



Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 18th April 2013

Subject: JOINT POSITION STATEMENT

Planning Applications:

12/05296/FU - Demolition of existing building and erection of a foodstore to the rear of the site with associated access, car parking, servicing and landscaping; and

13/00694/FU Demolition of existing building and erection of a foodstore to the front of the site with associated access, car parking, servicing and landscaping

Site of Allerton House, Harrogate Road, Chapel Allerton.

APPLICANT

Optimisation Developments
Ltd

DATE VALID

21st February 2013

TARGET DATE

15th June 2013

Electoral Wards Affected:

Chapel Allerton

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: For Members to note the content of the Position Statement and to provide feedback on the questions posed at section 11.0 of this report.

1.0 INTRODUCTION:

- 1.1 These full planning applications are presented to Plans Panel due to the prominent location of the site in Chapel Allerton, the sites planning history and the significant public interest in the site.
- 1.2 The two applications for assessment on the site consist of one for a foodstore to the rear of the site and one for a foodstore to the front of the site. Each application falls to be determined on its own merits. The principle of a foodstore on this site within the

designated town centre is deemed acceptable. Both the proposed stores with regard to their general design and size and the car parking spaces proposed are similar. However, the store to the front of the site provides a development which integrates into the designated S2 centre providing an active frontage to the site and Harrogate Road but it does raise issues of impact upon residential amenity as a result of servicing that would be carried out close to residential properties. The store to the rear of the site has less impact upon residential amenity but provides a car parking dominated frontage above street level. The last application determined on the site was for a store to the rear of the site with car parking to the front and was refused under delegated powers on 15th June 2012. Accordingly officers are unlikely to support a store located to the rear of the site.

- 1.3 This report seeks Members comments on the merits on both of the planning applications before this Panel and this will help inform the further negotiations that will take place in respect of these proposals.

2.0 PROPOSAL:

- 2.1 12/05296FU - This is a full planning application proposing a new Wm Morrison Supermarket Plc store to the rear of the site with parking and landscaping to the front:-

1389m² gross internal floor area
1444m² gross area to external wall
925.7m² net sales area
Access to the southern part of the site
71 parking spaces

- 2.2 Opening hours: Monday to Saturday 07.00 to 23.00 and Sundays 10.00 – 16.00

- 2.3 Layout - The store is situated adjacent to the western boundary of the site set back from Harrogate Road. The building at just over 41 metres in width lies approximately 3-4 metres from the northern boundary retaining walls of the Grosvenor Park properties and 4-5 metres from the retaining wall and trees which align the southern boundary.

- 2.4 The east facing elevation (front) is situated some 58 -65 metres back from the Harrogate Road boundary, this space is filled predominantly by the developments car park and associated landscaping. The new access road and additional planting areas have resulted in this area being re-planned from the previous application. An additional row of tree planting has been introduced adjacent to Harrogate Road which has ultimately lead to a reduction of 2 spaces from the previous planning refused scheme. The scheme now includes parking for 69 vehicles and up to 2 trolley bays and has a central planting area within the car park.

- 2.5 The store has a single customer entrance on the northern corner of the front elevation which is sized to comfortably allow user with trolleys to pass each other. Access can be gained to the store entrance on foot from Harrogate Road using the path located adjacent to the site access road. The southern access point from Stainbeck Road is via a footpath travelling along side the existing Yorkshire Bank building. A pedestrian crossing with a central island is positioned to allow safe crossing over the site entrance giving access to the site or the pedestrian walkway along Harrogate Road to the north.

- 2.6 The delivery bay access is located on the southern side of the front façade away from the sites closest residential properties on Grosvenor Park. The delivery bay is set back from the main facade to mark the lower hierarchy function of the elevation.
- 2.7 The building is approximately 8.1 metres tall to the highest point from the proposed finish floor level of the store. The store is predominantly single storey but has a small area of plant at 1st floor level in the warehouse. The proposed building would finish visually at a parapet 8-9 metres above ground level, concealing a lower flat roof. It would therefore be some 10 metres lower than the existing building (3 floors) finishing around 1.5 - 2 metres above the lowest extension of the existing building.
- 2.8 The existing building takes the form of a roughly square main building with lower extensions stepping down to the east, Allerton House occupies slightly more than 50% of the length of the site. The proposed building is roughly square, finishing nearer to the northern and southern boundaries due to its greater width. The proposed store would occupy approximately 40% of the length of the site
- 2.9 Access, Parking and Cycle storage - Access is gained to the car park via the existing primary access point along the side of the Yorkshire Bank. The proposal will accommodate 71 parking spaces (of which 2 spaces which will be occupied by trolley shelters). Of the 71 spaces 5 will be accessible bays for use by disabled blue badge holders and 2 will be dedicated parent and toddler bays. 71 parking bays equates to a ratio of 1 space per 20 m.sq, which in consideration to the central location of the store and the abundance of public transport provisions is proposed as a reasonable level of provision. More information is available on the proposed parking provisions in the Traffic Assessment and Travel Plan submitted with this application. Both the Accessible bays and Parent and Toddler bays are located adjacent to the store with easy access to the entrance. The scheme incorporates 3 short stay cycle stands (stores 6 bicycles) and 3 cycle lockers for long stay use.
- 2.10 The Building Design - the building has been designed and orientated with a primary façade facing Harrogate Road and the site entrance, and secondary façades to the remaining elevations. The north, south and west elevations of the building are plain non-fenestrated facades reflecting the functional aspect of the building. High level windows have been excluded due to the poor anticipated light quality (due to the building being 'dug in' and the surrounding trees and features) and the requirement for storage on external walls.
- 2.11 Natural light will be delivered into the building via the proposed roof lights. The materials used in this elevation are composite metal cladding panels at which produce a smooth faced appearance and will be neutral grey in colour to diminish any visual impact the building may have. At plinth level the elevations will be faced in brick but as mentioned above these elevations will not be visible due to the nature of the site.
- 2.12 The east facing elevation is the primary faced to the building and hosts all the activity of the building. The materials proposed on this elevation were chosen to reflect the local context of Chapel Allerton using Red Brick, Sandstone and Glass as the primary components.
- 2.13 The delivery bay area is set back from the primary entrance façade and is less prominent when viewed in perspective. This element of the façade is clad in a rain screen cladding panel similar in appearance to the composite cladding panels on the other elevations. The rain screen cladding panels were applied in this area as they provide an improved quality of finish when viewed up close. Large areas of glazing on

the front elevation allows the activity of the store to be seen from the road side creating visual interest as well as providing a welcoming façade for prospective users.

