



**Report of the Chief Planning Officer**

***PLANS PANEL WEST***

**Date: 15<sup>th</sup> July 2010**

**Subject: PROGRESS REPORT: APPLICATION 10/02363/OT – OUTLINE APPLICATION TO ERECT RETAIL FOODSTORE, WITH CAR PARKING AND PETROL FILLING STATION; LAND OFF CAR CROFTS, TOWN STREET AND MODDER PLACE, ARMLEY.**

**APPLICANT**

Morbaine Limited

**DATE VALID**

25<sup>th</sup> May 2010

**TARGET DATE**

24<sup>th</sup> August 2010

**Electoral Wards Affected: Armley**

Y

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION: Members are asked to note this progress report and are invited to comment on the main issues.**

**1.0 INTRODUCTION:**

1.1 The application comprises a proposal for a significant new retail development in Armley. This report aims to update Panel on progress to date although the application is not at a stage where a recommendation can be made.

**2.0 PROPOSAL:**

2.1 An outline application has been submitted seeking approval for new retail development near Town Street, Armley. The application is for an open A1 consent for a superstore comprising 8,361 sq m (90,000 sq ft) excluding atrium, with associated car parking, petrol filling station, new "town square" and highway improvements.

2.2 The application was submitted with various elements of supporting information including a Design and Access Statement, proposed site plan, proposed elevations, proposed sections and proposed three dimensional perspectives. All of these drawings/plans are illustrative.

- 2.3 The proposed illustrative site layout shows an intention for a superstore of 8,361 sq m (90,000 sq ft) with 506 car parking spaces on the southern part of the site (current Waste Transfer Station and adjoining commercial buildings). Access would be off Modder Avenue and the main elevation would face Modder Avenue. Servicing would be off Carr Crofts to the rear.
- 2.4 The proposed layout also proposes the demolition of five unlisted buildings in the Conservation Area to be replaced by a Petrol Filling Station (4 pump) at the junction of Modder Avenue and Carr Crofts with access off Carr Crofts.
- 2.5 The proposed layout also proposes the demolition of a further unlisted building in the Conservation Area for an improved road junction (Town Street/Carr Crofts), new public space, with retention and refurbishment of the "Carpet Mill" shop (former chapel).
- 2.6 The proposed illustrative elevations show a largely rectangular superstore building, with undercroft parking at ground floor level and potential for two storeys of retail. The treatment comprises a mix of aluminium curtain walling and timber wall cladding with a low pitched roof.
- 2.7 The proposed illustrative public space details shows the relationship between Town Street, the Petrol Filling Station and the Superstore. The applicant suggests that a new public square at the road junction off Town Street and Carr Crofts will enhance the retained stone built Carpet Shop and provide a valuable new public space for Armley, as well as drawing the eye to the Petrol Filling Station and store behind.

**3.0 SITE AND SURROUNDINGS:**

- 3.1 The site is located within the designated Armley town centre; the majority of the site is located to the south of the shops on Town Street. The site slopes up Carr Crofts from Town Street towards the railway line and contains limited vegetation, mostly comprising a line of shrubs along the railway line and trees along Modder Place, Station Road and behind 41 Carr Crofts. The site comprises a number of elements as follows:

**Land between Carr Crofts, Modder Avenue and Station Road**

- 3.2 This comprises a variety of commercial buildings namely a modern waste transfer station on Carr Crofts, 2-storey Victorian industrial premises and parking facing Modder Avenue/Station Road.

**Land between Carr Crofts, Town Street, Modder Avenue**

- 3.3 This land lies within the Conservation Area and comprises a stone built commercial premises on Modder Avenue, the site of a demolished Victorian commercial premises behind and three properties along Carr Crofts. The latter three properties comprise a modern brick built Indian restaurant building, Victorian red brick detached house and rendered Victorian Sunday School building.

**Land fronting Town Street**

- 3.4 This comprises a Victorian retail premises at the junction off Carr Crofts and Town Street and a former stone built chapel (The Carpet Mill).

**Surroundings**

- 3.5 The site is surrounded by retail units on Town Street to the north, open land and the new Sports and Leisure centre to the east, railway line and commercial buildings to

the south and the Armley Health centre/semi-detached properties off Station Road/  
commercial buildings off Station Road to the west.

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

4.1 The only application relevant to this site is a previous application for a supermarket (H24/284/87) which was withdrawn in October 1990.

