



Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 17 March 2011

Subject: APPLICATION 10/05745/LA Erection of replacement visitor centre with erection of detached bandstand and associated landscaping works at Middleton Park, Town Street, Middleton

APPLICANT

Leeds City Council
City Development

DATE VALID

25.01.11

TARGET DATE

22.03.11

Electoral Wards Affected:

Middleton Park



Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

GRANT PERMISSION subject to the following conditions;

1. Time limit (3 years)
2. Development in accordance with approved plans
3. Existing and proposed levels details to be submitted and agreed in writing prior to commencement of development.
4. Details of external walling to be submitted
5. Details of green roof to visitor centre to be submitted and development carried out in accordance with approved details.
6. Notwithstanding the approved plans, the bandstand shall be constructed with a green roof, details of which shall be submitted and approved in writing by the LPA prior to commencement of development.
7. Details of all surfacing materials to be submitted
8. Turning areas shown on drawing B0585OL J SD 06 rev A to be provided prior to occupation/ use of the buildings.
9. The vehicular access from the main entrance gate off Town Street, as shown on drawing B05850LJ SD 01A rev A, shall be a minimum of 4.5m wide.

10. Details of cycle parking
11. Details of motorcycle parking
12. The C.C.T.V. details shown on drawing B05850QH/E/008 A shall be provided prior to occupation of the visitor centre, unless otherwise agreed in writing.
13. Full details of all ramps/ level access to the visitor centre and band stand shall be submitted and approved in writing (to include gradients, dimensions of ramps, details of level landings, handrails, contrast nosings etc) and shall be designed in accordance with BS8300:2009 5.8, 5.9, 5.10.
14. Feasibility study should be provided into the use of infiltration drainage methods
15. Porous surfacing should be used where practicable
16. Details of works for dealing with surface water discharge to be submitted and approved
17. No piped discharges of surface water to take place until the approved drainage works have been completed.
18. Opening hours of café/ visitor centre to be restricted to 08.00 to 17.00 daily.
19. Prior to commencement of development a survey shall be provided which includes **all** trees which might be affected by the development of the bandstand, visitor centre and works to the pedestrian entrance to the park off Town Street. The survey shall include potential root zones which might be affected by levels changes, etc as well as any construction works intervention. The survey should be to BS5837 (2005) and supplied information should also calculate future 'root protection areas' accordingly.
20. Prior to commencement of development a construction method statement shall be submitted to demonstrate that the works will not affect the trees within the vicinity of the visitor centre, band stand and historical pedestrian entrance off Town Street.
21. Prior to commencement of development details of measures for the protection of existing trees shall be submitted and approved in writing by the LPA.
22. Should any trees require removal due to the development hereby approved, a detailed replacement landscape and maintenance scheme shall be submitted.
23. Prior to commencement of development details of features within the visitor centre suitable for roosting bats shall be submitted and agreed in writing and development carried out in accordance with approved details. In the interests of biodiversity enhancement.

Reason for approval

It is considered that the proposed visitor and education centre and bandstand are acceptable as they relate to the recreational function of the park and therefore the proposals do not conflict with the aims of Green Belt policy. On balance the design and siting of the proposed visitor centre and bandstand as well as the works to the entrances of the park are considered acceptable and it is considered that these works within the Green Belt do not conflict with the requirements of policies N1 and N33 of the UDP Review 2006 or national guidance contained within PPG2.

1.0 INTRODUCTION:

- 1.1 This application is brought to Panel as it is a Local Authority application to carry out works within the Green Belt and is a departure from adopted planning policy. The application proposes a new visitor centre to replace an existing visitor centre at Middleton Park together with a band stand and alterations to the main access gate off Town Street and pedestrian access gate.
- 1.2 The proposal replaces an existing visitor centre (no longer in use as a visitor centre) with an enlarged, modernized facility including education area and cafe. It is considered that the proposal will provide improved facilities for visitors to the park

and that the development is acceptable within the green belt as it relates to the function of the park itself. The application is therefore recommended for approval.