- 2.14 The store is set back from the road the design of the store and the large areas of glazing into the façade provide a strong active retail frontage to the proposal. The red brick and sandstone cladding panels have been chosen to reflect the traditional local palette of quality materials in the area. The materials have been applied in a contemporary manor to match the contemporary form of the proposed building. The brick fronting the building acts as a frame to the views and activity of the store with the sand stone insert being used to tie the building into the context of the rest of the retail and residential areas surrounding the site.
- 2.15 The sandstone takes the form of stack bonded rain screen cladding panels at high level. Using materials such as sandstone in this manor away from the traditional application of a heavy, load bearing, bonded material reinforces the contemporary style of the proposals.
- 2.16 Landscaping –an area of soft landscaping area and retaining walls is being provided facing onto the Harrogate Road frontage.
- 2.17 The key differences from the previously refused scheme are:-
- Strengthened the frontage to Harrogate Road (external works and planting)
 - Improved highway access into the proposed development
 - Enhanced landscape proposals to the car park
 - Strengthening the quality of the boundary wall through use of materials and appropriate design.
- 2.18 13/00694/FU - This is a full planning application proposing a new Wm Morrison Supermarket Plc store to the front of the site with parking and landscaping to the rear:-
- 1468m² gross internal floor area
1518m² gross area to external wall
925.7m² net sales area
Access to the southern part of the site
84 parking spaces
- 2.19 Opening hours: Monday to Saturday 07.00 to 23.00 and Sundays 10.00 – 16.00
- 2.20 Layout - The proposed store is situated adjacent to the eastern boundary of the site set to the back of pavement along Harrogate Road. The building has a length of approximately 57m along Harrogate Road and Allerton Hill. The building is 32 metres wide along the south facing elevation. The car park to the rear of the site is approximately 63.5m long and extends the almost the entire width of the site from north to south. The store entrance is located south – east corner of the building in the most visually prominent area of the site. There is a walk way / ramp from this corner along the south facing elevation to the car park and a stair and ramp walkway access along the Harrogate Road elevation. The delivery bay is located to the rear of the building to the northern point of the site away from the car park entrance and potential congestion point.
- 2.21 The new access road enters the site perpendicular from Harrogate Road to the south of the proposed building. This is the only vehicular access in and out of the site. The bank of trees to the south of the site is being protected and persevered to maintain the character of the area.

- 2.22 Scale - The building is approximately 8.1 metres tall to the highest point from the proposed finish floor level of the store. The store is predominantly single storey but has a small area of plant at 1st floor level in the warehouse. The proposed ground floor level is 0.43m above that of application 2 (rear of site option) due to the topographical constraints of the site.
- 2.23 Along the south – east corner of the proposed development is the building entrance. On this corner of the site the building is approximately 2.4 metres above street level. This takes the building to over 10m tall on this corner of the site. The flat roof design ensures the building height is kept to a minimum and is in keeping in scale to the surrounding area. A canopy and low level roof has been placed above the entrance and ramped walkways to lower the perceived height of the building at this point.
- 2.24 The mass of the building is reduced vastly from that of Allerton House which currently occupies the site. The existing building is 4 storeys high, including a high ground floor, finishing with a flat roof at roughly 18-19 metres above ground level and with plant etc rising higher. There is a further short 2-storey section to the east and then a single-storey extension with loading bays. The proposed building would finish visually at a parapet 8-10.5 metres above ground level, concealing a lower flat roof. It would therefore be some 8-9 metres lower than the existing building (3 floors) finishing around 2 – 2.5 metres above the lowest extension of the existing building.
- 2.25 The existing building takes the form of a roughly square main building with lower extensions stepping down to the east,. Allerton House occupies slightly more than 50% of the length of the site and is situated away from Harrogate Road. The proposed building is roughly square with a triangular section to the north. The proposed store would occupy approximately 35% of the length of the site and will be set to the very front of the site adjacent to Harrogate Road.
- 2.26 Parking and Cycle storage - The proposal will accommodate 84 parking spaces (of which 3 spaces which will be occupied by trolley shelters). Of the 84 spaces 5 will be accessible bays for use by disabled blue badge holders and 2 will be dedicated parent and toddler bays. 84 parking bays equates to a ratio in excess of 1 space per 17.5 m.sq, which in consideration to the central location of the store and the abundance of public transport provisions is proposed as a reasonable level of provision. More information is available on the proposed parking provisions in the Traffic Assessment and Travel Plan submitted with this application. Both the Accessible bays and Parent and Toddler bays are located adjacent to the store with easy access to the entrance. The scheme incorporates 3 short stay cycle stands (stores 6 bicycles) and 3 cycle lockers for long stay use.
- 2.27 The Building Design - The functional aspect of the design lends itself to a flat roof solution which also aides in reducing the overall height of the building. The design opts for a flat roof with a parapet detail mirroring the existing Allerton House, neighbouring Pelham Place flats and the Yorkshire bank building. It was noted that the sites constraints allowed only partial and obscured views from the north with the key views of the proposal being from the south along Harrogate Road. Therefore it would seem appropriate that the focus of the building and the entrance take its place on the south-east corner.
- 2.28 The view looking north up Harrogate Road towards the site is noted as a key view within Chapel Allerton is note in the adopted CANPlan Chapel Allerton Neighbourhood Plan. What appears to be a key driver in the noted importance of this

view is the setting of the Yorkshire Bank building. It was therefore felt that the design of the building should attempt to maintain or enhance the setting of this building which is noted as a positive structure within the Chapel Allerton designated conservation area.

