



Leeds
CITY COUNCIL

Originator: Peter Jorysz

Tel: 0113 247 7998

Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 28th April 2011

Subject: APPLICATION 10/02363/OT – OUTLINE APPLICATION TO ERECT RETAIL SUPERSTORE WITH CAR PARKING, PETROL FILLING STATION/SHOP, THREE A1/A2/A3 UNITS AND PUBLIC OPEN SPACE; LAND OFF CARR CROFTS, TOWN STREET AND MODDER PLACE, ARMLEY.

APPLICANT

Morbaine Limited

DATE VALID

25th May 2010

TARGET DATE

24th August 2010

Electoral Wards Affected: Armley

Y

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: Approve in principle and defer and delegate the decision to the Chief Planning officer subject to the following conditions and a Section 106 agreement to include:

- Management fee
- Travel Plan monitoring fee
- Public transport contribution
- Bus infrastructure contribution
- Contribution to signalisation works at Tong Road
- Specification for works to the former Chapel on Town Street
- Triggers for construction/completion of additional retail units

1. Outline time limit.
2. Submission of reserved matters.
3. Approved Plans.
4. Approval of wall/roof materials.
5. Details of surfacing materials.

6. Submission of landscaping scheme.
7. Implementation of landscaping scheme in accordance with submitted details.
8. Landscaping Management Plan.
9. Replacement of trees which are damaged or die.
10. Laying out of vehicle areas.
11. Signalisation scheme for the junction of Carr Crofts/Town Street to be submitted, approved and completed prior to occupation.
12. Signalisation scheme for Carr Crofts/Tong Road to be submitted, approved and completed prior to occupation.
13. Scheme for provision of shuttle signals across the railway bridge to be submitted, approved and completed prior to occupation.
14. Cycle parking provision.
15. Service access and management plan for deliveries.
16. Details of a Car Park/Trolley Management Scheme. Car parking spaces associated with the development shall be made available at all times when the store is open, with no parking restrictions.
17. One way system for PFS.
18. No vehicular access to Station Road.
19. Restrict total retail superstore floorspace to 8,360 sq m GIA.
20. Restrict retail superstore comparison goods floorspace to 2,000 sq m GIA.
21. Submission of noise report.
22. Hours of operation restricted.
23. Hours of delivery restricted.
24. Delivery vehicles to disable reverse beepers and refrigeration units prior to site entry.
25. Foul and Surface Water drainage details to be submitted.
26. No piped discharge of surface water until approved drainage works complete.
27. Development to be carried out in accordance with the FRA.
28. Submission of archaeological appraisal for all buildings to be demolished.
29. Submission of contaminated land information.
30. Boundary treatments, including retaining walls.
31. Hours of construction restricted to 8am-6pm Monday to Friday and 9am-1pm Saturday, with no working on Sundays or bank holidays.
32. Details of Security measures.
33. Lighting details.
34. Details of storage and disposal of litter.
35. Details of fixed plant to be submitted.
36. Details of extract ventilation/air conditioning systems.
37. No operation of tannoy system.
38. Provision of grease trap.

Reasons for approval: The application is considered to comply with policies GP5, GP7, N12, N13, N19, N50, T2, T2C, T2D, T5, T6, S2 and S3 of the UDP Review and supplementary guidance, as well as guidance contained within the RSS, PPS1, PPS4, PPS5 and PPG13. It is considered that the scale of the proposal in this District Centre is appropriate; that the increase in the scale of the store would not have an adverse impact on the vitality and viability of Armley Centre and other nearby centres; the scheme would improve the environmental quality of the Armley centre; will result in an increase in the number of jobs; the means of access and layout are acceptable and would not detract from the character and appearance of the locality and conservation area; the proposed signalised junctions, the impact on the local network and the number of car parking spaces are acceptable, resulting in a scheme which would not have an impact on highway safety. It is not considered that the proposed development would impact significantly on the amenities of nearby residents. As such, the proposed development is considered to comply with

the relevant Leeds UDP (2006) and RSS (2008) policies and national planning guidance and having regard to all other material considerations is considered acceptable.

1.0 INTRODUCTION:

- 1.1 This outline application seeks approval for a significant retail development near Town Street, Armley. The application comprises an A1 consent for a superstore comprising 8,360 sq m (90,000 sq ft) excluding atrium, with associated car parking, petrol filling station and shop, three new retail units, new “town square” and off-site highway improvements.
- 1.2 A Progress Report was considered at Panel on 15th July 2010 and this report aims to update members on subsequent negotiations. The proposal is now at a stage where a formal recommendation of approval can be made.

