

Report of the Chief Planning Officer

Report to Development Plan Panel

Date: 5th April 2016

Subject: Site Allocations Plan – Retail Topic Area

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): City & Hunslet, Hyde Park & Woodhouse, Headingley, Harehills, Beeston & Holbeck, Kirkstall, Yeadon, Guiseley & Rawdon, Rothwell, Morley North, Morley South and Garforth & Swillington.		
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number: Appendix number:		

Summary of main issues

1. This report provides a summary of the representations received to the publication consultation on the Site Allocations Plan (SAP) with specific regard to Retail. The main issues raised in the representations to the Plan are discussed, with recommendations for consideration in determining how the council should respond for all areas except the City Centre. Major Modifications to the SAP are recommended.

Recommendation

2. Development Plan Panel is invited to:
 - i) Note the summary representations on retail to the draft Site Allocations Plan consultation shown at Appendix A.
 - ii) Consider the issues set out in Section 4 of the report and the accompanying policy and plans at Appendices B - M and agree the recommendations.
 - iii) Consider and agree the proposed Major Modifications to the SAP on retail set out in Section 5 of the report.

1.0 Purpose of this Report

- 1.1 A report to Development Plans Panel on 19th January 2016 provided an initial assessment of the representations received to the Publication Draft SAP. As part of the report, members received information on the overall scale of representations, together with an explanation on emerging key issues.
- 1.2 The purpose of this report is to provide members with an analysis of the representations made in respect of retail designations and recommendations for the way forward in relation to the issues raised. Please note that analysis is made for the City Centre but recommendations will be made at a later Panel meeting.

2.0 Scope of the SAP for Retail Designations

- 2.1 The Core Strategy establishes the hierarchy of centres for retailing, offices, intensive leisure and culture (otherwise known as 'main centre uses'). The hierarchy includes Leeds City Centre and the 60 Town and Local Centres throughout the Leeds Metropolitan District.
- 2.2 Most of the Centres were defined in the Leeds Unitary Development Plan. All Centres have been reviewed through the SAP process and new Centres defined. Where appropriate, the plan for each centre identifies the Primary Shopping Area and Primary and Secondary Shopping Frontages. This overall approach is intended to safeguard the overall retailing character of shopping streets and maintain the vitality and viability of the Centres.
- 2.3 In addition, the SAP sets out where new Centres should be delivered as part of large housing allocations. A new Centre at Richmond Hill is proposed to fulfil this requirement, which is discussed in the draft Aire Valley Leeds Area Action Plan (AVLAAP). The 'Site Requirements' for new housing allocations detail what is required in terms of retail provision elsewhere.

3.0 Summary of retail representations to the SAP consultation

- 3.1 The SAP Retail Background Paper and Sections 1, 2 and 3 of the SAP documentation, formed the basis for consultation on Retail. In all, 26 representations from 18 submitters were received.
- 3.2 The majority of the responses were positive about the need to protect and enhance the vitality and viability of shopping areas within the hierarchy of proposed Centres. Of the objections raised, a large number related to the details of proposed Town and Local Centre boundaries. One submitter proposes a Higher Order Local Centre at Guiseley. With respect to the City Centre, most of the submitters request additional flexibility within protected shopping frontages over and above that offered in the adopted Leeds Core Strategy and (following on from this) those proposed in the SAP. Two of submitters specifically referred to recent changes in permitted development

rights and have concerns over the wording and emphasis of the SAP's Shopping Frontage Policies. All of the representations relate primarily to the proposed SAP policies RTC1 and RTC2 and, to a lesser extent, the supporting text on retail contained in Section 1 & 2 of the SAP.

- 3.3 For ease of reference, the analysis of retail representations within this report is categorised by HMCA, other than for one general issue raised on permitted development rights. The submissions received relate to only 7 of the 13 HCMA's, as follows:

HMCA	No. of submissions	No. of representations
City Centre	9	10
Inner	6	10
North	1	1
Aireborough		2
Outer South	1	1
Outer South West		1
Outer South East	1	1

- 3.4 A summary of the main points raised in each representation (other than for the City Centre HCMA) is identified below followed by the Officer response in *italics* and Officer recommendation to Members in **bold**.

4.0 Analysis of retail representations

4.1 City Centre HMCA

- 4.1.1 The character of retailing within Leeds City Centre is changing and moving towards becoming a more leisure-related activity. This is illustrated by the more recent retail-led developments within the City Centre, particularly at the Trinity and future Victoria Gate (Phase I) Shopping Centres. Leeds is ranked as the 4th retail destination outside of London and in order to retain its position, it is important for the Council's Retail Policies to respond appropriately to the changing market circumstances.
- 4.1.2 A reasonable balance therefore needs to be struck to enable our Retail Policies to provide developers and landowner's flexibility and confidence whilst maintaining a sufficient core level of retail offer, to ensure the vitality and viability of Leeds City Centre. This reflects the approach of the adopted Leeds Core Strategy.
- 4.1.3 The representations made on the City Centre HMCA are within Appendix A. The majority of these representations are from shopping centre owners requesting the removal or downgrading of the SAP's proposed Primary and Secondary Frontage designations. Shopping centre owners and their Agents also request clarification on the exceptional circumstances that would constitute a relaxation of Retail Policy as set out in para. 2.24 of the SAP Overview (please refer to Appendix B). A number of other representations relate to the impact of the changes in permitted development rights. A1 uses are now permitted to change to the A2 use

class without restriction (shop to financial and professional services) and A1 uses are also permitted to change to the A3 use class (shop to restaurant/café), subject to the unit not being Listed or exceeding 150sqm. Agents and developers therefore consider the proposed SAP Policy RTC2 to be unsound, as it fails to recognise that permitted development rights could undermine the requirement for 80% of Primary Frontages to be occupied by A1 retail uses in the City Centre. SAP Policy RTC2 and accompanying guidance is shown at Appendix B.