- 2.29 With the proposed application site being elevated from the Yorkshire Bank and the topography of the site meaning the building would be raised 2.4 metres above pavement level on the adjacent corner, it was feared that the proposed height of the development would overshadow the existing Yorkshire Bank. The design therefore attempts to sit smaller in its setting by incorporating a 'low level' canopy over the entrance and ramped walkways. This breaks the verticality of the elevations and allows the building to site visually smaller on the site.
- 2.30 The main area of glazed fenestration on the building is located on the south elevation. This allows views in and out of the store onto the checkouts. Glazing is also present on the Harrogate Road elevation however due to the internal arrangement of shelving and produce in the store the only the high level glazing is transparent with the low level glazing being opaque.
- 2.31 To the rear of the store there are no windows offering views onto the car park this is due to the internal arrangements of the store with the external walls being used to display produce.
- 2.32 The proposed building is to be constructed using a mixture of natural and reconstituted stone with the majority of the natural stone being used on the Harrogate Road elevations. Stone was chosen as a suitable building material as it can be found throughout the Chapel Allerton Conservation Area.
- 2.33 Natural stone cladding has been proposed to give a more contemporary feel to the building with simplistic planes providing features and depth to the elevations. The smooth sandstone cladding along with the smooth faced coursed stone with set the building apart from its older sandstone neighbours therefore identifying the building as new intervention within the historic core. The reconstituted stone is to be split faced (rough) and will provide contrast and relief to the elevations against the smooth natural stone.
- 2.34 The rear car park is edged by large retaining walls to the north and west elevations. These walls are to be faced in course reconstituted sandstone to match the materials of the proposed building. The height of the retaining walls in the car park will be extensive, particularly to the northern boundary. Unfortunately this is unavoidable as achieving the maximum number of parking bays means there is little to no opportunity the grade out the level different and further to this any increase in the height of the car park (to reduce the height of the retaining walls) would be seen in the proposed floor level of the building and the overall height of the structure.
- 2.35 The delivery bay is to the rear of the proposed building away from the commercial frontage of Harrogate Road. Deliveries will take place adjacent to the residential properties of Grosvenor Park and therefore all reasonable mitigating measures will be taken to ensure that there is no acoustic disturbance to the residential neighbouring properties. More information on this can be found in the acoustic report accompanying the application.
- 2.36 The northern elevation will remain largely unseen due to the building being set into the landscape and being set so close to the existing boundary fence of 1 Grosvenor Park. The external wall will be constructed from reconstituted sand store.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site is 0.56hectares and lies off Harrogate Road in the centre of Chapel Allerton and is bounded by Pelham Place 2 – 18 Stainbeck Lane to the South, The Mustard Pot/ Chapel Allerton Tennis Club to the west, residential properties of Grosvenor Park to the North and Allerton Hill to the north east of the site.
- 3.2 Land levels rise across the site and there is a significant difference in levels between Grosvenor Park and the site.
- 3.3 The site has formerly had two office buildings on it. One building, closest to Allerton Hill, has been demolished and Allerton House remains vacant on the site.
- 3.4 Existing access to the site is taken from Harrogate Road at the corner with Stainbeck Lane adjacent to the Yorkshire Bank. Another vehicular access exists onto Allerton Hill.
- 3.5 The site lies centrally within the S2 Chapel Allerton Centre and is a prominent site. The Chapel Allerton Conservation Area was extended and now includes this site within it.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 12/00822/FU - Demolition of existing building and erection of a foodstore to the rear of the site with associated access, car parking, servicing and landscaping – refused under delegated powers on 15th June 2012 for the following reasons:-
- 1) *The LPA considers that the proposed development would be harmful to the overall character and appearance of the Conservation Area and the townscape character and local distinctiveness of Chapel Allerton. The proposal will fail to integrate into the District Centre due to its layout, siting of the building, overall design, lack of landscaping, car park/hard surfaced dominated frontage, management of change in levels and associated retaining walls and will fail to take the opportunities present to enhance the Conservation Area, streetscene or the District Centre. The proposal is therefore considered to be a poor response to this important site and is contrary to Leeds UDP Review policies GP5, N12, N13 and LD1, the guidance contained within Supplementary Planning Documents Chapel Allerton Neighbourhood Design Statement, the Chapel Allerton Conservation Area Appraisal and Management Plan and the NPPF.*
 - 2) *The Applicant has failed to demonstrate that the local highway infrastructure is capable of accommodating the proposed development in view of the increase in trips which will be brought about by the proposed development. The Applicant has also failed to submit an acceptable access arrangement/configuration and failed to demonstrate that the car parking provision is adequate. The proposal is therefore considered to be contrary to policies GP5, T2, T5, T24 of the UDP (Review 2006) together with guidance contained within the Street Design Guide SPD.*
- 4.2 12/00823/CA - Conservation Area application to demolish vacant former bank premises – refused on 13th July 2012 for the following reason:-
- 1) *The Local Planning Authority considers that in the absence of an approved scheme for the redevelopment of the site, or site remediation, the demolition of*

the existing building would result in unsightly site which would be harmful to the character and appearance of the Chapel Allerton Conservation Area. The proposal would therefore be contrary to Policy N18B of the Unitary Development Plan (Review 2006) and the guidance contained within National Planning Policy Framework and the Chapel Allerton Conservation Area Appraisal and Management Plan.

- 4.3 08/05355/FU - Laying out of access road and erection of multi level, mixed use development, comprising 2 retail units, restaurant, offices, doctors surgery, pharmacy, 14 flats and multi level car park and landscaping - Refused 25th November 2008 on highways grounds, decision dismissed at appeal dated 1st September 2008.
- 4.4 07/07912/FU - Laying out of access road and erection of multi level, mixed use development, comprising 2 retail units, restaurant, offices, doctors surgery, pharmacy, 2 residential blocks comprising 70 flats and multi level car park and landscaping - Withdrawn 15.04.08
- 4.5 07/04963/ADV - 4 non illuminated advertisement hoardings - Refused 19.10.07 for reasons of visual amenity and impact to conservation area.
- 4.6 07/04965/FU - Temporary car park to vacant site - Refused 17.10.07 for reasons of highway safety, visual amenity, impact to conservation area, and residential amenity.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Post the refusal of the application in June 2012, meetings have been held between officers and the developer and with Ward Members.
- 5.2 The applicants design team attended a meeting on the 4th July 2012 with Cllr Dowson and Cllr Taylor and officers to discuss the refused application(s) (12/0822/FU & 12/00823/CA).
- 5.3 The applicants design team attended a meeting on 8th November 2012 with officers to discuss the further work done on the proposals for a revised scheme for a store to the rear of the site and store to the front.
- 5.4 The applicants design team attended a meeting on 20th February 2013 with officers to discuss the scheme for a store to the front of the site with resulted in amended plans being submitted.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The applications have been publicised as major applications and as affecting the character of a conservation area by means of site notices posted on 22nd February and 1st March 2013 and the applications have also been advertised in a local newspaper, published 31st January and 1st March 2013. The formal consultation period expired on the 22nd March, however this has been extended to take account of the public meeting to be held on 16th April 2013. The outcome of this public meeting will be updated in any future report to the Plans Panel.
- 6.2 Public Consultation was carried out by the developer on the two schemes; a public consultation was held on the 24th, 25th and 26th of January 2013 to present schemes for a revised scheme for a store to the rear and a store to the front of the site.

6.3 At the time of writing this report, the following letters of representations had been received for each application as follows:

12/05296/FU – Store to the Rear

14 letters of objection raising the following issues:

- No shortages of supermarkets in local area;
- Detrimental impact on existing businesses, including on independent traders and the existing Co-Op;
- Increase in traffic and congestion;
- Detrimental impact on pedestrian safety, particularly due to location of service yard;
- Reduction in car parking spaces along Harrogate Road;
- Disputes over applicant's TA and traffic generation figures;
- Access point too close to existing accesses;
- Site is best suited for housing (social or private);
- Multi-purposed development needed, eg, housing, community facilities, pedestrianised shopping area that supports independent traders, hotel, doctors surgery or public park;
- Design is bland and box like and does not fit with local character;
- Design will have impact on Chapel Allerton Conservation Area;
- Increase in noise, litter, light pollution and pollution;
- Increase in noise for residents in Allerton Hill and Grosvenor Park;
- Impact on living conditions of neighbours from delivery noise and plant on roof;
- Increase in vandalism and anti-social behaviour;
- Proposals do not meet CANPlan objectives;
- Inadequate PR exercise by Morrisons;
- Lack of community involvement.

2 letters of support raising the following issues:

- Better than previous scheme, as well as safer due to pedestrian crossing;
- Better for pedestrian traffic;
- Chapel Allerton would benefit from a superior supermarket with more choice;
- Store would be within walking distance for local residents;
- Development could fund pedestrian improvements / community space;
- Proposals provide a secure car park;
- Design and car parking better than store scheme to the front;
- Loading bay is located away from residential properties;
- Height of store will not overpower or overlook adjacent residential properties.