2.0 PROPOSAL:

- 2.1 The proposal is to provide a replacement visitor/ education centre and café as well as a band stand at the park together with alterations to the main entrance to the park and the historic/ pedestrian entrance both off Town Street, Middleton. The existing visitor centre is some 81 sq.m in floorspace and it is understood it is now used as an office base for Parks staff. The proposed visitor centre and the bandstand combined will have a floor area of approx 173 sq.m.
- 2.2 The visitor centre is proposed to be open between 08.30am and 3.30pm Monday to Friday and between 9am – 3pm at weekends and Bank holidays.
- 2.3 The visitor centre will also house a new office base and contact point for the Estate Officer and Parks and Countryside Officers as well as partner agencies.
- 2.4 The proposed design for both buildings is contemporary in appearance with a mixture of glazing, brick and timber for the visitor centre. Both structures are proposed to have bio diverse green roofs consisting of a structural deck, vapour control layer, thermal insulation, waterproofing membrane, drainage and protection layer, 65mm growing medium, and a planting layer of sedum.
- 2.5 The proposal also includes additional stone pillars to the main entrance to the park off Town Street opposite the junction with St Philips Avenue to provide new vehicular and pedestrian gates as well as alterations to the pedestrian access further to the west of Town Street opposite 261 Town Street.

3.0 SITE AND SURROUNDINGS:

- 3.1 Middleton Park is a 630 acre park situated in a built up urban area of south Leeds. The existing facilities and features of the park include ancient woodland and a designated nature reserve, a golf course, tennis courts, bowling green and recreational areas.
- 3.2 The site of the proposed visitor centre and band stand are on the site of the existing visitor centre and close to the former 'Lakeside Cottages' which is to the north of the bowling green and tennis courts and situated immediately to the east of the boating lake.
- 3.3 There is an existing 40 space car park to the south of the site and further parking in the car park immediately next to the main entrance to the park off Town Street.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 22/204/92 Detached visitor information centre. Approved 26.11.1992
- 4.2 There have been cottages known as 'Lakeside cottages' located in close proximity to the site of the bandstand which once provided a café facility. These cottages were demolished some time ago.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 No negotiations have taken place.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 Site notices posted 04.02.11 and expired 25.02.11.
- 6.2 Leeds Civic Trust have commented on the application stating that they greatly welcome and strongly support this application which, when it is carried to fruition will greatly enhance Middleton Park in order to attract more visitors. They do raise two reservations regarding the application;
1. It is hoped that the café will remain open until at least 4pm on weekdays and that it will be fully open at weekends as the existence of a café is a substantial attraction to potential visitors especially at the weekends.
 2. Concerns raised over removal of oak trees, if it proves impossible to save them then replacement trees should be planted in suitable locations.
- 6.3 In relation to the Civic Trust comments regarding the café usage attracting visitors to the park, there are no concerns regarding longer opening hours and therefore a condition is recommended that the centre opening hours are between 08.00 to 17.00 and it will therefore be down to the applicant and the operational requirements to decide on the hours of use between these times.
- 6.4 The tree survey submitted with the application refers to removal of oak trees; however these trees are not affected by the development proposal. It is considered that the tree survey is out-of-date and does not fully relate to the development proposed. An updated survey has been received relating to the trees in the vicinity of the development proposals, whilst this does not contain sufficient detail to ensure the trees around the site of the proposed visitor centre and bandstand will not be affected, the applicant's intention is not to remove any trees and therefore conditions are recommended as set out in the appraisal of the report which should ensure the retention of these trees.

7.0 CONSULTATIONS RESPONSES:

- Highways
- 7.1 Parking information/ survey results have been provided to assess capacity within the existing car park to deal with any additional visitors to the new facilities. The car parking survey does not detail peak use demand on Saturdays and the Sunday survey was on the 13th February which had moderate rain fall all day. However, there is approximately 75% additional occupancy in the car park for the additional peak car parking demand which is on balance acceptable for the proposals. The applicant has also stated that additional parking for events can be accommodated on adjacent grass areas to the car park.
- 7.2 In relation to the main gate entrance from Town Street, Highways advise that a 4.5m vehicular access is required and the plans are unclear as the 4.5m width includes the gate structure. Therefore a condition should be placed on the application for a clear width of 4.5m excluding the gate. Details of motorcycle parking and cycle parking provision are also required via condition.
- 7.3 Yorkshire Water
The applicant has confirmed that surface water will be to soakaway and not to the public sewer, with foul water to existing building's private drainage system. This is satisfactory to Yorkshire Water and therefore no comments are required.

