Summary of main issues

1. In 2012 as an exception to planning policy, twelve temporary commuter car parks with a combined total of 3,443 spaces were granted temporary planning permission on cleared sites in the City Centre. The temporary period of 5 years comes to an end in March 20171 and it is expected that several of the landowners will want to renew the permissions with extended time periods pending the sites coming forward for development. The purpose of this report is to put in place an approach to manage this process, within the context of wider City Council objectives.

2. A number of policy objectives fail to be considered in coming to a balanced conclusion on this issue – including the needs of business, the regeneration of the wider city centre, aspirations for modal shift to sustainable transport and the environmental implications. The development of a strategy for air quality management and the need for transport mitigation measures is also a critical emerging factor.

3. Through the adopted Parking SPD, the Council is committed to reduce the number of long stay commuter spaces on a managed basis, informed by a review of public transport provision, including investments in the city for park and ride development, new rail franchises and the development of the new West Yorkshire bus strategy. This report sets out the conclusions of the review and suggests an approach to dealing with the renewal of planning applications in a consistent way which achieves broad policy objectives and respects individual site circumstances. This approach would be a material consideration in dealing with the applications. This policy will only apply to

1 With the exception of the Tetley Brewery site which expires in August 2017
those 12 car parks which were granted consent and which have since met the requirements of planning conditions about amenity and environmental improvements.

Recommendations

4. Executive Board is recommended to agree the approach set out below, as a material consideration in the determination of any renewal planning applications for the 12 temporary City Centre commuter car parks approved in 2012:

i. Subject to the full range of planning considerations appropriate for each site, renewals of consent on the sites previously granted temporary planning permission will be favourably considered in principle for a further period of up to 5 years from April 2017.

ii. In each case there will be an expectation that developers will continue to bring forward the sites for development as soon as possible, and that as a result car parking will remain a temporary and diminishing use of the site.

iii. Each consent will include conditions and/or be subject to a S106 agreement to set out a phased programme of reducing long stay commuter spaces as improvements in public transport come forward and in light of landowner’s own development plans during the life of the extended permission.

iv. The Council will reserve the right to take enforcement action if appropriate phasing reductions are not met, and to refuse to grant further renewals in due course if it considers that development is not progressing as expected.
1 Purpose of this report

1.1 The purpose of this report is to set out an approach to dealing with planning applications which may be expected to extend the temporary planning permissions given for up to 12 cleared sites in the City Centre to be used for commuter car parking, contrary to planning policy. The temporary period comes to an end in March 2017. Executive Board is asked to endorse this approach as a material consideration for determining the renewal of planning applications.

2 Background information

2.1 Within the wider context of City Council objectives to improve public transport (cycling and walking), promote the regeneration of the City Centre and to support ‘place making’, in 2010, Leeds’ planning service was successful in taking enforcement action against a number of unauthorised commuter car parks on cleared development sites in the City Centre. Landowners had appealed and cases were heard by the Planning Inspectorate, but the appeals were dismissed. Thus under planning policy of the Unitary Development Plan, the Council had appeal precedents to use enforcement powers to end the unauthorised use of a number of commuter car parks.

2.2 However, the Council recognised that clearing the car parks would have had a negative effect on business and the City Centre economy at a time of recession and the individual users who relied on the car parks being available. Consequently, in September 2011 Executive Board approved a temporary policy which would enable the Council to grant temporary planning permission for up to 3,200 commuter car parking spaces during a limited period providing that sufficient visual, environmental and safety improvements were made to the individual sites. This was considered to be a pragmatic step to help City Centre business weather the recessionary economic conditions and in recognition that public transport infrastructure improvements had not been forthcoming (despite the City Council’s Transport Strategy and Planning Policy commitments).

2.3 Temporary 5 year planning permissions were subsequently granted in 2012 for twelve surface car parks, with a total of 3,443 long stay car parking spaces. These permissions are now coming up for renewal before they expire in 2017. These sites are all proposed for, or have extant planning consents, for built development including office and residential uses (some of which is expected to contribute to the City’s five year housing supply requirement). Guidance is proposed to help determine renewal applications in a consistent manner and to support the wider management and enhancement of the City Centre.