2.0 PROPOSAL:

- 2.1 The application was submitted with various elements of supporting information including a Design and Access Statement, proposed site plan, proposed elevations, proposed sections and proposed three dimensional perspectives. All of these drawings/plans were illustrative. However, since submission of the application details of both means of access and siting have been submitted to be formally considered at outline stage.
- 2.2 The proposed site layout shows the footprint of a superstore with 8,360 sq m GIA (plus 900 sq m GIA atrium for access by a travelator). A total of 508 car parking spaces are associated with the main store. Access would be off Modder Avenue and the main elevation would face Modder Avenue. Servicing would be off Carr Crofts to the rear of the store.
- 2.3 Illustrative elevations show a largely rectangular superstore building on stilts, with undercroft parking at ground floor level and one floor of retail above. The illustrative materials comprises a mix of aluminium curtain walling and timber wall cladding with a low pitched roof. The application does not identify hours of operation.
- 2.4 The proposed layout also proposes the demolition of six unlisted buildings in the Conservation Area to be replaced by a Petrol Filling Station (4 pump) and shop at the junction of Modder Avenue and Carr Crofts with access off Carr Crofts. Three additional retail units comprising 235 sq m and retention and refurbishment of the “Carpet Mill” shop (former chapel) on Town Street are also proposed. A concurrent application for Conservation Area Consent to demolish these properties (10/02364/CA) remains to be determined.
- 2.5 To serve the development off-site highway improvements comprise a widened and improved road junction at Carr Crofts/Town Street which would be signalled. The applicant has also offered to contribute towards a signalisation scheme for the Carr Crofts/Tong Road junction as required by Highways.
- 2.6 The proposed layout provides for a public space area connecting Town Street and the store although landscaping is a reserved matter.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site is located within the designated Armley town centre; the majority of which is located to the south of the shops on Town Street. The site slopes up Carr Crofts from Town Street towards the railway line and contains limited vegetation, mostly

comprising a line of shrubs along the railway line and trees along Modder Place, Station Road and behind 41 Carr Crofts. The site comprises a number of elements as follows:

Land between Carr Crofts, Modder Avenue and Station Road

- 3.2 This comprises a variety of commercial buildings namely a modern 2-3 storey waste transfer station on Carr Crofts, 2-3 storey Victorian industrial premises and parking facing Modder Avenue/Station Road.

Land between Carr Crofts, Town Street, Modder Avenue

- 3.3 This land lies within the Conservation Area and comprises a large 2 storey stone built commercial premises on Modder Avenue, the site of a demolished Victorian commercial premises behind and three two storey properties along Carr Crofts. The latter three properties comprise a modern brick built Indian restaurant building, Victorian red brick detached house and rendered Victorian Sunday School building.

Land fronting Town Street

- 3.4 This comprises a 3 storey Victorian retail premises at the junction off Carr Crofts and Town Street (with three occupiers) and a former stone built chapel (The Carpet Mill).

Surroundings

- 3.5 The site is surrounded by retail units on Town Street to the north, open land and the new Sports and Leisure centre to the east, railway line and commercial buildings to the south and the Armley Health centre/semi-detached properties off Station Road/commercial buildings off Station Road to the west.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 The only application relevant to this site is a previous application for a supermarket (H24/284/87) which was withdrawn in October 1990.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Initial informal meetings were held with Policy Officers and Development Control officers in December 2009. Support was given for the principle of retail development on this site. Formal pre-application discussions were not pursued by the applicant.
- 5.2 Following submission the applicant was requested to provide an assessment of the impact of the development on the Conservation Area (which was subsequently submitted). In addition formal notification was made that the Local Planning Authority considered the highway details fundamental to any assessment at outline stage and that details of the means of access would be required at outline stage.
- 5.3 On 15th July 2010 Panel considered a Progress Report and made a number of comments as follows:

- queried scale and effect on Armley Town Centre; wanted comparison with other comparable stores.
- proposals will result in relocation of jobs from existing business and new jobs.
- concern regarding demolition of buildings in the conservation area. Keen to see retention of corner building.
- could petrol station be moved to retain buildings in the conservation area and improve linkages to the town centre.
- would a smaller store be viable?
- queried adequacy of Tong Road junction and whether this should be signalised.
- concern re accessibility and suitability of the railway bridge and whether this should be two way.

5.4 Subsequent negotiations have covered these areas and siting has been formally submitted at outline stage. Responses to these comments are incorporated in the Main Issues section.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application was advertised by site notice posted 2nd June 2010 and 12th December 2010 as a major development affecting the character of a Conservation Area.

