



Report of the Chief Planning Officer

Plans Panel North and East

Date: 4th February 2016

Subject: 15/04498/FU Demolish existing unit and construct replacement foodstore with associated car parking, access, servicing, plant and landscaping at Lidl, 144 Amberton Road, Gipton, Leeds LS9.

APPLICANT

Lidl UK GmbH

DATE VALID

3rd August 2015

TARGET DATE

8th February 2016

Electoral Wards Affected:

Gipton & Harehills

Yes

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 following conditions and the completion of a Section 106 agreement to secure the following:

- Contribution towards compensatory greenspace provision (£50,000)
- Travel Plan monitoring fee (£2,500)
- Local Employment and training initiatives

In the circumstances where the Section 106 has not been completed within 3 months of the Panel resolution to grant planning permission, the final determination of the application shall be delegated to the Chief Planning Officer

1. Time limit on full permission (3yrs)
2. In accordance with approved plans
3. Submission of a construction management plan
4. Details of external walling and roofing materials
5. Details of boundary treatments
6. Details of landscaping and implementation
7. Details of landscape management plan

8. Constructed in accordance with proposed site level details
9. Restriction on amount of retail floorspace
10. Restriction on the sale of non-food items
11. Store opening hours (07.00-22.00hrs Mon-Sat & 09.00-17.00hrs Sun)
12. Delivery hours (07.00-20.00hrs Mon-Sat & 09.00-16.00hrs Sun)
13. Areas used by vehicles to be laid out
14. Details of reinstatement of footway/closure of existing access
15. Provision of vehicular access gradient
16. Provision of electric car charging points within car park
17. Carpark completed and made available for use by customers prior to opening
18. Car park and servicing management plan
19. Provision of tactile paving to nearby junctions
20. Details of surface water drainage methods
21. Surface water from areas used by vehicles passed through oil interceptor
22. No lighting direct towards dwellings/highways
23. No music or amplified sound (incl. tannoys) used shall be audible from site boundary.
24. External extract ventilation system/air conditioning plant shall be installed and maintained in accordance with the approved details and limit noise level
25. Restriction on noise from plant equipment
26. Bin storage facilities installed in accordance with submitted details
27. Notify LPA in event unexpected contamination encountered during construction works.
28. Any imported soils to be tested.

Full wording of the conditions to be delegated to the Chief Planning Officer, including any revisions and additional conditions as may be required.

1.0 INTRODUCTION:

- 1.1 This planning application is brought to the Plans Panel as the proposed development represents a departure from the City Council's development plan and entails the acquisition of local authority land to accommodate the development.

2.0 PROPOSAL:

- 2.1 The proposal involves the demolition of the existing Lidl food store and the erection of a larger replacement food store with associated car parking, access and landscaping. The existing store measures 1,100sqm gross internal area and 881sqm net and the proposed store measures 2,470sqm gross internal area and 1,424sqm net - equating to an uplift in net floorspace of 543sqm. To accommodate this larger store, some of the Council's land to the south which is currently set out as greenspace is proposed to be utilised.
- 2.2 The proposed replacement foodstore is to be sited towards the southern portion of the site and is oriented so its front elevation, containing the customer entrance, faces towards car parking and the site entrance off Amberton Road.
- 2.3 The store building would be rectangular in footprint with dimensions of 70m in width and 33m in depth. The building is set back from Amberton Road frontage by approximately 40m and set back from Oak Tree Drive by approximately 23m. The building stands 9m from the frontage to Oak Tree Walk and is sited circa 22m from the dwellings opposite (Nos. 7-21 Oak Tree Walk).