7.4 Land drainage

There are no public sewers in the vicinity but private drainage exists for foul water disposal from existing building. Nevertheless it is expected that a septic tank or appropriate proprietary foul disposal system would be included for the foul runoff from the visitor centre. Approval would be required for the overflow from the proprietary foul disposal system to the nearby watercourse or fishing lake. Disposal of roof water by infiltration is considered the best method however infiltration test results with consequent soak away design would be required and the soak away should be designed in accordance with the requirements of the council's Minimum Development Control Standards. Conditions are recommended.

7.5 Environmental Health – no adverse comments

7.6 Public Rights of Way - A permissive bridleway abuts the site to the east of the existing visitor centre. No objections to the proposed erection of the visitor centre as the bridleway does not appear to be affected in any way.

Architectural Liaison Officer

7.7 The Architectural Liaison Officer has spoken with the local crime prevention officer and the Neighbourhood policing team and has raised concerns regarding the application and future security of the visitor centre.

7.8 The proposed site for the visitor centre is very remote and isolated with no formal or natural surveillance outside of the centre's opening hours and outside daylight hours. Concerns are therefore raised regarding the security of the building and bandstand. Aluminium is proposed for the bandstand roof which is a valuable metal and could become a target for thieves. Glazing in the visitor centre could be a target for vandals and thieves. The Oak Brise Soliel would not afford protection to the glass in the same manner that a full roller shutter would and could potentially offer a ladder for those intent on climbing. The external hydraulic arm on the Brise Soliel would be vulnerable to attack. The louvered aluminium ventilation or louvers external doors on the plant room are not sufficiently robust for this location. Sufficient regard has not been considered in respect of historic crime levels in the location and security.

7.9 The buildings need to be designed in an appropriate manner to resist such problems; this would need to include protection for external doors and windows, the use of suitable materials and the provision of defensible space by the establishment of a robust perimeter with monitored C.C.T.V. and a public address system. Such a perimeter could be of railing construction and need not appear 'industrial' and could be reinforced by suitable planting.

Nature Conservation Officer

7.10 The nature conservation Officer has requested that a bat survey is provided as the site is within a wooded area and the proposal includes demolition of the existing building which offers potential for bat roosting features. A survey has been requested from the applicant. Notwithstanding the results of any bat survey the new building should incorporate features suitable for roosting bats as a biodiversity enhancement. This is supported by UDP policy N51 and PPS9.

7.11 The nature conservation officer also recommends that consideration is given to the use of a green roof to the bandstand which would help to assimilate the building with its parkland setting. The applicant has agreed to amend the scheme to incorporate a green roof.

8.0 PLANNING POLICIES:

- 8.1 The development plan includes the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006) (UDP). The RSS was issued in May 2008 and includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development. In view of the relatively small scale of this proposal, it is not considered that there are any particular policies which are relevant to the assessment of this application.

Planning Policy Statement 1: Delivering Sustainable Development
Planning Policy Guidance Note 2: Green Belt

GP5: General criteria for development.

N1: Greenspace.

N8: Urban Green Corridor.

N12: priorities for urban design

N13: design & new buildings - requires all new buildings to be of high quality and have regard to character and appearance of surroundings.

N28: Historic parks and gardens on the English Heritage Register will be afforded protection from any development which would materially harm their historic interest.

N32: Green Belt.

N33: Development within the Green Belt.

N39: Protection of wildlife and habitat resources

N51: Enhancement of wildlife habitats

T2: Highway considerations

T24: Parking requirements

LD1: Landscaping schemes

9.0 MAIN ISSUES

1. Principle
2. Highways
3. Landscape
4. Design
5. Security issues

10.0 APPRAISAL

1. Principle

- 10.1 The application site is designated Greenspace by policy N1 of the Unitary Development Plan Review (2006) and is within the Green Belt as designated by policy N32. There is a presumption against inappropriate development in the Green Belt, as set out in PPG2 and Policy N33 of the UDP Review (2006) allows only for the development of uses compatible with Green Belt purposes unless very special circumstances can be demonstrated. Policy N1 of the UDP Review (2006) advises that development of land identified as Greenspace will not be permitted for purposes other than outdoor recreation unless the need in the locality for Greenspace is already met and a suitable alternative site is identified.
- 10.2 One of the aims of green belt policy set out in PPG2 is to provide opportunities for outdoor sport and outdoor recreation in urban areas. PPG2 advises that the construction of new development in the Green Belt is inappropriate unless it is for the purposes specified in PPG2, one of which is essential facilities for outdoor sport and

outdoor recreation. In relation to essential facilities, para. 3.5 of PPG2 advises that they should be genuinely required for uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it. Examples of such facilities include small changing rooms and unobtrusive spectator accommodation or stables.

