



## Report of the Chief Planning Officer

### *PLANS PANEL WEST*

Date: 8<sup>th</sup> December 2011

**Subject: POSITION STATEMENT for Application Number 11/04253**  
**Proposed supermarket plus 7 smaller retail units (A1, A2, A3, A4 or A5) new post officers working club, a community centre, area of public realm plus landscaping and highway works at the junction of Commercial Road/ Kirkstall Lane/Kirkstall Hill, Kirkstall Leeds**

<b>APPLICANT</b>	<b>DATE VALID</b>	<b>TARGET DATE</b>
Tesco Stores Ltd		

<p><b>Electoral Wards Affected:</b></p> <p>Kirkstall</p> <p><input type="checkbox"/> Yes (Vard Members consulted referred to in report)</p>	<p><b>Specific Implications For:</b></p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
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**Members are asked to note the contents of the report and are requested to comment on a number of matters set out in the report**

### **1.0 INTRODUCTION:**

1.1 The Chief Planning Officer considers that this application should be referred to the Plans Panel as it is a substantial development for the redevelopment of the former Kirkstall District Centre which will have significant impact in the wider area.

### **2.0 PROPOSAL:**

2.1 The application is for the redevelopment of a parcel of land which is surrounded by four roads these being Commercial Road, Kirkstall Lane, Kirkstall Hill and Beecroft Street in Kirkstall. All the buildings that are currently on the site will be demolished. The site slopes very significantly from the bottom of the site on Commercial Road to the top of the site on Kirkstall Lane and also from Kirkstall Lane up to the junction of Kirkstall Hill and Beecroft Street. This results in the highest part of the site being the

junction of Kirkstall Hill and Beecroft Street and the lowest, the junction of Kirkstall Lane and Commercial Street. The development will be five stories high at the Commercial Road end of the site and three storey at the top end onto Kirkstall Hill. The development will comprise the following:

- A new supermarket which has a gross floorspace of 9,230 square metres and a net sales area of 5,667 square metres. This will comprise 3,066 square metres of convenience goods and 2,601 square metres of comparison goods.
- This supermarket will be on the top floor of a proposed 5 storey building and will be two storeys high. The sales area will all be on one floor with a mezzanine floor occupying the western end of the building for staff facilities.
- Underneath this supermarket will be a three storey car park to house 639 car parking spaces. There will be two floors of car parking that are completely covered with the third level having some open car parking at the western side of the building with the rest under the store.
- There will be 7 smaller retail units at single storey height with their frontage onto Kirkstall Lane with a combined floorspace of 1,008 square metres.
- A new community centre located next to the 7 smaller retail units.
- A replacement Post Office Workers Club.

- 2.2 The new Post Office Workers Club will be at street level on the junction of Commercial Road and Kirkstall Lane at the lowest point of the site. This club replaces the existing club on the site which will be demolished. A stewards flat will be provided on the first floor. The building will range in height from of 6 to 7 metres. The club will be modern in design and will be faced with stone cladding. The club will have its own vehicle access off Kirkstall Lane with a car park for 10 spaces (3 disabled spaces).
- 2.3 Alongside this club house on the Commercial Road frontage is proposed an area of public realm. It will comprise a landscaped area with footpaths through it including a play area. This will allow pedestrian access to the development from Commercial Road. The landscaping will be at different levels and there will be a number of retaining walls. On part of one of the retaining walls will be a climbing wall to the rear of the proposed play area.
- 2.4 Behind the club house and landscaped area will be a three storey car park. This three storey car park will be set back 42 metres from Commercial Road. It will be 9 metres higher than the top of the landscaped area and 19 metres higher than the road level on Commercial Road. The car park will be covered with a radial metal cladding system.
- 2.5 There is an open car park on the third level at the front of the site. Set a further 13.5 metres back from this car park will be an enclosed third level of car parking with a two storey supermarket above. There will be one level of sales area but the height of the supermarket will be two storey. It will be 12 metres in height from the car parking level and 30 metres higher than the road level on Commercial Road although it is set back 54 metres from Commercial Road.
- 2.6 The supermarket building on the elevation facing Commercial Road will be clad with larch cladding panels with glazing above. On the Kirkstall Lane side the materials will be mainly glazing with some natural stone faced cladding. On the elevation facing Beecroft Street will be larch cladding panels and the rear elevation will be natural stone faced walling with glazing above.