- 2.4 The proposed replacement foodstore comprises of the applicant's latest store format and would be largely single storey in height, comprising a main shop floor containing the retail floorspace and back of house facilities. A small first floor area is also proposed containing staff welfare facilities.
- 2.5 The building would have a modern appearance with mono-pitch metal clad roof which at its highest point elevates to a height of 5m (to eaves) and 7.6m (to ridge). The building is shown to be constructed from blockwork with a white render finish with a horizontal panel of light grey cladding above. The customer entrance elevation contains full-height glazing and is located to the northern end of the building with further glazed panels wrapping around the corner of the building to the Oak Tree Drive elevation. The service goods area is attached to the southern side of building and is accommodated within a mono-pitched structure constructed of materials to match the main store building.
- 2.6 The application site rises towards the south-west and accordingly the proposed development will involve excavation works towards this end of the site to maintain appropriate finished floor and car park levels across the site. Retaining walls are therefore to be constructed along the south-western perimeter of the site. A combination of walling, metal fencing and timber knee rails are to demarcate the site boundaries.
- 2.7 The proposed layout has landscaped beds to the perimeter of the site and proposes to retain the existing verge areas to the Oak Tree Drive frontage. New landscaping areas are to be provided to the edges of the site on the Oak Tree Walk and Amberton Road frontage. Tree planting is to be introduced to the southern end of the site.
- 2.8 The proposed car park extends around the north-east and north-west of the building with vehicular access achieved solely from Amberton Road. This entrance will serve customer parking and servicing/ delivery vehicles. This proposal will result in the closure of the service access off Oak Tree Drive. The car park will accommodate 126 customer parking spaces (incl. 4 disabled, 4 parent/child spaces and 4 spaces served by electric charging units). A new stepped pedestrian footpath link leads out towards Oak Tree Drive. A Travel Plan accompanies the applicant's proposals.
- 2.9 The proposal includes tree planting to the rear elevation and east elevation around the proposed delivery area. Additional areas of planting are situated at the northern tip of the site overlooking the roundabout with Oak Tree Drive and at the junction with Oak Tree Walk.
- 2.10 The proposal includes the installation of a freestanding substation and gas governor to be sited to either end of the site. Associated signage to the foodstore building and site are subject to consideration under a separate advertisement consent application.
- 2.11 The application site constitutes an out of centre location and the submission is accompanied by a sequential and impact assessments based upon 10 minute off-peak drive time to firstly assess whether there any preferable sites in town centres to accommodate the proposal or whether the proposal would adversely impact on the vitality or viability of existing centres. The following centres were considered: Harehills Lane, Harehills Corner, Halton, Oakwood, Hollin Park, Chapeltown Road, Chapel Allerton, Moortown Corner, Street Lane, Seacroft, Cross Gates and Montreal Road.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site currently comprises a brick built and concrete tile roof, single storey neighbourhood foodstore with associated signage situated to the southern corner of the junction of Amberton Road and Oak Tree Drive. The site also includes an area of 0.33ha greenspace which is grassed over.
- 3.2 The site includes vehicle access off Amberton Road leading to the main customer car park. There is an additional parking area and delivery vehicle access off Oak Tree Drive, situated to the south-west corner of the site. A 1m high brick wall separates the two parking areas. There is a palisade fence to the south-west boundary of the site; a low wooden rail fence to the north-east boundary; and a brick retaining boundary wall to the south-east boundary. The land adjacent to the vehicle access off Amberton Road has been block paved to a former landscaped area. The north-east boundary of the site has an open-grassed area in front of the foodstore building.
- 3.3 The site is bounded by residential properties to three sides comprising established local authority housing stock (along Oak Tree Walk) and contemporary residential development (opposite side of Oak Tree Drive) with a large portion of openspace beyond the south west boundary. Tree planting stretches alongside and within the central reservation of Oak Tree Drive. The existing foodstore is set level although stands on a plateau with the topography of the area sloping upwards to the west and downwards towards the south-east (Oak Tree Walk).

4.0 RELEVANT PLANNING HISTORY:

- 4.1 15/04499/ADV 3 illuminated signs- Decision pending.

13/05722/FU Demolition of existing store and erect replacement foodstore with associated car parking, access and landscaping- Withdrawn (12/06/15) as the applicant wished to pursue a larger replace store building.

13/00873/EXT Extension of time for single storey side and rear extensions and replacement canopy to front of supermarket (Previous approval 22 February 2010. Ref: 09/05563/FU) – Pending but likely to be withdrawn

11/01864/FU Single storey extensions to front, side and rear; alterations to access and car park to supermarket- Refused (24/08/11) on grounds of harm to visual amenity.

09/05563/FU Extension of time of for single storey extensions to front, side and rear of supermarket (Previous approval 10 January 2007 Ref: 06/01595/FU)- Approved (22/02/10).

09/03782/FU Rendering of existing brick walls and piers- Refused (21/10/10) on grounds of harm to visual amenity.