#### **5.0 HISTORY OF NEGOTIATIONS:**

5.1 Initial informal meetings were held with Policy Officers and Development Control officers in December 2009. Support was given for the principle of retail development on this site. The applicant was advised to enter in formal pre-application discussions, although this suggestion was not pursued.

5.2 Following submission the applicant was requested to provide an assessment of the impact of the development on the Conservation Area (which was subsequently submitted). In addition formal notification was made that the Local Planning Authority considered the highway details fundamental to any assessment at outline stage and that details of the means of access would be required at outline stage.

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

6.1 The application was advertised by site notice posted 2<sup>nd</sup> June 2010 as development affecting the character of a Conservation Area.

6.2 Councillor Lowe has written in support of the application agreeing the loss of the buildings in the Conservation Area with no concerns re the location of the petrol station. Considers that it is no good looking at the best for the conservation area when the existing site is an eyesore. What is proposed is better and will rejuvenate Town Street.

6.3 Seven representations have so far been received (as at 1<sup>st</sup> July 2010) from members of the public comprising one representation of support, one objection and five representation of partial support/partial objection.

6.4 Objections are made on the grounds that:  
-large supermarket detrimental to local independent shops, could be the end of Town Street,  
-is Petrol station necessary, better situated out of Conservation Area adjacent to the train line,  
-lack of access to Town Street and use of alleys.

6.5 Support is made on the grounds that:  
-site underused and looks a mess,  
-Town Street shops not very good,  
-no adverse impact on vitality/viability of Town Street, supermarket and football has potential to inspire confidence within the town centre,  
-need for a quality supermarket without travelling by car- is in a sustainable location,  
-closure of Waste Transfer Station massively welcomed (generates high level of noise and pollution),  
-loss of building on junction of Town Street Carr Crofts regrettable, but not outstanding special merit,  
-proposed open space would enhance and benefit the conservation area,  
-good use of ugly/underutilised land,  
-support, but only if it has a positive influence over health and well-being of local residents e.g. working with local community groups to encourage healthy eating/activity/living,

-support, but only if doesn't erode and destroy local high Street as supermarkets at Holbeck and Cross Green have.

- 6.6 Leeds Civic Trust objects on the basis:
- detracts from commercial viability on Town Street,
  - buildings on Town Street important part of townscape, demolition would destroy historic fabric of the street,
  - residents have access to Armley Moor, better than the proposed public space on road junction,
  - oppose demolition of the chapel,
  - house and restaurant should be retained on grounds of sustainability,
  - every town has its supermarket shed - still time to acquaint citizens with Armley's historic enclaves/buildings of interest.
- 6.7 The Victorian Society objects on the grounds:
- damaging effect on retail on Town Street,
  - increased levels of road traffic demanding widening junction which will damage Town Street,
  - Loss of buildings in Conservation Area which make "positive contribution" i.e.
  - demolition of 67-71 Town Street would leave unacceptable gap in street frontage,
  - demolition of 43 Carr Crofts when could be refurbished,
  - demolition of 41 Carr Crofts as dwelling in reasonable condition,
  - demolition of disused building on Modder Avenue recognised in poor condition,
- All these buildings could be retained, and re-used with imaginative conversion.  
-welcome retention and refurbishment of former chapel on Town Street.

## 7.0 CONSULTATIONS RESPONSES:

### **Statutory:**

#### **English Heritage**

No comment.

#### **Environment Agency**

The Environment Agency has formally objected on the basis of the lack of a Flood Risk Assessment.

#### **Yorkshire Water**

Yorkshire Water has commented that any reserved matters application on the basis of the illustrative drawings would not be supported on the basis that that the buildings are located over the line of existing sewers/water mains.

#### **Network Rail**

No objections, subject to conditions.

### **Non-statutory:**

#### **Policy**

Policy have commented that in terms of the Retail Statement this level of convenience floorspace is acceptable, but that the comparison floorspace could have a "more significant impact" on Armley retail. They conclude that the assessment of comparison goods is insufficient and that if a revised assessment found this level of comparison floorspace acceptable, a condition should be imposed limiting the comparison floorspace to that level.

## **Conservation**

The Conservation Team leader has responded with a number of concerns and queries in particular:

- the proposal weakens the enclosure of Town Street (which is a defining feature of the Conservation Area); could a new building turn the corner instead of the public space?
- impact of the petrol Filling Station on the Conservation Area and
- long distance views (views up the valley and down Town Street are identified as key vistas in the Armley Conservation Area Appraisal).

