



Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 18th August 2011

Subject: Application Number 11/00897/RM – Reserve matters application for laying out of access road and erect supermarket with car park at Stonebridge Lane, Wortley, Leeds.

APPLICANT	DATE VALID	TARGET DATE
Tesco Stores Ltd and Santon Developments Ltd	7 March 2011	6 June 2011

Electoral Wards Affected:

Farnley and Wortley

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION
APPROVAL SUBJECT TO SPECIFIED CONDITIONS

PROPOSED CONDITIONS

The conditions on the outline application are still applicable which the following were:

1. Reserved matters for all matters except principle and access
2. Time limit
3. Prior to commencement listed building shall be made wind and water tight
4. Highways works to be carried out prior to occupation (as per plan 4753/114/K) to include:-

- i) Realignment of existing Ring Road to accommodate fifth leg access off roundabout
- ii) Repositioning of the existing pedestrian crossing to south of the site
- iii) Creation of a pedestrian crossing across Stonebridge Lane linking site and Riva Bingo
- iv) Creation of new footway on eastern side of Stonebridge Lane

- v) Creation of new footway adjoining the proposed pedestrian access to site from Silver Royd Hill
5. All highways surfaces to be laid out, drained, surfaced, sealed and marked out.
 6. Travel plans to be submitted prior to occupation.
 7. Samples of external walling and roofing materials to be submitted
 8. Prior to commencement floor levels of all new buildings, access roads and car parking areas to be submitted
 9. Prior to commencement details of access arrangements, parking for workers, location of site compound and cabins submitted for approval.
 10. Prior to commencement details of foul and surface water drainage to be submitted
 11. Prior to work on mill pond setting out of how work will be done and measures to drain, repair, reduce the size and restock the pond.
 12. No demolition until programme of archaeological and architectural recording
 13. No work to commence until bat survey submitted
 14. Prior to commencement full details of tree works, tree and nature protection measures plus details and timing of new planting and habitat creation.
 15. Prior to commencement management plan for landscaped area and wildlife habitat to be submitted
 16. Supermarket limited to 24,990 square foot new retail floorspace
 17. Prior to commencement details of provision for training and employment of local people to be submitted
 18. Prior to commencement strategy for following to be submitted:-
 - i) Lighting
 - ii) Bin storage and rubbish collection
 - iii) Boundary treatments
 - iv) Signposting and signage
 19. Prior to commencement of development a detailed photographic survey of existing stone bridge and method to dismantling and reconstruction to be submitted.
 20. Development shall not commence until reports for contamination and remediation to be submitted.
 21. If unexpected contamination revised remediation statements to be submitted
 22. Validation report to be submitted
 23. Development should be carried out in accordance with approved Flood Risk Assessment

The following are additional conditions

1. Development in line with the approved plans
2. Details of the location of two new bus stops (including shelters) on Stonebridge Lane to be submitted, provided and retained.
3. Real time bus information to be made available within the store and retained.
4. Before development commences details of the coping to the top of the flood wall to be submitted, approved, provided and retained.
5. Before development commences precise information into boundary treatment to be submitted, approved, provided and retained
6. Before development brought into use proposed opening hours to be submitted and approved in writing
7. Proposed delivery hours to be 0700 to 2200 Monday to Saturday and not at all on a Sunday or bank holidays

8. Details of sound insulation for any plant and machinery to be submitted
9. Details of any ventilation systems to be submitted for approval
10. Details of any air conditioning to be submitted for approval

1.0 INTRODUCTION:

- 1.1 The Chief Planning Officer considers that this application should be referred to the Plans Panel as the original outline permission was approved by Panel in September 2008 plus the proposal is a significant development.