08/06824/FU Variation of hours of delivery- Refused (03/03/09) on grounds of amenity. Appeal Dismissed (19/08/09).

06/01595/FU Single storey rear and side extensions and replacement canopy to front of supermarket- Approved (10/01/07).

34/315/93/RM New access and retail food unit with 98 car parking spaces- Approved (11/02/94).

34/288/93/FU Amendment to conditions 17 & 19 (delivery hours and noise levels) of application 34/265/92/OT)- Approved (17/12/93).

34/274/93/FU Amendment to condition 1 of application 34/160/93/RM (roof materials)- Approved (09/11/93).

34/160/93/RM New access and 2 retail units with offices and car parking- Approved (30/07/93).

34/265/92/OT Retail unit and 114 parking spaces- Approved (04/05/93).

5.0 HISTORY OF NEGOTIATIONS:

5.1 The applicant submitted a pre-application enquiry which included a meeting with Officers. Discussions focussed on the need to position the foodstore building further away from the dwellings along Oak Tree Walk; need to provide compensatory greenspace provision; requirements for a sequential and retail impact assessment to be submitted; improvements in terms of design and level of complementary landscaping; and information relating to the sufficient parking provision.

5.2 Amendments have been sought through the application process including a re-positioning of the foodstore building, inclusion of additional openspace within the site to accommodate a re-sited foodstore and parking; additional information relating to parking requirement and servicing arrangements.

5.3 Prior to the submission this planning application, Lidl undertook a public consultation exercise to establish the views of local residents in the surrounding area in respect of the replacement foodstore proposals. A community consultation leaflet was circulated to 350 properties and a public consultation event held in store on 11th June 2015. There was a mixed response to the exercise with a number of respondents offering support to the proposals, highlighting underuse of the existing greenspace, job creation and enhanced shopping facilities. Objections were also received including a petition (containing 54 signatures) highlighting concern of the loss of existing greenspace, impact on residential amenity and local businesses. The applicant considers that the identified issues have been fully addressed within the submitted application documents.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application was advertised as a Major application and as a departure from the development plan by site notices posted adjacent to the site dated 21st August 2015 and re-advertised on 11th December 2015. The application was also advertised in the Yorkshire Evening Post Edition published 20th August 2015.

6.2 Ward Cllr Roger Harington expressed support to the development proposals and these are summarised below:

- Very pleased that Lidl are considering the re-development of their present store
- No objections to the proposed expansion over some existing greenspace, which is not considered to make a significant difference.

- Concern for residents on Oak Tree Walk who look out over the large building- *it is to be noted that the position of the store building has been revised and Cllr Harington now offers no objections.*

6.3 219 letters of representation have been received in response to the public notification process with 218 registering support and 1 placing comment. The support letters received are pre-printed letters stating ‘...support for the proposals for a replacement Lidl store in Gipton’ and signed by the individual. Some of the support letters contain reasoning and these are summarised below:

- More jobs
- Very good for shopping and easy to get to; foodstore is a lifeline to the community; need for local supermarket within walking distance to community; affordable of goods sold.
- Foodstore needs to be bigger with better parking; store is more popular, getting old and small for amount of customers using it; extra parking and improvements to green area would be an improvement.
- Proposed foodstore will offer new products and a new bakery

6.4 The letter placing comment on the proposal queried the location of the air conditioning units as these can be quite noisy.

7.0 CONSULTATIONS RESPONSES:

Statutory:

7.1 Coal Authority: No objection.

Non-statutory:

7.2 Highways: No objections, conditions recommended.

7.3 Flood Risk Management: No objection, condition recommended.

7.4 Contaminated Land: No objection. Conditions recommended.

7.5 Travelwise: No objection, travel plan monitoring fee to be secured and installation of electric car charging points.

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 Leeds currently comprises the Core Strategy, saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013).

Local Planning Policy

8.2 The Core Strategy is the development plan for the whole of the Leeds district. The following core strategy policies are considered to be relevant:

SP1: Delivery of spatial development strategy.