2.4 Strict adherence to adopted City Council planning policies is likely to lead to planning consents not being granted. It is the case that several of these sites are now actively being brought forward for development, including: Dandara (which is under development for 744 new homes), CEG (not currently available for public parking), Tetley (outline application being brought forward by Vastint), MEPC (pre-application discussions on buildings 7 & 8), Whitehall Riverside, (TCS pre-application discussions for office & multi storey car park). It is therefore likely that the natural development momentum will manage out a significant number of these
temporary spaces. However, mindful of the effects of closing the 12 city centre commuter car parks on local businesses within this vicinity (particularly in the Holbeck South Bank area where a number of the car parks are located), a wider and more balanced transitional arrangement to the position outlined in the adopted SPD is considered to be desirable. Any such approach will also need to have regard to the ongoing development of new park and ride capacity in particular.

2.5 Such an approach is especially important given the commitments set out in the Best Council Plan (BCP) (2015-20). A series of BCP priorities (including: ‘Supporting economic growth and access to economic opportunities’, ‘Improving air quality’, ‘Helping to deliver a well-connected transport system’ and ‘Enhancing the quality of our public realm and green spaces’, together with Breakthrough Projects (including: ‘Cutting carbon and improving air quality’ and ‘...a vibrant City Centre that all can benefit from’), provide an overarching framework for the delivery of a range of concurrent objectives.

3 Main issues

3.1 Policy Context

3.1.1 The desire to manage City Centre car parking, within the wider context of the City Council’s Transport Strategy, is also embedded within relevant planning policy and guidance. This is now set out in the adopted Core Strategy 2014, complemented by the Parking Supplementary Planning Document (SPD) 2016. Relevant parts of Policy T1 of the Core Strategy state:

“To complement the provision of new infrastructure the Council will support the following management priorities:

iii) Parking policies controlling the use and supply of car parking across the City:

   a) To ensure adequate parking for shoppers and visitors to support the health and vitality of the City and Town Centres;

   b) Delivering strategic park and ride for the city which supports the City Centre vision and provides greater traveller choice;

   c) To support wider transport strategy objectives for sustainable travel and to minimise congestion during peak periods;

   d) Limiting the supply of commuter parking in areas of high public transport accessibility, such as the City Centre.”

3.1.2 Policy T1 is clear that car parking for shoppers and visitors is supported but car parking for commuters should be limited in the City Centre. This is reinforced by Policy LPP3 of the SPD which, according to paragraph 6.6.4 of the SPD, is necessary to minimise congestion during peak periods and support sustainable travel. Relevant parts of LPP3 are set out as follows:

LPP3: PROPOSALS FOR CAR PARKING ON VACANT OR CLEARED SITES WILL BE CONSIDERED AS FOLLOWS:
i.  CORE CAR PARKING POLICY AREA:  

ii.  ...there will be a presumption against the use of vacant or cleared sites for commuter parking. Non commuter parking will generally be acceptable ...

3.1.3 Of particular relevance are paragraphs 6.6.2 and 6.6.3 of the supporting text to Policy LPP3. Here the decision to grant temporary planning permission for the 12 cleared site car parks is noted. Paragraph 6.6.3 states,

“By the time the temporary permissions end in 2017, a review will have taken place to assess the public transport provision at that time and reduce the number of cleared site parking spaces on a managed basis.”

3.1.4 The focus of this report to Executive Board therefore, is to set out the conclusions of this review and to propose how a reduction in parking spaces could be managed.

3.1.5 It should also be noted that planning policy also gives recognition to the importance of planning decisions supporting a competitive local economy, helping to support the growth of Leeds and Leeds City Centre at the heart of the Leeds City Region. This is noted in the Core Strategy in the Spatial Vision (paragraph 3.2), policy on the Role of the City Centre (Policy SP3) and policy setting out Leeds’ Economic Development Priorities (Policy SP8). It is also noted in the policy section of the SPD which summarises the importance of the Leeds Growth Strategy.

3.2  Sustainable Transport

3.2.1 Longer term vision and policy is for the growth of Leeds City Centre to be achieved with an increasing reliance on sustainable transport. As outlined in para. 2.5 above, the Best Council Plan wants to promote economic growth that is sustainable and has a breakthrough project to cut carbon emissions. The Core Strategy also seeks sustainable growth, limiting the supply of commuter parking in the City Centre, and with the Parking SPD providing the detail and referring to a managed reduction in cleared site commuter parking.

