



## Report of the Chief Planning Officer

### *NORTH AND EAST PLANS PANEL*

Date: 1<sup>st</sup> November 2012

**Subject: APPLICATION 12/03035/CA– Conservation Area application for partial demolition of existing retail units and covered mall, 7- 8 Horsefair Centre & 22-28 North Street, Wetherby LS22 6FL**

APPLICANT	DATE VALID	TARGET DATE
Morrisons Supermarkets PLC	9.8.2012	04.10.12

#### Electoral Wards Affected:

Wetherby

Yes

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### RECOMMENDATION:

**GRANT CONSENT subject to the following conditions:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Plans to be approved.
3. No demolition shall commence until the contract for the approved scheme of redevelopment of the site has been entered into and carried out in accordance with the approved details granted planning permission under application 12/03034/FU.

**Reason for approval:** The buildings to be demolished do not make a positive contribution to the character and appearance of the conservation area. In light of what is to be considered to be an acceptable redevelopment scheme it is considered that the development complies with national and local planning policies.

#### 1.0 PROPOSAL:

- 1.1 This application is a conservation application for the partial demolition of existing retail units and covered mall located within the Horsefair Centre adjacent to

Morrisons supermarket. This application is also accompanied by a full planning application for to extend Morrisons store and the laying out and landscaping of Hallfield Lane car park under reference (12/03034/FU).

- 1.2 This application is brought to Plans Panel as it is a major proposal with implications for Wetherby town centre.

## **2.0 SITE AND SURROUNDINGS:**

- 2.1 The application site lies within the urban area of Wetherby on the eastern edge of the town centre and within the designated conservation area. The site is bounded by North Street to the west and Horsefair to the south. The Horsefair Centre, which contains a shopping mall, a glazed central area with seating as well as a small number of retail units and is situated along the western edge of the Morrisons store with frontage and access onto North Street and Horsefair.
- 2.2 The existing supermarket and parking areas are located within the town centre and provide access to the Horsefair Centre and town centre with links via the covered mall to primary and secondary shopping areas. Although the existing supermarket store is outside the boundary of the conservation area, its design is sensitive to its location. The adjoining covered mall is of a single storey scale and contains a small number of retail units, the central glazed atrium feature allows light to penetrate into the centre with public seating is also provided. The materials used include spilt faced buff stone, smooth ashlar buffed stone, buff brick and glazing.
- 2.3 The application site is situated within the boundaries of Wetherby Conservation Area (Identified in the Wetherby Conservation Area Appraisal and Management Plan as Character Area 1) and the Town Centre. Wetherby retains a strong historic character with a concentration of important historic buildings in the centre of the town, a number of which have Listed status. There is a uniform palette of materials and its historic street pattern are all key elements which contribute to its distinctive character.
- 2.4 The majority of buildings in the Conservation Area date from the late 18th or 19th Centuries and are generally of fairly standard domestic form, of two or three storeys and respecting either classical Georgian or vernacular forms of design and proportion. The characteristic walling material in the Conservation Area is locally quarried magnesium limestone, although pale grey limestone has been used in some recent buildings. Roofs are generally covered with Welsh slate and pantiles also occur on some historic buildings and provide an additional element in the streetscape.

## **3.0 RELEVANT PLANNING HISTORY:**

- 3.1 12/03034/FU : Partial demolition of existing retail units and extension of existing supermarket, laying out and landscaping to Hallfield Lane car park – pending 31/6/05/FU: Laying out of enlarged car park to supermarket and new school car park (approved 28.6.2005).  
31/520/04/FU: Alterations to existing shop, erection of shop, amended service access and new gates to shopping centre (approved 13.1.2005)  
31/379/03/FU: Variation of condition 9 of application 31/311/02/FU to extend delivery hours (approved 14.6.2004)  
31/456/03/FU: Extension to supermarket to form café (approved 4.12.2003).  
31/311/02/FU: Laying out and construction of retail store with service yard and car park (approved 21.2.2003).

38/308/02/FU: Laying out of access and car parking to supermarket (approved 2.10.2002)

31/277/02/FU: Covered loading bay to rear and enlarged service yard to supermarket (approved 18.9.2002).

31/328/02/FU: Use of part of school grounds as enlarged car park (approved 6.6.2002)

31/65/98/OT: Outline application to erect retail store with 354 parking spaces and hockey pitch (approved 30.4.2002).

31/265/96/FU: Amendment to existing car park layout and extension to form enlarged car park to shopping centre (approved 20.12.1996).

