



Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 4th February 2016

Subject: PREAPP/15/00743 - Pre-Application Presentation - Proposed development of Allerton House, Pelham Place, Chapel Allerton for a food based retail store.

Electoral Wards Affected:

Chapel Allerton

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: This report is brought to Panel for information. The developer's representative will be asked to present the emerging scheme to allow Members to consider and comment on the proposals.

1.0 INTRODUCTION

1.1 The purpose of this report is to appraise Members of forthcoming proposals for the development of a previously developed site which is located within Chapel Allerton town centre. The site has previously been the subject of planning permission for a food based retail store for the benefit of Morrison's who have decided to not pursue the development.

2.0 SITE AND SURROUNDINGS

2.1 The application site is 0.56 hectares and lies off Harrogate Road in the centre of Chapel Allerton and is bounded by Pelham Place 2 – 18 Stainbeck Lane to the South, The Mustard Pot/ Chapel Allerton Tennis Club to the west, residential properties of 1 – 9 Grosvenor Park to the North and Allerton Hill to the north east of the site.

2.3 Land levels rise across the site and there is a significant difference in levels between Grosvenor Park and the site. The site has formerly had two office buildings on it. One building, closest to Allerton Hill, has been demolished and Allerton House remains vacant on the site.

2.4 Existing access to the site is taken from Harrogate Road at the corner with Stainbeck Lane adjacent to the Yorkshire Bank. Another vehicular access exists onto Allerton Hill, adjacent to 1 Grosvenor Park. The site lies centrally within the S2 Chapel Allerton Centre and is a prominent site. The Chapel Allerton Conservation Area was extended and now includes this site within it.

3.0 PROPOSALS

3.1 The proposal seeks to clear the site of the remaining buildings and to establish a food based retail unit towards the rear of the site with car parking provided between the retail unit and the High Street of Chapel Allerton. Servicing will be located on the south east boundary of the site, being that boundary shared with properties fronting onto Stainbeck Lane. The proposed gross floor area is 1,638 square metres of which 1,140 square metres will be net retail floor space. 77 car parking spaces, 5 of which are designated disabled parking spaces are proposed.

3.2 Access is proposed from Harrogate Road which would re-align the access to the site that presently exists adjacent to the Yorkshire Bank building. The existing access from Allerton Hill would be extinguished.

4.0 HISTORY OF NEGOTIATIONS AND PLANNING HISTORY

4.1 The developer approached officers in 2015 with the scheme that is the subject of this presentation. Various consultations were undertaken before feedback was given to the developers that it was the view of officers that whilst the principle of a food based retail development was considered acceptable on this site, especially given the very recent planning history, the form of that development as presented was not.

4.2 The recent history of the site included the submission of 2 planning applications, whereby one development proposal sought to gain planning permission for a food based retail unit towards the rear of the site as per the current proposal and the other sought planning permission for the same development but with the unit located towards the front of the site on the Harrogate Road frontage. These are; 12/00822/FU – Refused and 13/00694/FU – approved. The extant permission is valid until 5th December 2016.

4.3 The developers also organised a public consultation events which took place soon after the feedback from officers was given to them and they will no doubt appraise Members more fully of the results of that consultation exercise. However, the visual options provided to the public was a building constructed of brick building constructed of stone. The consultation did pose the following questions:

Should the store be located at the back of the site or along the edge of Harrogate Road?

Should the store be built in brick or stone?

4.4 Ward Members have been informed of this pre application presentation and were informed by the developers of their public consultation exercise.

5.0 RELEVANT PLANNING POLICIES

5.1 National Planning Policy Framework (NPPF)

The NPPF advocates a presumption in favour of sustainable development. In this context development in Town Centres and developments on previously developed land would both contribute towards the sustainability credentials of the development. It also places a great emphasis on good design and the positive contribution that this makes towards sustainable development.

5.2 Development Plan

The Development Plan is the Core Strategy and Saved Policies from the former UDPR. Policies that are considered relevant to this proposal include:

Core Strategy:

P10 Design – Seeks to ensure that new development is based on a thorough contextual analysis and provide good design appropriate to its scale

P11 Conservation – Seeks to conserve the historic environment including significant undesignated assets and their settings

P12 Landscape – Seeks to ensure the character of townscapes are conserved and enhanced.

T1 Transport management

T2 Accessibility requirements and new development

EN2: Sustainable design and construction

EN5: Managing flood risk.

ID2: Planning obligations and developer contributions

UDPR

SA1: Secure the highest possible quality of environment.

GP5 all relevant planning considerations

N19: Development within conservation areas.

N25: Seeks to ensure boundary treatment around sites is designed in a positive manner.

N26: Relates to landscaping around new development.

N38B: Relates to requirements for Flood Risk Assessments.

N39A: Relates to sustainable drainage systems.

BD2: The design of new buildings should enhance views, vistas and skylines.

BD5: The design of new buildings should give regard to both their own amenity and that of their surroundings.

BC7: Relates to materials to be used in conservation areas.

LD1: Relates to detailed guidance on landscape schemes.