13/00694/FU – Store to the Front

11 letters of objection raising the following issues:

- Detrimental impact on local traders;
- Badly designed building;
- Bland dated box at the heart of the town;
- Increase in noise, litter and pollution;
- Increase in traffic and congestion;
- Detrimental impact on character of Chapel Allerton;
- Site should be used as a green space and a community building;
- Impact on light pollution;
- Noise impact from deliveries;
- Car park will result in anti-social behaviour;
- Lack of demand for a supermarket in Chapel Allerton;

- Proposal would make it congested at Stainbeck Lane junction;
- Dangerous for pedestrians;
- Design is out of keeping with character of the area;
- Detrimental impact on sustainable community;
- Proposals would result in empty shops and loss of vibrancy to Chapel Allerton;
- Reduction in on-street parking spaces along Harrogate Road;
- Proposals do not meet CANPlan objectives;
- A small hotel of doctors surgery would be a better alternative, while there is a shortage of residential and office accommodation;
- Concerns over the proposed landscaping scheme;
- Submission of 2 applications is misleading;
- Type and scale of proposal is inappropriate;
- Inadequacy of the submitted Transport Assessment;

7.0 CONSULTATION RESPONSES:

7.1 Statutory:

Highways: -

12/05296/FU – Given the extent of the access improvements, in conjunction with the introduction of a new signalised pedestrian crossing on Harrogate Road, it is considered that a highways objection on the grounds of an increase in traffic at the site would be difficult to justify. However, additional information is required to demonstrate that the vehicle access is capable of satisfactorily accommodating large delivery vehicles. Furthermore, in view of the difficult parking conditions within the local area, it is considered that the applicant should provide a financial contribution of £15,000 to enable the existing on-street parking restrictions within Chapel Allerton to be reviewed/upgraded.

13/00694/FU - On balance, given the extent of the access improvements referred to above, in conjunction with the introduction of a new signalised pedestrian crossing on Harrogate Road, it is considered that a highways objection on the grounds of an increase in traffic at the site would be difficult to justify. However, additional information is required to demonstrate that the vehicle access is capable of satisfactorily accommodating large delivery vehicles. Furthermore, in view of the difficult parking conditions within the local area, it is considered that the applicant should provide a financial contribution to enable the existing on-street parking restrictions within Chapel Allerton to be reviewed/upgraded. In terms of parking, a time limit of three hours should be imposed on the usage of the car park, which should allow visitors to shop at the supermarket and also potentially visit other facilities/outlets within Chapel Allerton. This should be formalised and made a requirement of any subsequent planning approval.

7.2 Non-statutory:

Policy

12/005296/FU and 13/00694/FU - The principle of a new foodstore on this site was agreed in principle of the previous application that was refused. There have been no changes to the policy framework which would alter this position and so in principle the scheme for a foodstore of this scale is supported, due to its location within the town centre boundary which is therefore an appropriate location for all main town centre uses and is suitable in scale. (There is no requirement for the scheme to undergo a sequential or impact test.)

Access

12/05296/FU – No comments received.

13/00694/FU – No comments received.

Land Drainage

12/05296/FU – The surface water from the site is proposed to be discharged to the public sewer. Given the site topography and proposed layout, this is considered to be acceptable. Conditions are recommended.

13/00694/FU – The surface water from the site is proposed to be discharged to the public sewer. Given the site topography and proposed layout, this is considered to be acceptable. Conditions are recommended.

Environmental Health

12/05296/FU – Whilst the submitted noise assessment was not as detailed as would normally be expected, no objection subject to conditions relating to noise on fixed plant, submission of details of plant and odour treatment measures, restrictions on construction and demolition hours, and lighting restrictions.

13/00694/FU – The site layout for this proposal offers delivery vehicle movements some 10 meters away from the nearest noise sensitive premises. Those premises are houses on Grosvenor Park. The nearest house overlooks the proposed development due to the changes in the ground level. The closeness of the delivery bay to the housing may be expected to cause much more noise disturbance to those houses than that compared with the site plan offered in application 12/5296, especially considering delivery vehicle movements. However, approval is recommended, subject to conditions relating to noise on fixed plant, submission of details of plant and odour treatment measures, restrictions on construction and demolition hours, and lighting restrictions.

Land contamination

12/05296/FU – Additional information is requested from the applicant.

13/00694/FU – Additional information is requested from the applicant.

Metro

12/05296/FU – No objections to the proposals provided that the existing bus shelter (no. 13617) on Harrogate Road which will need to be relocated is upgraded and a RTI display is installed. A second bus stop located on Stainbeck Lane (no. 11138) should also be upgraded to have a shelter with RTI display (total cost £40,000). DDA compliant raised kerbs and bus stop clearways need to be provided at both stops where needed.

13/00694/FU – No objections to the proposals provided that the existing bus shelter (no. 13617) on Harrogate Road which will need to be relocated is upgraded and a RTI display is installed. A second bus stop located on Stainbeck Lane (no. 11138) should also be upgraded to have a shelter with RTI display (total cost £40,000). DDA compliant raised kerbs and bus stop clearways need to be provided at both stops where needed.

NGT/Public Transport Contributions

12/05296/FU – A contribution of £128,026 should be sought in accordance with the SPD.

13/00694/FU – A contribution of £128,026 should be sought in accordance with the SPD.

TravelWise

12/05296/FU – No comments received.

13/00694/FU - Further amendments are required to be submitted Travel Plan.

Yorkshire Water

12/05296/FU – No comments received.

13/00694/FU – No objections subject to the imposition of conditions.

Architectural Liaison Officer

12/05296/FU – No comments received.

13/00694/FU – No comments received.

Landscape Officer

12/05296/FU – The planting character to the edge of Harrogate Rd needs to respond to the streetscape and the planting proposed would not be appropriate and the tree planting is much too far apart

13/00694/FU – No comments received.

Chapel Allerton Neighbourhood Plan Group (CANPLAN)

12/05296/FU – No comments received.

13/00694/FU – No comments received.

Leeds Civic Trust

12/05296/FU – Objects to the proposed development and makes reference to a preference for the alternative scheme instead which is located towards the front of the site.

13/00694/FU – This is the preferable scheme in that it allows the store to be far more accessible to the many users that will arrive on foot or by bicycle, Some concerns are raised over the design and its impact on the conservation area; building should be set back slightly to provide tree planting; more imagination to address level changes; noise abatement measures should be provided around the service bay; additional energy saving measures and the use SUDS in the car park should be used.

8.0 PLANNING POLICIES:

8.1 The development plan comprises the adopted Leeds Unitary Development Plan (Review 2006) (UDP) along with relevant supplementary planning guidance and documents. The Local Development Framework will eventually replace the UDP but at the moment this is still undergoing production with the Core Strategy still being at the draft stage.

8.2 Leeds Unitary Development Plan (UDP) Review:

The site is located within the Chapel Allerton designated S2 Centre and in the Chapel Allerton Conservation Area.

Relevant policies include:

GP5: General planning considerations.