- 10.3 Whilst the proposed visitor centre does not fall under one of the examples of essential facilities set out in PPG2, it is considered that the erection of a visitor/ education centre including park offices and café will not conflict with the purpose of including the land within the Green Belt as it is an associated use to the Park which is an appropriate use in the Green Belt. The visitor centre and bandstand will enhance the recreational use of the park. The building will replace an existing visitor centre albeit with improved facilities and therefore an enlarged building. The bandstand together with the visitor centre will be some 173 sq.m and this is 92 sq.m larger than the existing visitor centre alone. Whilst this is a notable increase in size it is considered that the bandstand is a separate feature of the park and whilst this will be an additional structure in the green belt, it will provide an additional facility in this popular part of the park which will add to the recreational function of the park. The visitor centre itself is also larger than the existing building however the new visitor centre will house a 89 sq.m café and learning space and kitchen area, which will be a new facility and will take advantage of its location overlooking the boating lake. The building will also house toilets, a bin store and store area for park equipment together with a 20sq.m office area.
- 10.4 The size of the building is considered acceptable in relation to the uses it will house. The bandstand itself is proposed to be located on an open area at present, which was previously occupied by the 'Lakeside cottages'. It is considered that it is appropriate to locate the bandstand close by to the visitor centre and café in order to provide increased surveillance and to benefit from linked activities in the park.
- 10.5 On balance, it is considered that the proposal will not impact significantly on the openness of the Green Belt and does not conflict with the purposes of including the land within the Green Belt. It is also considered that there is a justifiable need for the buildings in connection with activities within the park. It is therefore considered that the proposal relates to an appropriate use within the Green Belt and is therefore not considered to conflict with guidance contained in PPG2 and UDP Review (2006) policy N33 – Development in the Green Belt, and is not contrary to the provisions of policy N1 – Greenspace, as the development relates to the function of the park itself.

2. Highways

- 10.6 A parking survey has now been provided of the existing car park closest to the visitor centre and whilst this does not include a Saturday it shows that the maximum current use of the 40 space car park on the days surveyed (Sunday to Thursday) still provides a significant level of available capacity and therefore Highways have advised that there are no objections to the proposal. In terms of the alterations to the access gates from Town Street a condition is required to ensure that this maintains a width of 4.5m excluding entrance structures.

3. Landscape

- 10.7 An update to the tree survey submitted with the application has been received. This is not of sufficient detail to ensure that the works will not impact on not only the mature oak tree (T1) and mature sycamore tree (T5) in the immediate vicinity of the visitor centre which are considered to be the most important trees, but also a group of sycamores and mixed conifer trees (G7 and G8) to the north of the proposed bandstand. A condition is therefore required that a fully comprehensive survey is

submitted prior to commencement of development which includes all trees which might be affected. This includes identifying potential root zones which might be affected by levels changes, etc. as well as any construction works intervention. Surveys should be to BS5837 (2005) and supplied information should also calculate future 'root protection areas' accordingly in order for adequate protection to be in place during construction.

- 10.8 Should it not be possible to retain the sycamore trees to the north of the bandstand, it is considered that a landscape scheme will be required and a condition is recommended.
- 10.9 As stated above in section 6 in relation to the comments of the Civic Trust, the tree survey originally submitted with the application referred to potential removal of oak trees to the south of the lake. The survey is not dated but refers to the creation of a new play area. This tree survey does not relate to the application site for the visitor centre and is not accurate. The updated tree survey received in March 2011 identifies T1 and T5 to the west of the proposed visitor centre as well as the groups of trees to the north of the proposed bandstand. No trees are identified for removal in the updated tree survey.