He has concluded that it is not possible to give a final assessment without further information and that:

“The scheme will have a major impact on the Armley Conservation Area which, without compensatory interventions, is considered negative. Detailed studies are required of the remodeling of the Chapel and the proposal for the junction. Further information is required - sections, studies of long distance views from the Aire Valley- to make an assessment of the scheme.”

## **Highways**

A formal consultation response has been received objecting on a number of grounds:

- significant increase in traffic flows (especially HGV) through Town Street which is nos 1 in “Leeds Lengths for Concern” list,
- junction of Carr Crofts and Tong Road should be significantly improved (inc. signalisation) for a store of this size (discussions required with Leeds Structures team re capacity of bridge. Traffic generation excessive over bridge because of width restriction,
- proposed signalised junction of Town Street/Carr Crofts can only be achieved if on-street parking is removed and replaced, there is no provision for this. A Stage1/2 Road Safety Audit also required,
- if a Petrol Filling Station is required it should be closer to Tong Road which is the major local distributor,
- consideration should be given to signalling junction of Modder Avenue/Carr Crofts or moving the vehicular access directly onto Carr Crofts,
- baseline traffic surveys do not tie up and traffic accessing the health centre and residential beyond have been missed from the assessment,
- pedestrian access routes need fully assessing and required improvements detailed at outline stage. Suggested that the public footpath linking the end of Station Road with Station Way/Wortley Road should be upgraded and a pedestrian refuge or zebra crossing provided across Carr Crofts,
- means of access should not be reserved but considered at outline stage along with all necessary off-site highway works.

Travelwise have also commented that the lack of a Travel Plan is unacceptable.

## **Design**

The Design consultation response concludes that on the basis of information provided, a proper assessment of the scheme cannot be made. It is noted that the proposal lacks interest and fails to achieve quality spaces.

The application was also considered at Design Review on Wednesday 23<sup>rd</sup> June chaired by the City Architect with Design Team Leader and a further architect from the Design Team. The status of the application as outline and drawings as illustrative was clearly presented. It was the Design Review Panel's view that:

- the principle of extending the town centre is acceptable, but the scale of the development is more like an out of town centre and does not comply with this intimate town centre,
- elevations (though illustrative at this stage) are poor and should provide more live/active frontage Carr Crofts as well as Modder Place,
- site layout (although illustrative) has a poor visual connection to Town Centre,
- there are issues of scale and lack of landscaping between the west elevation/car park and semi-detached properties on Station Road,
- it is crucial to retain nodal points and frontage on Town Street.

The Design Review Panel conclusion was that although the proposal lies within the designated town centre, in design terms it does not represent an extension of Town Street but is more like an out of town store next to an existing town centre. The size of development, consequences for the townscape and illustrative proposals are very poor with little to commend them.

#### **Mains Drainage**

Mains Drainage had objected that the site is within flood zone 1 as it comprises over 0.5ha and requires a Flood Risk Assessment (FRA) which has not been submitted. Subsequent to direct discussions the objection has been withdrawn, information has yet to be submitted as part of the planning application.

#### **Access Officer**

No objection, subject to conditions.

#### **Refuse Collection**

No objection.

#### **Environmental Health**

No objection, subject to conditions.

#### **Contaminated Land**

No objection, subject to conditions.

### **8.0 PLANNING POLICIES:**

8.1 The site is identified within the main urban area and Armley District Centre as designated in the adopted Leeds UDP (2006). The northern element of the site north of Modder Avenue lies within the Armley Conservation Area. No other allocations or designations affect the site. Relevant policies include:

SA5: strategic aim refers to the desire to ensure a wide range of shops in locations accessible to all members of the community without the car,

SA7: strategic aim to promote physical and economic regeneration of urban land and buildings,

GP5: development to resolve detailed planning considerations inc access,

GP12: a Sustainability Assessment is encouraged to accompany all applications for major development,

T2: new development to be served adequately from the existing or proposed highway network,

T2C: all significant generators of travel demand require a travel plan,

T24: parking standards,  
 N12: urban design principles inc. spaces between buildings, good design, visual interest. Best buildings of the past should be retained. New development to respect scale and character of buildings,  
 N13: design of new buildings to be of high quality and have regard to character and appearance of surroundings, good contemporary design welcomed,  
 N18A: presumption against any demolition of a building which makes a positive contribution to the character and appearance of a Conservation Area,  
 N18B: demolition in Conservation Area not allowed unless detailed plans approved.  
 N19: new buildings to preserve or enhance character and appearance of Conservation Areas,  
 N22: development control decisions informed by Conservation Area Statements.  
 N23: incidental open space should be designed to provide a visually attractive setting and contribute to informal public recreation,  
 N25: boundaries should be developed in a positive manner,  
 S2: vitality and viability of town centres to be maintained and enhanced. Retail development encouraged and permitted in town centres unless it would:

i) undermine the vitality and viability of any S2 centre.