- 4.1.4 These permitted development rights post-date the Core Strategy and the SAP currently makes no specific reference to them. Given this and the objections to the robustness of proposed Policy RTC2, Officers consider that detailed recommendations on City Centre Retail Policy cannot yet be provided at this stage. Further consideration is therefore needed to consider the contents of the City Centre representations and respond accordingly with detailed recommendations.
- 4.1.5 There is also a possibility that the Frontage designations within the Prime Shopping Area may need to be amended to better reflect the current and future retail dynamics of the City Centre. Officers are currently working to re-survey the Prime Shopping Quarter to provide the basis for this assessment. The current proposed Frontage designations for the City Centre Primary Shopping Area are shown at Appendix C.
- 4.1.6 **Members are requested to note the contents of the above summary on the City Centre HCMA representations and agree that Policy RTC2 should be reviewed in light of these representations, particularly with respect to permitted development rights and frontage designations.**

4.2 Inner HMCA

Cardigan Road Local Centre – Appendix D

- 4.2.1 The Hyde Park Neighbourhood Forum and South Headingley Community Association propose the reduction of the centre boundary by removal of the following uses on Cardigan Road: Milford Building Supplies, land previously occupied by a glassworks place, buildings occupied by The Cardigan Centre and Left Bank Leeds. The trustees of Left Bank Leeds also request their building to be removed from the Local Centre.
- 4.2.2 *Officers consider that a reduction of the centre boundary can be achieved but only part way to meeting the requirements of the submitters. The former glassworks land is currently under construction for student accommodation and can therefore be removed from the centre boundary. Officers do not agree that Milford Building Supplies should be removed from the boundary. It is accepted that the use is not a standard 'main centre use' but given that the majority of the site is sales related and accessible to the public it is considered that the use should be retained within the centre boundary. It is also considered that The Cardigan Centre and Left Bank Leeds should*

remain within the boundary given that they provide services and arts/events space for the community consistent with main Town Centre Uses.

- 4.2.3 The Hyde Park Neighbourhood Forum proposes that Cardigan Road be designated as a Lower Order rather than Higher Order Local Centre.

Officers consider that the Higher Order designation is justified on the basis of type and range of 'main centre use' floorspace, particularly A1 use and the overall size of the centre. Account has been taken of the above amendments to the centre boundary in coming to this view.

- 4.2.4 **In line with the above considerations Officers request Member approval to reduce the extent of the Cardigan Road Local Centre boundary by removing the land formerly occupied by a glassworks.**

Hyde Park Corner Local Centre – Appendix E

- 4.2.5 The Hyde Park Neighbourhood Forum agrees with the designation of the centre as a Lower Order Local Centre. However, the Forum disagrees with the centre boundary and proposes a boundary extension to the north-west to include nos. 25a and 27-29 Headingley Lane.

- 4.2.6 *Officers advise that these units comprise the 'Red Door Lets' Letting Office and 'Best Kept Secret' Fancy Dress Shop, respectively. Officers agree that the units can, in principle, form part of the centre given their current use. The units would also form a natural extension to the proposed Centre boundary. However, it is recognised that the proposed route of the Leeds NGT system, if approved, would affect the Hyde Park Corner Local Centre. Furthermore, an NGT tram-stop is proposed in the area of nos. 25a and 27-29 Headingley Lane. On balance, it is considered that the current status of NGT should not preclude the centre boundary being extended to include these properties. This part of the centre boundary is unlikely to be realised in the future should the NGT route be approved by the Secretary of State.*

- 4.2.7 The Hyde Park Neighbourhood Forum and the South Headingley Community Association request a boundary extension to include a unit(s) to the east at 221 Woodhouse Street.

