning Document  
Public Transport – Developer Contributions

#### 8.5 National Planning Policy:

The National Planning Policy Framework (2012) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

### 9.0 MAIN ISSUES

Principle of development  
Layout, design and landscaping  
Highways  
Impact upon amenity  
Leeds Bradford Corridor  
Section 106

### 10.0 APPRAISAL

#### Principle of development

- 10.1 The site has no allocation under the Policies Map, it is located within an area of employment retention within the West Leeds Gateway and there is no proposed allocation under the draft Site Allocation DPD.
- 10.2 Retail - This proposal consists of 4,938 sqm of comparison and convenience A1 retail floorspace (plus 464 sqm garden centre), spread across three units, on the former Denso Marston site to the east of Armley Town Centre. This site is out of centre, and as demonstrated below, is contrary to the retail policies contained within the Core Strategy.
- 10.3 The relevant Core Strategy retail policies in this case are SP1, SP2, P1, P2, P5, P6 and P8.
- 10.4 Spatial Policy 1: 'Location of Development' states (inter alia):
- (iv) To prioritise new office, retail, service, leisure and cultural facilities in Leeds City Centre and the town centres across the District, maximizing the opportunities that the existing services and high levels of accessibility and sustainability to new development.*
- 10.5 Spatial Policy 2: Hierarchy of Centre and Spatial Approach to Retailing, Offices, Intensive Leisure and Culture' states:

*The Council supports a centres first approach supported by sequential and impact assessments. The Council will direct retailing, offices, intensive leisure and culture, and community development to the City Centre and designated town and local centres in order to promote their vitality and viability as the focus for shopping, employment, leisure, culture, and community services.*

*Proposals which would undermine that approach will not be supported.*

*The following hierarchy of centres is to be maintained to ensure that development is directed to the appropriate level of centre based on its scale and catchment;*

- 1. The City Centre,*
- 2. Town Centres,*
- 3. Local centres.*

*The Leeds District currently contains a great variety of centres with different characteristics and history, and the need to maintain this local distinctiveness remains an overarching consideration.*

*10.6 Policy P1: 'Town and Local Centre Designations', designates Leeds' Town and Local Centres. Included within that list is Armley, characterized as a Town Centre.*

*10.7 Policy P2 'Acceptable Uses in and on the Edge of Town Centres' states:*

*Town centres offer shopping and services intended to meet weekly and day-to-day requirements. The uses set out below are acceptable in principle in and, subject to a sequential assessment edge of centre, and will be directed towards the centres listed in Policy P1.*

- Shops, supermarkets and superstores*
- Non-retail services*
- Restaurants and cafes, drinking establishments and hot food takeaways*
- Intensive leisure and cultural uses including theatres, museums, concert halls, cinemas, leisure centres, gyms and hotels*
- Health care services*
- Civic functions and community facilities*
- Offices*
- Housing is encouraged in centres above ground floor in the primary and secondary shopping frontages or outside the shopping frontages, providing it did not compromise the function of the town centre.*

*10.8 Policy P5 'Approach to Accommodating New Food Stores Across Leeds' states:*

- (I) Food stores will be directed towards the town and local centres identified in policy P1.*
- (II) Sites on the edge of town and local centres will be considered where there are no available, viable or suitable sites within centres.*
- (III) A number of town centres could perform more successfully as major locations for weekly shopping needs if they included investment in new food store provision and/or redevelopment of existing facilities to expand their retail offer or expand their function. Appropriate provision within centre or on edge of centre will be encouraged, and will be supported where sites can be identified in the following locations:*
  - Armley*
  - Chapel Allerton*
  - Cross gates*

- *Dewsbury Road*
- *Farsley*
- *Headingley*
- *Holt Park*
- *Horsforth Town Street*
- *A new centre at Richmond Hill*
- *Holbeck*

10.9 *Policy P6 'Approach to Accommodating New Comparison Shopping in Town and Local Centres', states:*

- (i) *In addition to the Primary Shopping Quarter of the City Centre, the town and local centres identified in Policy P1 are acceptable locations for comparison goods providing that they are of a scale compatible with the size of the centre,*
- (ii) *Sites on the edge of town and local centres will be acceptable in principle where there are no suitable sites within centres.*

10.10 It is clear, when considering this proposal against the policies set out above, that the development is contrary to the 'Centres-First' approach endorsed within the Core Strategy. In accordance with Paragraphs 24 and 26 of the National Planning Policy Framework both Sequential and Impact Assessments are required as the proposal is not located within a designated centre, and is not in accordance with the Development Plan. The Sequential and Impact Assessments must be passed in order for the application to be approved.