2.0 PROPOSAL:

- 2.1 Outline planning permission for a supermarket with access and a new build/conversion of existing buildings to a mixed development was granted in 2005 and this permission was renewed in 2008. This is a reserved matters application for the proposed access and supermarket only. The outline application sought detailed approval for the principle of development and access only. The original outline application description as approved was as follows:- Outline to layout access and supermarket & new buildings/ change of use of existing buildings for a mix of uses. When the application was determined a condition was attached to the approval requiring that:- 'Prior to the commencement of any part of the development other than the supermarket hereby approved a programme of works for the refurbishment of the listed buildings and retained buildings shall be submitted to and approved in writing by the Local Planning Authority. The refurbishment works shall then be carried out in accordance with the approved programme unless otherwise agreed in writing by the Local Planning Authority'. As any number of reserved matters applications can be submitted following the approval of an outline application the applicants are at liberty to submit a reserved matters application for the supermarket without including the listed and retained buildings. And as stated above the condition on the original outline application only required the submission and approval of a refurbishment programme, not a detailed scheme for redevelopment of the listed and retained buildings, hence the submission of this application.
- 2.2 The proposal is for a single storey supermarket with 4054 square metres (43,634 square feet) in total floorspace which consists of 2321 square metres (24,990 square feet) of retail sales area. The store will be in the centre of the site with the car parking beyond the store. The number of car parking spaces will be 225. The service yard will be to the rear of the proposed supermarket on the eastern boundary. The store will be constructed from stone and glass with a modern design and flat roof. The supermarket will be 80 metres by 90 metres and will be 6 metres in height.
- 2.3 To the rear of the site on the eastern boundary behind the service yard there will be a concrete retaining wall which will be 6.8 metres in height at its highest down to 4.8 metres and for safety reasons on top of this concrete retaining wall is a 2.4 metre black weld mesh fence. On the rest of the rear boundary beyond the proposed car park there will be a retaining/crib wall which will be planted to soften its appearance. Above this will be a 600mm timber knee rail. Beyond the retaining wall and crib wall on this boundary will be landscaping. Some of this is existing and some will be additional planting. Beyond this on the rear boundary with the residential properties will be a weldmesh fence to provide security for residents.

- 2.4 The southern boundary which is on the boundary with the open land allocated as Local Nature Area LNA38 in the Unitary Development Plan will also have the crib wall for part of its elevation then an open mesh fence with a hedge on the LNA side. The western boundary is along Wortley Beck. There will be a flood wall on the car park boundary and proposed access road on the Wortley Beck side. This is to protect the car park and store from flooding from the Beck. This wall will extend the entire length down to the roundabout. This will be faced on both sides in stone to match the stone on the proposed store. Between the flood wall and the beck will be an extensive area of landscaping which ranges between 20 to 50 metres in width. Some of this will be existing vegetation with supplementary planting. The northern boundary is the boundary with the listed building complex known as Stonebridge Mills which houses a range of listed buildings, and ancillary buildings within the grounds of a listed building. This boundary will be a stone faced wall on both sides with railings above.
- 2.5 The access will be a fifth arm off the existing roundabout on the Ring Road and this roundabout will have to be enlarged to accommodate the access. There is also the requirement to form a bridge over Wortley Beck. The access road and this bridge where approved as part of the outline consent.
- 2.6 A Section 106 agreement formed part of the previous approval for the development. The agreement includes:-
- £500,000 to carry out improvements within the Armley, Farnley and Wortley and Bramley community areas with first consideration to be given to the improvement of Armley Town Centre; localised highway improvements in Wortley including a footpath between the Bawn Estate and the Ring Road and a pedestrian crossing to the north west of the Ring Road roundabout should such a crossing be considered necessary
 - £20,000 for improvements to the two adjacent bus stops on the Ring Road
Consultation with Metro and Bus Operators to require that a bus service is provided to the site or an existing bus route is diverted to the site to coincide with the opening of the supermarket.
- 2.7 An additional requirement for bus stops on Stonebridge Lane and real time passenger information as part of this application was considered a reasonable request and should be included as part of the scheme.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site consists of an area of green land beyond a complex of traditional industrial buildings located on the south east side of Stonebridge Lane/Silver Royd Hill known as Stonebridge Mills. The original outline included the land that forms part of the reserved matters plus the complex of listed buildings which does not form part of this reserved matters application. The Farnley/Wortley Beck runs along the south eastern boundary of the site with the Leeds Ring Road beyond. The existing access into the site is off the bend on Stonebridge Lane/Silver Royd Hill through the area of buildings and suffers from limited visibility.
- 3.2 The majority of buildings on the adjacent site are of stone construction but there are some brick and cladding buildings. Within this area are a mill chimney, a water tank tower, a reservoir and adjoining the site entrance a row of three cottages.

3.3 There are a number of Listed Buildings within the adjacent complex. These are located mainly in the northern part of the site and are:-

The Old Mill, Engine House and Boiler House (10095)

Row of workshops to the north fronting Stonebridge Lane (10097)

The Mitre House and 2 cottages to the south west fronting Stonebridge Lane(10098)

Row of 3 cottages to the north west fronting Silver Royd Hill (10099)

3.4 This part of the land that adjoins the application site has had a history of industrial activity since the early nineteenth century and was gradually developed over the next 100 years or so and operated as a textile mill. Textile working ceased in 1980 and since then the buildings have been let out largely for light industrial purposes with some office and residential use in the cottages close to the entrance. The buildings are now run down with all of the units vacant and in need of investment and regeneration.