N12: Priorities for Urban Design.

N13: Design and new buildings.
N19: New buildings within conservation areas
T2: Transport and provision for development.
T2B: Need for transport assessments.
T2C: Travel Plans.
T2D: public transport contributions.
T5: Pedestrian and cycle provision.
T6: Provision for the disabled.
T24: Parking provision and new development.
S2: Vitality and viability of town centres.
S3: Enhancement and maintenance of town centres.
BD3: All new public buildings to provide suitable access for the disabled.
BD5: Amenity and new buildings.
LD1: Landscaping schemes.

8.3 Supplementary Planning Guidance / Documents:

Public transport improvements and developer contributions.
Chapel Allerton Community Plan and Design Statement
Street Design Guide
Chapel Allerton Conservation Area Appraisal and Management Plan

In the Chapel Allerton Community Plan and Design Statement (Neighbourhood Design Statement), states the following about the application site, *'The proposed development of the Yorkshire Bank site has provoked more interest and passion in Chapel Allerton than any other issue.*

8.7 In recent years there have been planning applications for the site, which is now within the Conservation Area and the historic core of Chapel Allerton. These applications have focused on intensive development, including multi level flats, offices, doctors' surgery, pharmacy, shops, restaurant, and car parking. The most recent application was submitted in September 2008, refused by the Council, and subsequently dismissed at appeal in September 2009. A further application is expected in 2011. A key community issue is to ensure development of the Yorkshire Bank site meets the aspirations identified in the community survey and at the Open Day in July 2009.

8.8 Of the Yorkshire bank site, the Chapel Allerton Conservation Area Plan states "...its redevelopment will have a major impact on the character of the core of the settlement and offers an opportunity to enhance the conservation area."

8.9 The community consider that any development on the site should take the opportunity to improve areas of public space and landscaping and should not include any bars given that these are already well provided for and linked to issues of anti-social behaviour. The site is within key views from Harrogate Road approach and any development proposal must have regard to this.

8.10 This Plan supports the Chapel Allerton Conservation Area Appraisal suggested opportunity for enhancement of the conservation area and centre in relation to the Stainbeck Corner and creation of public space which could be delivered by way of planning gain associated with any redevelopment of the Yorkshire Bank Site. The Conservation Area Appraisal advises that: "The closure of the north section of the junction would create a public "square" which would re-create a sense of arrival at the heart of the village. High quality paving and street furniture could contribute to the enhancement of the area. Although a number of practical traffic management problems would have to be overcome, including moving the pedestrian crossing south

of Regent Street and making alternative arrangements for parking and taxi waiting outside the Yorkshire bank, the benefit to the townscape would be considerable”

8.11 Development proposals should also be accompanied by a comprehensive traffic management scheme for the locality that provides for a reduction in reliance on car use, for improved pedestrian safety and the enhancement of pedestrian areas.

8.12 The Yorkshire Penny Bank building, adjacent to the development site is recognised in the Conservation Area Appraisal as a building of considerable architectural quality. The community would like to see this building listed in order to ensure its retention.

8.4 National Planning Policy Framework

Planning should proactively drive and support sustainable economic development; and seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (para. 17). Local Planning Authorities should recognise town centres as the heart of their communities and support their vitality and viability (para. 23). Design requirements are set out in section 7 noting that developments should establish a strong sense of place creating attractive and comfortable places to live, work and visit (para. 58). Shared spaces should be promoted to help deliver the social, recreational and cultural facilities communities require (para. 70). Section 12 refers to the historic environment. Para. 131 identifies the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; and the desirability of new development making a positive contribution to local character and distinctiveness.

8.5 Emerging Policy

The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 and the consultation period closed on 12th April 2012. The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 14th November 2012 Full Council resolved to approve the Publication Draft Core Strategy and the sustainability report for the purpose of submission to the Secretary of State for independent examination pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004. Full Council also resolved on 14th November 2012 that a further period for representation be provided on pre-submission changes and any further representations received be submitted to the Secretary of State at the time the Publication Draft Core Strategy is submitted for independent examination.

8.6 As the Council have resolved to move the Publication Draft Core Strategy to the next stage of independent examination some weight can now be attached to the document and its contents recognising that the weight to be attached may be limited by outstanding representations which have been made which will be considered at the future examination.

9.0 **MAIN ISSUES**

1. Principle of Development
2. Highway Matters
3. Design / Scale & Impact on Conservation Area
4. Impact upon Living Conditions of Neighbours
5. S106 – Draft Heads of Terms
6. Other matters

10.0 APPRAISAL

Principle of Development

- 10.1 12/05296/FU and 13/00694/FU - The site is within the S2 centre of Chapel Allerton and currently comprises a vacant office building (Allerton House) and the vacant site of another office building which has been demolished. The each scheme comprises of a store of approximately 1400m², gross internal floor area and net sales area of approximately 925.7m².
- 10.2 Policy S2 of the UDP Review 2006 encourages new retail development within the designated S2 centres provided it does not undermine the vitality and viability of the city centre or any other S2 centres. In relation to Chapel Allerton, it is considered that the additional retail floor space will strengthen the vitality of the centre.
- 10.3 The site is unallocated within the UDP but is located within the designated S2 centre of Chapel Allerton and so development of a supermarket is an appropriate use. In addition, based in part on the Leeds City, Town, and Local Centres Study, the Council considers that some centres could perform more successfully as major locations for weekly shopping needs if they included a major foodstore or redevelopment of existing facilities to add to their function. Appropriate supermarket provision within centre or on the edge of centre is therefore to be encouraged in a number of centres, which includes Chapel Allerton.
- 10.4 It is considered that the proposed use and the scale proposed is appropriate for this town centre site location.

Highway issues

- 10.5 Both of the proposed schemes are very similar in terms of the highways issues which arise. The main difference between the two schemes is the location of the store itself and the associated service yard. Both schemes involve the closure of the existing access point and its relocation further towards the north. The scheme also includes the relocation of the existing bus stop on Harrogate Road as well as the provision of a pedestrian crossing across Harrogate Road. Previous proposals have presented difficulties in addressing the highways issues. This was the principle concern on the Planning Inspector when dismissing a mixed use scheme at a public inquiry. The difficulties mainly related to the methodology of the transport assessment and general lack of information. This has now been addressed by the applicant in both applications.
- 10.6 Officers are generally supportive of both schemes, especially given the extent of the access improvements and proposed signalised pedestrian crossing. Further information is still sought on a number of technical matters and on-going discussions are taking place in order to resolve outstanding matters. The applicant will be required to provide contributions towards public transport infrastructure, bus stop improvements, a review of existing on-street parking restrictions and the implementation of a Travel Plan. A condition will also need to be imposed to restrict car parking to no more than 3 hours. This will provide the opportunity for local shoppers whilst deterring existing workers within Chapel Allerton and potential commuters into Leeds City Centre.