- 5.3 The Development Plan also includes the Natural Resources and Waste Development Plan Document (2013): Developments should consider the location of redundant mine shafts and the extraction of coal prior to construction.
- 5.4 Supplementary Planning Document – Leeds Parking Policy – Adopted 16th December 2015
- 5.6 Chapel Allerton Conservation Area Appraisal and Management Plan
- 5.7 CANPLAN Community Plan and Design Statement

6.0 MAIN ISSUES

6.1 Officers have held discussions with the applicant over the proposed development and have focussed on a number of matters. Members are asked to consider the following matters in particular:

6.2 Principle of Development

6.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 state that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

6.4 Paragraph 12 of the National Planning Policy framework indicates that development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. The starting point for any consideration of the development must therefore be the provisions of the Local Plan, in order to assess whether the development is in accordance with the development plan.

6.5 The site is presently within the definition of the Town Centre of Chapel Allerton and there exists an extant permission which could be implemented. To this end, it is clear that the principle of retail development on this site is acceptable.

- **Do members agree that in principle the development of this site for retail purposes is acceptable?**

6.6 Layout Heritage Issues & Design

6.7 The development site is located within Chapel Allerton Conservation Area. Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 sets out the duty to pay "special attention to the desirability of preserving or enhancing the character or appearance" of conservation areas. This is a duty to have special regard to preserving the conservation area's character or appearance and this requires the decision-maker to not just treat it as a material consideration, but to give considerable importance and weight to the preservation or enhancement of it.

6.8 Officers have met with the developer's and their agents to discuss the scheme and have sought to emphasise that it is considered that any development of this site should demonstrate basic principles of good urban design, which in this case means the positioning of a building towards the Harrogate Road frontage of the site with the servicing and car parking to the rear. This pattern of development is demonstrated throughout Chapel Allerton and it is considered by Officers that there are no overriding reasons why that same pattern of urban design should not be followed through on this site.

6.9 This aspect in itself is a strong planning reason to reject the option forwarded by the developers, however greater emphasis is placed on this consideration due to the site's status in a Conservation Area. It is the view of officers that to push the building to the rear of the site would not only be detrimental to the street scene generally but also to the Character of the Conservation Area and as identified in paragraph 6.7 there is a statutory duty to give considerable weight to this aspect of the impact of the development. In addition, a building located close to the road frontage would

help reinforce the retail frontage and help in the vitality of Chapel Allerton as a retail centre.

6.10 There have been no detailed plans submitted with the scheme except for two 'artist's impressions' and a layout plan. It is therefore difficult to comment with any degree of certainty as to the acceptability of the 'design' of the proposed building itself, however it appears that on the information so far presented that the general form, bulk and massing of the proposed store may be acceptable. Of course in the absence of any schematic showing the building towards the frontage of the site this comment is heavily caveated. Officers would have a tendency to prefer the stone finish rather than the red brick as a building in a prominent location within the conservation area should reflect the historic vernacular however it is accepted that there are examples of red brick buildings within the Town Centre already.

6.11 Members are asked to consider the presentation given and to have regard to the comments above. In particular:

- **Do Members consider the layout as presented by the developers to be appropriate in urban design terms and potential impact on the Character of the Chapel Allerton Conservation Area?**

6.12 Highways Issues

6.13 in the absence of an agreed position for the proposed retail unit there will be a number of issues from a highways perspective still to be resolved. However, on the basis of the present layout there is considered to be a shortfall of parking spaces which needs to be addressed by the developers. In addition, there is concern over the means of access with a fundamental divergence of views regarding the provision of a means of access without a pedestrian refuge in this busy centre location. These are matters that can be negotiated at the application stage however given the concerns raised in CANPLAN regarding the generality of highway safety matters in Chapel Allerton members are asked;

- **Should the developers provide a pedestrian refuge at the access road?**

6.14 Planning Obligations

6.15 There are aspirations identified within the CANPLAN document for the provision of a traffic light controlled pedestrian crossing on Harrogate Road to improve pedestrian links across this busy road and to facilitate the flow of shoppers in and around the Town Centre. It is also an aspiration that a 'square' be created for the wider benefit of the community with improvements to the Stainbeck Lane Harrogate Road Junction. The scheme will be CIL Liable therefore any contributions identified on the Regulation. 123 List can be earmarked from this source. However, it can be explored as to the contributions that might be possible under a Section 106 Agreement for the provision/improvement of Local Junction/Highway Improvements and access to the site.