S3: enhancement of town centres promoted to secure refurbishment. Expansion and redevelopment of existing retail premises, environmental improvements and retention of larger redevelopment sites for large unit retailing,  
 S6: identifies centres deficient in convenience retailing (Armley not identified),  
 BD2: design and siting should enhance vistas and skylines,  
 BC7: development in Conservation Areas required in local materials,  
 LD1: landscape should reflect scale and form of adjacent development, complement views/skylines and provide visual interest,  
 LD2: altered roads should follow latest government guidance on environmental appraisal and design and minimise the demolition of existing property.

- 8.2 The RSS (2008) contains a number of policies relevant to the application. However a Ministerial Statement by letter dated 27<sup>th</sup> May 2010 confirms the government's intention to abolish RSS and as such those policies have limited weight in the interim.
- 8.3 PPS1 refers to the desire to improve the character and quality of an area (para 13 iv) and enhance the environment (para 19). Design which is inappropriate in its context or fails to take opportunities for improving the character and quality of an area should not be accepted (para 34).
- 8.4 PPS4 E16.1e) states that town centre uses in a town centre should be assessed whether they are of an appropriate scale in relation to the size of the centre.
- 8.5 PPS5 policy HE9 includes a presumption in favour of the conservation of designated Heritage Assets; once lost these cannot be replaced. Their loss requires a "clear and convincing justification."
- 8.6 The draft SPD "West Leeds Gateway" has been published (June 2010) which includes an overall vision for a vibrant economy which provides local jobs. A key aim is stated at para 1.3 of supporting the regeneration of west Leeds. Key objectives are listed at para 1.6 including improving the vitality and viability of Armley Town Street. Para 3.6.2 states that Town Street is the commercial focus and its success is fundamental to regeneration and prosperity of the wider west Leeds area. Para

3.6.7 states a key objective that Armley fulfils it's true potential and remains the principal location for retail for local residents.

- 8.7 The draft SPD "West Leeds Gateway" also includes a key objective at para 1.6 of improving the built environment through promoting high quality design and preserving and enhancing the area's heritage to reinforce it's distinct identity and sense of place. Policy WL1 also states "positive" buildings should be retained, unless it is not viable or the proposal preserves or enhance the Conservation Area.

## **9.0 MAIN ISSUES**

1. Principle of Development
2. Regeneration
3. Impact on Town Centre
4. Conservation
5. Highways
6. Design
7. Drainage

## **10.0 ISSUES**

### **Principle of development**

- 10.1 The proposals represents significant new investment in Armley. The additional retail offer that a superstore will bring could offer the potential to support this town centre. As such the principle of the development should be supported.

### **Regeneration**

- 10.2 The West Leeds Gateway initiative promotes physical regeneration and job creation in Armley, including enhancing the role of Armley district centre (in particular Town Street) as a retail focus. The Planning Support Statement estimates that up to 400 jobs could be provided which would make a significant contribution to employment generation in the locality. The draft SPD "West Leeds Gateway" para 3.7.43 seeks to support business growth and help the local community access jobs. Whilst retail use is distinct from business use in terms of the use classes order, it is clear that a development of this scale would have significant benefits in terms of job creation in the locality.

### **Impact on Town Centre**

- 10.3 The application is on the basis of an open A1 consent although the covering letter indicates an intention to divide the 5,017 sq m (net) store into c 3010 sq m convenience goods and c 2007 sq m comparison goods. Policy have commented that this level of convenience floorspace is acceptable (subject to other development control considerations) but that the comparison floorspace could have a "more significant impact" on Armley retail.
- 10.4 The store lies within the designated town centre but a store of this size (which is significantly larger than regular format supermarkets) on the vitality and viability of Town Street (especially comparison goods) is a material consideration and needs further assessing. The superstore (which is 1,000 sq m larger than that at Kirkstall) should also be assessed further in terms of any impact on neighbouring existing centres. Indeed para 5.69 of the Planning and Retail Statement indicates that there will be a trade draw from Morrisons (Kirkstall) of 24% and Tescos at Bramley (3%) with no significant assessment on the impact on viability of those stores. Although "overtrading" is argued at Asda at Owlcotes and Morrisons at Bramley this is not defined.



