



Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 1st August 2013

Subject: POSITION STATEMENT

- 1. Application 13/01640/OT – Outline application for part demolition and alteration of existing buildings and erect extensions to form new and enlarged retail units, Class A1, A3, A5, D2 (Cinema); alterations to existing and creation of new public realm and landscaping; alterations to existing vehicular access and creation of new vehicular, pedestrian and service accesses; alterations to car park configuration; infrastructure and associated works – White Rose Shopping Centre, Dewsbury Road, Morley, Leeds, LS11 8LU.**
- 2. Application 13/02684/FU – Demolition of existing buildings and redevelopment of site for use as car parking, with improvements to access, landscaping works and enhancements, new culvert to Cotton Mill beck and upgrading of existing pedestrian crossing and associated works – Land south of White Rose Shopping Centre, Dewsbury Road, Morley, Leeds, LS11 8LL.**

APPLICANT

Ravenseft Properties Ltd

DATE VALID

10th April 2013 &
20th June 2013

TARGET DATE

26th October 2013

Electoral Wards Affected:

Site is within Morley North Ward and close to the boundary with Beeston and Holbeck

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 report and to provide feedback on the questions in section 11.0

1.0 INTRODUCTION

- 1.1 These applications are brought to Plans Panel as they relate to a significant major development and a departure from the Development Plan in relation to the provision of additional out-of-centre floorspace at the White Rose Shopping Centre (WRSC). The proposals consist of two applications: an outline application for the additional floorspace, and a full application for the change of use and redevelopment of the former office building and scrap yard site to the south to provide staff car parking for the extended shopping centre.
- 1.2 A pre-application presentation was made to City Plans Panel on 25th October 2012. This report is a Position Statement to update Members on the progress of the applications now submitted, and to request further comment, with a view to making a recommendation to City Plans Panel later in the year.

2.0 PROPOSAL:

- 2.1 Whilst the proposals for the centre itself and for the off-site car parking have been submitted as separate applications, the car park scheme forms an integral component of the proposals for the extended shopping centre, and the two applications are therefore being considered together. The key aspects of each are summarised below.

A) Application 13/01640/OT – Extensions to WRSC and associated works

- 2.2 The proposals for the WRSC can be divided into four main elements as follows:

- a) Debenhams extension and additional retail units
- b) Primark extension
- c) Cinema
- d) Additional catering units

All floor areas quoted relate to the gross internal floor area rather than net retail floor areas.

Debenhams extension

- 2.3 The first of the four key development zones relates to the area to the east of the existing Debenhams store at the northernmost end of the centre, where it is proposed to provide an additional 3326m² of floorspace for the Debenhams store over two levels.

Additional retail units

- 2.4 It is proposed to provide 3 new smaller single storey A1 retail units (with a combined floor area of 1858m²) to the south of the proposed extension to Debenhams, extending the existing mall entrance at this point further to the east.

Primark extension

- 2.5 This element of the proposals consists of a three storey extension to the east of the existing Primark store in the central part of the centre. The two lower floors of the proposed extension would provide an additional 3994m² of A1 floorspace for the Primark store, whilst the top floor would provide additional storage and 'back of house' provision for the unit, amounting to around 1870m².

Cinema

- 2.6 An extension of 4136m² is proposed to the west of the centre, to the north of the existing entrance to the food court area, where it is proposed to introduce a new cinema (D2 use) with up to 12 screens.
- Additional catering units
- 2.7 To the south of the proposed cinema, on either side of the existing food court entrance, it is proposed to provide a further 2322m² of additional catering units (A3/A5 use). These would connect to existing catering units which have already been granted permission in this area as discussed below, and which are currently under construction.
- 2.8 The proposed extensions would be constructed on areas of existing parking, leading to the loss of around 670 of the centre's existing 4697 spaces. Prior to the submission of the application, discussions were held with the developer regarding the re-provision of some parking on site in the form of decked car parking, however, the submitted details advise that for viability reasons, this proposal this has not been brought forward as part of the application. It is now proposed instead to re-provide the lost spaces through a combination of reconfiguring some areas of existing parking on site, and the provision of 574 staff car parking spaces on the area of land to the south as part of the accompanying application, the details of which are below.
- 2.9 The parking proposals for the site and on the land to the south would be limited solely to re-providing the existing spaces which would be lost as part of the development. It is not proposed to provide any additional parking to cater for the proposed extensions.
- 2.10 The application is in outline, with all matters reserved, but is accompanied by a series of parameter plans identifying the key parameters of the scheme. These are intended to provide sufficient certainty over what is proposed to allow the implications of the development to be fully assessed and the key design principles to be established whilst retaining the flexibility to allow more detailed design and layout matters to be finalised once the final operational requirements of each tenant are known. The plans include:
- Identification of a development 'zones' for each extension. These show the maximum extent of the area within which it would be constructed, based on plans indicating the minimum and maximum extent of each of the elevations and the degree of variation in each of these.
 - Plans showing the minimum and maximum height of each of the proposed extensions/buildings in relation to the existing building.
 - Areas where demolition and remodelling are proposed and areas where parking spaces and trees would be lost and access routes would need to be reconfigured.
 - Key vehicle, pedestrian and cycle routes, positions of cycle parking and taxi drop-off locations.
 - Customer entrances, canopies and areas of public realm around these, defining minimum and maximum dimensions for each of these areas, and new tree planting.
 - Indicative elevations have also been provided, showing areas of fenestration and main frontages.
- 2.11 The applications are accompanied by a range of other supporting documents, including:

- Travel Plan
- Transport Assessment
- Draft Employment and Training Strategy and Contract
- Flood Risk Assessment
- Retail/Economic Impact Assessment
- Sustainability Statement
- Contamination and Coal Mining Risk Assessment Studies
- Statement of Community Involvement.

2.12 The application also specifies Heads of Terms for a Section 106 Agreement to cover the following issues, which are discussed in more detail in the appraisal section below:

- Public Transport contribution
- Improvements to on-site bus station
- Local employment and training
- Public realm works/landscaping on Dewsbury Road, opposite the site to the east.
- Improvements to the pedestrian link between the bus station and the adjacent White Rose Office Park site.

B) Application 13/02684/FU – Off-site staff car park

2.13 It is proposed to provide 574 staff car parking spaces for the extended centre on the site of the former office building and breaker's yard to the south. The scheme includes the demolition of all buildings on the site. Access is proposed from the WRSC's southern perimeter road via an existing entrance, which currently serves a substation and gas control compound, and which is proposed to be widened and extended into the proposed parking area by providing a culvert across Cotton Mill Beck. The existing vehicular entrance from Dewsbury Road into the north eastern part of the site is to be closed off. The access from Dewsbury Road in the south eastern part of the site is proposed to be retained, although the submitted details confirm that this would only be used for emergency vehicles access, and would be barrier controlled to prevent its use by staff.

2.14 Pedestrian access from the car park to the Centre would lead across the perimeter road, through the car park to the east of the Sainsbury's petrol station, across the car park access road, where the existing zebra crossing is proposed to be upgraded to a pelican crossing, and towards the mall entrance in the south eastern part of the Centre. The submitted details advise that the pedestrian route through the car park would be covered by CCTV.

2.15 Although some trees and areas of vegetation are proposed to be removed to facilitate the provision of the culvert across the beck, and to lay out a pedestrian access through the centre of the site, the majority of the existing trees and vegetation are proposed to be retained, and supplemented with additional planting within the car parking areas. It is proposed to remove areas of hardstanding in the eastern part of the site, adjacent to Dewsbury Road, and to carry out earthworks to provide a grassed embankment along this frontage to provide screening of the car park from Dewsbury Road.

2.16 Details submitted with the application confirm that the off-site car park is intended for use by staff only, as part of a staff parking management strategy which seeks to restrict staff parking to car parks further from the centre, retaining the more

convenient car parks for customer use, and to reduce car-based travel among staff and encourage alternative modes of transport.

3.0 SITE AND SURROUNDINGS:

- 3.1 The WRSC is a substantial retail centre in south Leeds with over 100 retail and restaurant units, including a Sainsbury's supermarket and large anchor stores at Debenhams and Primark, and around 4700 car parking spaces. It is one of the three main destinations for comparison shopping in the Leeds district along with the City Centre and the Owlcotes centre in Pudsey. The centre was built in the 1990's after being refused planning permission and subsequently allowed on appeal in 1989.
- 3.2 The centre is located in south Leeds, to the north east of Morley, north west of Middleton and south west of Beeston. The site is bordered to the east by Dewsbury Road, which runs north-south from Junction 1 of the M621 to Junction 28 of the M62, and to the west by the Leeds-Huddersfield-Manchester railway line. The surrounding area is mixed in character, with offices at the White Rose Office Park to the north, residential properties on the opposite side of Dewsbury Road to the east, and open land to the west and south.
- 3.3 Permission has recently been granted for extensions to various units in the centre, and to the food court area. These were considered initially as part of an outline application, approved in March 2011, and a number of reserved matters applications for various aspects of the development have subsequently been granted and, in some cases, implemented.
- 3.4 The staff car park proposals relate to an area of land to the south of the centre. The northern part of the site is occupied by a three storey brick building, formerly used as an office but now vacant, with an attached single storey warehouse to the rear, and with areas of hardstanding to the front and rear. The area immediately to the south along the site frontage is also surfaced with hardstanding, and is understood to have been a petrol filling station at some point in the past, although this was demolished some time ago and this part of the site has been vacant for over 10 years. The southern part of the site, to the rear of this former filling station, was formerly used as a car breaker's yard, a use which benefits from a lawful use certificate granted in 1994. Whilst vacant at present, the site contains areas of hardstanding and a small office building associated with this former use.
- 3.5 The site slopes uphill from Dewsbury Road towards the area of open land to the west, with some steeper gradients in the eastern part of the site. An existing access from the WRSC southern perimeter road into the northern part of the site, which at present serves a substation and gas control station, and which is proposed to be widened and extended to provide access to the car park. There are relatively wide belts of trees and vegetation around the site's southern and western boundaries, and along Cotton Mill Beck which runs to the north, as well as a belt of trees running through the middle of the site. At present, the site is also enclosed by metal palisade fencing.