- 2.7 The supermarket will be within the centre of the site and slightly twisted to match the orientation of the leisure centre located nearby. The main entrance will be on Kirkstall Lane reached by a ramp and steps from the road. Due to the gradients there will be a five storey atrium located on the corner of the building on Kirkstall Lane/Commercial Road. There will be travelators within this atrium which will allow access to the three levels of car parking and the store itself.
- 2.8 At the upper end of Kirkstall Lane will be the 7 retail units which will be single storey. These units will have their frontage onto Kirkstall Lane and will have glazed frontages with natural stone cladding around the edge of the shop fronts. Attached to these units and projecting towards Kirkstall Lane will be a new community centre. This will have a flat roof and its walls will be stone faced cladding.
- 2.9 The service yard for the development is to the rear of the site on the junction off Kirkstall Hill and Beecroft Street. Access to and from this service yard will be from Kirkstall Hill. This service yard will be surrounded by a high stone faced boundary wall ranging from 2.5 metres to 6 metres in height on the pavement side of the wall.
- 2.10 The main access for the car park will be off Commercial Road. Commercial Road along the frontage of the development will be widened so that the carriageway will be two lanes. Travelling towards Leeds there will be an additional lane which will go into the proposed access for the car park. Commercial Road will also be widened to allow a right turning lane off Commercial Road into the development when travelling from Leeds. This junction will have a set of traffic lights including pedestrian crossings. The widening is within the site except for a small area of land at the other side of Commercial Road which is currently part of the Kirkstall Wildflower Garden. Improvements will be made to the garden to mitigate the loss of land.
- 2.11 The access off Commercial Road will be up a ramp at a lower level than the existing Beecroft Street via a separate road with a high retaining wall to Beecroft Street. This will bring vehicles either into the car park on the lowest of the three levels or to continue up the ramp to the second level of parking or up the ramp further to the upper level of car parking. There is also an exit from this car park in the opposite direction. There will be another access directly from Beecroft Street which can only be achieved when entering Beecroft Street from the Kirkstall Hill end. This access is to level 3 of the car parking. Beecroft Street will be widened from its junction with Sandford Road to its junction with Kirkstall Hill. This will allow for a right turn off Beecroft Street into the car park and two lanes at the top of Beecroft Street onto Kirkstall Hill. This junction will also have traffic lights. Beecroft Street will be closed to traffic from Commercial Road and become one way at the lower end to allow traffic to leave Beecroft Street onto Commercial Road.
- 2.12 Kirkstall Hill will also be widened from single lanes to two lanes on both sides of the carriageway for the length of the redevelopment site. The access for the service yard will be off Kirkstall Hill and there is a right turning lane into this service yard as well as a right turning lane into Beecroft Street.
- 2.13 Finally there are a number of points and levels that the pedestrian can gain access to the development. The main access is either up the ramps or steps on Kirkstall Lane which take you to the stores main entrance and the 7 retail units. Pedestrians can gain access to the car parking levels and the store via the travelators which are within the atrium at the corner of the building on Kirkstall Lane. There is a pedestrian access off Beecroft Street which takes you through the car park to gain access to the front of the development. There is also a pedestrian access off Beecroft Street to

the front of the car parking building. This has the wall of the car park on one side and the wall of a retaining structure on the other.

- 2.14 The package of information submitted includes a Design and Access Statement, Planning and Retail Statement, Ecological Assessment, Landscape Supporting Statement and Arboricultural Assessment, Flood Risk Assessment, Geo-Environmental Desk Study Report, Environmental Noise Assessment, Transport Assessment, Travel Plan, Environmental Sustainability Statement and Community Engagement Statement.