- 4.2.8 *Officers advise that this unit was the former Post Office and Hyde Park Delivery Office. The building appears to be occupied by flats at first floor and vacant at ground floor. Officers consider that the building should be included within the centre boundary given the potential for main Town Centre Uses to occupy the ground floor level.*

- 4.2.9 **In line with the above considerations Officers request Member approval to extend the boundary of the Hyde Park Local Centre to include property at 25a and 27-29 Headingley Lane and 221 Woodhouse Street.**

Royal Parks Local Centre – Appendix F

- 4.2.10 The Hyde Park Neighbourhood Forum agrees with the designation of the centre as a Lower Order Local Centre.
- 4.2.11 The Forum suggests that the centre be renamed 'Brudenell Local Centre' because the centre boundary includes shops fronting onto Brudenell Road, Brudenell Grove and also includes Brudenell Social Club. The South Headingley Community Association also agrees with this suggestion.
- 4.2.12 *Although Officers have no objection in principle to the Local Centre being renamed it is considered that this would only create confusion between the SAP and the Core Strategy. This is because the centre has historically been known as 'Royal Parks' and is referred to as such in Core Strategy Policy P1.*
- 4.2.13 **In line with the above considerations Officers request Member approval to retain the name 'Royal Parks Local Centre'.**

Harehills Lane Local Centre – Appendix G

- 4.2.14 A member of the public expresses concern about the clustering of betting shops within this centre and that a better mix of business should be encouraged.
- 4.2.15 *Members are advised that the commitment to meeting Gambling Protections and Controls (April, 2014) has resulted in betting shops now being categorised as Sui generis rather than A2 uses. Betting shops will therefore always require a planning application to change use. This will return powers to the local planning authority and enable officers to consider change of use applications in accordance with our development plan. Additionally, the amount of Primary Shopping Frontage within the Harehills Lane Local Centre has been increased which will afford better protection against non-A1 uses and more retail activity within the Prime Shopping Area Boundary. However, there is no planning remedy for the betting shops that are already located in-centre.*
- 4.2.16 **In line with the above considerations Members are advised that no action is required on this representation.**

Burley Lodge (Woodsley Road) Local Centre – Appendix H

- 4.2.17 The Little Woodhouse Interim Neighbourhood Forum requests a boundary extension to include the Leeds Grand Mosque, Hyde Park Methodist Church, Hyde Park Surgery and Woodsley Road Community Centre.
- 4.2.18 *Officers consider that the centre boundary should be extended in the north-east to include the Woodsley Road Community Centre only. The 3 other buildings consist of either religious institutions and a clinic, both of which*

fall within the D1 Use Class and as such, are not necessarily uses that fall within the Lower Order Local Centre designations.

- 4.2.19 **In line with the above considerations Officers request Member approval to extend the boundary of the Burley Lodge Local Centre to include the Multi-Cultural Community Centre at 64 Woodsley Road.**

4.3 **North HMCA**

Kirkstall Bridge Retail Park at Kirkstall Town Centre – Appendix I

- 4.3.1 Montagu Evans, on behalf of Metric Property Kirkstall Ltd, requests the Council to revise the Kirkstall Town Centre boundary map in order to properly identify the current layout of the Park.
- 4.3.2 *Officers agree that this should be done to provide for an accurate and up-to-date Centre plan.*
- 4.3.3 Montagu Evans request the Kirkstall Town Centre boundary to be amended as only a limited part of the former Tesco site is in retail use.
- 4.3.4 *Whilst Officers accept this to be the case at the current time, it is recommended that a reduction in the size of the centre should be resisted so that space is provided for future appropriate Town Centre Uses to locate at Kirkstall Town Centre.*
- 4.3.5 Montagu Evans also requests the Council to define the Park as Primary Shopping Frontage.
- 4.3.6 *Officers agree that this can be done in recognition of the A1 shopping provision at the Park. It is therefore recommended that all frontages within the Park are designated as Primary Frontage so that a minimum of 70% retail use can be maintained at ground floor level.*
- 4.3.7 **In line with the above considerations Officers request Member approval to update the Kirkstall Town Centre plan to identify the current layout and Primary Frontages to the Kirkstall Bridge Retail Park.**

4.4 **Aireborough HMCA**

Proposed new centre at White Cross, Guiseley – Appendix J

- 4.4.1 Planning Potential, on behalf of Aldi, requests the Council to identify a new Higher Order Local Centre at the White Cross area. Planning Potential consider that the existing uses in the local area and a current planning permission for Aldi to construct a foodstore (ref. 15/04549/FU) justify this new centre.

4.4.2 *Officers acknowledge that there is merit in identifying the White Cross area as a new Local Centre because of the main Town Centre Uses concentrated in this area. The addition of the proposed Aldi foodstore would be required to reinforce this view, however, the permission is not yet implemented and reserved matters have yet to be agreed. Officers therefore consider it premature at this stage to identify the area as a Higher Order Local Centre as proposed on the submitter's plan.*

4.4.3 **In line with the above considerations, Officers request Member approval to not identify the White Cross area as a Higher Order Local Centre at the current time. Notwithstanding this, Officers request Member approval in the circumstance where a new Higher Order Local Centre at White Cross can be identified and this would be subject to all of the following being satisfied prior to the Council's proposed Major Modifications to the SAP or during examination of the SAP:**

- **the Aldi foodstore is built;**
- **there is adequate evidence before Officers to demonstrate that the creation of a new centre is required in accordance with Core Strategy Policy P7 (shown at Appendix 3); and that the centre comprises a mix of the main Town Centre Uses listed in Core Strategy Policy P3;**
- **a new Centre boundary can be agreed.**

Yeadon Town Centre – Appendix K

4.4.4 Planning Potential, on behalf of Aldi, requests the Council to define a recently permitted Aldi foodstore as Primary Shopping Frontage or to be allocated within the Primary Shopping Area. The permitted foodstore (planning permission ref. 15/01313/FU) is located at Westfield Mills off Kirk Lane and is located within the western part of Yeadon Town Centre.