SP2: Support for a centres first approach directing retail, offices, leisure... supported by sequential and impact assessments

SP4: Regeneration priority programme areas

- SP8: Economic development priorities
- P1: Identifies town and local centre designations.
- P5: Approach to accommodating new food stores across Leeds
- P8: Sequential and impact assessments for main town centre uses.
- P10: Seeks to ensure that new development is well designed and respect its context.
- P12: Landscape
- G6: Protection and redevelopment of existing green space
- EN1: Promotes sustainability
- EN2: Sustainable design and construction
- EN5: Seeks to manage and mitigate flood risk.
- T2: Seeks to ensure that new development does not harm highway safety.
- ID2: Planning obligations and developer contributions

8.3 The south-western end of the identified site is designated as greenspace with the existing food store site not specifically allocated. Accordingly, the following saved UDP Review (2006) policies are considered to be of relevance:

- GP5: Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
- N1: Protection of urban greenspace
- N24: Development proposals next to green belt/ corridors
- N25: Seeks boundaries of sites to be designed in a positive manner using walls, hedged or railings where appropriate to the character of the area.
- BD5: Seeks to ensure new development protects amenity.
- LD1: Seeks for landscape schemes to complement and where possible enhance the quality of the existing environment.

8.4 The following Natural Resources and Waste policies are also considered to be relevant:

- WATER 7 : All developments are required to ensure no increase in the rate of surface water run-off to the existing formal drainage system and development expected to incorporate sustainable drainage techniques.
- LAND1: Supports principle of development on previously developed land and requires submission of information regarding the status of the site in term of contamination.
- LAND2: Seeks to retain existing landscape features but where a loss is proposed appropriate mitigation is required.

8.5 Supplementary Planning Guidance:
 Sustainable Urban Drainage (SPG22, adopted)
 Street Design Guide (SPD, adopted)
 Sustainable Design and Construction (SPD, adopted)
 Travel Plans (SPD, adopted)
 Parking Guidelines (SPD, adopted)

8.6 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.

- 8.7 The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given. It is considered that the local planning policies mentioned above are consistent with the wider aims of the NPPF.
- 8.8 The NPPF gives a presumption in favour of sustainable development and promotes a centre first approach to retail uses unless appropriately justified. The NPPF places a strong emphasis on achieving high quality design and attaches great importance to the design of the built environment being indivisible from good planning (para.56) and seeks development proposals to add to the overall quality of the area, create attractive and comfortable places to live and respond to local character (para.58).

9.0 MAIN ISSUES

1. Principle of development (incl. retail and compensatory greenspace provision)
2. Impact on design, visual amenity and character
3. Impact on residential amenity (incl. dominance, overbearing)
4. Highway implications
5. Flood risk and drainage
6. Other matters

10.0 APPRAISAL

Principle of development:

- 10.1 The application proposal seeks to demolish the existing Lidl foodstore and provide a larger replacement store in the company's new format. The proposed replacement store will have a gross floor area of 2,470sqm and a net sales area of 1,424sqm which would result in an uplift in the retail sales area at the site by 543sqm. National and local planning policy advice advocates a centres first approach to direct new retail 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 that would undermine this approach are not to be supported unless there are not other suitable, sequentially preferable sites. As the application site is not located within a designated centre it has been necessary for sequential and impact assessments to be undertaken. An appropriate catchment area for the sequential and impact assessments has been agreed with officers as being based upon a 10-minute off-peak drive time.
- 10.2 The submitted sequential assessment identifies twelve designated centres and considers whether any suitable and available sites within these designated centres and to the edge of the centres are capable of accommodating a store of the size proposed, subject to demonstrating some flexibility in regards to store format and scale. Overall, the assessment undertaken focused on three potential sites within the catchment but for reasons of unavailability and unsuitability the sites are considered unable to accommodate the proposed development. Accordingly, the submitted

assessment is considered to adequately demonstrate that no sequentially preferable sites in planning policy terms are available.