3.5 The adopted UDP context identifies under Policy S6 that potential exists for retail development of a form which would remedy the known deficiency of convenience goods retailing facilities in Farnley/New Farnley/Lower Wortley in the vicinity of Stonebridge Mills. The explanation to the policy states that a retail impact study will normally be required to assess an appropriate scale of development when specific development proposals are advanced under this policy. This retail impact study was submitted with the outline application.

3.6 There are no other site specific policies relating to the site but the Ring Road frontage is designated as greenspace and Urban Green Corridor and a Leeds Nature Area. LNA 38 (Silver Royd Hill) includes the beck to the south of the site and adjoining land to the east and higher ground to the north east above the proposed car parking area. There is a Tree Preservation Order in place on the site and the site adjoins Wortley Beck to the south west.

3.7 To the rear of the site the land increases in height significantly and the boundary is the rear gardens of residential properties on Silver Royd Drive. The site has a range of vegetation and trees on the site, some having to be removed for the development.

4.0 RELEVANT PLANNING HISTORY:

11/02394/LI – renewal of listed building application to demolish some buildings within the grounds of the listed buildings awaiting decision

07/07851- renewal of outline permission 24/192/00/OT to layout access and supermarket and new buildings/change of use of existing buildings for a mix of uses approved 8th December 2008

08/04037/LI: Amendment of condition 3 of previous approval 24/359/05/LI approved 8/12/08 This was to change the planning permission number that was reference in condition 3 to the renewed planning permission number

24/359/05/LI: Listed building application to demolish various buildings on the Ring Road frontage to achieve the access – approved – 10th January 2007 and linked to the approval of 24/192/00/OT

24/192/00/OT: Outline to layout access and supermarket & new buildings/ change of use of existing buildings for a mix of uses - approved – 28th April 2005 with a Section 106 agreement

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The application was submitted in March 2011 after a pre-application meeting with the developer and developer's agents. Officers have been negotiating on the scheme and the plans before the Panel have been obtained following the negotiation process.
- 5.2 A key element of this has been discussion relating to the re development of the listed and retained buildings. As stated in paragraph 2.1 the original outline application description as approved was as follows:- Outline to layout access and supermarket & new buildings/ change of use of existing buildings for a mix of uses. When the application was determined a condition was attached to the approval requiring that:- 'Prior to the commencement of any part of the development other than the supermarket hereby approved a programme of works for the refurbishment of the listed buildings and retained buildings shall be submitted to and approved in writing by the Local Planning Authority. The refurbishment works shall then be carried out in accordance with the approved programme unless otherwise agreed in writing by the Local Planning Authority'. As any number of reserved matters applications can be submitted following the approval of an outline application the applicants are at liberty to submit a reserved matters application for the supermarket without including the listed and retained buildings. And as stated above the condition on the original outline application only required the submission and approval of a refurbishment programme, not a detailed scheme for redevelopment of the listed and retained buildings.
- 5.3 Because of the aforementioned the council is not in a position to insist that the application before members includes a scheme for the redevelopment of the listed and retained buildings, nor can we not consider the scheme. The applicants are also advising us that the size of store under consideration today is not sufficient for it to be viable to include the listed and retained buildings in the scheme before members today. In view of this discussions have commenced regarding the possibility of a larger store which would be of sufficient size to make redevelopment of the listed and retained buildings viable. As this would require a separate new application for consideration this would present the opportunity to link the redevelopment of the listed and retained buildings to the development of the supermarket.

6.0 PUBLIC/LOCAL RESPONSE:

Councillor Ann Blackburn and Councillor David Blackburn object to the proposal for the following reasons:

- Design and Access statement states that the building will be hidden by 'native woodland replacement planting to all boundaries of the site. Would rather the existing mature trees and vegetation were retained rather than new planting which needs time to grow
- building is large oblong uncharacteristic building and people of Farnley deserve a better designed building
- site takes in some of Leeds Nature Area (Green Corridor) No 38 and this would be destroyed if the plan went ahead. Tesco already destroyed trees on the site
- Concerned about listed building next to site which are in a poor state. Surely Tesco should be maintaining these buildings. If maintained small businesses could use them again
- Site is on flood plain which flash floods so site likely to be flooded

- Do not agree to pond on the site being made smaller. Don't know if amphibian life in the pond but needs exploring
- Store medium size for people of Farnley why does it need 242 car parking spaces. Too many cars near site already and safety issue as Ryecroft Primary School which is nearby. Does not sit well with Councils policy of encouraging children to adopt safe route to walk to school to stop obesity and try and get parents less dependant on cars.