### **3.0 SITE AND SURROUNDINGS:**

- 3.1 The lower part of the site is an existing retail development which is now in a poor state with only a few of the buildings occupied. The upper part of the site contained a number of industrial and commercial buildings, some of which have since been demolished. The main characteristic of the site is its topography. The site rises sharply both from Commercial Road and Kirkstall Lane. From Commercial Road to Kirkstall Hill the difference in ground level is 21.5 metres. The difference from Kirkstall Lane to Beecroft Street is 10 metres. Overall therefore there is fall of over 30 metres across the site.
- 3.2 The site is surrounded by the roads of Commercial Road, Kirkstall Lane, Kirkstall Hill and Beecroft Street. There is a parade of two storey shops on the Commercial Road frontage which will be demolished for the highway works required. The rest of the frontage onto Commercial Road is landscaped.
- 3.3 To the opposite side of Commercial Road are some two storey stone buildings used for retail and behind this the retail development which includes Morrisons supermarket. The traffic light junction for access into the Morrisons retail park is on Commercial Road. The major junction of Commercial Road, Kirkstall Lane is on the corner of the site. Kirkstall Leisure Centre is also on this junction on the opposite side of Kirkstall Lane. The other buildings on Kirkstall Lane are two storey and are mainly residential and corner shops.
- 3.4 On the opposite side of Beecroft Street is Milford Sports Club and Jacobs Court which is a grade II listed building now used for residential flats.

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

- 4.1 24/54/96/OT – retail development approved August 1997  
24/198/00/RE – renewed in November 2000  
24/572/05/OT – Outline application for mixed use including residential, retail, community facilities, public open space, parking and access (Espalier scheme).  
Refused Jan 2008 for two reasons:  
1. No affordable housing provision  
2. Traffic generation  
An appeal was withdrawn.
- 4.2 11/03274/FU – Metric Properties at Bridge Road, Kirkstall – Members agreed in principle and deferred and delegated approval to the Chief Planning Officer at Panel on 10<sup>th</sup> November for a redevelopment scheme of the existing BHS site with 16,620 sq m of retail consisting of a range of larger retail units and some smaller food and drink uses – includes a limit on food retailing of 706 sq m gross internal area. This

site is also within the S2 centre at Kirkstall on the south side of Commercial Road and follows approval on appeal of a similar scheme back in 2008.

## **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 Officers have been negotiating on this scheme since February 2011. A Planning Performance Agreement (PPA) for the proposal was signed in June this year. There have been numerous pre application meetings including design workshops to try and establish whether a large store could be accommodated on the site satisfactorily in design terms. The City Architect has also been involved in these discussions.
- 5.2 Officers have had concerns about the proposal and suggested numerous alterations that needed to be made. These have not been fully addressed and have led to mainly minor changes. Officers then suggested that the scheme was brought to Plans Panel as a pre application presentation for Member views in October which was declined by the developer who instead decided to submit this planning application.
- 5.3 The design and access statement submitted with the application states that officers requested changes to the design throughout the negotiation period which have been addressed in revised plans. This is incorrect. Officers had raised concerns about the scale of the proposal and its potential impact from the outset. Officers in pre application meetings had attempted to explore if a design solution could be agreed which accommodated the floorspace the applicants stated was required for the scheme to be viable. Throughout this period concerns continued to be raised that the proposal was likely to be too large to be accommodated on the site and that a unique site required a unique solution.

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

- 6.1 Tesco met with local ward members in March and have held two update meetings since with a further meeting on transport matters. A Steering Group was formed with local residents and 6 meetings have been held since March 2011 with an average attendance of 20 local residents per meeting. A public exhibition was held on 7<sup>th</sup> and 8<sup>th</sup> July with a scale model and computer fly through. 5000 leaflets were distributed in the area with further publicity and press coverage. 150 residents attended the exhibition. A marquee was hired at the Kirkstall Festival on 9<sup>th</sup> July and approximately 500 people visited. Tesco also attended the opening of the Sandford Road play ground nearby to exhibit the model and consultation material.
- 6.2 Councillor Atha has commented on the scheme

There have been a few objections to the scheme and their concerns will be detailed when the scheme is returned to Panel for determination.