4. Design

- 10.10 The proposed single storey visitor centre and the bandstand are both contemporary in appearance. The Design Officer has commented that this is a traditional municipal park and a traditional brick, timber and slated structure might have been a more responsive approach. Nevertheless, the advice from the Design Officer is that it is a small scale intervention in a parkland setting with little or no built context; as such it can perhaps establish its own presence as time evolves.
- 10.11 Whilst this design solution is not of a traditional appearance to the park, there are no buildings in close proximity to establish a built context and therefore it is considered that the visitor centre and band stand will form a modern facility within the park establishing its own context. The orientation and significant amount of glazing to the café frontage of the visitor centre are responsive to the lakeside setting offering views of the lake. The sides and rear elevation of the visitor centre are brick with green oak timber fascia board cladding. The building replaces a brick built single storey visitor centre. The timber cladding and the green roof are considered to be responsive to the park setting. Hydraulic timber shutters are integrated into the design of the building which will be open whilst the building is in use forming a canopy and will act as security shutters when the building is closed. Notwithstanding the submitted plans, the applicant also now proposes a green roof to the bandstand which is considered to be a positive amendment given the setting of the structure.
- 10.12 The applicant advises that the proposal is designed to reflect the curves of the Boating lake in the fronts of both the visitor centre and the bandstand. The curved front of the visitor centre mirrors the lake. The bandstand axis is set up at right angles to a tangent from the lake end to the centre point of the visitor centre setting out.
- 10.13 The application also involves minor works to the entrances to the park, to the pedestrian and vehicular access gates and these works are considered to maintain the character of the historic boundaries and are appropriate proposals within the relevant sections of Town Street.

5. Security

- 10.14 In response to concerns raised by the Police Architectural Liaison officer regarding the security of the visitor centre, the applicant has referred to an example of another

building which uses the timber hydraulic shutter system proposed. This has been used at the National Wildlife Centre in Knowsley and has been in place for the last ten years. The Police Architectural Liaison Officer has however noted additional security measures in place at the wildlife centre and therefore security measures at the visitor centre in Middleton Park have been discussed in detail.

- 10.15 Further alterations to the scheme are proposed in response to discussion with the Architectural Liaison Officer. The control arms of the movable shutters will be moved to beneath the shutters to ensure they are protected from vandalism when the shutters are closed. The glass throughout the visitor centre will be safety glass. The doors to the rear elevation (eastern) of the visitor centre have been amended to remove the louvers originally proposed which were considered susceptible to damage and steel doors are now proposed with a timber cladding. The applicant also advises that C.C.T.V. will be in place within the visitor centre and this will be added as a condition of the planning permission. Furthermore, the building will not be used for the storage of ride on lawn mowers, no computer equipment will be kept on site overnight and the proposal for an interactive whiteboard has been omitted from the scheme, no cash will be kept on site overnight.
- 10.16 The Police Architectural Liaison Officer has suggested fencing around the Visitor Centre to create a secure boundary and allow for the provision of external C.C.T.V., however the applicant advises that this was included as part of the Stage 1 application to the Heritage Lottery Fund (HLF). HLF objected strongly to this and in order to secure the project funding the agreed scheme omitted fencing and generally adopted a less bunker like appearance. The applicant advises that the grant award, or part of it, could be placed at risk if heavy physical security were re-introduced. HLF referred the applicant to other schemes they have funded in challenging environments, such as Birkenhead Park, where the level of vandalism has been dramatically reduced through a community engagement approach. The HLF monitor has advised that Birkenhead Park was completed 4 years ago and its new Visitor Centre (complete with white wash walls and significant areas of glass) has yet to be targeted by vandals.
- 10.17 Leeds Parks and Countryside have already appointed a dedicated Estate Officer for Middleton Park who will be coordinating and managing community engagement projects to promote ownership of the facilities among local people which is partly intended to mitigate security risks to the buildings and landscape. The Estate Officer's role will include managing community engagement work to include the following;
- Creating partnerships with local communities and user groups particularly targeting social inclusion issues and to encourage under represented community groups to visit the Park.
 - To promote and develop the Middleton Park Visitor and Education centre.
 - Consult and engage with community groups about the format and benefits of the Middleton Park initiative in regard to green space provision, accessibility, connectivity and health & well-being.
- 10.18 In addition the works will be procured using the Yorbuild framework which includes a requirement to provide jobs and skills benefits for local people during the construction phase. Parks and Countryside regard this particular HLF funded capital project as only the first stage in a longer term transformation of Middleton Park and are committed to extending jobs and skills benefits beyond the period of this particular capital project.