10.11 Policy P8 of the Core Strategy sets out the catchments for undertaking Sequential and Impact Assessments. As a catchment area for these tests was agreed prior to the adoption of the Core Strategy, a bespoke catchment has been drawn which broadly (but not fully) meets the requirements of Policy P8. However, given that context, that catchment is viewed as appropriate, in this case.

#### 10.12 **Sequential Test**

The applicant is judged to have satisfied the Sequential Test, having considered all other in-centre and edge-of-centre sites within the catchment, and found no single site that would be capable of accommodating the development as proposed.

#### 10.13 **Impact Test**

The applicant is judged to have satisfied the Impact Test, having demonstrated that the impact of their scheme would be not be significantly adverse on town centre vitality and viability; and existing, committed or planned public or private investment within those centres.

10.14 The impacts projected for the surrounding centres are all within considered acceptable limits, as dictated by national policy, guidance and case law. Specifically, the impacts projected for Armley Town Centre (-3.6%), Kirkstall Road Local Centre (-3.8%), Lower Wortley Local Centre (-4.0%), Bramley Town Centre (-1.1%) and Kirkstall Town Centre (-1.5%) are not considered to have a significantly adverse impact upon the vitality and viability of those centres, nor on existing, committed or planned investment within them.

10.15 Therefore the application is judged to have passed the Impact and Sequential Tests as required by the NPPF, and subject to the proposed conditions below, there is no



objection to this proposal on retail policy grounds subject to conditions restricting floorspace, sub-division and mezzanines.

Loss of employment

- 10.16 The sites last use was employment and the site is situated in an area of employment shortfall as defined in the Consolidated Core Strategy Paragraph 5.2.61 and therefore its loss must be justified.
- 10.17 As the site is considered to be in an area of employment land shortfall Part B of Policy EC3 is the relevant part. See below. The test is whether there is sufficient other employment land/premises in the surrounding area.

**POLICY EC3: SAFEGUARDING EXISTING EMPLOYMENT LAND AND INDUSTRIAL AREAS**

*Part A: For all sites across the District outside of areas of shortfall*

- A) Proposals for a change from B Use Classes of use on sites which were last used or allocated for employment to other economic development uses including town centre uses or to non-employment uses will only be permitted where:*
- B)*
- (i) The proposal would not result in the loss of a deliverable employment site necessary to meet the employment needs during the plan period ('employment needs' are identified in Spatial Policies 8 & 9),*
- Or*
- (ii) Existing buildings and land are considered to be non-viable in terms of market attractiveness, business operations, age, condition and/or compatibility with adjacent uses,*
- Or*
- (iii) The proposal will deliver a mixed use development which continues to provide for a range of local employment opportunities and would not undermine the viability of the remaining employment site, And where appropriate,*

*Part B: For sites in shortfall areas*

*B) Where a proposal located in an area of shortfall as identified in the most recent Employment Land Review would result in the loss of a general employment allocation or an existing use within the Use Classes B1b, B1c, B2 and B8, non-employment uses will only be permitted where:*

*The loss of the general employment site or premises can be offset sufficiently by the availability of existing general employment land and premises in the surrounding area (including outside the areas of shortfall) which are suitable to meeting the employment needs of the area.*

- 10.18 Using a thirty minute walk time to define the appropriate surrounding area an analysis of the employment land sites establishes that there is sufficient employment land for over forty years of supply. This is based on an extrapolation of historical take-up in this part of Leeds and therefore there is no objection to the loss of employment site.
- 10.19 It is considered that the principle of development is acceptable.

Layout, design and landscaping

- 10.20 This site is located on a key arterial road into Armley and is considered a gateway site. This and taking into account the sites levels and access requirements has informed the layout and design of the site and is considered a credible response to these constraints.