- 10.5 Whilst the Planning and Retail Statement does address these issues further information is required to assess the proposal against PPS4 E16.1 and adopted Leeds UDP (2006) Policy S2 i).

### **Conservation**

- 10.6 The proposal as submitted results in the demolition of 8 properties (6 buildings) in the Conservation Area; 5 of which are identified in the Armley Conservation Area Appraisal as positive buildings (where demolition will be resisted). The buildings on Carr Crofts form an important part of the historic street pattern leading to Town Street and the building at the junction of Carr Crofts and Town Street is a key pivot building in the Conservation Area. The building on Modder Avenue is an attractive stone built building. It is noted that one building noted as positive (to the rear of 39-41 Carr Crofts) appears to have been demolished. If this demolition was undertaken after designation of the Conservation Area it would have required Conservation Area Consent.
- 10.7 PPS5 policy HE9 includes a presumption in favour of the conservation of designated Heritage Assets; once lost these cannot be replaced. Their loss requires a “clear and convincing justification” which we do not consider has yet been provided. The draft SPD “West Leeds Gateway” Policy WL1 also states “positive” buildings should be retained, unless it is not viable or the proposal preserves or enhance the Conservation Area. Para 3.6.2 states that Town Street is the commercial focus and it’s success is fundamental to regeneration and prosperity of west Leeds.
- 10.8 Planning officers agree with the Conservation Officer’s view that
- “The scheme will have a major impact on the Armley Conservation Area which, without compensatory interventions, is considered negative.”
- 10.9 It is considered that the proposal as it stands would have a significant and detrimental impact on the Conservation Area. It fails to preserve or enhance the character and appearance of the Conservation Area.
- 10.10 Initial research indicates that most major supermarket retailers in suburban/inner city locations would require c 2,800 sq m as the ideal format (e.g. Sainsburys average c 2764 sq m and Tescos average 2,786 sq m) whereas this proposal is substantially larger at 8,360 sq m. The supporting letter refers to the need to compete with Morrisons at Kirkstall (7,432 sq m) and the Owlcotes centre at Pudsey, which is a major out of town shopping centre, (12,820 sq m).
- 10.11 Despite the significant impact on the Conservation Area, the submission contains no detailed assessment of whether a smaller store (i.e. less than 8,360 sq m), with lower traffic generation, would need the level of highway improvements at the junction of Town street and Carr Crofts. Such a store may be viable, without needing to demolish a significant number of buildings in the Conservation Area. This needs further assessment and discussion.

### **Highways**

- 10.12 The proposal would result in an additional 1197 two way vehicle trips in the pm peak and 1293 two way vehicle trips in the am peak. This translates as an increase in traffic by 2015 of 29-53% along Town Street and 8-12% on Tong Road.
- 10.13 The Highways consultation response indicates a number of significant issues that need addressing prior to determination in particular relating to acceptability of potential traffic flows towards Town Street or Tong Road, level of necessary off-site

highway works, clarification of flows in the Transport Statement, redesign of proposed access points and provision of a Travel Plan.

- 10.14 Given implications of the proposed highway works on the Conservation Area, it has been concluded that details of means of access should be required at outline stage and the applicant has been notified of this. Given highways concerns on the highway strategy further discussions are required.

### **Design**

- 10.15 Design is a reserved matter, but the applicant is seeking approval of 8,361 sq m at outline stage which has design implications. The Design consultation response and Design Review Panel conclude that on the basis of information provided, a proper assessment of the scheme cannot be made. It is noted that the proposal lacks interest and fails to achieve quality spaces.
- 10.16 As all the drawings are illustrative the majority of design issues would be discussed and assessed fully at reserved matters stage. However concerns about the urban design implications of the potential size of the store, highway improvements at Town Street and loss of existing buildings are all matters that need addressing at outline stage.