Eighteen letters of objection from local residents concerned with the following issues;

6.1 Principle of development

- Other brownfield sites within the area that are more suitable than this green field site.
- Planning designation of land has been changed to Tesco's advantage
- Supermarket site in Armley would be better environmentally and served by public transport and people of Armley would welcome jobs.
- No need for supermarket in the area already have Morrisons (Bramley), Asda and M & S (Owlcoates) Sainsbury at White Rose and new Tesco at Kirkstall hill plus a new supermarket at Armley. Also smaller convenience stores within the area.
- Would not support application as it would jeopardise the regeneration of Armley Town Street Area.

6.2 Highway matters

- Increased traffic – Silver Royd Hill is not suitable for increases in traffic
- Ring Road will struggle to cope with volume of traffic and new access will introduce significant safety risk for cars joining and leaving Ring Road.
- Huge increase in congestion and pollution on already extremely busy roads which are already at a standstill at certain times of the day

6.3 Impact on ecology, fauna and flora

- Mature trees at the bottom of the gardens on Silver Royd Drive should be retained
- Mill pond – its interest historically is due to the fact that it is the largest in the country to cut its size would mean it is no longer of interest.
- Concerned about tree loss, area has been green for over 450 years with long established trees
- Local environment will be lost and is currently used by local residents and families
- Loss of wildlife such as birds, foxes, bats, owls, herons, kingfishers and natural habitat. Any nesting proposals for the bats that nest in the buildings about to be demolished
- Planting of evergreens would absorb any extra noise from the development
- Local Development Framework for Leeds states it wants everyone to live near quality open spaces and the Leeds Forest Strategy aims to make Leeds Europe's cleanest and greenest city by 2020. This development would be in direct opposition to this.
- Do not understand why an environmental survey is not required for this application.

6.4 Impact on pollution

- Lighting pollution due to car park security lighting, bright store lighting, constant flashing of car headlights and delivery lorries entering and leaving the site.
- Noise pollution, loading bay near houses unacceptable especially if deliveries are through the night,
- Air pollution due to number of lorries and cars using the site
- site topography is a deep valley with steep sides which forms a natural amphitheatre effects which magnifies sound, light and prevents pollution dispersing
- Application for playground refused years ago due to the damage it would cause to wildlife

6.5 Residential amenity

- houses are nearer to the site than suggested due to the gradient of the hills so impact is greater

6.5 Threats to jobs and existing businesses

Threat to local jobs and businesses especially independent shops such as butchers, bakers etc already struggling in current climate

6.6 Flooding

- Loss of naturally draining land which when covered with buildings/car parking so will have a further impact on flooding

6.7 Other matters

- New supermarket will be an eyesore
- No evidence of support from local residents and elected representatives
- Serve to attract bored youths who will congregate where there is light and noise and add to crime rate in the area
- Will impact on the value of our property
- Applicants states there will be job creation but Friends of Earth website state that supermarkets mean that local jobs will be lost and money siphoned away from the community and towards shareholders and distant corporations
- Require a 6 foot fence on the boundary of our garden for security

7.0 **CONSULTATIONS RESPONSES:**

7.1 Statutory: None

Highways – No objection in principle subject to conditions and provision of new bus stops on Stonebridge Lane (in addition to those previously agreed for the Ring Road) and Real Time Information provision within the store foyer

Metro – Agree that the bus turning area within the proposal can be removed subject to there being two new bus stops on Stonebridge Lane with associated kerbing and lining as well as provision for bus real time information to be displayed within the store.

Environment Agency – Object as no Flood Risk Assessment has been submitted. Need to see the Flood Risk Assessment submitted at outline stage to be satisfied that the proposed bridge will not exacerbate flood risk.

Environmental protection team – No objection provided that the conditions are imposed to protect amenity of nearby residential area.

Contamination Team – Conditions on the outline cover contamination requirements.

Yorkshire Water – No objection subject to conditions

8.0 PLANNING POLICIES:

National policy guidance in PPS1, PPS3, PPS6, PPG13 and PPG15 is relevant

The following policies in the adopted UDP Review (2006) are relevant;

SA7: Strategic Aim to promote the physical and economic regeneration of urban land and buildings within the urban areas, taking account of the needs and aspirations of local communities.

GP2: Development on vacant, under-used or potential redevelopment sites.