- 10.21 The proposed layout shows the Unit 1 (B&M Homestore) is positioned at one end of the site extending north/south along the eastern boundary. To the south side of this unit is the Unit 2 (Iceland) unit with the Unit 1 garden centre (B&M) adjoining the building to the south east. Service areas are located between the proposed unit s 1 and 2 and the southern boundary. Unit 3 is set to the rear of site along the southern/south east boundary. The buildings are configured around the car park.
- 10.22 The car park has been pushed away from the edge of the site which provides an area for landscaping across the site frontage with either side of the access road between the public footpath and car park. The car parking is elevated above the existing road level due to the plateauing out of the existing levels to create a development plateau. This green corridor subject to detailed landscaping scheme subject to conditions should provide some buffer in the form of a green corridor along Armley Road. It is considered that only the perimeter cars will be visible. The car parking layout will be broken up by landscaping and use of different materials, which will be conditioned.
- 10.23 As stated previously there is a difference in levels between the road and the proposed development plateau due to the existing topography of the site. This level difference has been accommodated by way of stabilized bankings and gabion retaining structures where differences in level are more acute. It is considered that in this location taking into account the levels that the gabions/retaining walls can be well designed with the landscaping scheme and will not have an adverse impact upon the streetscene and this can be addressed by the imposition of a conditions.
- 10.24 The bankings beyond incorporate high quality soft landscaping creating a green corridor alongside the road which is consistent with the grass verges and tree planting evident along other sections of the road. This green corridor will be particularly evident when viewing the development obliquely on approaches into and out of the City.
- 10.25 The proposed buildings are single storey and would be constructed in high quality, composite, flat cladding panels with a plinth of facing brickwork. The cladded elevations feature a horizontal expressed trim to emphasize the horizontal aspects of the building form. The larger foodstore includes section of render. The details of materials would be conditioned. The shopfronts are glazed and include feature surrounds and glazed walkway canopies.
- 10.26 It is considered taking into account that the site constraints the layout design and landscaping of the scheme is considered acceptable subject to conditions..

#### Highways

- 10.27 The proposed site access incorporates a right turn facility and additional width to accommodate the new City Connect cycle link, a Stage 1 Road Safety Audit has been undertaken and the junction design is satisfactory. The site access will not cause queuing on Armley Road but customers may experience queuing delays when exiting the site at peak times. Vehicle tracking has been used to demonstrate that the car park layout is suitable for delivery vehicles. A car parking and delivery service management plan will need to be agreed by condition of any approval to minimise conflict between delivery vehicles and pedestrians, this may include a restriction on delivery hours to avoid busier periods.
- 10.28 Development traffic will have some impact on the operation of the signal junction at Ledgard Way/Branch Road. In order to reduce vehicle queuing at peak hours of operation, it will be necessary to increase the cycle time of the signals by up to 25 seconds. An increased cycle time would increase through put of vehicles but would

also result in pedestrians waiting for longer to cross the road. As an example, the average crossing wait at one of the links would increase from 42 to 54 seconds and the maximum wait (arriving and just missing it) would increase from 84 to 109 seconds. This level of extra delay would represent a poorer crossing facility which would be of some detriment to pedestrians. In the long term however, the Council intends to improve the junction to accommodate improved bus and cycle facilities at the junction and the developers have agreed to contribute £100,000 toward the scheme in order to compensate for the short term delay to pedestrians and assist in providing an improved facility in the long term.

10.29 Car parking provision at the site has been calculated based on the expected maximum demand, the Transport Assessment estimates peak parking to occur 11am to 12pm on a Saturday with 138 cars on site. A total 199 car parking spaces would be shared across three retail units and it is therefore anticipated that the car park would normally operate well within capacity.

10.30 The proposal is acceptable with regard to parking provision and pedestrian highway safety subject to an agreed off site highway contribution, S106 and relevant conditions.

#### Impact upon amenity

10.31 To the eastern boundary light industrial/office buildings are located and there is considered to be no adverse impact upon their amenity.

10.32 To the southern eastern boundary is a public right of way (PROW) and beyond this HM Prison Armley; the PROW is not affected by this development as it is outside the red-line boundary and there is considered to be no adverse impact upon the prison which is a Grade II \* Listed Building.

10.33 The proposed uses for the site can cause noise disturbance to nearby residents; a noise assessment report was submitted with the application and following discussions with the application the recommendation for a noise attenuation fence along the western boundary and subject to conditions.

10.34 To the south/ southwest and west boundary there are residential properties located along them.

10.35 At present the properties on the southern boundary (Abbott View), have their gardens backing on to a large building which covers the whole length of this boundary. The proposed development to this boundary will retain some of the wall of the building as we have been advised by developer that local residents have requested this to be retained. Beyond this wall, a development plateau has been created and this will set the proposed Unit 3 lower than the existing level by approximately 4m and will set the building back from the boundary.