- 10.3 The submitted retail impact assessment is based upon the proposed uplift in the net sales area floorspace (i.e. 543sqm) and considers the impact of the proposal on existing, committed and planned investment in centres within the identified catchment (10-minute off-peak drivetime) and the impact of the proposal on town centre vitality and viability. The Lidl business format comprises the sale of both convenience and comparison goods which proportionately represent an 80/20 split of the sales area. It is acknowledged that the comparison goods (non-food items) sold are typically one-off specials and will vary week to week so that the level of competition with comparison goods retailers within existing centres would not result in any significant adverse impact. In view of this, the impact assessment focuses on convenience goods impact only and it is considered the assessment adequately demonstrates that the proposed uplift in tradable floorspace would have a negligible trade impact on existing designated centres within the catchment. Accordingly, it is concluded that the application proposal would have no significant adverse impact on the vitality and viability of existing centres.
- 10.4 In addition to the above retail policy considerations, the application requires the acquisition of approximately 0.33ha of land to the south west of the existing Lidl store. This land is in City Council ownership and forms part of a larger 1.5ha area of designated greenspace.
- 10.5 Local planning policy seeks to protect designated greenspace from development and safeguard their retention. Nevertheless, the adopted Core Strategy policy G6 sets out criteria where the redevelopment of greenspace may be permitted and criteria (iii) is considered particularly relevant to this application proposal which states, *(iii) where supported by evidence and in the delivery of wider planning benefits, redevelopment proposals demonstrate a clear relationship to improvements of existing green space quality in the same locality.*
- 10.6 The Leeds Open Space, Sport and Recreation Assessment (OSSRA) was prepared to develop appropriate planning policies for open space, sport and recreation uses within the Local Development Framework (LDF). Whilst the document is not formally adopted the evidence base supporting the assessment is considered to represent an accurate position of the greenspace across the city and highlights where surplus and deficiencies exist.
- 10.7 The OSSRA identifies six different typologies of greenspace and the land contained within the application site is defined as 'Amenity' greenspace. Amenity greenspaces are most commonly found in residential areas and function as informal recreation areas, greenspace in and around housing estates and village greens. The application site lies within the East Inner Area, which includes the wards of Gipton and Harehills. The OSSRA concluded that there is a significant surplus of Amenity space in the wider 'inner east area' with a very small deficit in the ward associated with this development.
- 10.8 From the information contained within the OSSRA it is concluded that the surplus of Amenity greenspace in the wider locality is considerable, despite deficits existing in other greenspace typologies. Whilst the proposal will result in a reduction of greenspace adjacent to the site the proposed development is to fund improvements to existing greenspace in compensation and the overall package will realise considerable benefits and improvements to the quality of existing green space in the

locality. For this reason officers consider that, the proposed development satisfies the requirements of Policy G6 and can be supported in principle.

- 10.9 In recognition of the above, the proposed development seeks to compensate for the loss of the portion of greenspace through a financial contribution of £50,000 which is to be secured by S106 agreement. This figure is separate to the purchase price that Lidl is paying the City Council for the land. The contribution received is to be directed towards greenspace projects identified by the Council's Parks & Countryside in consultation with Ward Members to provide enhancements to existing greenspace within the locality.
- 10.10 In addition to the above considerations, the proposed redevelopment represents a significant financial investment in the site which will result in an improved shopping environment for customers and provide employment opportunities. The investment is considered to complement the investments in the other recent residential developments in this locality (off Oak Tree Drive and Oak Tree Mount) and would align with wider regeneration objectives. Overall, it is considered that planning support can be given, in principle, to the development proposal although its overall acceptability is subject to other material considerations being satisfactorily resolved.

Impact on design, visual amenity and character:

- 10.11 It is understood that the existing foodstore was the first opened in the UK by Lidl when it began trading in 1994 and it is advised that the store no longer meets customer or retailer requirements and this has led to the comprehensive redevelopment of the site as detailed within this application.
- 10.12 The application site is located adjacent to the highway junction and by virtue of the wide carriageway of Oak Tree Drive, the adjacent greenspace and the rising land level to the south west the proposed foodstore building will be readily visible on approach along Oak Tree Drive and from around the highway junction. Only the intervening mature highway trees will filter and screen views of the site at these viewpoints.
- 10.13 The site lies within a predominantly suburban residential location containing a range of traditional two storey brick built semi-detached/ terrace dwellings to the south, east and north. To the west of the site is a recently completed residential development that displays a greater variance in house-type design, building heights and a wider palette of external materials utilised, including cladding and white render.
- 10.14 The replacement store building represents a significant change from the existing building in terms of both its position within the site and its external appearance. The proposed building is contemporary in appearance and reflects Lidl's new format stores. The building design incorporates a mono-pitch roof and is to be constructed in white render with full height glazed panels to its principal elevation to create visual interest from the Amberton Road aspect. It is recognised that the surrounding residential properties are predominantly constructed in brickwork, as is traditional, but this building is considered different in its function and overall scale and affords the opportunity to allow a different approach. The planning history of the site indicates that over the years a number of alterations, extensions and re-development proposals have been considered and this has included the refusal of proposals seeking to render finish the existing store building. The construction of the contemporary designed residential development to the west has introduced variety in building types and materials in the locality and the use of render as a feature within the streetscene is now not uncommon. This, in conjunction with a completely new, contemporary