- **Do Members consider that it is appropriate to seek additional contributions if possible towards the improvements of an urban square**

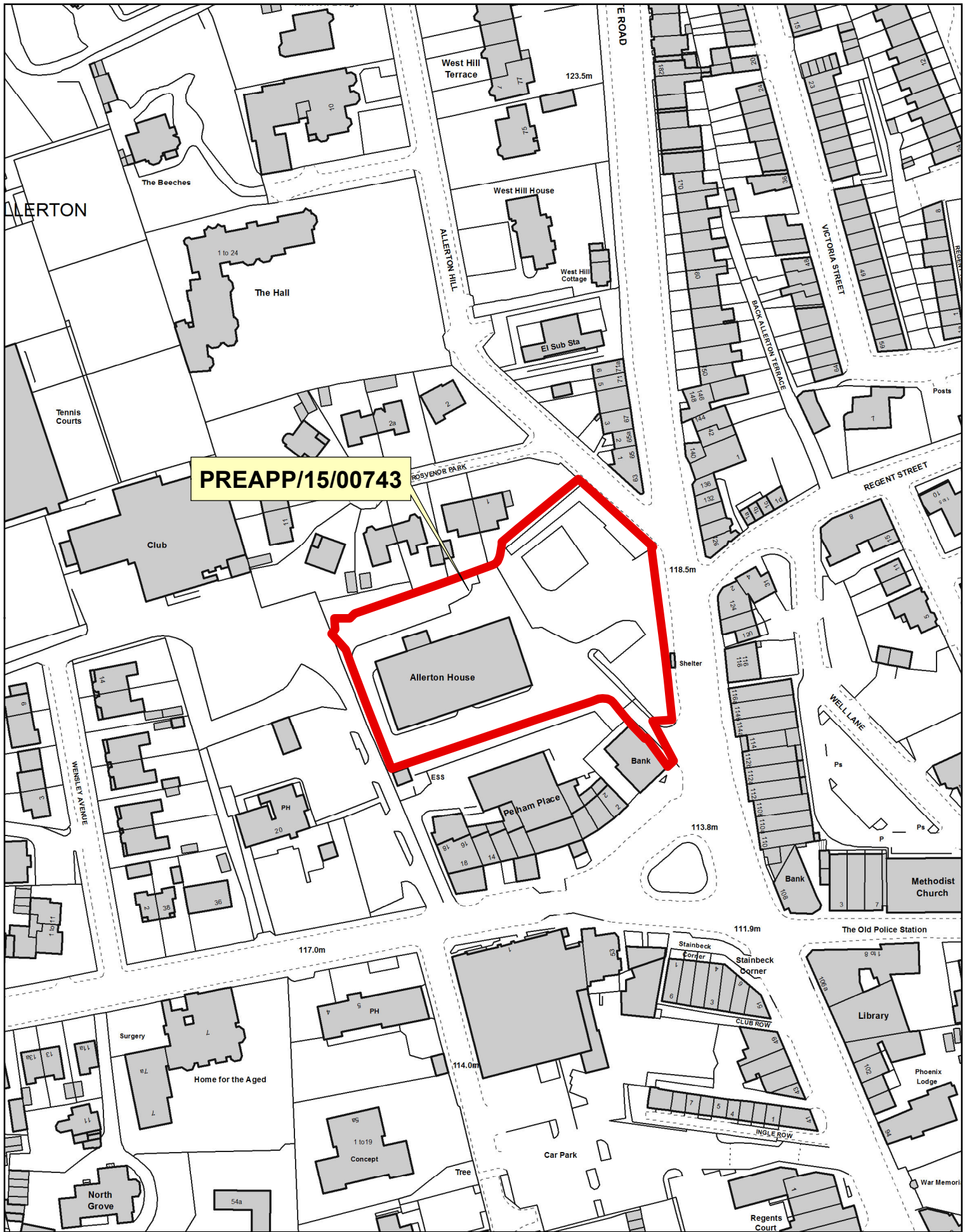
and or other highway improvements for the benefit of Chapel Allerton Town Centre if they are possible under a Section 106 Agreement over and above any contributions required under CIL?

7.0 CONCLUSION

- 7.1 The site is clearly in need of re-development and has the potential of making a significant and positive contribution to the vitality and viability of Chapel Allerton town Centre, however it is considered that this is not at any cost and that notwithstanding the desirability of the site to be developed, it is considered this should be carried out in a manner that is compliant with advice in the NPPF on good design and sustainability, in Core Strategy Policies including the former UDPR and with the aspirations of the Character of the Conservation Area within which it lies.



Project No	1723-006	Client	Aldi Stores Ltd
Project Name	Proposed Foodstore Development Harrogate Road Chapel Allerton	Scale	1:500 Drawing No. A3
Drawn by	JDB	Checked by	NJC
Date	07/15	Drawn by	
Project No	1723-006	Client	
<p>THE HARRIS PARTNERSHIP WATERLOO 1, GUY'S CLIFF ROAD, LONDON SW14 7LJ THE HARRIS PARTNERSHIP ARCHITECTS 222 FLOOD COURT WATERLOO, 12 DUBLIN STREET, MANCHESTER M1 2AQ THE HARRIS PARTNERSHIP ARCHITECTS The Old Rectory, 27 High Street Newport, Rhondda, SA1 1QD THE HARRIS PARTNERSHIP ARCHITECTS 1, GUY'S CLIFF ROAD, LONDON SW14 7LJ</p>			



PREAPP/15/00743

NORTH AND EAST PLANS PANEL

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SCALE : 1/1500