10.36 At present the properties on the western boundary (Abbot Road), like those located on the southern boundary have their gardens backing on to buildings which cover most of the boundary. There is a retaining wall/boundary treatment along this boundary and the appropriate notices have been served as it is considered to be a party wall/boundary. It is considered that due to the changes in levels that there would be no adverse impact upon their residential amenity. Once again, beyond this wall, a development plateau has been created and this will set the proposed unit 3 lower than the existing level by approximately 4m and will set the building back from the boundary. The servicing for this unit is proposed along this boundary and an acoustic fence is proposed along this boundary to minimise any impact.

- 10.37 The proposed uses for the site could cause noise disturbance to nearby residents; a noise assessment report was submitted with the application and following discussions with the applicant and officers it is considered that subject to conditions for a noise attenuation fence along the western boundary, and further conditions specific ones regarding opening hours, *'No operation shall take place before 08.00 hours on weekdays and Saturdays and 10.00 hours on Sundays nor after 22.00 hours on weekdays and Saturdays and 16.00 on Sundays'* and delivery hours, *'the hours of delivery to and from the premises including refuse collection shall be restricted to 07:00 hours to 21:00 Monday to Saturday and 10:00 – 16:00 (including waste delivery vehicles) on Sundays and Bank Holidays'* no objection is raised regarding residential amenity.
- 10.38 In response to the letter of representation, the issue regarding the retaining wall which is a party wall is a civil issue and the applicant advises that the acoustic fence will be erected inside their boundary adjacent to the wall.
- 10.39 It is considered taking into account the changes in levels, the noise assessment and appropriate conditions and acoustic fence that the proposal will not have an adverse impact upon residential amenity. ,

#### Leeds Bradford Corridor

- 10.40 The Highway Efficiency and Bus Priority programme (HEBP) of the WY Transport Fund has been allocated funding of £125m over the 20 year fund period. £10m has been allocated immediately to the pilot Leeds Bradford corridor, with works programmed to commence in the 2015/ 16 financial year and the full package being due for completion by 2021.
- 10.41 Early feasibility work commissioned by the WYCA sets out a proposal for a new length of outbound bus lane on Armley Road between the end of the existing bus lane at Gloucester Road up to the main signals at Ledgard Way. This would require approximately 4m wide strip of third party land on the southern side of the road across the site frontage of the application site. To the west of the application site the bus lane would require land from LCC owned public open space.
- 10.42 The 4m of widening would result in the loss of some 30 parking spaces from the proposed development, assuming a landscaping strip is retained. This is 15% of the total with a likely comparable decrease in retail floor area which the developer states would make the scheme unviable.
- 10.43 The need to improve connections between Leeds and Bradford on this corridor are highlighted and supported by policies in the Core Strategy (Map 9 and SP11), West Leeds Gateway SPD and the Local Transport Plan. However none of these documents give any detail of proposed intervention measures. The WY Transport Fund has been the subject of an LCC Executive Board report in April 2013 with more recent reports to the WYCA in May 2014 and December 2014. These reports include some limited references to the Leeds Bradford corridor proposals but again no detail is provided.
- 10.44 There has been no public or stakeholder consultation on any aspect of the details of the Leeds Bradford HEBP proposals (there has been some consultation on previous schemes at certain locations which now fall with the wider project, but not at the application site) and the first the developer / landowner was aware of the potential for a land requirement was after they submitted the application.

- 10.45 The feasibility work undertaken to date (which has not been made public), splits the HEBP interventions in three packages along the corridor, with the Armley Road widening falling into the third package. The widening at this location would improve journey times and bus reliability, but the loss of this short length of bus lane would not prejudice the whole scheme. The critical length of bus lane is to the west of the site in the lead up to the Ledgard Way junction.
- 10.46 The Highway Authority preference would be to protect the land required for the bus lane from development but accept the scheme is at the early stages of feasibility with limited weight in terms of policy status, particularly given the need for third party land to implement the works.
- 10.47 Following legal advice it is considered that the corridor is a material planning consideration but as the scheme is at such an early concept stage with no formal approval process, funding or timescales that little weight can be afforded to this.