H31/489/77: Alterations to form supermarket, comprising of aluminium door and window units, sales area, machine room, store and two offices (approved 14.11.1977).

H31/20/76: Demolition of shops and light industrial premises, laying out of access roads and erection of shopping parade (approved 29.3.1976)

#### **4.0 HISTORY OF NEGOTIATIONS:**

4.1 No related discussions have taken place.

#### **5.0 PUBLIC/LOCAL RESPONSE:**

5.1 This application has been advertised by means of site notices relating to both this application and the accompanying full planning application (12/03034/FU). As representations have been received in connection with both proposals, and cover both applications, for completeness, the combined comments are summarised below. Whilst some of the representations received raise issues which are unrelated to this particular application, these points are addressed in the accompanying full application.

5.2 One letter of support for the application on the following grounds:

Proposals should be welcomed as the development will support the growth of the town centre and provide much need additional car parking. The units which are to be displaced should be relocated in the town centre where vacant units exist.

5.3 Nine letters of objection have been received on the following grounds:

Objection on the grounds of increased noise, dust, dirt and removal of waste. Proposals will generate increased noise and vibration to surrounding business as well as restricting access. The closure of the Horsefair thoroughfare will lead to a loss of passing trade which will have a harmful impact on the vitality of businesses located on Horsefair. The removal of the Horsefair thoroughfare will also increase the congestion on to North Street to the detriment of highway safety. Further objections have also been raised in respect of the loss of retail units and the reduced choice available to shoppers in the town and the impact this will have upon the character of the area. It is also considered that this will lead to a loss of jobs. Further concern has been raised in connection with the accuracy of plans and rights of access that need to be preserved.

5.4 In respect of the proposed car park objectors have also raised concerns of insufficient car parking and that provision needs to be made for replacement lorry parking in the area which will be displaced as a consequence of these proposals.

- 5.5 An objection has also been received from **Wetherby Town Council**. The objection relates to the fact that a retail impact assessment should be undertaken. The objection also relates to the fact that 5 independent retail shops will be lost and there will be less competition for Morrisons. There are no vacant units currently large enough to accommodate Superdrug in the town should they wish to relocate. Access through to Horsefair will be lost as well as the covered mall which provides a community meeting and seating area. With regard to Hallfield Road car park it is considered that no new parking opportunities will be provided. There is no provision for a coach drop off facility. The loss of long stay parking will affect market traders. No toilet block has been provided.
- 5.6 In more general terms, Wetherby Town Council object to the monopoly that Morrisons have on the town centre and the town requires parking that is not governed by the supermarket. A system of pay and display should not be introduced a refund is introduced through the store. The closure of the Horsefair thoroughfare will create a narrow route to the town centre. The proposals will also affect fire access and routes for emergency vehicles.

## **6.0 CONSULTATIONS RESPONSES:**

- 6.1 No responses received.

## **7.0 PLANNING POLICIES:**

- 7.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2 In assessing proposals which affect a Conservation Area it is noted that Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to have special regard to the desirability of preserving and enhancing the character and appearance of the Conservation Area.

### Development Plan

- 7.3 The development plan comprises the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006). The RSS was issued in May 2008 and includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development.

Relevant RSS policies are considered to be;

E2 - Town Centre and major facilities. States that town centres should be the focus for offices, retail, leisure and entertainment.

YH5 – Principal towns. Wetherby is identified as a Principle Town in the region's settlement network, which the policy advises should be the main focus for housing, employment, shopping, leisure, education, health and cultural activities and facilities. The role of principal towns should be enhanced including vitality and viability of town centres

- 7.4 The following UDP policies are relevant to the consideration of the application:

GP5 – General planning considerations;

N18A – Presumption against demolition of positive buildings in conservation areas;  
N18B – Demolition will only be given in conservation areas where development has been approved;  
N19 – New buildings within or adjacent to conservation areas

7.5 The Publication Draft of the Core Strategy was issued for public consultation on 28<sup>th</sup> February 2012 with the consultation period closing on 12<sup>th</sup> April 2012. Following consideration of any representations received, the Council intends to submit the draft Core Strategy for examination. The Core Strategy set sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. It recognises Wetherby as a Major Settlement.  
Relevant policy:

P10 – Relates to good design.

7.6 Supplementary Planning Guidance/Documents

7.7 Neighbourhoods for Living – General design principles and minimum separation distances.

Wetherby Conservation Area Appraisal

7.8 The application site is situated within the boundaries of Wetherby Conservation Area (Identified in the Wetherby Conservation Area Appraisal and Management Plan as Character Area 1) and the Town Centre.