3.2.2 The West Yorkshire Transport Plan is very much about promoting sustainable transport as part of a balanced approach to achieving a transport system that supports the economy, connectivity and communities. Lastly, the Government is requiring Leeds to implement a Clean Air Zone (Low Emission Zone) by 2020 to address major issues with air quality. Members will note that a range of sustainable transport improvements are outlined in a separate report on this agenda which aim to make a step change in the quality of public transport and reduce the impact on air quality. Therefore, the Council needs to continue to develop positive solutions and to harness the opportunities which arise from them.

3.3  Air Quality

3.3.1 The potential need for a Clean Air Zone has been identified, but it will be important that a sound package of non-regulatory mitigation measures is developed now ahead of any eventual CAZ requirement. This will need strategies for promoting travel behaviour change; cleaner and ultra-low emission vehicles; and alternative
fuels. Car parking, especially in the city centre, is a component of the transport strategy and travel demand that will be an important consideration in this process for influencing future choices for more sustainable and low pollution travel modes. Ultimately it has to be recognised that meeting Air Quality is a legal obligation.

3.4 Assessment of Public Transport Provision

3.4.1 When considering the rate at which the 3443 commuter car parking spaces should be removed it is important to consider the interrelationship between commuting by car and commuting by other modes.

3.4.2 The key transport infrastructure investments that overlap with the timescale of the temporary car parks will be the opening of park and ride sites, opening of new train stations with parking, opening of City Station Southern Entrance and provision of additional commuter train rolling stock. Elland Road park and ride opened in 2014 and has been expanded to 800 surfaced spaces with the potential to utilise further overspill spaces beyond that. The new Aire Valley Leeds park and ride site at Temple Green is due to open in summer 2017 with 1000 spaces; stations that have opened at Apperley Bridge and Kirkstall Forge provided 600 parking spaces in 2016.

3.4.3 Since the temporary permissions were granted in 2012, additional seating has already been provided on rail services into Leeds with over 3,000 additional morning peak seats being provided by Autumn 2014. In addition, under the new rail franchise agreements new rolling stock will provide an additional 40% capacity on Northern services and 52% additional seating on Transpennine services into Leeds during the morning peak period by the end of 2019. This is equivalent to capacity for an additional 13,000 passengers – a 50% increase above current (Autumn 2015) levels. This will be rolled out over a number of years with the Dec 2017 timetable bringing additional capacity for some 2,200 passengers. A timeline that details improvement in public transport against the supply of parking is detailed in Appendix 1.

3.4.4 The new Southern Entrance is demonstrating significant improvements to Holbeck South Bank for access, where several of the 12 car parks are located. The context for considering renewals of the car parks is one of significantly expanding public transport commuting alternatives. The replacement of NGT with £173.5m funding has little immediate effect because NGT was not expected to be completed until post 2020. However, the City Council and its partners are actively exploring what the future transport improvements could entail through the ongoing transport conversation in the city and development with West Yorkshire Combined Authority of proposals for the funding earmarked by the Department of Transport for the city and the initial proposals for transport improvements are outlined separately on this agenda.

3.4.5 Whilst acknowledging the data shows that there is a numerical justification for the reduction, it is worth acknowledging that, since the Southern Entrance and Elland Road Car Park opened, the car parks in the South Bank remain virtually full on

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2 LCC spot surveys indicate usage at 90-95% of capacity in recent years, although the March 2016 shows a fall to below 90% for the first time – down to 80% including the Globe Road sites.
weekdays, with fly-parking also becoming a problem. However, this position needs to be viewed against an overall reduction in the number of spaces in these car parks due to closures\footnote{Ingram St (278 spaces) has closed as a result of the consent for housing granted to Dandara where development has commenced on site. Globe Rd sites are now Asda employees only with Globe Rd C (200 spaces) virtually unused}. Indeed, the number of cars parking has fallen from over 3,000 to around 2,600 by March 2016 – see Table 1 below. Nevertheless, any changes to provision will need considered engagement with residents and businesses to explain the change and to promote alternative methods of transport.