- 10.7 Do Members have any comments regarding the highways and associated issues?**

Design / Scale & Impact on Chapel Allerton Conservation Area

- 10.8 The site lies within the extended Chapel Allerton Conservation Area, (Character Area 1) and is included within the Chapel Allerton Community Plan and Design Statement as the former Yorkshire Bank Site. The site is in a prominent location within the historic core of the Chapel Allerton Conservation Area and presents a real opportunity to improve this major approach and primary frontage within the settlement. At present, the site is currently underused and in a poor state visually. The relatively recent demolition of the Brutalist building that was located alongside Allerton Hill has left this frontage exposed and empty, to the detriment of the area as it is highly visible from views up and down Harrogate Road as noted in the Conservation Area Appraisal.
- 10.9 In principle no objection is raised to the demolition of the existing building and redevelopment of this site and, so long as an appropriate scheme can be brought forward. Two schemes are currently under consideration for a new retail foodstore. One located to the rear of the site, and one located towards the front. In terms of the former, no significant changes to the proposals have been made since the previous scheme was refused to enable officers to reach a different conclusion. In particular, the main car park is to be located on the site's main frontage that will undermine the special character of the Conservation Area and retain this 'gap' in the townscape. The store will be constructed well within the site, but will have very little street presence. Moreover in a town centre location, it will be reasonable to assume that much of the custom base will be on foot, however the car park is still dominating the public realm and will fail to enhance the pedestrian experience. This is outdated, unsustainable design and should not be encouraged.
- 10.10 As clearly reiterated in the National Planning Policy Framework (2012) Para: 64: *"Permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions."* It is desirable to develop the site, this scheme fundamentally fails to take the most obvious opportunity to enhance this important site within this unique and historically important setting.
- 10.11 The site is of significance to the immediate area in that it forms an important part of streetscape vistas. It is a corner and junction site which is important as it can be an important element in bringing together elements of local streetscape from three directions. This is especially true when travelling, by car or foot, both up and down Harrogate Road.
- 10.12 Concerns are raised that the opportunity for a frontage to Harrogate Road has not been taken and that the building seems to be forced to the rear of the site. This will result in an unnecessary void in the streetscape at this important junction for Chapel Allerton. This will also probably result in an unnecessary abundance of advertising on the frontage. The works seem to engender large scale retaining walls to the frontage onto Harrogate Road which is incompatible with an active and engaging street frontage. The proposal then provides a car park to the street frontage that is on a raised level which further disengages the proposed building from the street.
- 10.13 The proposal therefore causes concern over a number of issues relating to the site disposition and the building such as: local character, conservation of local character, the site levels, the landscape response and the general architectural and spatial issues. As such, the proposal to locate the store to the rear of the site cannot be supported.
- 10.14 Conversely, the applicant has taken on board the advice provided by officers and also propose a scheme which locates the proposed store to the front of the site and the car

parking towards the rear. The advantage of locating the store to the site frontage brings about significant benefits which are twofold. Firstly, it reinforces the retail function and vitality and viability of Chapel Allerton District Centre. The proposal creates an important link between the existing commercial units further north along Harrogate Road and the shops and restaurant on Stainbeck Lane. This is considered a positive approach to improving the retail function of the area and links the front of the proposed store to other retail units within Chapel Allerton.

10.15 Secondly, the proposal represents an appropriate design solution in townscape terms that will seek to enhance the character of this part of the Chapel Allerton Conservation Area. The location of the proposed building together with its scale and mass fits with the scale of the adjacent Yorkshire Bank building and the adjacent terrace on Harrogate Road. The architectural style and detailing is also considered to be appropriate and will not result in a building which is out of place within the Conservation Area.

10.16 Do Members have any comments on the layout and/or design of the proposals and its impact upon the Conservation Area?

Impact upon neighbouring properties amenity

10.17 12/05296/FU – The mass of the proposed building is reduced vastly from that of the existing building Allerton House which currently occupies the site. The existing building is 4 storeys high, including a high ground floor, finishing with a flat roof at roughly 18-19 metres above ground level and with plant etc rising higher. There is a further short 2-storey section to the east and then a single-storey extension with loading bays.

10.18 The proposed height and scale of building with a flat roof reduces the overall height of the building in comparison to the existing situation. The stepping back of the façade also aides to reduce the transfer of delivery noise north of the site. Reduced noise transfer from the delivery bay area is also aided by the line of mature trees along the southern boundary of the site and the large non residential structure to the rear of Pelham Place.

10.19 The proposed supermarket with regard to its location and height is lower than the existing building is therefore considered not to have an adverse impact upon neighbouring properties amenity. Environmental Health Officers consider that issues can be addressed satisfactorily by conditions.

10.20 13/00694/FU – The proposal to locate the proposed foodstore to the front of the site brings about significant benefits in terms of retail function and visual character. However, this needs to be balanced against the impact upon the living conditions of neighbours, particularly those within Grosvenor Park who lie in close proximity to the proposed service yard. As with any major foodstore, deliveries have the potential to generate noise and disturbance to neighbouring residential properties. There is therefore a need for such deliveries to be managed a correct way as to prevent any adverse impact. There are examples where such a situation exists between housing and service yards. One such example is the service yard to the new Waitrose within Meanwood which operates successfully. In terms of the current proposal, the advice from Environmental Health Officers advices that the store and service yard is acceptable subject to the imposition of a number of conditions.

10.21 Do Members have any comments in relation to the impact of the proposals on the neighbouring properties?

S106 Draft Heads of Terms

10.22 12/05296/FU and 13/00694/FU – below are the proposed planning obligations put forward by the developer. No detailed discussions have taken place regarding specific details at the date of writing this report.

- Public Transport Infrastructure contribution of £128,026;
- Metro contribution of £40,000;
- Travel Plan and monitoring fee of £2,500
- Off-site highways works;
- Contribution of £15,000 towards a review of parking waiting restrictions;
- Local employment
- Potential public realm enhancements

The applicant notes in their submission that any other matters will be discussed with the Local Planning Authority as part of the planning applications.

Other Matters:

10.23 Public Realm and landscaping - it is a local aspiration as stated in the Neighbourhood Design Statement paragraphs 8.6 – 8.12 that the north section of the Stainbeck Lane be closed off and a public square created; this has been raised with the applicant but does not form part of the either of the applications. There is a small area of potential public open space/landscaping on the site adjacent to the access and Yorkshire Bank building which is still under discussion with the applicant.