4.4.5 *Officers note that the foodstore is located within the proposed Yeadon Town Centre boundary. The foodstore is not built and Planning Potential has advised that construction is not expected to commence until 2017. Officers therefore recommend that it would be premature at this stage in the SAP process to make the requested changes.*

4.4.6 **In line with the above considerations, Officers request Member approval to make no amendment to Yeadon Town Centre at the current time but allow Officers to amend the Primary Shopping Area or define the foodstore as Primary Frontage should there be sufficient evidence to do this and the permitted foodstore is built prior to the Council's proposed Major Modifications to the SAP or during examination of the SAP.**

4.5 **Outer South and Outer South West HMCA's**

Rothwell Town Centre – Appendix L

Drighlington Lower Order Local Centre – Appendix M

- 4.5.1 Planning Potential, on behalf of Aldi, request enlargement of the centre boundaries at i) Rothwell Town Centre to include a parcel of land off Marsh Street and ii) Drighlington Local Centre to include a parcel of land off King Street. Both requests are made to enable approved Aldi food stores to be located in-centre. Plans showing the requested amendments have been submitted for consideration.
- 4.5.2 *Officer's note that planning permission has been given for both food stores in edge-of-centre locations. Neither food store is built. Planning Potential has advised that the stores are likely to be built in 2017. Officers agree with the principle of expanding both Centres to include the food stores. However, given the timeframe for their implementation, it would be premature to recommend such amendments at this stage in the SAP process. It is also noted that the submitted plan for Rothwell Town Centre does not accurately reflect the boundary of the planning permission for the foodstore. Officers recommend that any future amendment should properly reflect the permitted planning boundary of the food store on Marsh Street.*
- 4.5.3 **In line with the above consideration, Officers request Member approval to make no amendment to the Rothwell Town Centre boundary and Drighlington Local Centre boundary at the current time but allow Officers to amend the centre boundary accordingly should the permitted foodstore be built prior to the Council's proposed Major Modifications to the SAP or during examination of the SAP.**

5.0 Proposed Major Modifications to the SAP

- 5.1 Major modifications to the SAP are therefore necessary given the nature of some of the representations considered to date (where they relate to the soundness of the Plan) and the recommendations proposed in Section 4 of this report. For the avoidance of doubt, the following major modifications do not include the City Centre HMCA. The major changes relate specifically to the following Centre boundaries:
- i. The reduction of the boundary to Cardigan Road Local Centre;
 - ii. The expansion of the boundary at Hyde Park Corner Local Centre;
 - iii. The expansion of the boundary at Burley Lodge (Woodsley Road) Local Centre; and,
 - iv. The addition of Primary Frontage at Kirkstall Bridge Retail Park within Kirkstall Town Centre.
- 5.2 There are also 4 major changes that could be proposed prior to consultation on the Major Modifications to the SAP but these rely on timings out of the Council's control. Officers can only justify a recommendation for the following major modifications if/when the permitted food stores have been built at the following locations:
- i. Designation of a new Higher Order Local Centre at White Cross in Guiseley. The Agent for Aldi advise that the permitted Aldi food

store to the rear of the Wetherby Whaler restaurant is likely to be built and operating by the end of the year;

- ii. The expansion of Rothwell Town Centre. The Agent for Aldi advises that the permitted Aldi food store at Marsh Street is likely to be built in 2017;
- iii. The expansion of Drighlington Local Centre. The Agent for Aldi advises that the permitted Aldi food store at King Street is likely to be operating in 2017;
- iv. Designate Primary Frontage at the Aldi food store in Yeadon Town Centre. The Agent for Aldi advises that the permitted Aldi food store at Kirk Lane is likely to be operating in 2017.

5.3 Given the information on timings provided by Aldi's Agent, it is likely that only the new Higher Order Local Centre at White Cross in Guiseley will form a Major Modification, in addition to those major modifications listed in para. 5.1.

6.0 Corporate Considerations

Consultation and Engagement

6.1 The focus of this report has been to provide a summary of the representations received to the formal publication draft consultation. A comprehensive Report of Consultation will be finalised to accompany submission of the SAP. The consultation and engagement activity undertaken has been set within the context of the LDF Regulations and the City Council's Statement of Community Involvement.

Equality and Diversity / Cohesion and Integration

6.2 In the preparation of the SAP, due regard has been given to Equality, Diversity, Cohesion and Integration issues. This has included the completion of EDCI Screening of the SAP and meeting the requirements of the Strategic Environmental Assessment Directive, which has meant that these Plans are subject to the preparation of a Sustainability Appraisal. The purpose of such Appraisals is to assess (and where appropriate strengthen) the document's policies, in relation to a series of social (and health), environmental and economic objectives. As part of this process, issues of Equality, Diversity, Cohesion and Integration, are embedded as part of the Appraisal's objectives. The SAP material follows on and reflects the approach set out in the Core Strategy, which has also had the same regard to these issues.