GP5: Resolution of detailed planning considerations.

GP7: Planning obligation.

E7: Proposals for non-employment uses on employment land.

N4: Greenspace provision for residential developments.

N8: Urban green corridors.

N12: Urban design principles.

N14: Presumption in favour of preservation of Listed Buildings.

N15: New uses in Listed Buildings.

N23: Design of incidental open space around built development.

N24: Development proposals abutting green belt, green corridors or other open land.

N50: Impact of development on LNA.

N51: Design of new development and enhancement of wildlife habitats.

T2: Access for new development.

T5: Provision for pedestrians and cyclists in new development.

T6: Provision for disabled people in new development.

H4: Residential development on non-allocated sites.

S6: Retail development where known deficiency of convenience goods retailing.

LT1: Provision of new leisure facilities in areas with poor access to facilities and at locations accessible to all sections of the community.

9.0 MAIN ISSUES

1. Principle of development
2. Provision of a supermarket
3. Listed and Retained buildings
4. Highway and Transport matters
5. Design
6. Boundary Treatments
7. Landscape and Ecology

8. Residential amenity

10 APPRAISAL

1. Principle of development

- 10.1 Outline planning permission has already been granted on the site and is still valid. This is the reserved matters application relating to part of the outline permission so the principle of development on the site has already been established and the proposal is acceptable in principle.

2. Provision of a supermarket

- 10.2 The adopted UDP has a blue star on the Proposals Map on this site indicating under Policy S6; POTENTIAL EXISTS FOR RETAIL DEVELOPMENT OF A FORM WHICH WOULD REMEDY THE KNOWN DEFICIENCY OF CONVENIENCE GOODS RETAILING FACILITIES IN THE FOLLOWING LOCATIONS:

- a. FARNLEY/NEW FARNLEY/LOWER WORTLEY – IN THE VICINITY OF STONEBRIDGE MILLS, RING ROAD, FARNLEY

Following the review of the UDP in 2006, this policy and site allocation remains unchanged.

A retail impact study (RIA) to assess an appropriate scale of development was submitted and assessed at the time of the outline permission. The outline permission was for a supermarket that had a net sales area of 24,990 sq. ft. This application is also for 24,990 sq.ft so complies with the above policy in the Unitary Development and the outline permission.

3. Listed and Retained Buildings

- 10.3 As discussed in paragraphs 5.2 and 5.3 above it is not ideal that the redevelopment of the Listed and retained buildings is not directly linked to the development of the supermarket, but on balance taking account of all the material considerations including the current economic climate it is considered appropriate to recommend this application for approval and to continue discussions on a revised scheme which would allow the council to link the development of a supermarket to the listed and retained buildings.

4. Highway and Transport Matters

- 10.4 A 5-arm roundabout, replacing the 4-arm roundabout at the Outer Ring Road (A6120) and Stonebridge Lane was approved at the outline stage. This access has been developed to accommodate traffic as an access of Stonebridge Lane would be unacceptable due to the location near the Listed Buildings and the geometry of the road.
- 10.5 Also approved at the outline stage were improvements to pedestrian movement facilitated by a new pedestrian crossing on Stonebridge Lane and improved footway, repositioning of the pedestrian crossing on the Ring Road and a new

pedestrian footpath into the scheme from the roundabout alongside the beck. These all formed part of the conditions on the outline consent.

- 10.6 The outline scheme had been designed to facilitate buses and at outline stage it was an important aim to achieve bus penetration into the development. However, Metro have stated that without additional funding which was not provided in the outline section 106 agreement it is very unlikely that buses would be diverted through the site. The reserved matters application has removed the bus turning facility from the scheme and this has provided an area for additional landscaping. Highway officers and Metro do not object to this removal providing two new bus stops are provided on Stonebridge Lane (in addition to the funding previously secured for bus stop improvements on the Ring Road) . Funding cannot be obtained for these bus stops as the section 106 agreement did not cover this but can be included with the proposed s278 highway agreement. The applicant has agreed to this. As well as the two new bus stops a real time bus screen will be placed inside the store so that bus users are able to find out the times of the next buses when departing from the store. Conditions can be attached to the reserved matters approval for both these measures.
- 10.7 A Green Travel Plan will be required for the supermarket and this was conditioned on the outline consent.
- 10.8 The parking proposed for the retail element is 225 spaces which is below the maximum level suggested by car parking guidelines in the adopted UDP but is considered reasonable in terms of car ownership levels and public transport connections.
- 10.9 The proposed access road within the site, car park and servicing yard are all considered acceptable. The access road is long so allows for traffic leaving the development to be stacked within the site which reduces the impact on traffic on the existing network.
- 10.10 Overall the application is considered acceptable in terms of impact on the safe and free flow of traffic and pedestrians.