4.0 RELEVANT PLANNING HISTORY:

A) Application 13/01640/OT – Extensions to WRSC and associated works

- 4.1 Outline permission was granted in March 2011, following a resolution by Plans Panel, for extensions to provide up to 2,048m² retail floorspace (A1 use) and up to 1,850m² restaurants and cafe floorspace (A3 use) (application 10/04190/OT). The

permission was granted subject to a legal agreement including the following obligations:

- Revocation of permitted development rights for the implementation of mezzanine floors of up to 200m² within the remaining A1 retail units in the centre
- Local employment and training initiatives
- £40,000 contribution to pay for the provision of real-time bus information within the centre
- The dedication of an area of land to the east of the centre for use as a cycle route
- Travel Plan and monitoring fee.

4.2 A number of reserved matters applications relating to this outline approval have subsequently been approved, as detailed below, and some of these are understood to have been implemented. This leaves a total of 2285m² approved floorspace still to be brought forward for development (1443m² of A1 and 842m² of A3).

- 11/01070/RM – Extension to mezzanine floor to retail unit (44m²). Approved May 2011.
- 11/01092/RM – Extension and alterations to units 52 and 53 to provide ground floor extension and mezzanine extension providing 177 square metres additional A1 floor space. Approved May 2011.
- 11/03953/RM – Extension to upper level food court providing 998m² additional A3 floor space. Approved November 2011. Two minor material amendment applications relating to this proposal have subsequently been approved as follows:
 - 12/00833/FU – Changes to approved layout, as a result of which a further 10m² of floorspace would be created, resulting in 1008m² rather than 998m² as originally approved. Approved May 2012.
 - 13/00435/FU – Changes to main elevation. Approved March 2013.
- 11/04243/RM – Amalgamation of 2 retail units and extension to mezzanine floor (101m² floorspace). Approved November 2011.
- 12/01360/RM – Reserved matters application for extensions, for the provision of 283m² retail floorspace. Approved May 2012.

4.3 All other history relates to previous extensions, changes of use of existing units within the centre, signage and the original permission for the centre, the original outline permission for which was granted on appeal in 1989 (application H23/59/87/).

4.4 Permission has recently been granted in May 2013 for the demolition of the Woodman service station and public house to the south east of the WRSC, and the redevelopment of the site with a replacement petrol station and coffee shop (application 13/01022/FU).

4.5 An application for a new office building, providing around 5500m² of additional office space, at the neighbouring White Rose Office Park site is currently under consideration (application 13/02207/FU). Discussions have been held with the applicants for this scheme in relation to improvements to the pedestrian links between the Office Park and the WRSC site and bus station, with the aim of providing a holistic approach to improving accessibility between the sites and encouraging wider public transport use across the wider employment area.

- 4.6 Outline permission for the Eastgate development within the city centre (now called 'Victoria Gate') was granted in October 2012 (application 12/03002/OT). This granted permission in principle for a variety of uses, including retail, restaurants, bars, a casino, medical centre, B1 offices, a cinema, crèche and hotel, and car parking. Applications for the first phase of this development have recently been submitted. This phase includes the John Lewis store together with other retail, restaurants and bars, a multi storey car park and a casino.
- 4.7 The Council are also currently considering an application for an out-of-centre mixed use development at Thorpe Park in the east of the city (application 12/03886/OT). This seeks outline permission for a range of uses including offices, retail and bars/restaurants, a hotel, leisure facilities and car parking.

B) Application 13/02684/FU – Off-site staff car park

- 4.8 There have been a number of applications relating to extensions and redevelopments on the office building and former petrol station in the northern and eastern parts of the site. A number of these were refused in the late 1970s on Green Belt grounds (although one was then allowed on appeal). Two more recent applications were subsequently approved: one for an extension in 1982 and one for a prefabricated office building in 1992 (applications H23/228/82/ and H23/9/92/).
- 4.6 A certificate of lawful use for vehicle dismantlers and retail sales was granted in relation to the southern part of site in December 1994 (23/82/93/CLU). An application for a detached industrial unit and offices on this part of the site was refused in February 1995 on Green Belt grounds (application 23/174/94/FU).

5.0 HISTORY OF NEGOTIATIONS AND PUBLIC CONSULTATION:

- 5.1 Prior to the submission of the application in April this year, extensive pre-application discussions took place with the developer, involving planning, highways and design officers, which culminated in a pre-application presentation by the developers to City Plans Panel in October 2012. The following matters were discussed by Members at that stage:
- Traffic impacts, particularly on Dewsbury Road. Analysis needed of cinema and times when Leeds United had an evening home game
 - Whether a residents' parking scheme could be considered by the developer to alleviate the problems on streets close to the site
 - Cinema likely to generate trips at evenings and weekends when public transport was usually less frequent and this would need to be addressed
 - Staff car parking
 - Whether application should include historical analysis to show whether Centre had ever competed with the city centre, whether by extending the Centre, Primark and Debenhams would close in Leeds city centre, and whether existing centres were trading to capacity
 - Further details of scale and design, particularly cinema.
 - Provision of some context for the scale of the proposed extensions
 - Strong commitment to creation of jobs and job guarantees for local people. To be monitored by Employment Leeds, and agreements rigorously enforced.
 - Some support for proposal to increase the level of retail floorspace and introduce a new cinema use, but concerns about levels of car parking to be provided and the design of the decked parking.
 - Proposals being against planning policy.

- Neighbouring centres and adjoining local authorities likely to have views on the proposals.
- Assurances on behalf of Debenhams and Primark regarding commitment to retaining presence in Leeds and centres in neighbouring authorities.
- That the provision of an additional cinema would provide more choice
- That there was some support for the three smaller A1 units.
- Improvements to an area of greenspace on the Ring Road should be considered.
- Improvements to the bus stops at the centre were welcomed
- Linkages with Middleton, Beeston and Morley to be specifically addressed.
- Further consultation to take place and to a wider area

5.2 The developers also carried out a programme of pre-application engagement and consultation. This included letters to MPs, south Leeds Ward Members, Morley Town Council, Leeds Civic Trust, and local community groups and organisations, meetings with officers at Wakefield, Kirklees and Bradford, public exhibitions at the Centre and at Morley Town Hall, and presentations to Morley Town Council and Beeston Village Community Forum.

5.3 A further public display at the WRSC was held by the developers on a weekend in May, to inform people about the application as submitted, and the changes including the proposed off-site car park. The developers have advised that positive feedback was received regarding the employment benefits of the proposals, the cinema and improved retail and leisure choices.

5.4 Following the submission of the application further meetings have been held with the developers and their planning and highways consultants to discuss consultee feedback and objections raised by neighbouring authorities. Further detail and clarification has also been sought in relation to the local employment and training initiatives proposed as part of the development, in the light of similar proposals included as part of the applications for Thorpe Park and the city centre Victoria Gate scheme currently under consideration by the Council. These discussions are ongoing.

6.0 PUBLIC/LOCAL RESPONSE

Ward Members

6.1 A Ward Member briefing meeting was held on 18th June, and was attended by representatives from Morley North, Beeston and Holbeck and Middleton Park Wards. Members were briefed on the proposals, and the following matters were discussed:

- WRSC's current work in terms of local employment and training and community involvement noted, but current employment and training proposals need to be set out in writing, and specific in terms of the initiatives and targets for local employment and the areas where these are to be targeted. Need for appropriate monitoring arrangements.
- Objections received from neighbouring authorities.
- Public transport proposals, including existing deficiencies in links between different parts of South Leeds, rather than into/out of city centre, and need for improvements to focus on these deficiencies.
- Traffic concerns relating to Dewsbury Road and Elland Road at peak times. Clarification sought regarding combined impact if WRSC and new office building at the Office Park are both approved and implemented.

- Off-site car park – Need to consider Green Belt implications and potential benefits compared with existing vacant buildings and lawful scrap yard use.

- 6.2 Councillor Gettings, Morley North Ward, has written in support of the two applications on the basis that the proposals would enhance the quality of life for local residents, and that the provision of additional staff car parking off-site would allow customers to park nearer the Centre.
- 6.3 Councillor Varley and Councillor Elliott, Morley South Ward, have written in support of the proposals on the grounds that they would bring a much needed leisure facility, and greater retail capacity, and would provide local people with greater opportunities for employment.
- 6.4 Councillor Gabriel and Councillor Ogilvie, Beeston and Holbeck Ward, have written in support of the two applications on the basis that the additional retail provision and new cinema would be positive for the area. They also note that the proposals could result in the creation of up to 1000 jobs, and that they are keen to ensure that as many of these as possible benefit local residents, particularly in the LS11 area.

Morley Town Council

- 6.5 The Town Council Planning Committee have objected to the application for extensions to the centre, making the following comments:
- Out of centre development contrary to policy – potential impact of retail, restaurants and cinema, on Leeds, Wakefield and Bradford city centres.
 - Parking and highway safety:
 - Increased floorspace and reduced parking provision on site.
 - Decked car parking not brought forward as part of application.
 - Cinema likely to generate increased visitor numbers and cause longer-stay parking on site.
 - Note that electronic car park signage now implemented, but previous experience of tail-backs as customers drive round looking for spaces.
 - Increased traffic – northern roundabout appears to be at capacity. Problems for buses leaving the centre.
 - Safety concerns if mall is closed on an evening and customers have to walk around the centre to bus station in the dark.
 - Note that application is outline, some of buildings appear ‘boxy’. However, inclusion of large full height windows in Primark extension is more positive than blank curtain walling which makes up much of this elevation at present.
 - Replacement of coach parking with car parking is welcomed, as is better segregation of delivery vehicles and pedestrians around Primark area.
- 6.6 The Town Council Planning Committee have advised that they support the provision of additional staff parking as a proposal in isolation, in order to alleviate existing problems, particularly at peak times, but that they do not believe that the number of spaces proposed would be sufficient to provide for or justify the increased floorspace proposed as part of the outline application. The following specific comments are made:
- Large increase in floorspace and new cinema, which would attract more visitors and increase long-stay parking means more spaces will be needed than just re-providing those lost.
 - Possibility of former mine shafts on site.