designed store now proposed is considered sufficient reason to allow the introduction of rendering.

- 10.15 Despite being largely single storey in nature, the proposed foodstore building is by its very nature a bulky structure with broad elevations and an expansive roof covering. However, the existing ground levels beyond the southern portion of the site will assist in masking the service delivery area and the southern end of the car park as the surrounding grounds levels elevate well above the proposed finished level of the store and car park area.
- 10.16 The existing foodstore site contains limited landscaping features and is largely hardsurfaced. The proposed development will offer additional opportunity to improve the landscaping presence to the Amberton Road and Oak Tree Drive frontage and enhance the landscape buffer between rear of the store building and the dwellings to the opposite side of Oak Tree Walk. The planting belt along the road frontage will also provide an appropriate opportunity for screen planting to help filter views of the building and wider site.

Impact on residential amenity:

- 10.17 The proposed replacement foodstore is to be positioned towards the southern portion of the site and brings it in closer proximity to the dwellings fronting Oak Tree Walk than the existing foodstore building. As observed within para.3.3 of this report, these properties are positioned on a lower ground level and considering the larger scale of the store in terms of its height and wall length careful consideration is given to ensure it is not unduly over-dominant or overbearing.
- 10.18 During the course of the planning application the siting of the foodstore was amended to increase the separation distance between it and the properties along Oak Tree Walk. As proposed, the building is oriented so that the lower wall height of the building faces out towards the residential dwellings along Oak Tree Walk with the mono-pitch roof rising away from these properties, towards the centre of the site. Although the proposed store building elevates 1m above the eaves height of these existing dwellings the available separation distance is approximately 22m and such a distance is comparable to the separation distance generally sought between properties to avoid amenity issues. Taking account of the store building's north-westerly position and the proposed intervening landscaping belt it is not considered the store will be unduly dominant, overbearing or cause overshadowing issues for the nearest residential occupiers.
- 10.19 In addition to the consideration of the physical impacts that the proposed structure will have on neighbours' amenity, the activities associated with the retail use are also to be assessed. In order to protect the neighbour's amenity the opening hours and delivery hours are to be restricted by planning condition and restrictions are to be imposed on noise generation from external plant and ventilation equipment. In respect of the delivery hours these are to occur in line with the established delivery hours of the existing store building. Furthermore, given the site's closeness to residential properties restrictions are to be imposed on the hours for demolition and working hours during the construction phase and a detailed construction method statement is to be secured by condition.

Highways implications:

- 10.20 The application site is located within an established residential area being within easy, convenient walking distance of a large number of dwellings and good access to the frequent bus services operating nearby.

- 10.21 The proposal includes a widening of the site access onto Amberton Road and will provide a suitable means of vehicular access (incl. sightlines) into and out of the site. The existing service access onto Oak Tree Drive is to be closed off with all traffic movements accommodated via Amberton Road.
- 10.22 The proposed replacement foodstore will be served by 126 car park and this is considered adequate to cater for the demand generated by the larger format store. Moreover, the predicted additional traffic movements generated by the replacement store are not considered to adversely impact on the operation of the local highway network. An analysis of the proposed site layout demonstrates that delivery vehicles will be able to satisfactorily manoeuvre within the site without compromising highway safety and the management of the servicing arrangements to the store building could be secured through planning condition.

Flood Risk and drainage:

- 10.23 The submitted Flood Risk Assessment identifies that the application site is located within Flood Zone 1 where there are no specific requirements in terms of mitigation of fluvial flood risk. However, the proposed development will involve an increase in the amount of hardsurfacing towards the southern end of the site and surface water attenuation storage is proposed to be installed with an appropriate restriction on discharge rates. It is considered that through the suitable management of surface water run-off the proposal will not increase flood risk to the wider catchment area and the precise design details of the proposed drainage methods is to be secured through planning condition to ensure the Council's requirements are delivered in full.