### Section 106

10.48 In this case, the following measures will be secured by means of a Section 106 Planning Obligation:

- Travel Plans, Travel Plan Coordinators and monitoring fees of £7,500
- Public Transport Contributions of £97, 251
- Off-site highways work contribution towards Armley Road and/Stanningley Road junction - £140,000
- Local Employment Initiatives

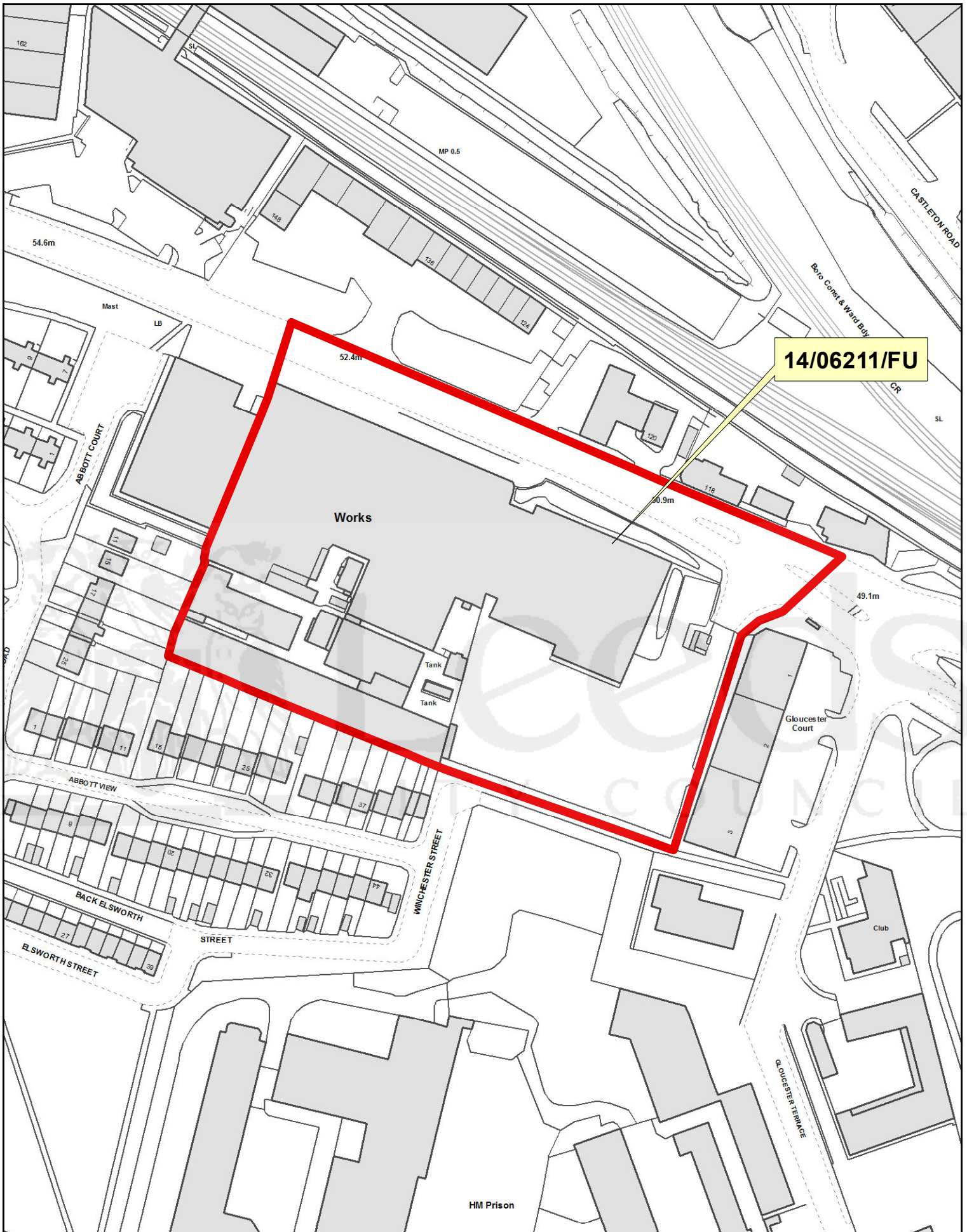
10.49 It is considered that these contributions are necessary in order to make the development acceptable, directly related to the provision of the Aldi store and stand-alone unit and reasonable in scale and kind in accordance with Core Strategy Policy ID2.

## **11.0 CONCLUSION**

11.1 Significant weight is attributed to the proposed development brings back into use a site that has been vacant for many years and has become an un-sightly feature in the streetscene and taking into account the site constraints it is considered that the proposed layout and design will create a positive feature in gateway location to Armley contributing to the regeneration of the area and providing new employment opportunities in the area. The application is considered acceptable with regard to principle and highway safety and is recommended for approval subject to a S106 and conditions.

### **Background Papers:**

14/06211/FU



14/06211/FU

# SOUTH AND WEST PLANS PANEL

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PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

SCALE : 1/1500