- Although in Green Belt, site is previously developed with a long industrial/commercial history. Removal of former industrial site and buildings, and increase in planting would be beneficial to Green Belt overall.
- Public footpaths around car park site should be safeguarded.
- Proposed pelican crossing is welcomed, but a second pelican should be provided across the main perimeter road.

6.7 In addition to the comments received from the Town Council Planning Committee, 3 of the individual Town Councillors have written in support of the proposals for the extensions to the centre and the off-site car parking, making the following comments:

- Cinema is a much-needed facility and this and additional restaurants are welcomed, as others in Leeds are difficult to access from this area.
- Additional retail capacity will allow Centre to remain competitive and vibrant – allowing Morley town centre to ‘piggyback’ on this success.
- Centre is an asset for south Leeds providing many jobs for local people. Proposals will generate additional local employment opportunities.
- Staff car parking will improve an area which is an eyesore and detracts from landscaped setting of the Centre at present.
- Do not believe that the proposals will have a detrimental impact on Morley Town Centre – may attract shoppers to Morley.

Other public response

6.8 The application for the extensions to the centre and associated works has been advertised as a major application and as a departure by site notice, posted 26th April 2013, and by press notice, published 17th April 2013.

6.9 The application for the off-site car park has been advertised as a major development, a departure and as affecting a public right of way, by site notice posted 5th July 2013, and by press notice published 10th July 2013.

6.10 Letters of support have been received from the following local organisations in response to the proposals:

- ‘Leeds2Success’
- The Hunslet Club
- Middleton St Mary’s Primary School
- Beeston Action for Families
- Middleton Elderly Aid
- Cardinal Youth Club, Beeston
- Whiterose Residents Association
- Hamara Centre, Beeston
- Morley Chamber of Trade and Commerce

6.11 These groups have made the following comments in support of the applications:

- Will strengthen links with Morley town centre, and complement existing businesses in Morley which are not available at WRSC.
- Valuable contribution to regeneration of the locality.
- South Leeds lacks a cinema, and proposals will provide a more accessible and affordable option than travelling into city centre or to other cinemas elsewhere – benefits for families, young people and elderly residents in a safe environment.

- Employment opportunities for local residents
- Believe it will not have a bad effect on city centre, and will enhance Leeds city as a whole.

- 6.12 One letter of objection has been received from a local resident, which raises concerns that the proposals to increase car parking on adjacent land, in addition to the new buildings, would be contrary to UDP policies which "encourage development in locations that will reduce the need for travel".
- 6.13 A letter has been received on behalf of a group of owners and investors in Bradford City Centre, including the developers of the proposed city centre Broadway project, the owners of the Leisure Exchange, and a number of others. This advises that they object to the application on the grounds that it would have a harmful impact on Bradford City Centre, in conflict with the National Planning Policy Framework. The letter advises that a detailed assessment of the White Rose proposals is currently being completed, to take account of the findings of the (now published) Bradford Retail study, and that further representations would be submitted.

7.0 **CONSULTEE RESPONSES**

A) **Application 13/01640/OT – Extensions to WRSC building and associated works**

Statutory

Environment Agency

- 7.1 No objections, subject to conditions.

Yorkshire Water

- 7.2 No objections, subject to conditions.

Highways Agency

- 7.3 Raise a number of concerns and request additional details in a number of respects, including the achievability of targets in the Travel Plan (TP), and details of the implications, and of any necessary mitigation measures, in the event that these are not achieved. They have issued a 'holding direction', recently extended until 31st August, stating that the application should not be determined until additional information has been submitted. Their comments are discussed in more detail in the 'Transport' section below.

Coal Authority

- 7.4 No objections, subject to conditions.

Non-statutory

Highways

- 7.5 Echo Highways Agency comments in some respects, including concerns regarding achievability of some of the TP targets and TA's reliance on these in drawing conclusions regarding the likely impact of the development. Clarification is sought on a number of matters, and further details have been requested regarding the transport and highway implications in the event that the TP targets were not achieved, and how any resultant impact might be mitigated. As further information in these respects is awaited, the traffic and parking implications of the proposals have not been fully assessed at this stage.

7.6 Further detail is sought in terms of improvements to the pedestrian link between the site and the neighbouring office park. Previous permission in 2011 required dedication of an area of land adjacent to the site to provide improvements to a cycle route. These works should be carried out as part of the current proposals.

7.7 Note that discussions have taken place with Metro and bus operators regarding improvements to public transport provision. These should include extension of services into the evening, and improving services in areas of identified deficiency, such as Middleton.

Public Transport

7.8 A contribution of £672,510 is sought, in accordance with the Public Transport and Developer Contributions SPD. Envisage that the contribution agreed would be spent on works to improve on-site facilities at the White Rose for public transport, improvements to bus services serving the centre, and to off-site infrastructure which would be of benefit to those services and passengers going to the WRSC.

Travelwise

7.9 As raised by the highways officer and the Highways Agency, the mode split targets are considered to be ambitious, and the TP should be developed further to incorporate details of measures to be implemented in the event that these targets are not met, and how these would be funded.

Metro

7.10 No objections in principle. The introduction of greater activity in the evening and will require changes to the bus hours of operation to allow bus users (visitors and staff) to access the cinema/restaurant facilities. The proposed funding for improvements to the bus station is welcomed. This may include covered waiting areas, additional seating and revised signage throughout the centre. The installation of Real Time information displays within the centre has been secured through the previous permission in 2011, and is currently undergoing testing, after which it is proposed to install this in the Centre.

7.11 Passengers accessing and leaving the bus station from the north (primarily to/from the Office Park) should be provided with a clear and direct route to prevent them from walking across the operational bus reversing area at the bus station.

7.12 Discussions have been held between the developer, Metro and the bus operators in relation to potential improvements to services. These are likely to include increasing the hours of operation of existing services into the evening, and improving links to parts of south Leeds by extending existing routes. Further discussions will be needed in this respect, in addition to agreeing the level of funding through a Section 106 Agreement.

Access Officer

7.13 No comments received.

LCC Retail Consultant

7.14 Initial comments have been received from the Council's retail consultant, which will be updated and finalised once the applicants have responded to the representations received. The proposals are assessed on the basis that 83% of the A1 floorspace is proposed as extensions to the existing Debenhams and Primark stores, rather than as general retail floorspace. These issues are considered in more detail below.

Employment Leeds

- 7.15 Submitted documents need to specify and quantify employment targets for both the construction phase of the development and for end-users, with projected timelines. Early dialogue with Employment Leeds would be beneficial to identify the skills and job role levels. Documents also need to define what is meant by 'local' area, as target wards differ between documents.
- 7.16 A single point of contact at the centre, with responsibility for managing the processes and procedures for targeting job opportunities at 'local people' and engaging with Employment Leeds and other partners, should be identified.
- 7.17 A meeting to discuss the matters raised is suggested.

Flood Risk Management

- 7.18 No objections, subject to conditions.

Environmental Health

- 7.19 No objection.

Contaminated Land

- 7.20 No objections, subject to conditions.

Licensing

- 7.21 No objections.

Public Rights of Way

- 7.22 A number of rights of way close to the site should remain open and available for use at all times. Opportunities for improvements to nearby rights of way, through S106 contributions/obligations, are identified. These comments have been brought to the applicant's attention and a response is awaited.

West Yorkshire Police Architectural Liaison Officer

- 7.23 It is noted that the application is in outline rather than detailed form. Guidance is provided on various aspects of design and security which are intended to inform the detailed design of the scheme.

Air Quality Management

- 7.24 No objections. Electric vehicle charging points should be provided.

Environment Policy

- 7.25 No comments received.

Response received from adjoining authorities

Kirklees Council

- 7.26 Together with Wakefield and Bradford Councils, Kirklees have jointly commissioned an appraisal of the applicant's Economic Development Assessment (EDA). This raises a number of queries regarding the methodology and findings of the EDA. Kirklees have raised concerns regarding the potential for the proposals to harm the vitality of their existing centres, and advised that they are unable to fully comment on the implications until the concerns raised in their appraisal have been addressed, and that they therefore cannot support the proposals at this stage. They request the opportunity to comment further upon receipt of a revised/updated EDA from the applicant.

Wakefield Council

7.27 Wakefield have responded along the same lines as Kirklees and have requested additional/revised details in the light of the queries raised in their jointly-commissioned appraisal of the EDA.

Bradford Council

7.28 On the basis of the applicant's EDA and the findings of the jointly-commissioned appraisal of this, Bradford have advised that they strongly object to the application on the grounds of the proposals' impact on Bradford city centre, other town centres in the Bradford District, and planned in-centre investments, including the Broadway scheme in Bradford city centre and a forthcoming shopping centre in Keighley. Various concerns raised regarding assumptions in the applicant's EDA and conclusions regarding the impacts of the proposals. In particular, they consider that the applicant's EDA underestimates the level of trade likely to be diverted from Bradford, Kirklees and Wakefield, and does not adequately address the implications of the proposals on planned investments and regeneration projects in existing centres. In common with Kirklees and Wakefield, Bradford have also requested that the applicant's EDA is revised to take account of their comments, and advised that they intend to provide further detailed comments in the light of this.