10.24 **Do Members have any comments on the public realm and landscaping proposals and boundary treatments?**

11.0 CONCLUSION

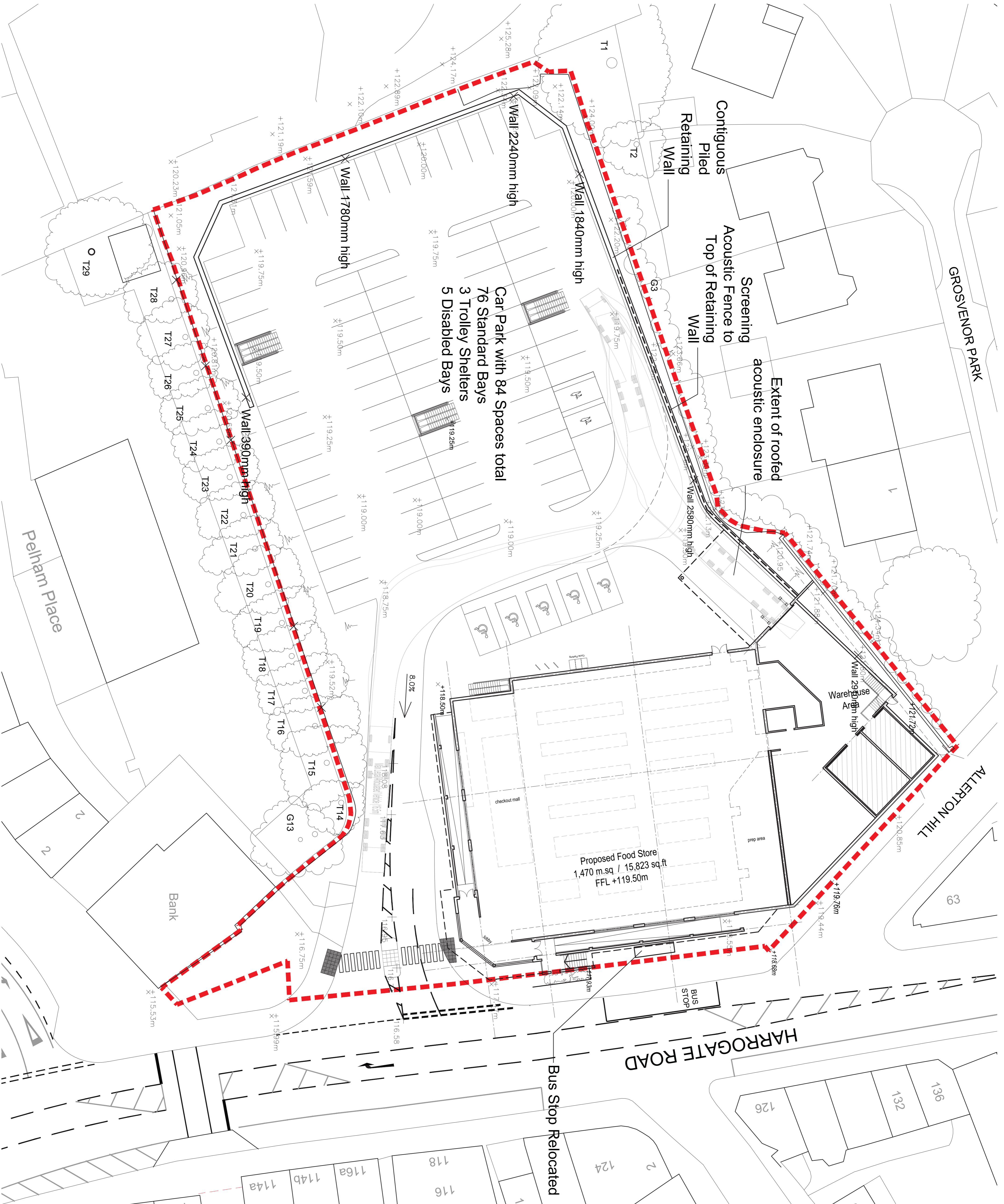
11.1 Members are requested to consider all the matters raised within this report in order to provide officers with appropriate comments and / or advice on the proposal. Members are specifically advised to assess each particular application on its individual merits, rather than choosing between the two proposed schemes. Specifically, feedback is requested from Members on:

- 1. Do members have any comments regarding the highways and associated issues?**
- 2. Do Members have any comments on the layout and/or design of the proposals and its impact upon the Conservation Area?**
- 3. Do Members have any comments in relation to the impact of the proposals on the neighbouring properties?**
- 4. Do Members have any comments on the public realm and landscaping proposals and boundary treatments?**
- 5. Are there any other comments that Members wish to make?**

11.2 In the event Panel Members are broadly comfortable with the proposals as presented and any outstanding issues can be adequately addressed by officers, are Members happy to agree the application in principle and defer and delegate approval to the Chief Planning Officer?

12.0 Background Papers:

12.1 Application and history files.



Key
 0.00 (railed) Existing Level
 0.00 Proposed Level
 (0.0) level difference

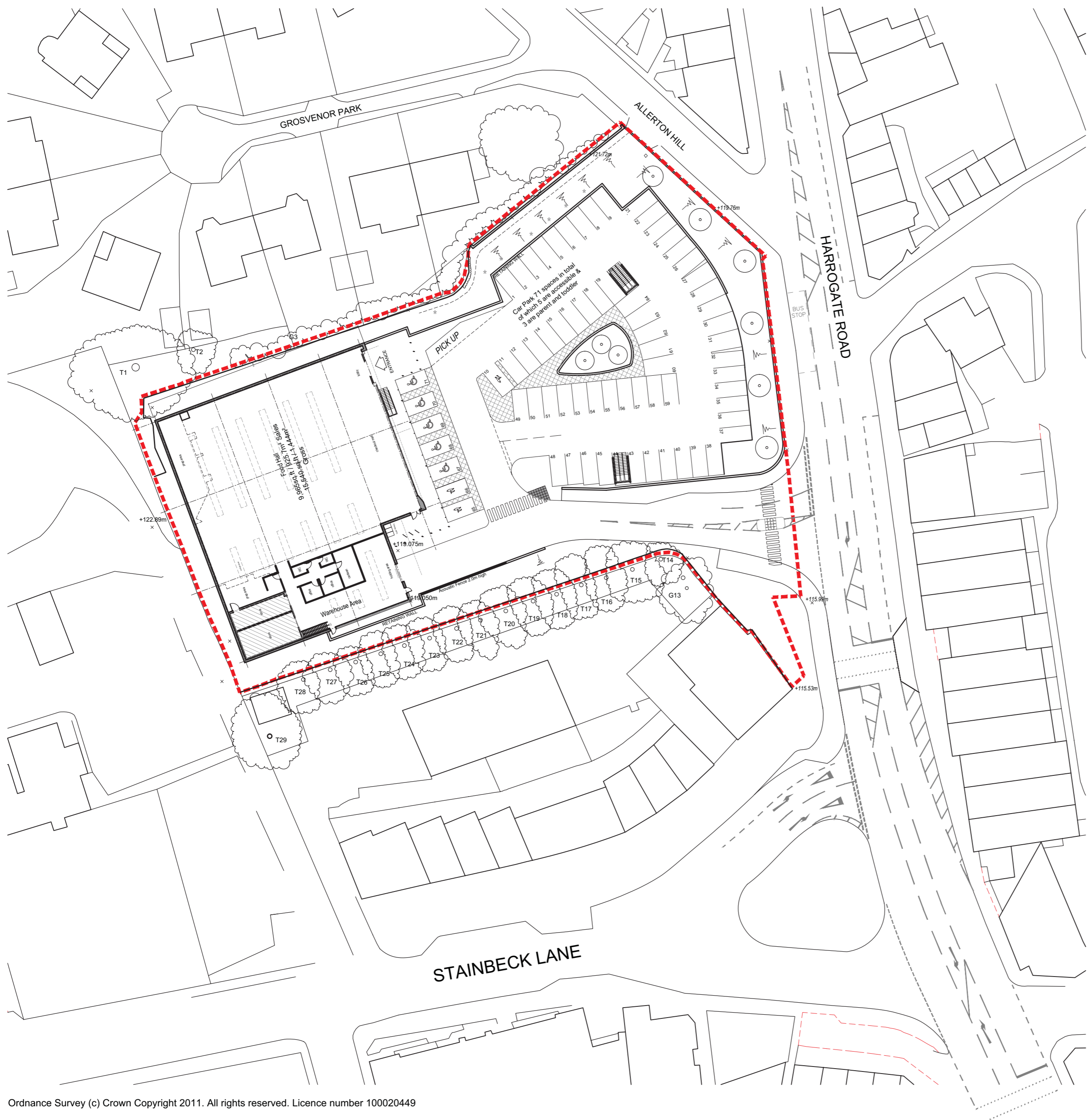
Revision: B	Date: 07/02/2013	Drawn: NPAGE	Checked: SLUNN
ACOUSTIC FENCE AND PARTIAL ROOF ENCLOSURE ADDED TO THE NORTHERN PERIMETER OF CAR PARK			
Revision: A	Date: 21/12/2012	Drawn: INPAGE	Checked: SLUNN
ELEVATIONS REDESIGNED TO MEET CONSERVATION AREA ASPIRATIONS			
Project:			
PROPOSED NEW STORE			
ALLERTON HOUSE, HARROGATE ROAD			
CHAPEL ALLERTON, LEEDS			
Client: Optimisation Developments Limited			
Site Plan and Ground Floor Store Plan With Levels As Proposed			
ALTERNATIVE STORE OPTION			
Job No: 3527-76	Drawing No: PL 114	Revised: B	
Date: 23/12/2011	Scale: 1:200 @ A1	Drawn: NPAGE	Checked: SLUNN
CAD Ref: P:\352776\CAD\Planning Drawings			
Note: Do not scale from this drawing. All dimensions to be checked on-site.			