5. Design

- 10.11 As this application is a reserved matters application and design was to be dealt with under any reserved matters application this needs to be considered and assessed. The proposed store is located in the position that was shown on the plans for the outline consent. Taking the whole of the land including with the outline permission the store is located within the centre of the site with car parking beyond. The access road will go in front of the store to the car park so the views of the front of the store are important as well as the view of the southern side of the store which will be viewed from the car park. The store is single storey to a height of 6 metres and has stone panels and glazing on the front elevation. The side facing the car park has a stone plinth with glazing along with composite cladding which will be coloured oyster. The listed buildings on the rest of the outline site are mainly stone, so stone for the store is considered an acceptable material. Both this front and side elevation are considered to be acceptable in design terms. The rear elevation consists of all composite cladding. This is considered acceptable on this elevation as it generally will not be viewed from outside of the site. The final elevation which faces the listed building is also glazed with elements of stone and composite cladding which is considered acceptable.

- 10.12 The store being single storey will be softened from views off the Ring Road by existing and proposed landscaping. The houses in Farnley will look down on the development as they are situated at a higher level. The roof will also be visible from these properties so the fact that the store has a low roof without any additions on the top will reduce its impact. The houses on the other side on Silver Royd Drive are also at a much higher level and will look down onto the roof of the development. Views of this roof will be softened by existing and proposed landscaping.
- 10.13 Overall the design of the store is modern but with the elements of stone it should ensure that it will blend in with the stone properties located nearby.

6. Boundary treatments

- 10.14 The eastern elevation to the rear of the site will require significant retaining walls due to the significant change in levels in this location. Behind the store the retaining wall will be concrete and will have a 2.4 black weldmesh fence on the top which is required for safety reasons as the retaining wall forms the boundary to the service yard. Whilst the concrete retaining wall would not normally be acceptable the store itself will shield the majority of it and it will only be the weld mesh fence that will be viewed above the store. The rest of the eastern elevation along side the car park will have a retaining wall which will be covered with a timber crib lock wall and planted with landscaping. The original plans showed a 2 metre high fence above this. Officers were concerned regarding the visual impact off this high fence as it would be prominent and would shield the views of the landscaping behind. This high boarded fence has been removed and will be replaced with a knee high rail fence which provides an element of safety but being lower and open it now allows for the landscaping to the rear to be viewed. Officers were also concerned that the proposed retaining wall could not be constructed without damage to the landscaping above and would leave little space for supplementary planting. Engineering drawings have been submitted which show how this retaining wall can be constructed ensuring that it will not damage the landscaping above and still allows for an area of landscaping. Beyond this landscaping will be a weld mesh fence which will form the boundary treatment between the development and the rear gardens of the properties along this boundary. The original plans showed palisade fencing along this boundary which officers considered was more appropriate in an industrial setting rather than to the rear of peoples gardens. A weld mesh fence was visually more acceptable than a palisade fence but still gave residents the security they have requested.
- 10.15 The southern boundary with the adjacent LNA will have the crib wall for the first part of the boundary as there is a change in levels. The rest of this boundary will be an open fence. This is acceptable in this location as the open fence is a feature that can be seen in these types of areas plus it will allow views of the landscaping that is proposed between this fence and the car parking.
- 10.16 There will be a flood wall erected to the western side of the proposed car park and the beck side of the access road all the way down to the existing roundabout. This is required to prevent the existing Beck flooding the car park and store. The flood wall will be 1.2 metres in height and will be stone faced on both sides. There will be coping above this wall which needs to be stone and not concrete and a condition can be attached to ensure that this is the case.
- 10.17 Finally the boundary treatment to the north of the access road and along the access to the service yard will be will be formed by a concrete retaining wall with a close

boarded fence above, the same as the boundary treatment proposed to the rear of the service yard. The rest of the boundary will be a stone faced wall on both sides with railings above and this will extend all the way along the access road until the roundabout.

- 10.18 Overall, with conditions to control the precise nature of materials, the boundary treatments are considered acceptable.