B) Application 13/02684/FU – Off-site staff car park

Statutory

Environment Agency

7.29 No comments received to date.

Yorkshire Water

7.30 No comments received to date.

Highways Agency

7.31 No objection, subject to the provision of the off-site parking spaces being linked by condition or legal agreement to the development of the Centre.

Coal Authority

7.32 No objection, subject to conditions.

Non-Statutory

Highways

7.33 As additional information is awaited in relation to the parking and traffic implications of the outline application proposals, it is not possible to comment fully on the proposed level of car parking provision at present. The application should not be considered or determined in isolation from the outline application for extensions to the centre, and should be linked by condition or legal agreement in the event that both are to be approved. A number of site specific matters relating specifically to the car park proposals have been raised, and have been forwarded to the applicant, from whom a response is awaited.

Travelwise

7.34 The development of the car park must be linked to the application for the shopping centre, and the TP should refer to this.

Access Officer

7.35 No comments received to date.

Public Rights of Way

7.36 Public footpaths adjacent to the site should be open and available for use at all times. Resurfacing of a footpath adjacent to the beck is requested as this is likely to have increased use.

Flood Risk Management

7.37 No objection, subject to conditions.

Contaminated Land

7.38 No objection, subject to conditions.

Air Quality Management

7.39 No comments received to date.

West Yorkshire Police Architectural Liaison Officer

7.40 A number of concerns and queries have been raised regarding the security of the proposed car park, including:

- The area is remote and has little natural surveillance.
- How would access to the car park be controlled? The proposals indicate that the car park is proposed for staff use only, but there do not appear to be any details in terms of barriers etc.
- The site is adjacent to a number of public footpaths. Boundary treatments will be key in terms of ensuring the security of the site. Further details in this respect would be appreciated.
- The whole area should be monitored by a CCTV system.
- The area should be well-lit during hours of darkness, which will assist the effectiveness of CCTV and in reducing the fear of crime. It is noted that the lighting is only proposed to be operational during the working hours of the centre. Concern that some staff may be returning to their vehicles or arriving outside of these hours.

8.0 PLANNING POLICIES:

Development Plan

8.1 The development plan for Leeds is the Leeds Unitary Development Plan Review 2006 (UDP)

8.2 The WRSC site is unallocated in the UDP. The following UDP policies are relevant to the consideration of the proposals:

GP5 – General planning considerations

GP7 – Planning obligations

GP11 – Development must ensure that it meets sustainable design principles

N12 – Urban design principles

N13 – Design of new buildings

N23 – Open space around built development

T2 – New development and highway safety

T2B – Submission of Transport Assessments

T2C – Requirement for Travel Plan

T2D – Public transport contributions

T5 – Access for pedestrians and cyclists

T6 – Provision for disabled people
T9 – Public transport
T24 – Parking
S5 – Criteria for major out-of-centre retailing proposals
BD5 – New buildings, design and amenity
BD6 – Extensions and alterations to existing buildings
SP7 – Priority to be given to enhancement of the City Centre and town centres

- 8.3 The area of land to the south of the centre, where the off-site staff car park is proposed, is designated as Green Belt in the UDP. The northern part of the site, around Cotton Mill Beck, is within Flood Zone 3. The following UDP policies therefore relate to this aspect of the proposals:

GP5 – General planning considerations
N33 – Green Belt
N49 – Nature conservation
T2 – Highways
LD1 – Landscaping

- 8.4 The Natural Resources and Waste Development Plan Document (DPD) was adopted in January 2013, and now forms part of the Development Plan. This document includes a number of policies relevant to the consideration of the proposals, as follows:

MINERALS3 – Surface Coal resources
AIR1 – Management of Air Quality and inclusion of low emission measures
WATER1 – Water efficiency, including incorporation of sustainable drainage
WATER6 – Flood Risk Assessments
WATER7 – Surface water run-off
LAND1 – Contaminated land
LAND2 – Replacement tree planting

Draft Core Strategy

- 8.5 The draft 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 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State for examination and an Inspector has been appointed. It is expected that the examination will commence in September 2013. As the Council has submitted the Publication Draft Core Strategy for 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.
- 8.6 There are a number of key principles identified in the draft Core Strategy that are of relevance to the White Rose Centre's current proposals, including:
- The adoption of the centres first approach to all uses considered to be main town centre uses and the requirement for sequential assessments and consideration to be given to the impact of any out-of centre retailing on the City Centre, other district centres and centres beyond Leeds' boundaries;
 - The requirement for developers to enter into local labour and training agreements through planning obligations; and
 - The requirement for new development to be accessible and adequately served by the existing highway network, by public transport, and with safe and secure access for pedestrians, cyclists and people with impaired mobility.

- 8.7 With regard to the development of out-of-centre retail schemes, the draft Core Strategy states that:

Out of centre shopping retail parks do not perform the role of a city, town or local centre, as they lack the broad range of facilities and services which should be available within such centres. Nevertheless major out-of-centre retailing is a feature of most regional economies, usually associated with the regional city. Such retail parks provide a valuable part of the wider retail offer and make a significant contribution to the local economy and as a source of employment. It is not in the interest of the local economy that such centres should be allowed to decline. In recognition of the important role of such retail parks it is considered that some element of the retail capacity identified in the Core Strategy could be acceptable in established retail park locations where this is clearly demonstrated not to compromise the centres first approach, including consideration of the impact on centres beyond the Leeds boundary. Such proposals should be considered within the context of the delivery of major retail proposals in the City Centre (Trinity and Eastgate).

- 8.8 The draft Core Strategy, at paragraphs 4.2.4 and 4.2.5, also makes reference to the development of a number of new city centre retail schemes within the city and the wider region/sub-region, including Trinity and Eastgate in Leeds, Trinity Walk in Wakefield and Westfield in Bradford, and to the need to have regard to the completion of these developments and their implications for retail trends within the region.

Supplementary Planning Documents

- 8.9 The following SPDs are relevant to the consideration of the application:

- Street Design Guide
- Public Transport and Developer Contributions
- Travel Plans
- Building for Tomorrow Today: Sustainable Design and Construction

Investment Strategy for South Leeds

- 8.10 Drawn up by Leeds City Council in partnership with key business interests in the south Leeds area and in consultation with local community groups, Ward Members, service providers and other stakeholders, the Investment Strategy for South Leeds aims to summarise the issues, opportunities and challenges facing South Leeds and the aspirations of these groups for the future. It is intended as a document identifying opportunities for actions to benefit the area and local residents, and to inform and influence future planning strategy and investment decisions and support the preparation of the Core Strategy and the subsequent site allocations document.
- 8.11 The Investment Strategy identifies high unemployment and poor access to services, facilities and job opportunities as being some of the main issues facing local people, who placed a high priority on the provision of better connections, particularly by public transport to areas such as Middleton, Belle Isle and Morley to provide better access to amenities and employment opportunities for these communities. This was supported by the private sector, who included enhanced and efficient public transport and skilled local labour amongst their key priorities.
- 8.12 Opportunities for improvements and actions in the south Leeds area identified within the strategy include:

- Exploiting the potential of White Rose/Millshaw as a public transport hub (including the possibility of a new rail halt) and shopping and leisure attraction with better facilities for young people and those working in the area.
- Concentrating services and facilities in accessible places (i.e. existing centres) and making them transport nodes.
- Improved public transport, including improvements to bus service frequency and routing to better connect residential areas, local centres and employment areas across south Leeds.
- Better connections east to west across the Dewsbury Road valley, especially for buses, walkers and cyclists, including an improved network of cycle/pedestrian routes.
- Major investments in skills, training and education, including local employment initiatives and programmes.

8.13 The strategy identifies a number of medium and long term investment opportunities for the area, which include the potential intensification of uses around the White Rose Centre and Office Park, including additional retail, office, leisure and evening economy uses. Whilst generally supported by the Council's Executive Board, it was noted by Executive Board Members in a report on the Strategy in July 2011 that this would be contrary to national planning policy, and any additional development at White Rose would therefore need to be considered in the context of securing further investment in the City Centre and in adjoining district centres such as Morley, Middleton and Beeston, and the impact on these centres, as well as others in the Leeds City Region, would need to be carefully assessed.

National Planning Policy Framework

8.14 The National Planning Policy Framework (NPPF) was published on 27th March 2012 and replaces previous Planning Policy Guidance/Statements in setting out the Government's planning policies for England and how these are expected to be applied. One of the key principles at the heart of the Framework is a presumption in favour of Sustainable Development.

8.15 The NPPF supports the centres first approach, and states that local planning authorities should 'recognise town centres as the heart of their communities and pursue policies to support their viability and vitality' (paragraph 23) and apply a sequential approach to the consideration of applications for town centre uses that are not in existing centres. It also advises that 'plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised (paragraph 34) and that developments should be designed to 'give priority to pedestrian and cycle movements, and have access to high quality public transport facilities' (paragraph 35). The Framework places great emphasis on the importance of good design as a key aspect of sustainable development.