### **Drainage**

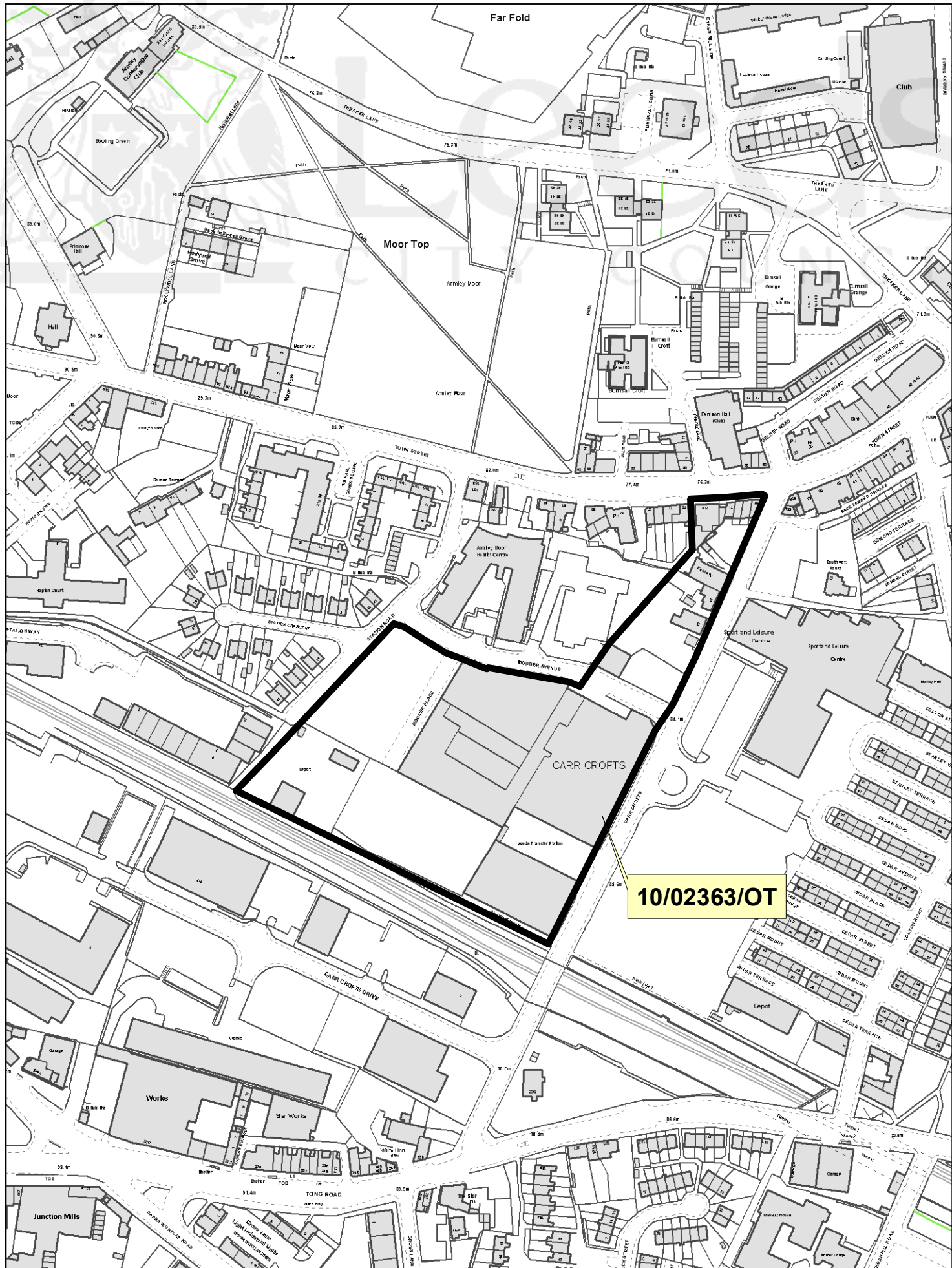
- 10.17 The Environment Agency has formally objected on the basis of the lack of a Flood Risk Assessment. Further information is awaited from the applicant.

## **11.0 CONCLUSION**

- 11.1 The application is in outline (now with access at outline stage) and all supporting material is illustrative. However a number of the issues listed above go to the heart of the application relating to conservation, highways and drainage issues.
- 11.2 Officers consider that the principal of retail development on this site should be supported, but these issues must be fully addressed prior to any recommendation to Panel.
- 11.3 Members are requested to note progress to date and are invited to comment on the main issues, in particular the balance between the potential benefits of encouraging regeneration/employment generation and the potential disbenefits of loss of a significant number of positive buildings in the Conservation Area.

### **Background Papers:**

Application file 10/02363/OT, associated applications 10/02364/CA and 10/02365/FU and history file H24/284/87.



# WEST PLANS PANEL

Scale 1/2500

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