Table 1: Cleared site peak weekday accumulation from LCC spot surveys

<table>
<thead>
<tr>
<th>Date</th>
<th>Peak accumulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mar 13</td>
<td>2910</td>
</tr>
<tr>
<td>Sep 13</td>
<td>2930</td>
</tr>
<tr>
<td>Mar 14</td>
<td>3120</td>
</tr>
<tr>
<td>Sep 14</td>
<td>3300</td>
</tr>
<tr>
<td>Mar 15</td>
<td>2780</td>
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<tr>
<td>Sep 15</td>
<td>2840</td>
</tr>
<tr>
<td>Mar 16</td>
<td>2630</td>
</tr>
</tbody>
</table>

Note: excludes Tetley short stay

3.4.6 Census travel to work data for 2011 indicates that workers in the Holbeck South Bank area do travel by car slightly more than the city centre average, though not significantly so (51% compared with 46%). Rail usage in 2011 was higher than average (even before the Station Southern Entrance opened) and bus use lower. Nevertheless, there remains a need, as the South Bank regeneration framework sets out, to significantly improve and enhance public transport options across the South Bank as well as a clear parking strategy. Whilst beyond the scope of this report, work is being progressed to address wider transport needs of the South Bank area.

3.4.7 In reaching conclusions on the review of public transport provision, in terms of numbers alone the quantity of public transport alternatives for City Centre commuters eclipses the number of commuter car parking spaces (3,443) under consideration here. By summer 2017 there will be 2,400 park and ride parking spaces, including new suburban train station parking spaces\footnote{Suburban train station parking spaces are additional to spaces already existing on the local rail system}. By the end of 2019 there will be additional capacity for 13,000 more commuters on trains coming into Leeds in the morning peak period, and completion of the station Southern Entrance will be particularly helpful for commuters to Holbeck South Bank area. This would suggest that the managed reduction of the 3,443 commuter parking spaces should be relatively rapid. It is recognised that the planned alternative public transport provision may not be directly appropriate for use by all current users of the cleared site car parks, nevertheless, it will be relevant to users of other city centre commuter car parks and will therefore be expected to free up spaces in these car parks for use by displaced users of the cleared sites. This is the position according to current planning policy. However, a number of other factors need to be weighed in the balance.
3.5 **Park and Ride**

3.5.1 LCC and WYCA are making a considerable (£14.7m) investment in park and ride sites at Elland Road and Aire Valley Leeds. This investment could be undermined by permitting the continuation of cheap long-stay car parking in the City Centre.

3.5.2 Despite the benefit of new park and ride investment, there is a perception that park and ride does not serve Holbeck South Bank very well. It is the case that park and ride users get free travel on the Leeds CityBus service which expands the coverage of the park and ride further into the north of the city centre. It is also a fact that the Elland Road park and ride route passes close to the Holbeck South Bank area, giving as good access as many areas in the City Centre, but there are currently some community safety, legibility and amenity issues associated with the Holbeck South Bank. Therefore the Council needs to continue to be proactive in responding to such perceptions and to tackle positive steps to help resolve them.

3.6 **Economic Considerations**

3.6.1 Currently, there remains a nervousness and degree of uncertainty about the national economic outlook and, as a consequence, the pace of development and growth. Whilst the outcomes cannot be forecast, there is a risk that development sites may not come forward in intended timescales, whilst existing businesses may also encounter issues. For stalled development sites, there is a risk of seeing cleared sites where there was once parking, at the same time as businesses are raising concerns about the level of car parking provisions as a legitimate commercial reason for lack of business. Nevertheless this needs to be viewed alongside the scale of new investment in public transport especially rail which is set to increase significantly over the next five years.

3.7 **Impact on housing land supply**

3.7.1 The impact of extending car park permissions on the Council’s 5 year land supply also needs to be considered. Most of the sites are expected to deliver housing as part of permanent developments during the 5 year period of 2016/17 – 2020/21 (see Appendix 2). Members are asked to note that the Dandara site in Holbeck has recently commenced construction of 744 new homes which is a boost to the delivery of the city’s housing target. These sites are integral to the spatial priorities for regeneration and growth, set out in the Core Strategy. As such it is important that landowners do not see commuter car parking as a long term use for these sites which might establish expectations about current use values and militate against viable redevelopment and the delivery of the council’s housing targets.