9.0 MAIN ISSUES

A) Application 13/01640/OT – Extensions to WRSC and associated works

1. Principle of development – retail policy
2. Transport
3. Local Employment and Training
4. Design
5. Section 106
6. Other issues

B) Application 13/02684/FU – Off-site car parking

1. Principle of development – Green Belt
2. Transport
3. Visual amenity and landscaping
4. Crime and security
5. Nature conservation
6. Viability
7. Other issues

10.0 APPRAISAL

A) Application 13/01640/OT – Extensions to WRSC and associated works

Principle of development – Retail policy

- 10.1 The proposals would result in a significant increase in retail floorspace on this out-of-centre site, in conflict with the centre first approach advocated in UDP and the more recent guidance in the NPPF and draft Core Strategy. UDP policy S5 refers to major retail development outside designated centres, stating such development would not normally be permitted unless:
- It is of a type that cannot be accommodated in existing centres
 - It is demonstrated there will be no adverse effect on vitality and viability of existing centres.
 - It addresses qualitative and/or quantitative deficiencies and in the case of food shopping would create a new centre to meet the needs of local residents.
 - It is readily accessible.
 - It does not entail use of land designated for housing or employment.
- 10.2 The NPPF also seeks to focus retail and other main town centre uses, including leisure uses such as cinemas, in designated centres with out of centre sites only being considered suitable if more central locations are not available. A sequential approach should be applied and impact assessments are necessary to fully understand the impact on existing centres.
- 10.3 The draft Core Strategy notes that out-of-centre retail areas provide ‘a valuable part’ of the wider retail offer of the city and the regional economy and acknowledges the significant contributions that such areas can make to the local economy and as a source of employment. It indicates that some element of the retail capacity identified in the Core Strategy could be acceptable in established retail park locations, however this would only be the case where this was ‘clearly demonstrated not to compromise the centres first approach, including consideration of the impact on centres beyond the Leeds boundary’ and that such proposals would also need to be considered within the context of the delivery of major retail proposals in the city centre, including Trinity and Eastgate.
- 10.4 In the light of the above, a critical part of the consideration of these proposals relates to their impact on Leeds city centre, on town and local centres around the White Rose centre such as Morley, and on centres beyond the Leeds boundary including Wakefield and Bradford city centres and nearby town centres in Kirklees. In addition to existing developments, regard also has to be given to planned investment in these centres.

- 10.5 Detailed applications have recently been submitted for the first phase of the 'Victoria Gate' development in Leeds City Centre. These proposals include A1, A3 and A5 uses, leisure uses and a casino. Although outline permission has been granted for the wider scheme, there are no current proposals for the second phase of the development, although it is understood that this will include further retail, restaurant/bar uses and may include a cinema. The city centre has also seen new retail and leisure development at the Trinity shopping centre, the first phase of which opened earlier this year. This includes a Primark store and Everyman cinema. The second phase of Trinity is currently under construction and scheduled to open later in the year. Leeds city centre has an existing multi-screen cinema in The Light, in addition to the recently-opened and more specialist Everyman Cinema in the Trinity centre. Leeds also has a number of out-of-centre cinemas.
- 10.6 In Wakefield city centre, the Trinity Walk development and an extension to The Ridings shopping centre have recently been implemented, and both Primark and Debenhams have existing stores in Wakefield city centre. Bradford city centre has an existing Primark store, and Debenhams are understood to have recently confirmed their commitment to a store as part of the forthcoming Broadway development. Both Bradford and Wakefield also have cinemas within or on the edge of their city centres.
- 10.7 Letters have been received from these three neighbouring authorities, and from a group of developers and investors in Bradford city centre, indicating their objection to the proposals, raising a number of concerns regarding the methodology of the applicant's EDA, and seeking further information, indicating their intention to provide further comments once this is received. Both Bradford and Wakefield Councils have also recently published up to date retail studies, which have been provided to the developer.
- 10.8 As some of this information, particularly the up to date retail studies, have only recently been provided, neither the applicant nor the Council's retail consultant have had the opportunity to fully consider these. An initial response has been provided by the developer, and forwarded to the neighbouring authorities. Their comments on this are awaited, and a full response from the developer is anticipated once further feedback is received from neighbouring authorities.
- 10.9 The majority of the retail floorspace proposed relates to extensions to the existing Debenhams and Primark stores. Although these two operators are not named as part of the application, the proposals and their likely impacts have been assessed on the basis that the majority of the floorspace would serve as extensions to existing 'anchor' stores, rather than as general A1 retail floorspace. Because of the large amount of floorspace proposed, this would be likely to have different implications for existing centres if it were to be provided as separate smaller units, or if it were to be subdivided for general A1 use in the future. In the light of this, and as the application has not been considered on this basis, further details and assurances have been sought from the developer as to how they intend to control this floorspace and prevent its subdivision or severance from the large department stores in the future. This may take the form of a planning condition or clause within a Section 106 agreement.
- 10.10 Three smaller A1 units are proposed adjacent to the proposed Debenhams extension. The implications of these and of the proposed cinema and catering units are also being considered as part of the wider development proposals.

- 10.11 The Council are currently also in the process of considering an outline application for a mixed-use development including offices, retail and restaurant uses, a hotel and leisure uses in an out-of-centre location at Thorpe Park in east Leeds. In addition to considering the individual impacts of the two applications in isolation, the cumulative impact of the two proposed developments is also currently being assessed and considered.
- 10.12 **In the light of the initial comments received, what are Members' thoughts about the proposal to increase the level of retail floorspace and introduce a new cinema use at the White Rose Centre?**
- 10.13 **What assurances do Members feel should be sought from the developers in terms of ensuring that the principal elements of the retail proposals are delivered as extensions to the existing large 'anchor' stores, and preventing their subdivision in the future in order to protect planned investment in Leeds city centre and adjoining local authorities?**

Transport

- 10.14 Many of the highways and transport issues arising from the scheme relate to both applications, and are covered in this section. Specific details relating to the staff car park application are covered in part B of this section below.
- 10.15 The main issues raised in pre-application discussions with the developers related to the implications of the proposed development in terms of traffic generation and parking requirements, and the opportunity to provide improvements to public transport facilities, cycling and pedestrian accessibility around the site and the wider area. A TA has been submitted as part of the application, which includes an assessment of the traffic generation and parking implications arising from the scheme. The application is also accompanied by a Travel Plan which identifies targets for modal shifts away from car-based travel to alternative means of transport for both staff and customers, together with measures to achieve these, including:
- A staff car parking strategy which aims to promote alternative methods of travel among staff, and to restrict staff parking to those car parks furthest from the centre (including the off-site car park), allowing the more convenient and popular car parks to remain available for customer use.
 - Public transport improvements
 - Improvements to pedestrian and cycle access
 - Promoting car sharing
 - Promotion of alternative modes of travel e.g. cycling and public transport.

Public transport linkages and opportunities for enhancement

- 10.16 The South Leeds Investment Strategy found a number of deficiencies in public transport, cycle and pedestrian linkages across the south Leeds area, with particular reference made to the poor connections between the site and areas in high unemployment in Middleton and Belle Isle, and identifies improvements as key priorities for the area. Amongst the aspirations in the Strategy is the potential for the creation of a White Rose public transport hub, providing improved access not only to the White Rose Centre itself, but also enhanced linkages to the neighbouring White Rose Office Park and other nearby office developments, improving access to the retail and employment opportunities they provide for residents of the south Leeds area.

- 10.17 In accordance with the Public Transport SPD, a contribution of £672,510 has been sought. The developers highways consultant has been involved in discussions with Metro and bus operators First and Arriva to identify existing deficiencies in public transport linkages and how these might be addressed as part of the application, and to explore the potential to extend some services into the evening to cater for the cinema use. These discussions are ongoing and further details are anticipated.
- 10.18 The provision of real-time bus information at the centre was secured as part of the 2011 outline application. This is currently undergoing testing and is likely to be implemented shortly. Improvements to the WRSC bus station, such as the provision of enhanced waiting areas, seating and signage, as well as suggestions regarding enhancements to linkages between this and neighbouring office developments have also been discussed with the developers. In the light of the increases in floorspace and reduction in parking provision proposed at the centre, improvements in these linkages and in the facilities and provision of information at the existing bus station, with a view to encouraging the use of public transport to both the White Rose Centre site and across the wider area, are critical to the consideration of the application.

Parking and impact on the local highway network

- 10.19 As noted above, the proposed extensions would be constructed on areas of existing car parking, with the resultant loss of around 670 of the centre's existing 4697 parking spaces. These spaces would be re-provided through a combination of reconfiguring existing parking areas on site, and the creation of a new car park to the south of the site, proposed as part of the accompanying application.
- 10.20 Whilst the re-provision of existing spaces is proposed, the applications do not propose any additional parking for the extended centre beyond the replacement of these lost spaces. The developers have provided a TA in support of their application, which include an assessment of the traffic generation and parking implications arising from the additional retail floorspace and the new cinema and catering units proposed.
- 10.21 The developer's TA concludes that, on the basis that the 'the extensions are not anticipated to generate significant volumes of additional traffic on the surrounding highway network' and that 'if the full Travel Plan targets are achieved, traffic flows associated with the centre will reduce below current levels.'
- 10.22 The Highways Agency and highways officers have raised a number of queries and concerns regarding some of the details and conclusions of the TA and the TP. In concluding that the proposals would have no additional impact on the highway network, the TA's relies heavily on the achievement of modal shift targets in the TP. However, highways, Travelwise and the Highways Agency have advised that some of these targets, particularly those for customers, are very ambitious, and raised concerns about the potential increased impact on the local highway network if these were not achieved.
- 10.23 In the light of the concerns raised, further clarification has been sought from the developers in regarding certain aspects of the TP, the TA and the staff parking management plan. Further details have also been requested in terms of what the implications on the highway network would be in the event that these measures were not as successful as proposed, and of mechanisms for addressing or mitigating any problems which may arise if the targets were not met.

Pedestrian and cycle linkages

10.24 In the light of the aspirations in the South Leeds Strategy to create a public transport 'hub' at the WRSC and improve pedestrian linkages between the bus station and surrounding employment sites, the proposals include improvements to the pedestrian route which links the site to the neighbouring White Rose Office Park. As the application is in outline only at this stage no further specific details in this respect have been provided, however proposals to improve pedestrian routes and connectivity to the WRSC site are also proposed as part of a current application for a new office building at the Office Park. It has therefore been suggested to both developers that they and their architects meet to discuss the proposals in this respect with a view to achieving a comprehensive and joined-up scheme spanning the two sites. Officers have offered to arrange a meeting, and a response from the developers is currently awaited.