There have also been a number of standard support letters submitted via the applicant.

## **7.0 CONSULTATIONS RESPONSES:**

### **7.1 Statutory**

Environment Agency – Conditional approval

### **7.2 Non statutory**

The application is still within the consultation period so only a few consultation responses have been received which includes the following:

Access officer – Amendments required to car parking and pedestrian accesses

Contaminated Land Officer – Conditional approval

Ecology Officer – Conditional approval

Main Drainage – Conditional approval

## **8.0 POLICIES**

8.1 In the Revised UDP the site is within the Area of Housing Mix ( Policy H15 applies) and the lower part of the site is within the designated S2 Centre.

8.2 Relevant policies in the UDP are as follows;

SA2 - Developments in sustainable locations

SA5 - Range of shops in accessible locations

SA7 - Promoting physical and economic regeneration of urban land and buildings taking account needs and aspirations of local people

SP7 - Priority given to maintenance and enhancement of City Centre and town centres

GP5 - Detailed planning considerations

N12 - Priorities of urban design

N13 - Design of new buildings to be of high quality and have regard to character and appearance of their surroundings

T2 - Transport implications of new development

S2 - Vitality and viability of town centres ( Kirkstall is named) maintained and enhanced to serve all sections of community and meet wide variety of retailing and other related services. Retail development will be encouraged and permitted within the centre unless adverse impact on other centres or adversely affect the range of services and functions provided within the centre and subject to other UDP policies and detailed planning matters

S3 - Enhancement and maintenance of S2 centres

A4 - Safe and secure environment

BD2 – New buildings complementing existing vistas, skylines and landmarks

BD5 – Amenity considerations of new buildings

LD1 - Landscape scheme requirements

8.3 Relevant national policy in PPS1, PPS4 and PPG13

## 9.0 MAIN ISSUES FOR CONSIDERATION

1. Principle of development
2. Highway and Transport matters
3. Impact on the Kirkstall area
4. Impact on the listed buildings
5. Design and place making
6. Residential amenity
7. Job creation
8. Pedestrian safety

### **1. Principle of development**

- 9.1 The lower half of the site is within the town centre of Kirkstall so retail development on this part of the site is considered acceptable in policy terms. The upper end of the site is not within the town centre and not allocated for either retail or any other use.
- 9.2 The impact of the scale of the supermarket on other supermarkets and retail centres located nearby needs to be assessed. A retail impact assessment has been submitted with the application; however, officers have raised an objection to the area chosen by the applicant for the catchment area used to assess the retail impact. It is considered that this area is too small and based on judgements rather than a household shopping survey or similar. The applicant has been requested to revise this impact assessment catchment area but so far this has not been received. Further advice and information in relation to this will be provided for Members at a later date. Until this information is available it is difficult for Members to comment on the possible impact of this development in the wider area.

### **2. Highway and Transport Matters**

- 9.3 The proposed development involves some significant changes to the highway network on the roads which surround the site. Commercial Road and Kirkstall Hill will be widened to accommodate additional lanes. Beecroft Street will also be widened as well as closed to traffic off Commercial Road. There will be additional traffic lights on Commercial Road and the junction of Beecroft Street and Kirkstall Hill. All these amendments to the highway network have resulted from negotiations with officers during the pre application process. These highway works are currently being assessed by officers and further advice and information in relation to this matter will be provided for Members at a later date.
- 9.4 A transport assessment has been submitted for the development which details the traffic generation created by the development, the impact on the highway network and any mitigation measures. This information into traffic generation and flows had not been presented to officers during pre application negotiations despite requests. This information is currently being assessed and officer's conclusions will be provided for members at a later date.
- 9.5 There are 639 car parking spaces provided over three levels for the development. The car park is also proposed to be a car park available to serve the Kirkstall District Centre as a whole so opening hours and access to the car park needs to accommodate this.