Council Policies and City Priorities

6.3 The Core Strategy and the Publication Draft SAP play a key strategic role in taking forward the spatial and land use elements of the Vision for Leeds and the aspiration to be the 'the Best City in the UK'. Related to this overarching approach and in addressing a range of social, environmental and economic objectives, these Plans seek to implement key City Council priorities. These include the Best Council Plan (2013-17) (in particular

Objective 2: to 'promote sustainable and inclusive economic growth') and Leeds Joint Health and Wellbeing Strategy (2013-2015).

Resources and value for money

- 6.4 The preparation of statutory Development Plan Documents or the Local Plan is a necessary, but resource intensive process. This is due to the time and cost of document preparation (relating to public consultation and engagement), the preparation and monitoring of an extensive evidence base, legal advice and Independent Examination. These challenges are compounded by the financial constraints upon the public sector and resourcing levels, concurrent with new technical and planning policy pressures arising from more recent legislation (including the Community Infrastructure Levy and Localism Act). There are considerable demands for officers, members and the community in progressing the council's Local Plan.
- 6.5 For the Local Development Framework ('Local Plan') to be as up to date as possible, the council needs to produce the SAP as quickly as practicable, following adoption of its Core Strategy. This will provide value for money in that the council, through the plan, will influence and direct where development occurs. Without an up to date plan the 'presumption in favour of sustainable development' by the Government means that any development in conformity with national policy will be acceptable, regardless of any previous positions of the authority, which could have implications in terms of resources and value for money.

Legal Implications, Access to Information and Call In

- 6.6 The AVLAAP will follow the statutory Development Plan process. The report is not eligible for call-in as no decision is being taken.

Risk Management

- 6.7 Without up-to-date allocation plans, aspects of the existing UDP allocations will become out of date and will not reflect or deliver the Core Strategy policies and proposals or the requirements of national planning guidance. Early delivery is essential to enable the council to demonstrate that sufficient land will be available when needed to meet the Core Strategy targets. Without an up to date plan, the 'presumption in favour of sustainable development' by the Government means that any development or Neighbourhood Plan in conformity with national policy will be acceptable, regardless of any previous positions of the authority. The more the work progresses, the more material weight can be given to it.

7.0 Conclusion

- 7.1 This report provided a summary of the responses received to the publication consultation on the SAP with specific regard to retail. The main issues raised in the representations to the plan have been discussed in detail, with recommendations on how the Council should respond.

8.0 Recommendation

8.1 Development Plan Panel is invited to:

- i) Note the summary representations on retail to the draft Site Allocations Plan consultation shown at Appendix A.
- ii) Consider the issues set out in Section 4 of the report and the accompanying policy and Centre plans at Appendices B - M and agree the recommendations.
- iii) Consider and agree the proposed Major Modifications to the SAP on retail set out in Section 5 of the report.

Appendix A: Retail Representations

Site	Submitter	Agree	Issues	Sound	Respondent Comments	Legal	Respondent legal comments
<u>CITY CENTRE HMCA</u>							
General (not site specific)	Savills UK Ltd	No	Object to Policy RTC2	Not effective, justified or consistent with the NPPF	SAP Policy RTC2 and Core Strategy Policy CC1 are not in accordance with the NPPF as they fail to take into account permitted development rights for A1-A2 uses and A1-A3 uses. Primary Frontage policy should be addressed to allow for A1, A2 and A3 uses to reflect the GPDO	No	Not compliant with the Planning & Compulsory Purchase Act.
Victoria Gate	Bilfinger GVA	In part	Supports Policy RTC1 Objects to Policy RTC2	Not justified	Agrees with the general City Centre and retail objectives and that new retail floorspace is limited to ensure existing investments are not unduly harmed and that the City's retail market can re-adjust. It is also necessary that Victoria Gate Phase II remains within the designated Primary Shopping Area. The internal frontage should not be designated Primary Frontage given that the minimum threshold for A1 use is 70% by virtue of a planning condition but 80% would be required by Policy RTC2. The disparity means that a Primary Frontage designation is not justified	Not specified	Not specified
Victoria Quarter	Bilfinger GVA	No	Para. 2.17 of Section 2 of the SAP	Not specified	Request consideration as a 'covered shopping centre' alongside those referred to within para. 2.17 of the SAP Overview.	Not specified	Not specified
St Johns	Indigo Planning Ltd	No	Policy RTC2, monitoring of designated shopping frontages and clarification on para.	Not consistent with NPPF	Increased flexibility is required on all levels on internal and external frontages in order to ensure the vital use of the building. It is therefore requested that the Centre remains within the Primary Shopping Area designation but is not allocated any frontage designations. It is requested that the internal frontages are downgraded to Secondary Shopping Frontage. Reference is made to permitted development rights. A request is made for designated frontages	Not specified	Not specified