10.25 The Section 106 agreement for the 2011 permission included an obligation to dedicate an area of land alongside Dewsbury Road to the north east of the centre to provide an improved cycle route. In the light of the significant amount of additional floorspace now proposed, and the ambitious TP modal shift targets upon which the proposals rely, highways have requested that this cycle route is now carried out and implemented as part of the development, secured through the Section 106 agreement. This has been referred to the developer and a response is awaited.

10.26 Do Members want assurances that there would be no further significant impact on the local highway network as a result of the development, particularly at peak periods, for example at Christmas and on match days?

10.27 Do Members support an integrated approach to the development of the bus station to serve the WRSC and the neighbouring Office Park, together with associated improvements to infrastructure and footpath links?

10.28 Do Members support the provision of improved bus services to local labour market areas with high levels of unemployment, as identified in the South Leeds Investment Strategy, such as Middleton Park, Beeston and Holbeck and Morley?

Local employment and training

10.29 The developer has advised that the proposed development would create around 1000 jobs (600 FTE). The Investment Strategy for South Leeds identifies high unemployment and poor access to services, facilities and job opportunities as key issues facing South Leeds residents.

10.30 In this context, and in the light of the local employment and training proposals which have been put forward for similar schemes within the city, including the Victoria Gate and Thorpe Park schemes, detailed advice on this matter was provided to the developer at pre-application stage. This highlighted the need for the following information:

- a detailed draft local employment and training strategy – an example/template strategy document was sent to the applicants for guidance regarding its format
- Identification of a named contact at the Centre to be responsible for the implementation of the Employment and Skills Plan and liaison with tenants, construction contractors, Employment Leeds etc.
- Separate and specific targets and obligations relating to the construction phase and the 'end-user' phase of the development.
- Provision for liaison with local education bodies and employment agencies.

- Provision of 'pre-employment' training – making use of the on-site training centre, The Point – to provide local people with, e.g. interview skills, to allow them to take advantage of the employment opportunities arising from the development.
- Identification of target Wards, likely to include Morley North, Morley South, Middleton Park, Beeston and Holbeck, Ardsley and Robin Hood, and City and Hunslet.
- Monitoring arrangements.

10.31 The draft local employment and training strategy submitted as part of the application included details of the wide range of community and educational initiatives in which the developers are currently engaged in South Leeds, including through the on-site training centre, The Point. However, whilst recognising the existing work in this respect and providing relatively detailed information regarding the proposals for local employment initiatives relating to the construction phase, the scheme lacked much of the information which had been requested at pre-application stage, and was not considered to adequately address other matters in relation to how end-users would be engaged to ensure that local employment opportunities would be achieved post-completion, including the setting of targets and monitoring arrangements for this stage of the development as well as the construction phase.

10.32 Following further discussions with the developers, a supplementary Employment and Training Contract has now been submitted. Employment Leeds have provided initial comments on this, re-iterating a number of previously raised comments relating to the identification of targets for local employment during both the construction and end-user phase, and the identification of target areas. It is anticipated that these are to be discussed in more detail with the developers at a meeting in the near future.

10.33 Are Members supportive of the request for further detailed and specific information as detailed in the points above, and is there any further information which Members feel should be included in the strategy?

Design and landscaping

10.34 The parameter plans for the development detail the scale parameters of the proposed buildings in terms of their height and footprint, and define customer entrance points, areas of public realm, and key active frontages and windowed elevations. These have been reviewed by design officers and whilst some specific issues in relation to the detailed design of the scheme have been identified, the approach in terms of the indicative scale and layout of these extensions is generally supported.

10.35 Detailed landscaping proposals would be submitted as part of a reserved matters application. However the submitted details advise that car park trees which have recently had to be removed because of poor health will, in some cases be replaced with native species in surrounding verges, and in others will be replaced with more appropriate species as part of a longer-term strategy for the gradual replacement of trees within these areas. Other trees and vegetation across the site are to be retained, and new trees are proposed around the new extensions.

10.36 Other public realm enhancement are proposed within the site, including the removal of the coach parking bay to the west and the reorganisation of this area to provide a larger area of public space, with tree planting, and form a wider and more prominent entrance leading into the cinema and restaurant area.

- 10.37 Following feedback from Members at the pre-application presentation to Plans Panel, the developers have also agreed to provide public realm enhancement in the form of additional planting and landscaping outside the houses on the opposite side of Dewsbury Road opposite the site. Subject to agreeing details of these matters, these aspects of the proposals are considered to be acceptable.
- 10.38 The supporting documents submitted with the application include details of sustainable design and construction measures aimed at minimising the energy consumption and carbon footprint associated with the development. The submitted details advise that the development will achieve BREEAM level 'Very Good', with an aspiration to meet 'Excellent' 'if viable.' They also advise that the development will 'seek to meet 10% of its...energy load from low carbon energy.' Specific details of how it is intended to achieve this have not been provided, although it is indicated that this is likely to include Combined Heat and Power and Ground Source Heat pumps. The submitted details also make reference to water saving measures, drainage design and choice of construction materials in seeking to minimise the impact of the development in this respect. These have been discussed with the Council's sustainable construction officer prior to the submission of the application, and comments on the submitted details are awaited.
- 10.39 **What are Members' thoughts on the parameter plans and are there any other matters which Members feel these should cover?**
- 10.40 **Do Members have any comments or suggestions regarding the design of the proposals, in particular the scale and layout of the proposed extensions?**

Section 106 Obligations

- 10.41 The developers have submitted Heads of Terms as part of the application, detailing the measures which they propose to incorporate within a Section 106 application in the event that the application were to be approved. These are as follows:
- Public transport contribution – specific improvements to bus services etc likely to be specified.
 - Local employment and training
 - Improvements to pedestrian route between the bus station and the White Rose Office Park site.
 - Improvements to on-site bus station.
 - Public realm improvements/landscaping to the area of land outside the houses on the opposite side of Dewsbury Road to the east.
- 10.42 A number of other matters have arisen out of the consultation responses, which may also form part of a Section 106 agreement, and which have been brought to the developers' attention. These include:
- Travel Plan and monitoring fee
 - Upgrading of public rights of way adjacent to the site
 - Provision of cycle route along the north eastern section of the site frontage
 - Restriction of additional A1 floorspace (except three smaller A1 units) for use solely as extensions to existing large stores, and preventing its subdivision or letting as other A1 floorspace.
- 10.43 **What are Members' thoughts regarding the obligations suggested by the applicants, the additional obligations identified in paragraph 10.42, and are**

there any further requirements which Members feel should be included in the draft Section 106?

B) Application 13/02684/FU – Off-site staff car park

Principle of development – Green Belt

- 10.44 Although part of the proposed car park site benefits from a Lawful Use Certificate for a car breaker's yard, and other parts of the site have previously been developed, the site is in the Green Belt, and the policy tests in the UDP and the NPPF in relation to development in the Green Belt apply to the consideration of the scheme.
- 10.45 Car parking is not one of the categories of development which UDP policy N33 identifies as acceptable in the Green Belt, and it therefore constitutes 'inappropriate development'. Case history in the courts has supported the categorisation of open car parking as inappropriate development, as in the case of R (on the application of MICHAEL JOHN ELLIOTT) v FIRST SECRETARY OF STATE (2007), and its impacts on the Green Belt must be considered in the light of this.
- 10.46 The NPPF states that 'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.' It goes on to advise that
- when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.*
- 10.47 The developer's supporting statement advises that, on the basis that the proposals relate to a previously developed site in the Green Belt and that no buildings are proposed – in fact buildings are proposed to be removed – the proposals would have no significant impact on the openness or purposes of the Green Belt and therefore are not inappropriate. Whilst this is noted, the application seeks to change the use/redevelop the land into a car park, a use which is not within the categories set out in policy N33, and which is therefore inappropriate, and has been held to be so in other cases.
- 10.48 In anticipation of this, the applicant's statement goes on to say that, even in the event that the proposals were to be considered as inappropriate development, they feel that very special circumstances exist which would outweigh the harm to the Green Belt as a result of the development. In summary these are as follows:
- The proposals would result in a less intensive use of the site than the current lawful use, and would result in the removal of derelict buildings, thus reducing the impact on openness.
 - The proposals would improve the appearance of the site by removing temporary fencing, advert hoardings and areas of scrubland and damaged hardstanding, and providing additional landscaping and improved surfacing.
 - The proposals will remove existing access points onto Dewsbury Road, with the only public access to the site being from the WRSC internal perimeter road, thereby improving highway safety.
 - The car parking will support the expansion of the WRSC, which will provide a large number of entry-level and part-time jobs that are accessible to local people most at risk of unemployment.

- The erection of car parking decks within the site as was originally included in the pre-application proposals, has not proved to be financially viable. If the proposals are to be delivered and the local employment benefits realised, this therefore relies on the provision of additional car parking on this site.
- 10.49 As inappropriate development, the creation of car parking in the Green Belt, including not just the areas of hardstanding but also the ancillary features such as lighting columns, security cabins etc, can have an impact on openness. This is in addition to the visual implications of having large areas of car parking within areas of open land. In considering the implications in this respect, it is necessary to consider these impacts in the light of the lawful and former uses of the site.
- 10.50 The fact that a development would 'tidy up' a site, is not in itself considered to constitute very special circumstances. There are many sites in areas of Green Belt which may have fallen into dereliction or disrepair, and where this argument, if accepted here, could be repeated. However, in considering the particular circumstances of the application site, a number of matters are noted, which must be weighed in the balance in considering the implications of the development for the Green Belt. The southern area benefits from a certificate of lawful use as a breakers yard, and there are existing areas of hardstanding and a building on site related to this use. If intensively used for this purpose, this could result in large numbers of scrap vehicles being stored/stacked on the site, with associated implications for both the visual character and the openness of the Green Belt. In this respect, the creation of car parking on this part of the site is unlikely to have a significantly greater impact in terms of openness and amenity than the existing lawful use.
- 10.51 The development would result in the removal of the building from the scrap yard site, as well as the larger office/warehouse building from the northern part of the site, providing some benefit in terms of openness in this respect. It is noted that much of the northern part of the site, around the former office building, is surfaced with hardstanding, and that whilst the eastern part of the site – formerly a petrol filling station – has been disused for a considerable period and has become overgrown, concealing the impacts of this former use to some extent, there is still some evidence of its use.
- 10.52 Whilst removing existing buildings from the site and providing some additional planting and landscaping, the proposed development would result in an increase in hardstanding overall across the site, removing trees from around the beck area to create the access, and would still have an impact on openness, which needs to be taken into consideration.
- 10.53 The developer has also put forward as 'very special circumstances' the fact that the proposed car park is required as an integral part of the proposed extensions to the WRSC itself, without which the proposed development, with its associated investment and employment, would not be brought forward, as it would be unviable for the developer to provide decked car parking on site as was proposed pre-application. The implications of the proposed development in terms of its impact on existing centres, highway safety etc are still under consideration, and at this stage therefore it is not possible to conclude whether the benefits of the development outweigh concerns in this respect, or are sufficient to justify the proposed inappropriate development in the Green Belt. Furthermore, whilst some viability information comparing the cost of providing decked car parking with that of the off-site parking proposed was provided pre-application, this has not been submitted for as part of the application. This would need to be submitted if it is to be used as part

of the developer's case for 'very special circumstances.' This is considered in more detail below.