- 9.6 The development will require a financial contribution to public transport in line with the Councils SPD. This figure is being calculated and will be obtained through a section 106 agreement. A green travel plan will also be required not only for the supermarket but for the other uses on the site as well. There will also be a fee required for the monitoring of the approved Green Travel Plan (s) and again this can be obtained through a section 106 agreement.
- 9.7 Until the full impact of the proposal on the local highway network has been assessed it is difficult for members to comment at this stage.

### **3. Impact on Kirkstall and the wider area**

- 9.8 The landmark buildings within the Kirkstall area are Kirkstall Abbey, St Stephens Church and the tower blocks on Argie Avenue – they are all prominent in the area in terms of height but the footprint is small compared to the curtilage they are all set within. There are other developments within the area which involve a large footprint such as the retail park off Commercial Road and the new development proposed at the BHS site but they are low developments in terms of their height and situated in the valley floor. This proposal is introducing a high building with a large footprint which dominates most of its curtilage. This could be seen as being out of character and could have a detrimental impact on the wider area in terms of visual amenity. Officers have requested further montages from the applicant to show the development from a number of long range views including the Abbey. Once these have been received officers will have a greater understanding of the development impact on the wider area of Kirkstall and can advise Members accordingly.
- 9.9 The proposed store is of such a size that in order to accommodate it on the site in a single floorplate on a steeply sloping site with its required car parking inevitably results in a building of substantial bulk and massing which will have a significant impact on the character and appearance of the locality. The site is in the heart of Kirkstall but is difficult and challenging because of its topography and very visible from surrounding arterial roads and in wider views from across the valley.

**Members may wish to comment at this stage on the impact of the store on the character and appearance of the centre of Kirkstall.**

### **4. Impact on the setting of a listed building**

- 9.10 Any impact on the setting and visibility from Kirkstall Abbey is still being assessed. There is a listed building on the opposite side of Beecroft Street which is currently used as residential. The site is also close to the conservation area. The applicant has been requested to carry out an assessment of the impact of the development on heritage assets. English Heritage along with the Councils conservation officers have also been consulted to analyse this impact. Views into whether the proposal does have a detrimental impact on the setting of a listed building will be forwarded to Members at a later time.

### **5. Design, scale and place making**

- 9.11 The replacement post office workers club is situated at street level at the junction of Commercial Road and Kirkstall Hill. The building is two storey and its design is modern with stone facing panels and white render. A building in this location is welcomed as it brings the development down to street level at this junction. The building will be two storey which is in scale with the other buildings down at street



level. There is concern that the modern design does not relate to the surrounding buildings. It may be that a design that matches the two storey properties on the other side of this junction may be more appropriate.

- 9.12 The building for the supermarket and the retail units is very large up to five storeys in height. The building is modern in design using natural stone faced cladding, glazing and larch panelling. Stone is used in a variety of buildings in the vicinity of the site but the use of larch panelling is questioned as it is not a material used in the local area. The applicant has stated that the reason for the use of this material is because it is environmentally safer.
- 9.13 The elevation facing Commercial Street is very high and stark. There are retaining walls, car park with the metal cladding system, larch wood panelling and glazing. Except for the small climbing wall and walks through the landscaped area this elevation has a dead frontage with no activity.
- 9.14 The elevation facing Kirkstall Lane is also large in terms of its height and its length . There is built development all along this frontage from the Kirkstall Lane junction with Commercial Road to Kirkstall Lane junction with Kirkstall Hill. This takes the form of the post office workers club, retaining walls and the store with the retail units finishing with a boundary wall surrounding the service yard. The majority of this elevation is glazing with elements of stone cladding at street level. The area in front of this elevation is all hard surfaced to provide ramps and stairs up to the various levels. There is no area for landscaping to help to soften the development. It is considered that it would be difficult to establish due to the design and the many levels of the development where the main entrance is to the store. There is a section of this frontage at the upper end which has active frontage with the rest of this elevation being non active frontage. There is also a significant difference in scale and size between the post office workers club and the supermarket which appear as two distinct and unrelated elements with the supermarket towering above the club.
- 9.15 The elevation facing Beecroft Street also contains no active frontage. This elevation also extends for the majority of this elevation except for the landscaped area to the front. This elevation has the car park metal cladding system, with larch panelling. There will be a natural stone faced wall which surrounds the service yard at the upper end of this elevation. This wall will range in height from 2.5 metres to 6 metres. Again except for the landscaping to the front of the site there is little room for landscaping on this elevation, There is a 5 metre strip in front of the stone wall but this is the outside of the wall between a further high wall and the pavement and unlikely to obtain any significant landscaping required to soften such a high wall and building.
- 9.16 A key element in considering this scheme will be the contribution it makes to place making and creating a new heart for Kirkstall. Officers and Members have worked hard to try and achieve this in the previous scheme which was considered on the site and which could not be delivered but the aim of producing a high quality piece of townscape in the heart of Kirkstall remains. Context, character, mix of uses, building form, landscape, permeability and connections are all critical to this and will need to be carefully assessed. The overall scale and size of the building and the need to cater for the car parking requirement including the provision of additional traffic lanes have not assisted in delivering a high quality place but could create a retail island which is not well integrated with the other parts of the district centre.