3.8 **Car parking contributing to public realm activity**

3.8.1 In the short term and in the context of the existing cleared development sites in some parts of the South Bank, if car parks are closed down this would reduce the benefits of people generated activity in fringe areas of the City Centre. People walking to and from the car parks can enhance natural surveillance and bring a positive atmosphere to the surroundings. In terms of the different ways to reduce car parking spaces, an option to close more centrally located car parks completely but permit others would negatively affect the areas where car parks are closed. If
the alternative option of a percentage reduction of the spaces on all car parks were adopted, this would help maintain a level of activity for all areas.

3.8.2 There remains some concern that if a percentage of the long stay car parking is taken out of the car parks, this could create a visual impression of vacancy. This would be worse for sites where permanent development is not expected for longer periods (see Appendix 2). Therefore, the City Council should make clear that the car park operators will be able to apply to replace long stay spaces with short stay which would be supported by Council policy. These would need to be restricted in terms of both maximum stay and opening times so that they are not available to morning peak commuters.

3.9 The inter-relationship with short-stay car parking

3.9.1 Since the on-street car parking spaces in Holbeck South Bank have been given over to long-stay parking, the popularity and high occupancy of these spaces means that they get parked up early in the day and limit opportunity for short stay parking at other times. This has given rise to some complaints from local businesses that visitors cannot easily park. If the long stay spaces of the cleared site commuter car parks in the area were reduced this would open up the possibility of these spaces being used for short stay.

3.9.2 There have been discussions with the Council’s Parking Services about the possibility of some on-street long stay parking spaces being removed and replaced on Council owned vacant sites instead. This would enable on-street short stay spaces to be created in place of long-stay spaces, and this can be planned to introduce the short stay spaces in locations where local businesses have a need. The SPD also allows for additional spaces to be created in the Holbeck area, and some element of this could also be made available on this Council land on a temporary basis pending finalisation of the plans for Temple Works and a permanent solution being brought forward.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 The future of the temporary car parks has been discussed in broad terms with the majority of the affected site owners and whilst they recognise that the operation of the car parks needs to be brought in line with adopted planning policy, they would want a consistent approach to be applied to all the car parks in terms of any future renewals of the temporary consents and planned reductions.

4.1.2 Consultation with businesses Holbeck will take place on proposed changes to on-street car parking once a draft proposal has been developed.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 The decision being taken concerns whether the managed reduction of the 3443 commuter car parking spaces via renewals of planning permissions would be slower or faster over the next few years. The impact of this on equality, diversity, cohesion and integration is not easy to gauge. It would be expected that the rate of
reduction would have a greater impact on disabled people who may depend more on being able to drive close to where they work. However, this is a complicated matter, with issues of proximity to the core active areas of the City Centre, issues of pricing, issues around the safety of peripheral areas for disabled people and issues of disabled parking availability at more central locations to be considered. The impact of these proposed changes therefore need to be kept under review and any currently unknown adverse consequence mitigated again through appropriate interventions.

4.2.2 An Equality, Diversity, Cohesion and Integration screening form has been completed and is attached as Appendix 4.

4.3 Council policies and Best Council Plan

4.3.1 The relationship of this issue is summarised in para. 2.5 above. The Best Council Plan 2015-20 has higher level priorities with elements that would favour a slow reduction in commuter car parking (Supporting economic growth and access to economic opportunities) and elements that would favour a faster reduction (Improving Air Quality and Percentage of city centre travel by sustainable modes). Relevant planning policy is set out in section 3 above. In summary, key policies are set out in the Core Strategy (2014) and the Parking Supplementary Planning Document (2016) and seek to limit commuter car parking provision in areas of good public transport accessibility such as the city centre. The SPD has a presumption against new car commuter car parks in the core of the City Centre which is the location of all of the car parks subject of this report, but it recognises that a review will be necessary to consider how to reduce the number of cleared site parking spaces on a managed basis, taking account of public transport provision at the time.