7.9 National Planning Policy Framework

7.10 Although the NPPF sets out a range of the Government's planning policies, of particular relevance to this application, is the reference to a presumption in favour of the retention of buildings within conservation areas. NPPF makes it clear however that judgements regarding the loss and alteration of such structures must be weighed against their value.

7.11 Ministerial Statement – Planning for Growth, March 2011.

## **8.0 MAIN ISSUES**

1. Principle of development
2. Other matters
3. Conclusion

## **9.0 MAIN ISSUES**

9.1 Principle of development

9.2 The site is considered to be an important location within the Wetherby town centre and conservation area. In this context, it is necessary to consider whether the proposed development has regard to the importance of the site's context in respect of conservation area policies.

- 9.3 In assessing this application, the key determining issues is whether the loss of the existing structure will adversely affect the preservation or enhancement of the conservation area.
- 9.4 Policy N19 of the Revised UDP reflects this statutory duty to have regard to the desirability of preserving or enhancing the character or appearance of Conservation Areas. Any new development should therefore be sympathetic in siting and scale and well designed using appropriate detailing and materials.
- 9.5 The proposed development involves removing four existing retail outlets within the Horsefair Centre, Specsavers, Barnardo's, Superdrug and Seven Oaks Audio and Visual and reducing the size of another unit (former Clinton Cards) as well as reducing the size of the existing glazed mall. The wider redevelopment scheme covered under planning application (12/03034/FU) show the reconfiguration the public circulation space. Essentially, the public space within the mall will be reduced with a link provided between North Street (as existing) with public circulation space wrapping around the periphery of the existing store building offering access to and from the car parking areas as well as the Town Centre. A new store entrance is to be provided within the western elevation of the Morrisons store as well as improved facilities with the provision of public toilets.
- 9.6 As a consequence of this, the existing pedestrian link onto Horsefair will be closed. The pedestrian linkage however from the proposed Hallfield Lane car park into the town centre along Horsefair will be improved following revisions to the design of the car park.
- 9.7 The mall and retail units subject to demolition are neither listed nor are they regarded as positive buildings. Whilst there is a presumption in favour of the retention of buildings within conservation areas, as the NPPF makes clear, judgements regarding the loss and alteration of structures must be weighed against their value. The existing mall contains under used space and its design is dated. The more efficient use of this space will allow the mall to be used more effectively whilst creating a new and refurbished setting as well as retaining permeability from North Street through to the car parking areas to the north and east of the existing store. The improvements to pedestrian accessibility via the Hallfield Lane car park will also create an improved link, as well as increased footfall along Horsefair.
- 9.8 The design and conservation appraisal of the proposed redevelopment scheme are considered under the related application. In considering a proposal for demolition within a Conservation Area policy N18B of the Revised Unitary Development Plan seeks to ensure that an appropriate related consent has been secured to enable the redevelopment of the site. The accompanying proposed scheme for the proposed redevelopment of this site covered under 12/03034/FU and is before Members at this Panel for determination.

#### Other matters

- 9.9 All other matters raised by objectors relating to the accompanying application for redevelopment are addressed under that application.

### **10.0 CONCLUSION**

- 10.1 The application has been considered against relevant RUDP policies as well as the guidance within the NPPF which sets out a presumption in favour of sustainable development. The partial demolition works to the Horsefair Centre are considered

to be acceptable and will not harm the character and appearance of the conservation area. An application for the redevelopment of this site has been submitted and is recommended for approval. Therefore it is considered appropriate to grant the conservation area consent subject to the inclusion of a condition that no demolition shall not take place until a contract for an approved scheme of redevelopment has been agreed.