			2.24 of Section 2 of the SAP and permitted development rights		to be reviewed on an annual basis to meet the commitment made in para. 5.1.8 of the Core Strategy and the SAP should provide detail on how this should be done. Whilst the caveat in para. 2.24 of Section 2 of the SAP is welcomed, it is unclear what evidence an applicant must submit to demonstrate a change in shopping patterns. It is requested this requirement is omitted from the SAP or further guidance provided.		
Merrion Centre	Savills UK Ltd	No	Policy RTC2	Not justified, positively prepared, effective or consist with the NPPF	<p>Policy RTC2 is outdated given permitted development rights relating to 'A' uses. Recommends the removal of all shopping frontages from both internal and external frontages. Recommends that a mixed use allocation is placed on the Merrion Centre and a specific policy included with the suggested wording as follows: <i>'The Merrion Centre's role as a major mixed use scheme at the heart of the Arena Quarter will be supported. On both external and internal frontages, a flexible range of main town centre uses will be supported, providing that they do not adversely impact on the vitality and viability of the City Centre in this location'</i>.</p> <p>Recommends that draft policy RTC2 is amended to enable more flexibility now allowed at national level, using replacement policies.</p> <p>Savills would welcome clarification in respect of Paragraph 2.18 of the Introduction Chapter of the SAP. It states that for covered multi-storey shopping centres (including the Merrion Centre) protected shopping frontages are defined on the inset maps for each centre and that frontage lengths for these centres should be measured as the combined total length of all frontages for all floors as shown in the inset map.</p> <p>Finally, it is unclear whether this statement is extended to include external frontages associated with these centres. Clarification of this point would be welcome.</p>	No	Planning & Compulsory Purchase Act 2004

Corn Exchange	Indigo Planning Ltd	No	Policy RTC2	Not justified, positively prepared or consist with the NPPF	In order to ensure the continued vital use of the building, the Corn Exchange would benefit from increased flexibility for the uses permitted on all levels. It is therefore sought that the Corn Exchange is allocated within the PSA but is not allocated any frontage designation. Alternatively, it is requested the concourse level is downgraded to SSF and the balcony is omitted from the protected frontages or both the concourse and balcony levels are designated as SSF. The SAP needs to provide more detail on the commitment in paragraph 5.1.8 of the Core Strategy to review the shopping frontages. It is requested that the review should take place on annual basis to avoid a detrimental increase in vacancy levels in vulnerable centres such as the Corn Exchange. Clarify paragraph 2.24 of the SAP - While the caveat in paragraph 2.24 of the SAP is welcomed it is unclear what evidence an applicant must submit to demonstrate a change in shopping patterns. This is considered to be an onerous and vague requirement particularly when the planning application will only relate to a potential change of use of a relatively small unit. It is not considered proportionate or reasonable to require a thorough analysis of shopping patterns in the city centre to justify the change of use of a retail unit which may exceed the threshold set out in Policy RTC2. It is requested this requirement is omitted from the SAP or alternatively further guidance is provided on what type of evidence is required. These amendments would ensure the SAP is sound, positively prepared and in accordance with national policy.	Don't know	Not Specified.
Central Road	Savills UK Ltd	No	Policy RTC2	Not justified, effective or consist with the NPPF	Policy RTC2 is not consistent with national policy since the introduction of new permitted development right for A uses. Secondly, the Plan is not effective or justified in its allocation of	No	Planning & Compulsory Purchase Act 2004

					Central Road as a Primary Shopping Frontage. The Council should recognise and address the changes brought about by the GPDO and develop a robust evidence base for the designation of frontages as appropriate. It is recommended that the shopping frontage designation should be removed from Central Road.		
Woodhouse Lane Local Convenience Centre	University of Leeds	No	City Centre Proposals Mao	Not specified	Request the reduction of the proposed Centre boundary to avoid areas occupied by educational buildings and proposed housing allocations.	Don't know	Unspecified
Great George Street Local Convenience Centre	Little Woodhouse Neighbourhood Interim Forum	No	Policy RTC1	Not positively prepared or justified	Local Centres are intended to be the focus for community services as well as shopping (CS Policy SP2, Policy P3). In determining the boundaries, therefore, existing community services should be included within the boundary. To the west of the proposed boundary is the row of properties on the south side of Woodhouse Square which includes Swarthmore (cultural and community facility), a charity drop-in centre (community use) and a dental surgery (health care facility). A future retail use (subject to listed building consent) would not be unacceptable in this location. This row should form an extension of the Gt George St centre, thus helping to cement the connection across the bridge over the inner ring road (see attached map). The Plan is unsound, therefore, because no justification has been provided in the SAP for the exclusion of these community uses from the Local Centre and the plan has not been properly prepared because of this.	Don't know.	Unspecified.
Great George Street	Savills UK Ltd	No	Policy RTC2	Not justified, effective or consist with the NPPF	Policy RTC2 is not consistent with national policy since the introduction of new permitted development right for A uses. Secondly, the Plan is not effective or justified in its allocation of George Street as a Primary Shopping Frontage. The Council should recognise and address the changes brought about by the GPDO and develop	No	Planning & Compulsory Purchase Act 2004