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Revision	D	Date	13/12/2012	Drawn	N.Page	Checked	P.D.White
Landscaping improved with additional planting							
Revision	C	Date	31/10/2012	Drawn	N.Page	Checked	P.D.White
FFL lowered, Carpark amended to suit Urban Design plans							
Revision	B	Date	17/02.2012	Drawn	S.Lunn	Checked	P.D.White
Acoustic Fence added							
Revision	A	Date	16/02.2012	Drawn	S.Lunn	Checked	P.D.White
Building footprint amended, boundary to Harrogate road amended							

Project:
 PROPOSED NEW STORE
 ALLERTON HOUSE, HARROGATE ROAD
 CHAPEL ALLERTON, LEEDS



Client: Optimisation Developments Limited
 Site Plan and Ground Floor Store Plan
 As Proposed

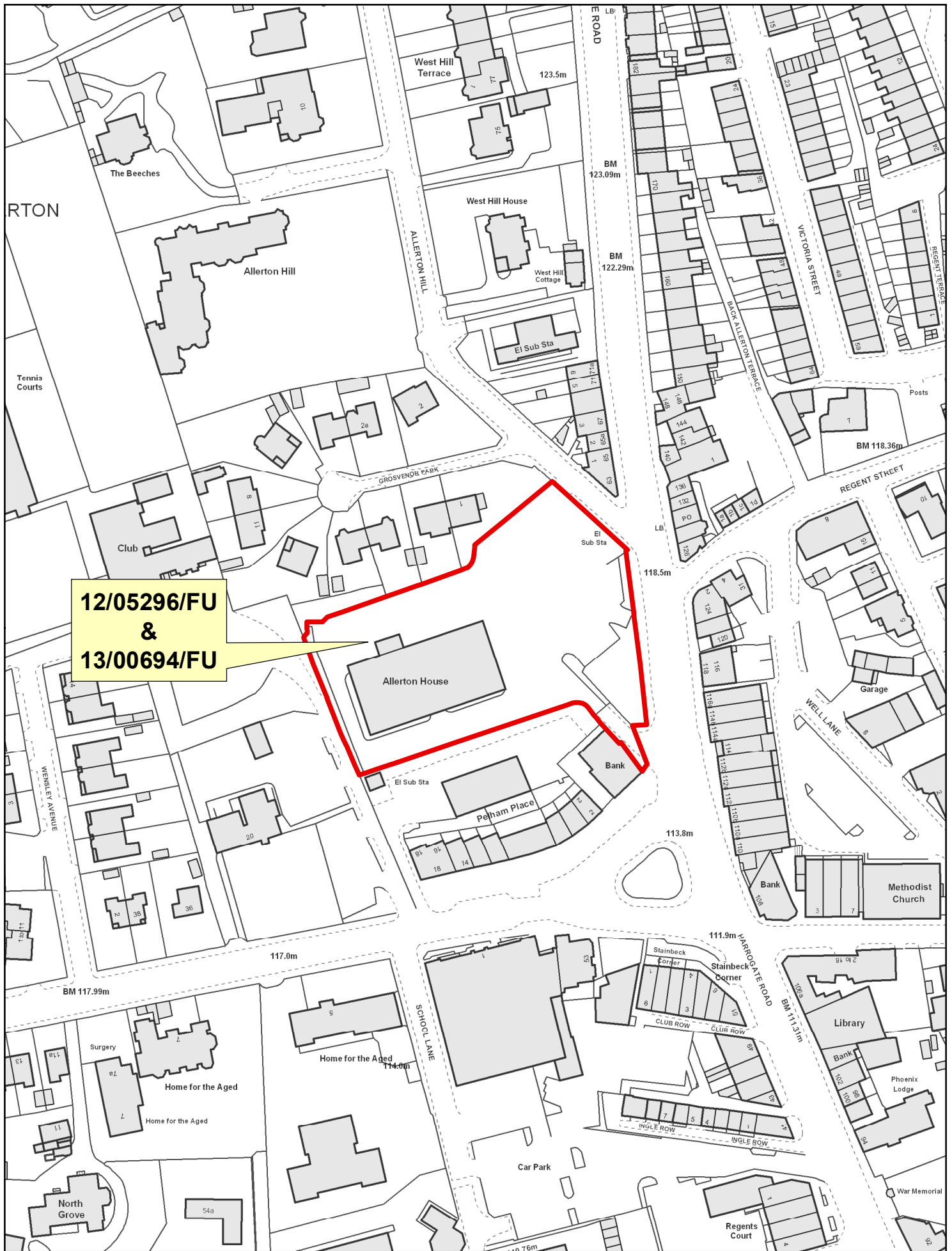
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3527-76	PL03	D

Date: 23.12.2011 Scale: 1:500 @ A2 Drawn: N.Page Checked: S.Lunn
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**12/05296/FU
&
13/00694/FU**

NORTH AND EAST PLANS PANEL