Other matters:

- 10.24 In respect of land contamination matters, the submitted phase 1 desk study report accompanying the application recommends that a phase 2 site investigation is carried out and contamination officers are content for this additional work to be secured through an appropriately worded planning condition.
- 10.25 This development is Community Infrastructure Levy (CIL) liable and is likely to generate a CIL charge of £239,750. CIL is generally payable on the commencement of development. The payment of CIL is non-negotiable, except in exceptional circumstances, and consequentially is not material to the determination of the planning application. Accordingly, this information is presented simply for Members information.

11.0 CONCLUSION

- 11.1 The proposed replacement foodstore represents a significant investment which will improve the existing retail facilities in this part of Gipton and provide employment opportunities. It has been adequately demonstrated that there are no sequentially preferable sites available and that the resultant uplift in retail floorspace will have a negligible trading impact on designated centres within the local area. The loss of greenspace is considered to be satisfactorily compensated through substantial investment towards identified greenspace enhancement projects within the locality and so the development can be supported in principle.
- 11.2 In terms of detailed considerations, the proposed development is not considered to be detrimental to visual amenity or have an adverse impact of neighbouring occupier amenity. The proposal is not considered to adversely impact on the local highway network and subject to appropriate attenuation measures would not

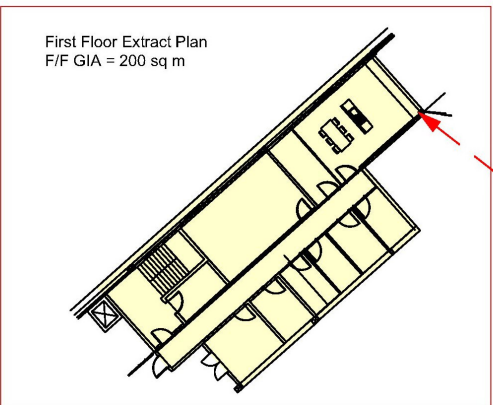
increase flood risk. Overall, the proposal is considered to complement the wider regeneration objectives in this locality and merits officer support. The application is also noted to have received a considerable amount of local support including from a Ward Member. For all of these reasons, the proposed development is considered to be acceptable and is recommended for approval.

Background Papers:

Application and history files.

Certificate of Ownership signed by the appointed planning agent on behalf of the applicant and notice served to Leeds City Council dated 27th July 2015.

First Floor Extract Plan
F/F GIA = 200 sq m



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HTC ARCHITECTS. IT MUST NOT BE REPRODUCED, USED,
DISCLOSED OR TRANSMITTED TO THIRD PARTIES IN ANY FORM, IN
WHOLE OR IN PART, WITHOUT PRIOR WRITTEN PERMISSION.
ALL DIMENSIONS SHOULD BE CHECKED ON SITE BEFORE
WORK COMMENCES

SUBJECT TO HGV TRACKING
SUBJECT TO SURVEY LEVELS

- New stepped pedestrian access
- Existing site access closed
- 4 New 32 Amp electric vehicle charging points
- Existing gas governor repositioned

- Existing site access widened
- New Sub-station position



Additional Land 546 sq m
New Gas Governor position

- Lighting Column Key
- Proposed double head lighting column
 - Proposed single head lighting column
 - Wall mounted linear lighting

Rev	Date	Description	Drawn
H	19.01.18	Charging point details updated	PC
G	19.01.18	Electric charging points added	PC
F	27.11.15	Slope indicated, parking bays by Oak Tree Walk repositioned, HGV bollard added	PC
E	27.11.15	Boundary extended, land area updated in line. Retaining wall adjusted in line with graded slope	PC
D	20.11.15	Updated in line with latest Floor Plan. Delivery ramp adjusted, retaining wall and access slope adjusted, access path widened along rear of store	PC
C	13.11.15	Lighting columns added	PC
B	28.10.15	Store moved, landscaping adjusted to suit, parking space numbers increased, blue line boundary re-adjusted	PC
A	15.10.15	Blue line boundary adjusted, condensers removed, Gas governor position adjusted	PC