4.4 Resources and value for money

4.4.1 The renewal of the planning applications for the extension of use for commuter car parking should have no direct financial effect on the City Council. However a secondary effect of reducing the availability of commuter car parking on these 12 sites could be to increase demand for the Council’s own car parks and for on-street car parking. These effects need to be balanced in turn with the economic investment in the City Centre, when the former temporary car park sites come forward for development.

4.5 Legal Implications, Access to Information and Call In

4.5.1 This is a key decision and will be subject to call in. Each planning permission subject to temporary permission requesting an extension will need to be determined in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and in accordance with the NPPF and the Council’s development plan, unless material considerations indicate otherwise.

4.5.2 Enforcement Powers may be used against unauthorised car parks that are not regularised by this policy or against permitted schemes that fail to comply with planning conditions/s106 requirements.
4.6 **Risk Management**

4.6.1 There will undoubtedly be interest from other cleared site landowners to introduce commuter car parking so it is important to make clear that this arrangement applies only to the 12 car parks with temporary planning permissions.

5 **Conclusions**

5.1 The City Council, with a range of key stakeholders, community groups and agencies is seeking to deliver a wide range of economic, social and environmental objectives for the City Centre. The purpose of this is to promote an experience a City Centre which is liveable, accessible, connected, safe, environmentally sustainable and attractive to investors – in the short, medium and longer term. Within this context the City Council’s Best Council Plan, Transport Strategy and Planning Policies, form part of a wider framework to secure these objectives.

5.2 In managing the temporary car park issues outlined in this report, a series of interventions are needed to provide a balanced solution, to help meet these objectives overall.

5.3 Within this context, planning policy provides a presumption against the use of vacant or cleared sites for commuter car parking in the area that these 12 car parks are located. With regard to the temporary permissions already given, the Parking Supplementary Planning Document (2016) notes that a review will need to “…assess the public transport provision at that time and reduce the number of cleared site parking spaces on a managed basis.” The review (see Section 3 above) concludes that new public transport infrastructure is generating a much larger quantity of alternative commuting provision (some 15,400 train seats/spaces) than the number of temporary commuter car parking spaces being considered (3,443). This would point toward a relatively rapid managed reduction of the spaces.

5.4 Other factors require consideration. It is important to consider the amount of resource being invested by the Council in park and ride and the need to avoid undermining the potential success of park and ride. It is important to consider the effects on Leeds’ 5 Year Land Supply; if the managed reduction of car parking is prolonged it will influence investment also decisions in new housing development on the cleared sites. These factors would support a relatively rapid managed reduction of the commuter car parking spaces.

5.5 Set against this, however, it is also important to consider the effects on Leeds’ economy and businesses that rely upon cheap commuter car parking, particularly in Holbeck South Bank. There is uncertainty about the strength of the economy post Brexit. This factor would tend toward a slower managed reduction but this should be balanced alongside the package of mitigation measures that will need to be considered in due course to meet the predominantly transport related air quality issues identified in the city.

5.6 Overall it is suggested that a pragmatic approach would be to set out a phased programme of reducing temporary long stay commuter spaces as improvements in public transport come forward and in light of land owner’s own development plans.
6 Recommendations

6.1 Executive Board is recommended to agree the following approach set out below, as a material consideration in the determination of any renewal planning applications for the 12 temporary City Centre commuter car parks approved in 2012:

i. Subject to the full range of planning considerations appropriate for each site, renewals of consent on the sites previously granted temporary planning permission will be favourably considered in principle for a further period of up to 5 years from April 2017.

ii. In each case there will be an expectation that developers will continue to bring forward the sites for development as soon as possible and that as a result car parking will remain a temporary and diminishing use of the site.

iii. Each consent will include conditions and/or be subject to a S106 agreement to set out a phased programme of reducing long stay commuter spaces as improvements in public transport come forward and in light of landowner’s own development plans during the life of the extended permission.

iv. The Council will reserve the right to take enforcement action if appropriate phasing reductions are not met, and to refuse to grant further renewals in due course if it considers that development is not progressing as expected.

7 Background Documents

7.1 None.

8 Appendices

8.1 Appendix 1: Timeline of public transport improvements against supply of parking

8.2 Appendix 2: Status of the 12 Temporary Commuter Car Parks

8.3 Appendix 3: Maps

8.4 Appendix 4: Equality Impact Screening

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5 The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.