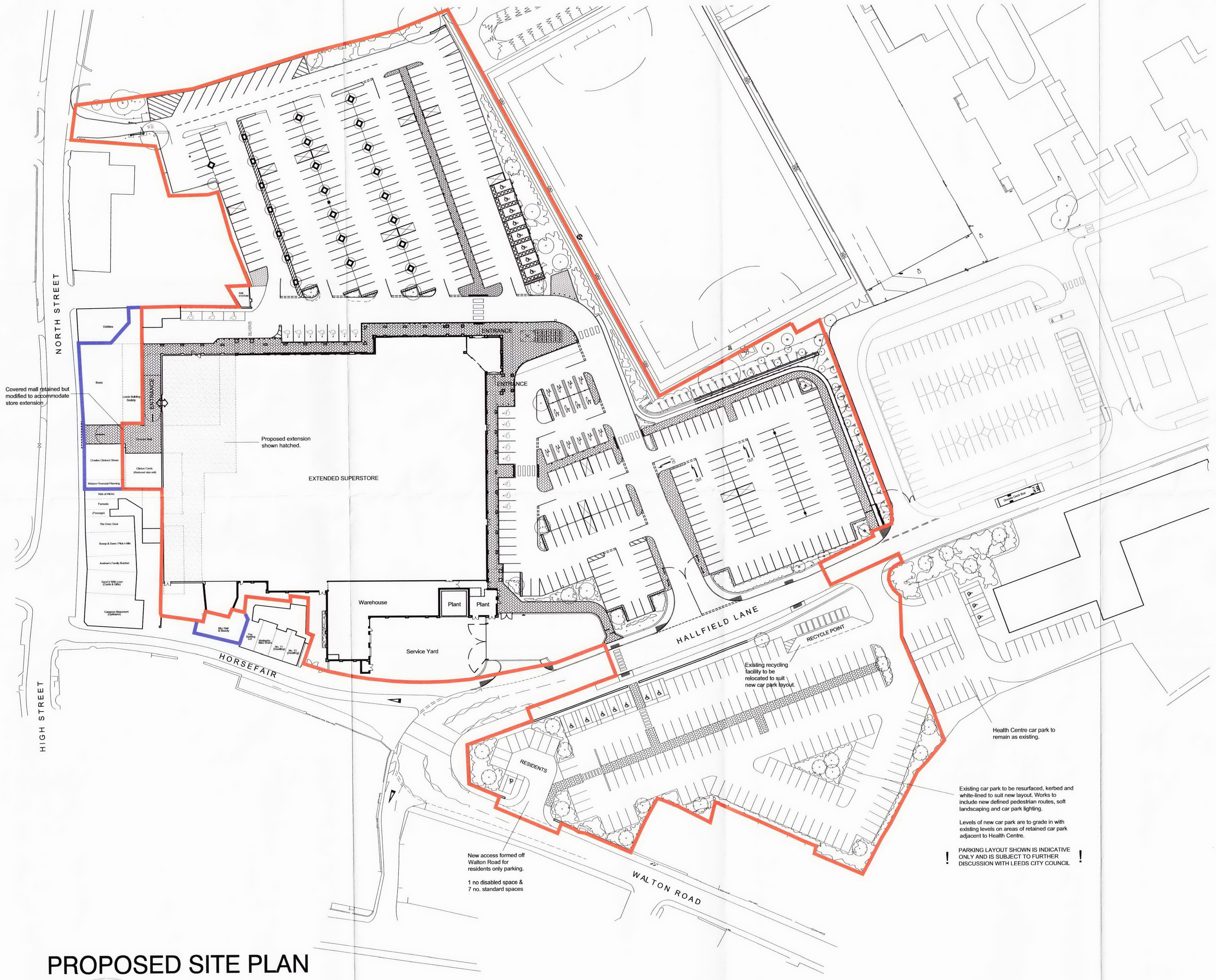
**Background Papers:**

Application and history files.

Drawn by:	CDS	Date:	20.02.12	Scale:	1:200 @ A1
Status:	Preliminary	Presentation:	Tender	Construction	Last Issue
Date:	20.02.12				
Approved by:	DC				
Revision:		Date:		Drawn:	Approved:

A Store extension increased and indicative parking layout to Hallfield Lane Car Park amended. Application Boundary added.

12/03035



**Parking Schedule:**

Existing Store	=	372 no.
Standard Spaces	=	26 no.
Accessible Spaces	=	14 no.
Parent & Child Spaces	=	14 no.
<b>Total</b>	<b>=</b>	<b>412 no.</b>
(Plus 14 no. external trolley shelters)		
Hallfield Lane Car Park	=	148 no.
Standard Spaces	=	7 no.
Accessible Spaces	=	7 no.
<b>Total</b>	<b>=</b>	<b>155 no.</b>
Plus 8no. resident spaces (1no. accessible + 7no. standard)		

Red line denotes boundary of the application site. (Area = 3.16 hectares)

Blue line Additional land / property within the applicants control / ownership.

NB - Drawing based on CAD information provided by client and not site surveys.

All works shown in Hallfield Lane Car Park are subject to agreement with the current landowners, Leeds City Council.

Existing car park to be resurfaced, kerbed and white-lined to suit new layout. Works to include new defined pedestrian routes, soft landscaping and car park lighting.