7.Landscape and Ecology

- 10.19 The site is the subject of a Tree Preservation Order made in 2000 and consists of groups of trees along the beck, adjoining the pond, 10 hawthorn trees along a field boundary within the site and an area of woodland to the north and east to the rear of existing housing. The development involves the loss of some trees but does involve improvements and tree planting as part of the proposal. The tree consultant at the outline stage made the point that with such a major scheme including replanting and landscaping it is inevitable and the character and nature of the area will change. This change is considered to be from a relatively even age tree structure with limited species diversity to a more varied age and species structure of more significant ecological value.
- 10.20 As stated the proposal does involve significant removal of vegetation and trees from the site. There will be some tree retention along the eastern boundary with the residential properties and some along the existing beck area. Objections have been received regarding the loss of trees, vegetation and the impact on the existing flora and fauna on the site. However, this was all assessed at the outline stage so permission has already been granted for this removal.
- 10.21 The outline application allowed for planting along the eastern and southern boundaries. The original plans for the reserved matters didn't provide a belt of landscaping as wide as the plans approved under the outline consent. Revised plans have been submitted which show a similar belt for landscaping as the outline consent. Both of these boundaries will have shrub planting along with trees. The landscaping on the southern boundary will help to soften the development from views off the LNA especially as mentioned earlier there will be an open fence on this boundary. The planting above the retaining walls on the eastern boundary will provide a green boundary above the proposed store and retaining walls and will shield views of the store from the residential properties above.
- 10.22 On the western boundary alongside the beck there is a wide belt for landscaping. There will be some removal of trees and landscaping within this area but there will be significant replanting of shrubs and trees. On the northern boundary of the access road to the store and service yard there will be a native hedge mix with some shrubs and trees. This will be in front of the proposed stone faced wall and railings and will soften this edge until the land beyond it is developed.
- 10.23 At the outline stage a full ecological survey and update were provided apart from a bat survey which was conditioned to be submitted before any work is carried out on site.
- 10.24 The application also involved the reduction in the size of the existing mill pond on the site. This principle of reduction in the length of this mill pond was approved under the outline permission. This application involves the same reduction in the mill pond as the outline consent. The pond itself has some limited wildlife and ecological

interest but has been polluted in the past. Conditions can be attached for updates to the ecological surveys before development commences.

- 10.25 There have been objections to the loss of the habitats on the site. At the outline stage it was considered that the loss of habitat as a result of the development was considered to be of no more than local value to nature conservation and can be mitigated by enhancement measures. In this regard it should be recognised that the part of the site for development is not part of the LNA, not allocated as urban greenspace and is not part of the urban green corridor although it adjoins it.
- 10.26 Overall it is considered that the significant trees around the edges of the site and to the west of the dam. Which are retained and the opportunities for replacement planting as part of the scheme which will give greater diversity eventually.

8.Residential amenity

- 10.27 There are residential properties across the Ring Road separated from the development by the beck, areas of landscaping and the Ring Road itself. Any noise and disturbance from the operation of the supermarket and the comings and goings of traffic should not produce any additional impact on residential amenity in terms of noise and disturbance to those residents.
- 10.28 There are residential properties on the eastern boundary on the site which are closer to the supermarket. These properties are at a higher level and are separated from the development by their own gardens. The service yard is also located on their boundary and this along with the comings and goings of customers, cars and lorries all have the potential to impact on the residential amenity of the residents. The operation of the supermarket and the service yard during the day is unlikely to cause any detrimental impact in terms of noise and disturbance due to the noise already created from the Ring Road. When the Ring Road is quieter during evenings, overnight and weekends then there is potential for noise disturbance from the supermarket so conditions have been attached in relation to opening hours and delivery hours. In this location the operation of the supermarket for 24 hours opening would not be supported and a condition has been attached to ensure that the hours of opening of the premises, which are not specified in the application, can be considered prior to the development being brought into use. In addition the environmental protection team have requested that there should be no deliveries overnight and not at all on a Sunday and bank holiday. The hours of delivery and refuse collection covered by condition are, loading and unloading, and refuse collection shall be restricted to between the hours of 0700 hours to 2200 hours Monday to Saturday with no such operations taking place on Sundays and Bank Holidays. With limited opening and delivery hours the proposal should not have a detrimental impact in terms of noise and disturbance.
- 10.29 One objection relates to the installation of lighting and its impact on residential properties. The environmental protection team have also requested a condition regarding lighting. This was attached to the outline permission and requested that details of lighting were to be submitted to and approved by the local planning authority before development commences so this matter is covered
- 10.30 The environment protection team have also requested that conditions are attached to control air pollution, sound insulation of plant and machinery. Details of extract ventilation system, installation and operation of air conditioning all off which need to be submitted and assessed to help prevent a detrimental impact on residential properties.