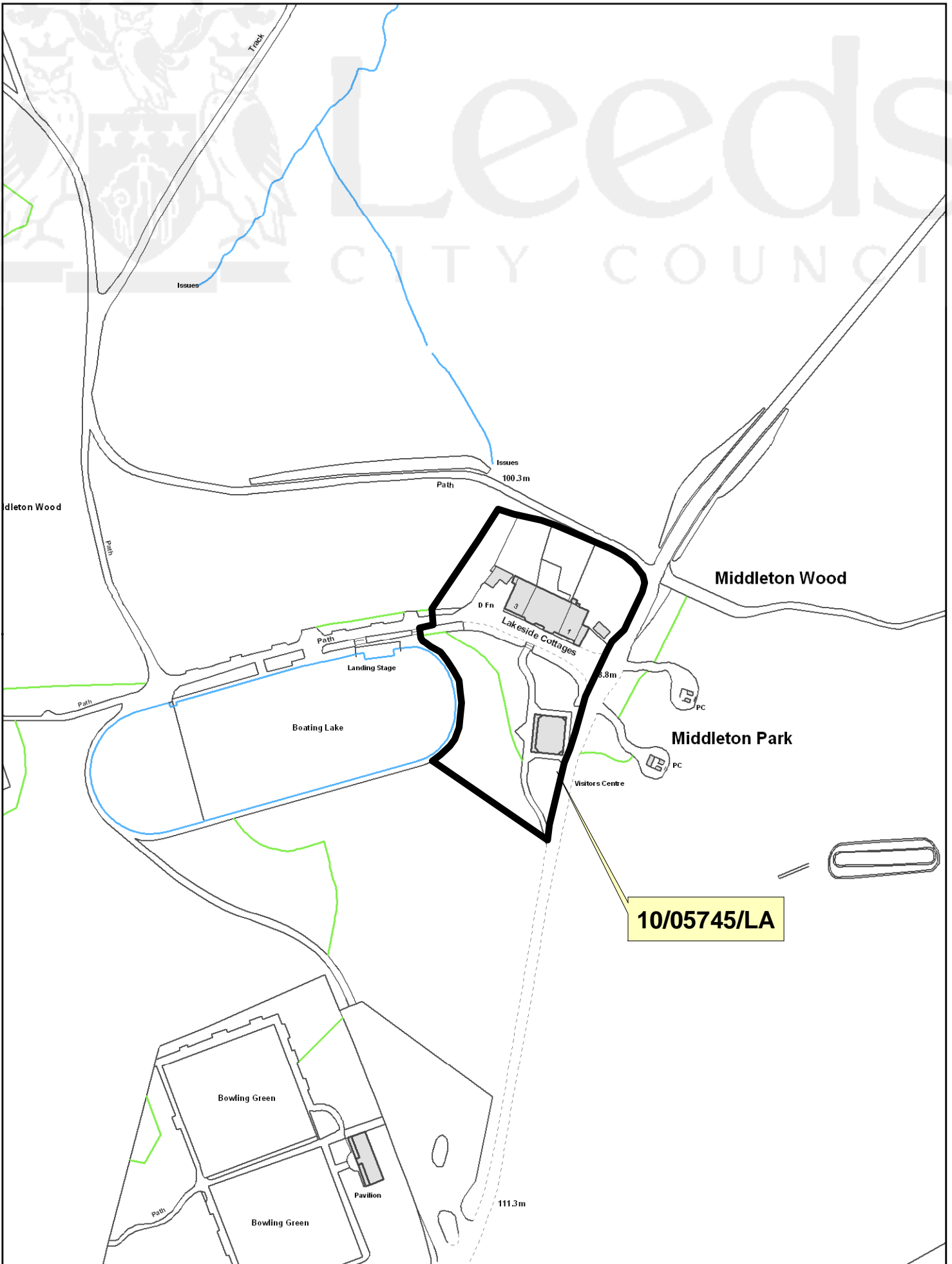
10.19 Whilst no perimeter secure boundary is proposed around the visitor centre building which has been advocated by the Police Architectural Liaison Officer, the above commitment to community engagement and the design features of the building which have been amended in response to discussion with the Police ALO are considered to provide a reasonable package of security measures which do not conflict with the funding requirements of the Heritage Lottery Fund. As such, the level of security proposed as part of the application is considered acceptable.

11.0 CONCLUSION

11. This application proposes a community facility within the park to replace a smaller existing visitor centre. It is considered that the principle of the development is acceptable as it is for recreational purposes and therefore does not conflict with the aims of green belt policy. On balance the design and siting of the proposed visitor centre and bandstand are considered acceptable subject the detailed conditions set out at the start of the report. The works to the entrances of the park are also considered acceptable and the application is recommended for approval.

Background Papers:

Certificate of Ownership – certificate A signed by applicant on behalf of Leeds City Council



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