Levels of new car park are to grade in with existing levels on areas of retained car park adjacent to Health Centre.

**! PARKING LAYOUT SHOWN IS INDICATIVE ONLY AND IS SUBJECT TO FURTHER DISCUSSION WITH LEEDS CITY COUNCIL !**

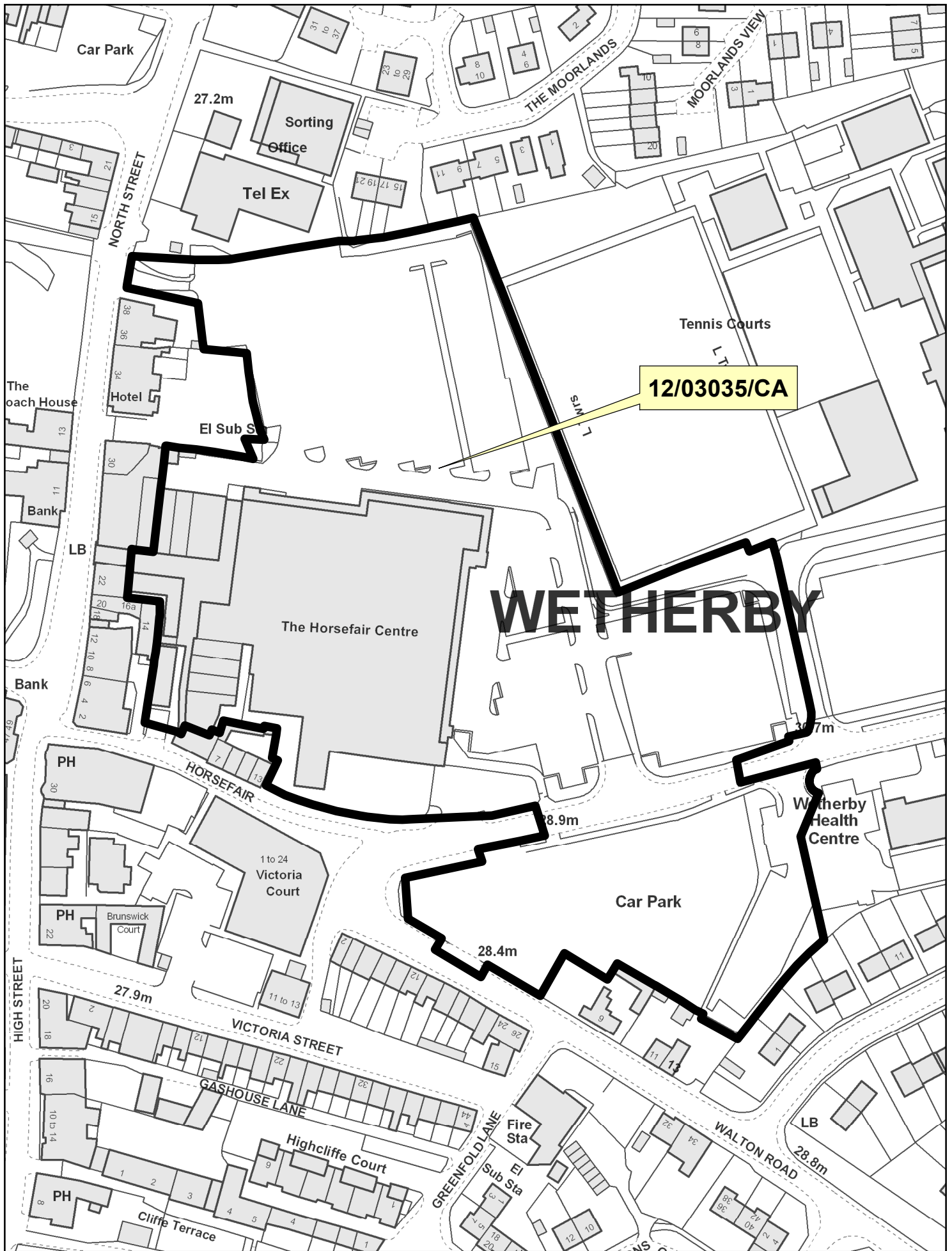
New access formed off Walton Road for residents only parking.  
1 no. disabled space & 7 no. standard spaces

# PROPOSED SITE PLAN

5 AUG 2012

Client:	Wm Morrison Supermarkets plc	Drawing Title:	Proposed Site Plan
Project:	Proposed Extension to Wetherby Superstore	Project No.:	209/177
		Drawing No.:	(PL)06
		Rev.:	A
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