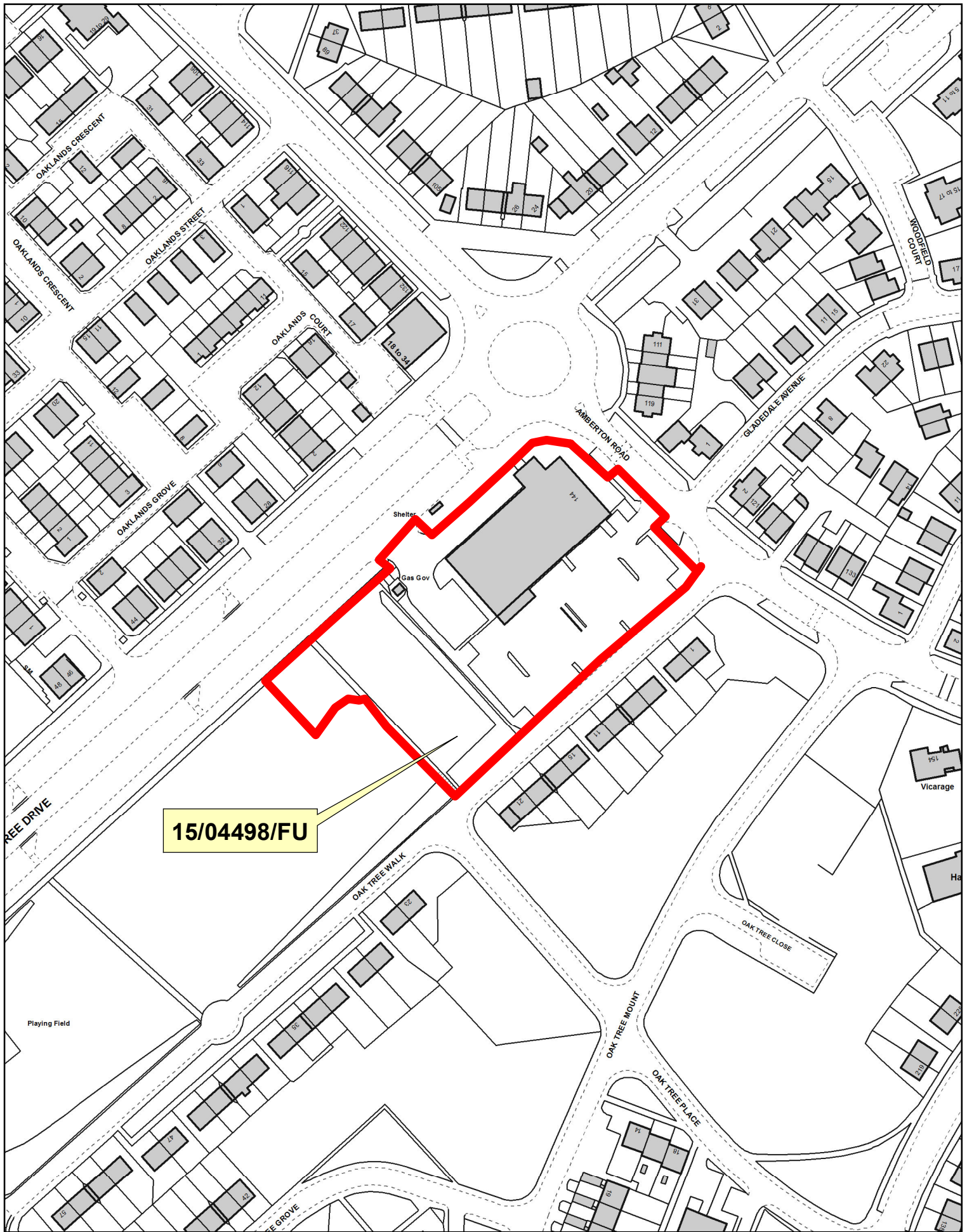
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project
**Proposed Rebuild,
Gipton,
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drawing title
Proposed Site Layout

date **September 2015**
status **Planning Issue**
scale **1:500 @ A3**
drawn **JH** checked **MH**
job no. **549** dwg no. **SK10 rev. H**



NORTH AND EAST PLANS PANEL

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SCALE : 1/1500