**Members comments on the design and scale of the proposal and contribution to place making are requested at this stage**

## **6. Residential amenity**

- 9.17 The site is separated from other uses by the four roads which surround the site. There are some residential properties on the streets the other side of Kirkstall Hill and further along Kirkstall Hill. There is also a residential conversion of a listed building on the opposite side of Beecroft Street. The location of the proposal is within a very busy area in terms of volume of traffic and other noise generation uses such as Milford Sports Club and Kirkstall Leisure Centre. The application is for 24 hour use and 24 hour delivery during the week and at a weekend. The comings and goings of cars from the car park on Beecroft Street and the comings and goings from lorries to the service yard could impact on residential amenity during late evening, overnight and early morning when the background noise in the area has reduced. This is especially true in relation to the flats on Beecroft Street which are opposite one of the entrances to the car park. A noise report has been submitted and is currently being assessed by officers. Further advice and information regarding this will be reported to Members at a later date.

**Members may wish to comment on the impact of the development on residential amenity at this stage.**

## **7 Job creation**

- 9.18 Tesco has stated that there will be approximately 400 jobs created for the local area, not including the number of jobs that there will be for the construction of the supermarket. Tesco will use local labour and are happy for a section 106 agreement ensuring that the jobs will be provided for local people. Tesco have a good track record in providing jobs for local people and relevant training initiatives. The need to deliver sustainable development on this site and to contribute to economic recovery are key issues which must be considered as part of the scheme and will be important to local people.

**Members may wish to comment on the impact of the development on the local economy and the importance of the redevelopment of this site for the future of Kirkstall.**

## **8 Pedestrian access and safety**

- 9.19 There is a concern regarding the safety of pedestrians on certain parts of the development. The landscaped area, play area and climbing wall on the western part of the development have no natural surveillance as there is no active frontage on this part of the site. There is also concern for pedestrians using the development from Beecroft Street. The pedestrian access is either through one of the car parking levels which is not ideal with potential conflict with cars driving around plus does not have natural surveillance especially when the store is at quieter parts of the day. The other route from Beecroft Street is to the front of the car park down an access that has the outside wall of the car park on one side and a retaining wall on the other. This will not be overlooked and presents a dangerous route for pedestrians.