- 10.54 Concerns were raised pre-application that, even if it were to be accepted that very special circumstances did exist to justify the proposed development, the establishment of a WRSC car park on this land could lead to pressures for the further extension/encroachment of the shopping centre further to the south in the future, which would be contrary to GB policy and objectives, applicants have advised that they would include a clause in s106 agreeing no further applications for development on this land for 5 years.
- 10.55 At this stage, in the light of the above, Members' views are sought on the following matters:
- 10.56 Do Members consider that the developers should provide a financial viability statement in support of their case which seeks to define 'very special circumstances' in relation to the inappropriate Green Belt development proposal, in accordance with the advice provided previously?**
- 10.57 What assurances do Members feel should be sought in terms of restricting the use of this land and preventing its further development in future?**

Transport

- 10.58 The transport issues relating to the wider development are covered in more detail above. The highways officer has raised a number of matters relating to the specific layout and access arrangements of the proposed, which have been relayed to the developer and are awaiting their response.
- 10.59 Whilst the comments of Morley Town Council are noted, both the highways officer and the highways agency have advised that the development of car parking on this land is not considered acceptable in isolation (i.e. as a stand-alone proposal independent of the proposed extensions to the shopping centre), since without the proposed extensions there would be no justification for additional parking at the centre, and this would be contrary to sustainable transport and travel planning aims and policies, which seek to reduce car use. Both have therefore advised that, in the event that permission were to be granted, the two applications must be linked, by condition or legal agreement, to prevent one being carried out without the other.
- 10.60 In some representations, it has been suggested that as well as upgrading the existing zebra crossing on the car park access road to a pelican crossing as part of improving pedestrian access from the proposed car park to the centre for staff, a second crossing should also be provided on the perimeter road. This suggestion has been passed to the highways officer for consideration as to whether this could work in practice, in terms of whether the creation of a crossing could lead to vehicles entering the centre from the dual carriageway having to stop at this point, and the potential for queues to form as a result.
- 10.61 Further information has been requested in relation to the pedestrian routes from the car park to the centre, and measures to encourage their use by staff and try to allay concerns regarding the safety and security of staff and vehicles using the car park and access routes, particularly at night.

- 10.62 Do Members support the provision of a management plan for the car park and pedestrian routes to the centre, setting out measures to encourage its use by staff and ensure their safety and security in using these areas?**

Visual amenity and landscaping

- 10.63 The site is in the Green Belt and is surrounded by open land to the south and west. Whilst it is noted that parts of the site are previously developed and/or benefit from a lawful use certificate, the creation of car parking on this land would increase the amount of hardstanding across the site which, together with the associated structures such as lighting columns etc, and the parking of vehicles on this site, would have an impact on its character and appearance. However, this has to be weighed against the site's existing layout and character, which includes disused buildings, metal palisade fencing, overgrown vegetation and damaged hardstanding. A number of measures have been proposed which seek to mitigate and minimise the impact of the proposed development, and a detailed landscape impact assessment has been submitted in support of the application.
- 10.64 The measures proposed include the removal of hardstanding and vehicular access points along the Dewsbury Road site frontage and the creation of a landscaped embankment around 1.5m high which aims to screen views into the car park from vehicles travelling Dewsbury Road. The retention of a belt of trees immediately behind this initial section of parking along the site frontage would serve to screen views of the remaining car parking areas in the rear part of the site, as the land rises away from Dewsbury Road. The removal of hardstanding and its replacement with soft landscaping along this frontage would be of benefit to its visual amenity, as would the demolition of the prominent disused office building and other buildings from the site.
- 10.65 A number of trees are proposed to be removed from the site in order to facilitate the creation of the access, the culvert across the beck, and the provision of a pedestrian route through the site. However, additional tree planting is proposed within the car parking areas. The details of this, together with the landscape impact assessment provided by the developer, are currently under consideration and comments are awaited from the landscape section.
- 10.66 The submitted details advise that in order to minimise the impact of the lighting proposed as part of the development, the lights would only be operational during the operating hours of the car park (until 9pm on weekdays, 7pm on Saturday and 5pm on Sunday). However, as concerns have been raised by the ALO, as noted below, about the implications of this for staff working and requiring access to the car park later, if working late at the cinema/restaurants for example, further information has been sought in this respect.
- 10.67 What are Members' views regarding the impact of the proposed car park on the character of the area, and is there anything further Members would like to see included in terms of landscaping and screening of the proposed development?**

Crime and security

- 10.68 The police Architectural Liaison Officer (ALO) has raised a number of queries and concerns regarding the safety and security of the proposed off-site car park, and suggestions for measures which could be incorporated into its design. These have been passed onto the applicants. Amongst these comments, the ALO has noted the

proposal that the lighting within the car park would be switched off outside of Centre opening hours (times of 9pm on weekdays, 7pm on Saturdays and 5pm on Sundays are cited), and has raised concerns that there may still be use of the car park outside of these hours by staff leaving the centre later, if working at the cinema for example, or starting work earlier. Further clarification in this respect has been sought.

- 10.69 During pre-application discussions regarding the proposed car park, concerns were raised by officers that its remote and relatively secluded location could deter its use by staff because of concerns regarding the security of their vehicles, and their own personal security, particularly if leaving the centre alone late at night for example.
- 10.70 Further details were received from the applicants in response to the concerns raised, providing more information regarding the layout of the route and measures aimed at improving security and reducing the fear of crime within these areas. These included:
- Lighting and CCTV to be provided along entire pathway
 - CCTV cameras around car park, linked to shopping centre's existing CCTV system.
 - Construction of pedestrian shelters en route to encourage 'buddy walkers'.
 - Issuing of panic alarms to staff.
- 10.71 The submitted details advise that CCTV and lighting would be provided within the car park, but in the light of the concerns raised by the ALO, further details in this respect have been sought.
- 10.72 Are there any further measures, beyond lighting and CCTV as proposed, that Members feel would be appropriate in terms of ensuring the security of the car park, and of staff using this area, particularly late at night?**

Nature Conservation

- 10.73 As the site is surrounded by trees and open land, it is within an area identified as having a higher than average likelihood of bat activity. A bat survey of the buildings to be demolished has therefore been requested, and is understood to be being carried out on behalf of the applicants. In the meantime, detailed comments have been received from the nature conservation officer, who has advised that the bat survey should be extended to cover any trees which are to be removed as part of the proposals. He has also requested that investigation be carried out into the possibility of water vole activity along the area of the beck which is proposed to be culverted as part of the scheme, together with details of mitigation measures in relation to the findings in respect of any bat or water vole activity, and a biodiversity enhancement plan for the site. These requirements have been relayed to the developer and a response is awaited.

Viability of decked parking

- 10.74 During pre-application discussions, and at the time of the pre-application presentation to Plans Panel in October, the scheme for extensions to the centre included proposals for the provision of decked car parking on site to re-provide some of the parking which would be lost from the site as a result of the extensions. However, in the later stages of these pre-application discussions, the alternative scheme to provide car parking in this off-site area instead of providing decked car parking on site was submitted, together with detailed calculations which sought to

demonstrate that the need to provide decked car parking on site would make the extensions scheme unviable. This has now been put forward as part of the applicant's 'very special circumstances' in seeking to justify the development of the off-site car park in the Green Belt.

- 10.75 These viability calculations have not been submitted as part of the application, but as these are relied upon as part of these 'very special circumstances' by the developer, the application cannot be considered fully in the absence of this information, and the developer has been requested to provide these details formally as part of the application.
- 10.76 In reviewing these details pre-application, it was noted that the conclusion that the provision of decked parking on-site would make the scheme unviable relies on an assumption that the majority of the additional A1 retail floorspace would be rented at rates associated with the use of this space as extensions to existing large department stores, rather than as general A1 floorspace, which is likely to generate higher rents. If this space were to be subdivided in the future, this may mean that the viability case upon which the developer's justification for the development of the off-site car park in the Green Belt partially relies, would no longer apply. In the light of this, and as the subdivision of this space for general A1 use would also raise additional implications in relation to the impact of the development on existing centres as discussed above, it is recommended that a condition or clause in the Section 106 be included if the applications were to be approved, preventing the subdivision of this floorspace in the future.