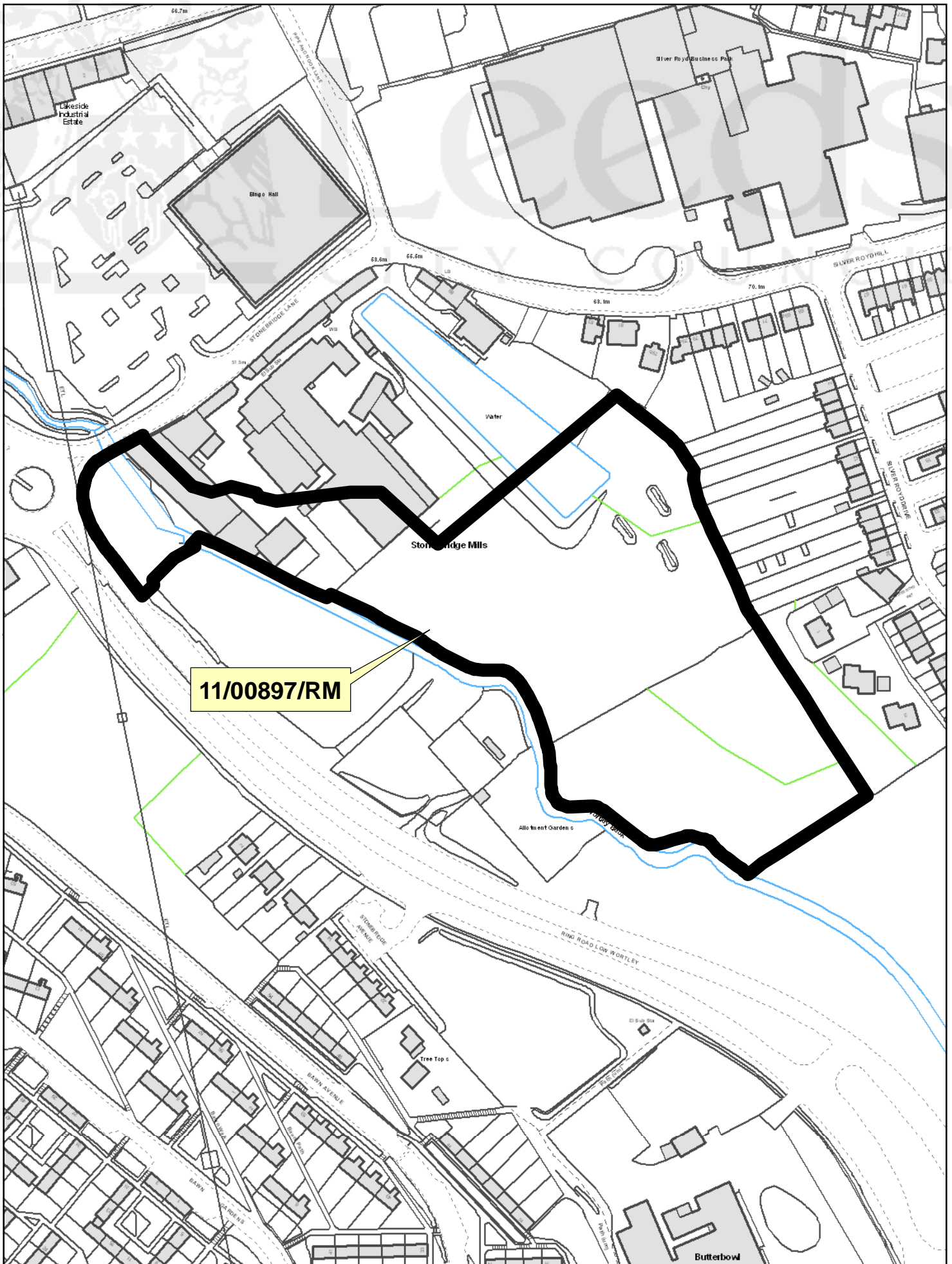
10.31 Overall with conditions it is considered that the development will not have a detrimental impact on residential amenity.

11. CONCLUSION:

11.1 This is a reserved matters application for a supermarket on a site which is allocated for a supermarket of this size in the Unitary Development Plan and benefits from an outline planning approval. The access was approved as part of the outline application with all other matters reserved. The design, layout, car parking, internal highway layout, and landscaping are all considered acceptable and with additional conditions officers recommend approval of the scheme.

Background Papers:

Application file: 11/00897/RM



11/00897/RM

WEST PLANS PANEL ◦