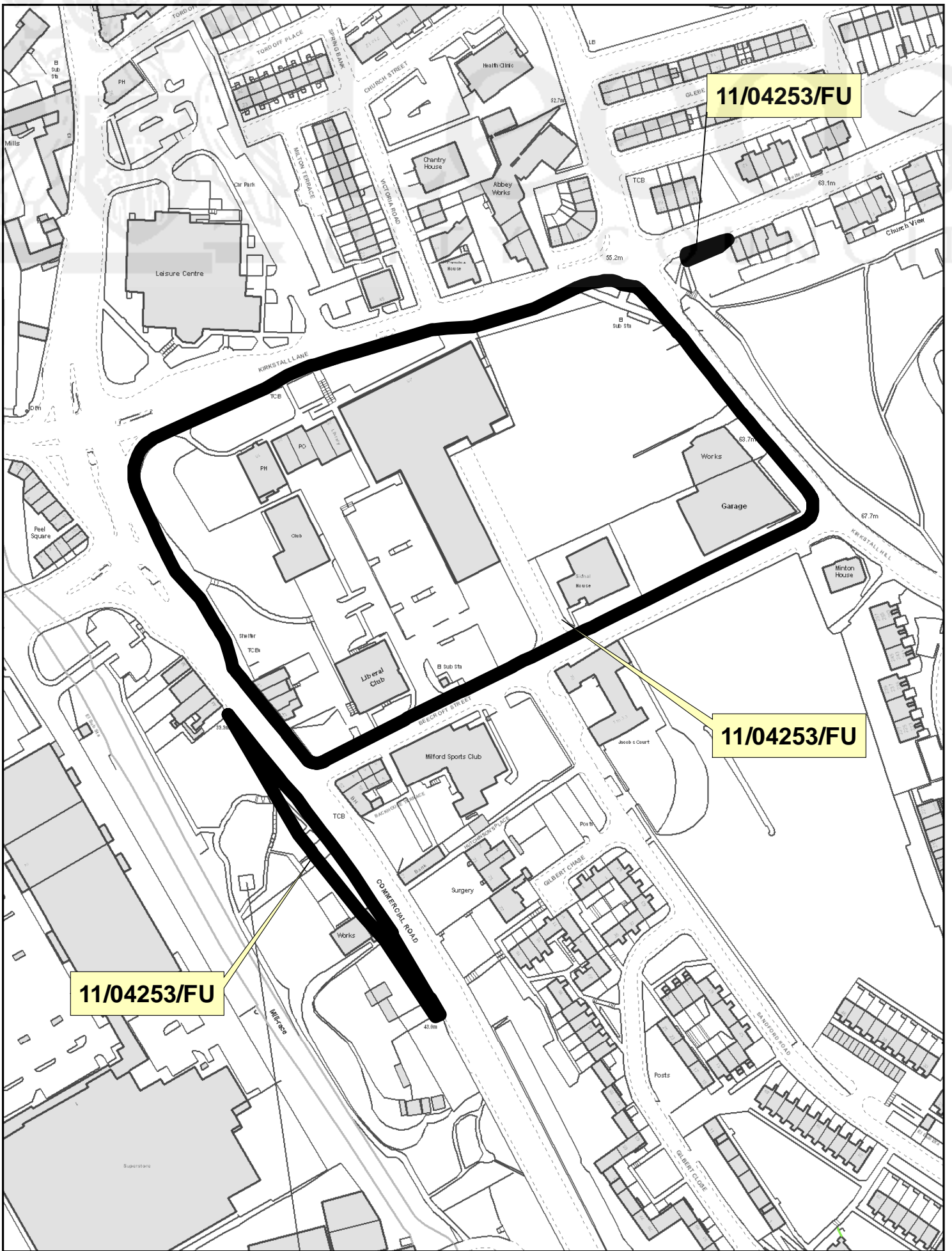
**Members may wish to comment on pedestrian access to the development.**

## **10 CONCLUSION:**

- 10.1 This report has detailed in outline the proposals for a substantial supermarket, other retail development and a replacement postal workers club at Commercial Road and Kirkstall Hill. The scheme for part of Kirkstall District Centre is on a brownfield site where there is a clear need for future development to regenerate the area.
- 10.2 At this stage members are invited to note the contents of the report and comment on the following:-
- Impact on character and appearance
  - Design, scale and place making
  - Impact on residential amenity
  - Impact on local economy
  - Pedestrian access and safety

### **Background Papers:**

Application files



# WEST PLANS PANEL