11.0 CONCLUSION

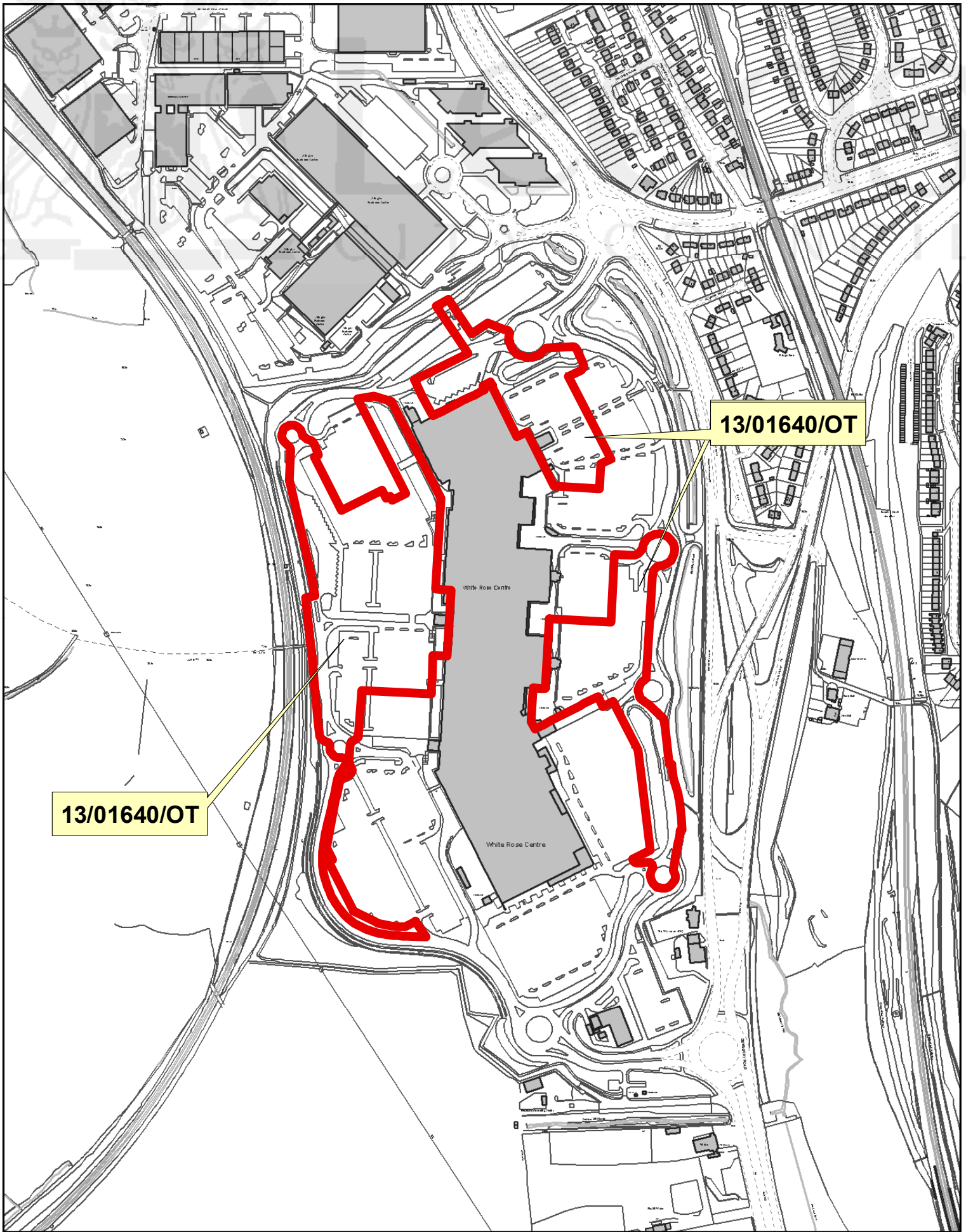
11.1 Members are asked to note the contents of the report and the presentation, and are invited to provide feedback on the issues outlined below:

- 1. In the light of the initial comments received, what are Members' thoughts about the proposal to increase the level of retail floorspace and introduce a new cinema use at the White Rose Centre?**
- 2. What assurances do Members feel should be sought from the developers in terms of ensuring that the principal elements of the retail proposals are delivered as extensions to the existing large 'anchor' stores, and preventing their subdivision in the future in order to protect planned investment in Leeds city centre and adjoining local authorities?**
- 3. Do Members want assurances that there would be no further significant impact on the local highway network as a result of the development, particularly at peak periods, for example at Christmas and on match days?**
- 4. Do Members support an integrated approach to the development of the bus station to serve the WRSC and the neighbouring Office Park, together with associated improvements to infrastructure and footpath links?**
- 5. Do Members support the provision of improved bus services to local labour market areas with high levels of unemployment, as identified in the South Leeds Investment Strategy, such as Middleton Park, Beeston and Holbeck and Morley?**
- 6. Do Members support the request for further detailed and specific information as detailed in the points above, and is there any further information which Members feel should be included in the strategy?**
- 7. What are Members' thoughts on the parameter plans and are there any other matters which Members feel these should cover?**
- 8. Do Members have any comments or suggestions regarding the design of the proposals, in particular the scale and layout of the proposed extensions?**
- 9. What are Members' thoughts regarding the obligations suggested by the applicants, the additional obligations identified in paragraph 10.42, and are there any further requirements which Members feel should be included in the draft Section 106?**
- 10. Do Members consider that the developers should provide a financial viability statement in support of their case which seeks to define 'very special circumstances' in relation to the inappropriate Green Belt development proposal, in accordance with the advice provided previously?**
- 11. What assurances do Members feel should be sought in terms of restricting the use of this land and preventing its further development in future?**
- 12. Do Members support the provision of a management plan for the car park and pedestrian routes to the centre, setting out measures to encourage its use by staff and ensure their safety and security in using these areas?**

- 13. What are Members' views regarding the impact of the proposed car park on the character of the area, and is there anything further Members would like to see included in terms of landscaping and screening of the proposed development?**
- 14. Are there any further measures, beyond lighting and CCTV as proposed, that Members feel would be appropriate in terms of ensuring the security of the car park, and of staff using this area, particularly late at night?**
- 15. Are there any other matters which Members wish to raise or other information Members feel is necessary as part of the applications?**

Background Papers:

Application files - 13/01640/OT & 13/02684/FU,
Certificates - Notice served and signed on behalf of applicant.

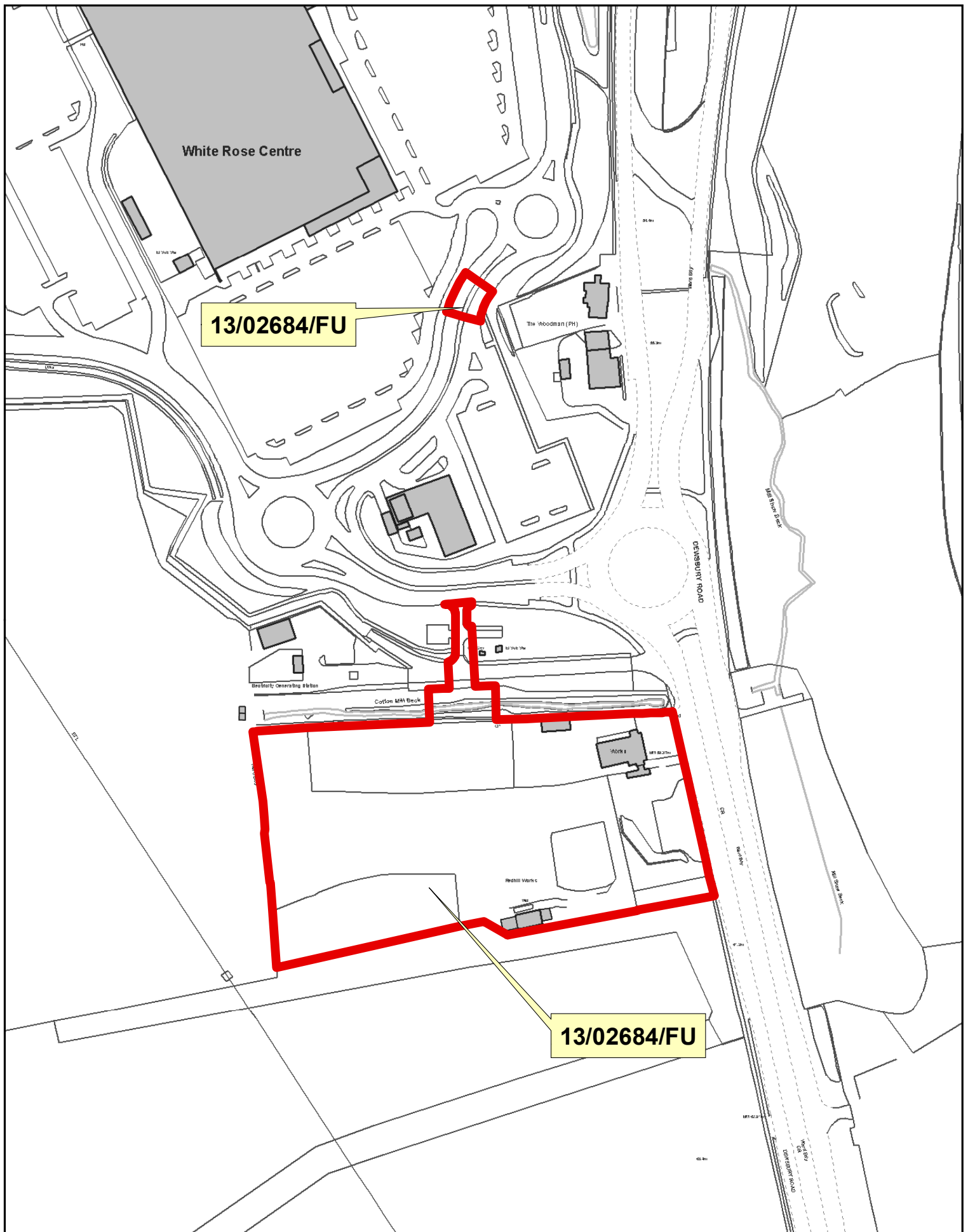


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