					a robust evidence base for the designation of frontages as appropriate. It is recommended that the shopping frontage designation should be removed from George Street.		
<u>INNER HMCA</u>							
Hyde Park Corner Local Centre	Hyde Park Neighbourhood Forum	No	Policy RTC1	Not specified	<p>Agree with the continued designation of Hyde Park Corner as a Lower Order Local Centre but disagree with the proposed boundary alteration, and would also like to suggest a new extension to the boundary.</p> <p>In previous versions of the SAP the boundary extended to include the former post office and sorting office building next to The Crescent. We suggest that this was correct and that this building should continue to be part of the Hyde Park Local Centre. We also suggest that Red Door Lets and Best Kept Secret (25a and 27 Headingley Lane) also be included within the local centre boundary. We consider the inclusion of the former post office and sorting office in the local centre boundary an important element in achieving our Neighbourhood Plan's vision and objectives, to make Hyde Park a more attractive place to live, work and visit by harnessing our community and cultural assets and local talents to enhance our existing cultural hub. The reason to include the units at 25a and 27 Headingley Lane is to reflect existing use and both units are natural extensions to the proposed local centre boundary.</p>	Not specified	Not specified
Cardigan Road Local Centre	Hyde Park Neighbourhood Forum	No	Policy RTC1	Not specified	Oppose the designation of a Higher Order Local Centre at Cardigan Road but will support the designation of a Lower Order Local Centre, with a reduced boundary. Our suggested Lower Order Local Centre will keep the proposed boundary from 119	Not specified	Not specified

					Cardigan Road up to 135 Cardigan Road to the East, and 170 Cardigan Road (excluding the garages at the corner of Asheville View and Cardigan Road) to 134 Cardigan Road and including the existing Co-operative supermarket to the West. The preliminary results of our community survey show that local people would like to keep local shops in the area and to prevent the loss of local businesses to national chains. They would also like to prevent more retail units being turned into non-retail use units. To designate the Cardigan Road site as a Lower Order Local Centre will provide better protection for local shops in the area.		
Cardigan Road Local Centre	South Headingley Community Association	No	Policy RTC1	Not specified	The centre should not include Left Bank and the Cardigan Centre, nor Milford down to the former glassworks	Not specified	Not specified
Cardigan Road Local Centre	Left Bank Leeds	No	Not specified	Not specified	The trustees of Left Bank have met and believe that the promotion of the area as a Local Centre would be advantageous to the area in general and to Left Bank in particular. As Left Bank is primarily about the promotion of heritage and culture we are concerned at our inclusion in the designation and therefore request that we be excluded. This request was formally minuted at a trustees' meeting on 3 rd November.	Not specified	Not specified
Royal Parks Local Centre	Hyde Park Neighbourhood Forum	No	Policy RTC1	Not specified	Agree with the new designation of a Lower Order Local Centre in this area. However, we suggest it be named "Brudenell", rather than "Royal Parks". This is because it includes shops fronting onto Brudenell Road, shops fronting onto Brudenell Grove and also includes Brudenell Social Club.	Not specified	Not specified
Royal Parks Local Centre	South Headingley	No	Not Specified	Not specified	The centre should be renamed Brudanell Local Centre	Not specified	Not specified

	Community Association						
Harehills Lane Local Centre	Member of the public	No	Not Specified	Not Specified	No more betting shops. We need some more aspirational businesses to be encouraged to come in but the look of the area needs to be improved.	Not Specified	Not Specified
Beeston Hill Local Centre	Indigo Planning Ltd	Yes	Policy RTC1	Not specified	We consider that the inclusion of 134 Beeston Road Beeston Leeds LS11 8BB and land adjacent within Beeston Hill Local Centre under Policy RTC1 is sound. A location plan is enclosed. These representations are wholly without prejudice to the view of Indigo Planning on any other part of the draft plan.	Don't know	Not specified
Burley lodge Local Centre	Little Woodhouse Interim Neighbourhood Forum	No	Policy RTC1	Not positively prepared or justified	In determining the boundaries of the Centre the following uses should be included: Leeds Grand Mosque, Hyde Park Methodist Church, Hyde Park Surgery and Woodsley Road Community Centre.	Don't know	Not specified
<u>NORTH HMCA</u>							
Kirkstall Town Centre	Montague Evans on behalf of Metric Property Kirkstall Ltd	No	Policy RTC1 and RTC2	Justified	The base map that has been used for the definition of the district centre does not reflect the recent development at Kirkstall Bridge Retail Park. It is proposed that this should be amended to reflect the current situation. Given the changes that have taken place within Kirkstall, the development of additional retail floorspace and the consequent refocusing of the centre, the primary and secondary frontages should be defined at Kirkstall Retail Park. Given the size of units, largely unrestricted nature of the new retail and ancillary café and leisure floorspace reflecting the 'in-centre' location. It is noted that the centre boundary includes the former Tesco site in its entirety. The entirety of the site is not currently in retail use nor does it have permission for retail development. The boundary should be amended to reflect this.	Don't know	Not specified

AIREBOROUGH HMCA

<p>White Cross, Guiseley (Proposed New Higher Order Local Centre)</p>	<p>Planning Potential on behalf of Aldi</p>	<p>No</p>	<p>Policies Map</p>	<p>Not justified or effective</p>	<p>Planning Potential would like to promote a new local centre within Guiseley. This new Local Centre will formally recognise a number of commercial and retail units which are already located within the area. The centre will also include the site located adjacent to the Wetherby Whaler restaurant which is currently pending consideration at the Council for the construction of an Aldi foodstore. Local planning policy suggests that the White Cross area would be ideal as a new proposed higher order local centre as shown in the Adopted Core Strategy, para 5.3.8. This is supported further by para 5.3.7. The existing uses within the White Cross include; a public house, restaurants, takeaways and Nuffield Health Guiseley Fitness & Wellbeing Gym amongst a number of other units. The proposed centre also has well established pedestrian and vehicle links and has a number of bus stops within the vicinity, therefore the designation of this area as a Higher Order Local Centre is in line with adopted Policy P7.</p>	<p>Yes</p>	<p>Not specified</p>
<p>Yeadon Town Centre</p>	<p>Planning Potential on behalf of Aldi</p>	<p>No</p>	<p>Policies Map</p>	<p>Not justified or effective</p>	<p>On 6th November 2015 planning permission was approved for the demolition of existing Homebase (use class A1) and construction of foodstore (use class A1), off Kirk Lane Yeadon. Aldi wish to promote their new site to be allocated within the Primary Shopping Area or to be allocated as a Primary Shopping Frontage. It is important to show the significance of the site as being a prime area within the town centre boundary for retail use, as this new shop will claw back trade lost to surrounding areas, and provide choice and competition for local residents. The car park</p>	<p>Yes</p>	<p>Not specified</p>

					provided will also allow visitors to make linked trips to the independent retailers located in close proximity to the store and therefore will attract significant footfall.		
<u>OUTER SOUTH WEST HMCA</u>							
Drighlington Local Centre	Planning Potential on behalf of Aldi	No	Policies Map	Not justified or effective	Aldi currently have an application pending consideration (LPA ref. 15/01760/FU) with the Council for a new foodstore at Perkin House, King Street, Drighlington. This site is located in close proximity to Drighlington Local Centre boundary. The new Aldi store will provide the anchor store for the area, retaining trade and allowing for a number of linked trips, it will therefore play a key role within Drighlington. As a result, it is requested that the centre boundary is extended to include the proposal site.	Yes	Not specified
<u>OUTER SOUTH HMCA</u>							
Rothwell Town Centre	Planning Potential on behalf of Aldi	No	Policies Map	Not justified or effective	In July 2015 Aldi gained planning permission for a new food store at Marsh Street, Rothwell. Aldi would like to promote an extension to include the proposed Aldi site within the existing town centre boundary. This will reflect the consented retail use of the site, which is a main Town Centre Use as defined by the NPPF, it will also function as part of generating linked trips to the wider town centre. The site is also located on an arterial road (A654), which connects pedestrians, car users and public transport to the town centre and surrounding areas, therefore the proposed extension would be a natural addition for the Council to make to the town centre of Rothwell.	Yes	Not specified

Annex B: SAP, Section 2: Overview – Retail Policies and Guidance

Draft SAP Policy RTC 1:

Designations of centre boundaries, primary shopping areas and protected shopping frontages the site allocations plan designates the extent of centre boundaries, primary shopping areas and protected shopping frontages for centres identified in policy p1 of the core strategy and the higher order local centre of cardigan road, and other identified centres (with the exception of the Aire valley town centre of Hunslet and the local centre of Leeds Dock). These are identified on the policies map.

Draft SAP Policy RTC2:

Protected shopping frontages within the city centre in accordance with policy cc1 of the core strategy proposals for non-retail uses within protected shopping frontages will be determined in accordance with the following provisions:

1. Primary shopping frontage: proposals for non-a1 retail uses within these frontages will normally be resisted where a proposal would result in the proportion of a1 retail frontage length falling below 80%. Where this proportion is already below 80%, proposals for non-a1 uses will normally be resisted;
2. Secondary shopping frontage: proposals for non-a1 retail uses within these frontages will normally be resisted where a proposal would result in the proportion of a1 retail frontage length falling below 50%. Where this proportion is already below 50%, proposals for non-a1 uses will normally be resisted.
3. Non-main town centre uses will not normally be permitted within identified frontages.

Further Consideration of Frontage Policies RTC 1 and 2:

Para. 2.24: Abnormal conditions that could constitute a relaxation of the above policies would include when a unit has been physically vacant for over 6 months, and evidence demonstrates that the unit had been actively marketed for an A1 use over that period. In addition, if the Local Planning Authority accepted that long term shopping patterns had changed to such an extent that it was agreed that a Centre could not realistically maintain the prescribed A1 retail percentage, this would also be taken into account when arriving at a decision on change of use applications. However, in such instances applicants would be expected to present thorough evidence demonstrating a) such changes in shopping patterns and b) that all practical steps in the owner's power have been undertaken to attract A1 retail.

Guidance for Shopping Frontages within covered, multi-storey, shopping centres in Leeds City Centre

Para. 2.17: This guidance covers the centres of:

- The Corn Exchange
- The Merrion Centre
- St Johns
- Trinity Centre
- Victoria Gate (Phase 1)

Para. 2.18: For these centres, protected shopping frontages are defined on the inset maps for each centre. Frontage length for these centres should be measured as the combined total length of all frontages for all floors as shown in the inset map. In some cases this may refer to all floors of a shopping centre, for others shopping frontage policies will only apply over a single floor, as made clear by the inset map.