6.2 Fifteen individual representations have been received (as at 7th April 2011) comprising eight representations of support, two objections (one from from NJL consulting on behalf of the Coop) and five representations of partial support/partial objection.

6.3 Objections by the Coop are made on the basis that the proposal:

- is contrary to Leeds UDP policy S2, PPS4 and the LDF Preferred Approach Core Strategy document. It would double the upper maximum of floorspace associated with a supermarket and would increase floorspace in the centre by 56%,
- does not show any survey evidence to suggest linked trips with the town centre,
- would be standalone, divorced from the Armley town centre and would compete with existing traders with negative result on vitality and viability.
- unanswered question from RIA re expenditure patterns,
- significant underestimation of likely impact of diverted expenditure from the Coop,
- detrimental impact on in-centre trade and turnover and trade in the wider area as proposal fails to evidence a robust position in capturing trade in the wider area.

An additional resident objection is made on the basis that such a large supermarket would be detrimental to local independent shops and could be the end of Town Street.

6.4 The eight representations of support are made on the grounds that:

- site underused and looks a mess,
- Town Street shops not very good,
- store of this size would be excellent,
- good use of ugly/underutilised land,
- local people would no longer have to travel to a large supermarket,
- employment opportunities for local people,
- current industrial units unsightly,
- would complement Armley Leisure Centre and Armley Moor Health Centre,
- landscaping would encourage people to visit Town Street,
- could have a positive influence over health and well-being of local residents e.g. working with local community groups to encourage healthy eating/activity/living,
- will put Armley back on the map,
- development would provide parking and encourage shopping on Town Street,
- do not believe there would be a negative impact on the Conservation Area,
- proposed town square will be fantastic,
- petrol station no worse than the existing waste disposal site,
- would create sense of pride in the area.

6.5 The five representations of partial support/partial objection comment that:

- no adverse impact on vitality/viability of Town Street, supermarket and footfall has potential to inspire confidence within the town centre,
- need for a quality supermarket without travelling by car,
- is in a sustainable location,
- closure of Waste Transfer Station massively welcomed (generates high level of noise and pollution),
- loss of building on junction of Town Street Carr Crofts regrettable, but not outstanding special merit,
- proposed open space would enhance and benefit the Conservation Area,
- Petrol station should be situated out of Conservation Area adjacent to the train line,
- concern re lack of access to Town Street and potential use of alleys and footpath through the health centre,
- design principles are being ignored by the applicants and conditions required re sustainability, the new units, mature trees, new paving and public art.

6.6 In addition 55 standard letters (with individual signatures) have been received. The letter supports the proposal on the grounds that:

- Armley is poorly provided by foodstores,
- unsightly buildings replaced with modern foodstore,
- land/buildings on Modder Avenue/Town Street of no visual/architectural merit,
- proposal will add to area's visual appearance.

6.7 In addition two petitions have been received in support containing 103 and 125 signatures respectively. The petitions note:

- supermarket welcomed,
- site is an eyesore with environmental problems,
- would not have negative impact on Conservation Area,
- would improve access to local, cheaper shopping.

6.8 Leeds Civic Trust objects on the basis:

- detracts from commercial viability on Town Street,
- buildings on Town Street important part of townscape, demolition would destroy historic fabric of the street,
- residents have access to Armley Moor, better than the proposed public space on road junction,
- oppose demolition of the chapel,
- house and restaurant should be retained on grounds of sustainability,
- every town has its supermarket shed - still time to acquaint citizens with Armley's historic enclaves/buildings of interest,
- impact on Conservation Area,
- highway works will degrade quality of Conservation Area.

6.9 The Victorian Society objects on the grounds:

- damaging effect on retail on Town Street,
- increased levels of road traffic demanding widening junction which will damage Town Street,
- Loss of buildings in Conservation Area which make "positive contribution" i.e.
- demolition of 67-71 Town Street would leave unacceptable gap in street frontage,
- demolition of 43 Carr Crofts when could be refurbished,
- demolition of 41 Carr Crofts as dwelling in reasonable condition,
- demolition of disused building on Modder Avenue recognised in poor condition,
- all these buildings could be retained, and re-used with imaginative conversion,
- welcome retention and refurbishment of former chapel on Town Street.

6.10 Councillors Mckenna and Lowe have written in support of the application on the basis of the need for cheap food, petrol and jobs for constituents and that these outweigh any diminution of the Conservation Area. Councillor Lowe has also written separately agreeing the loss of the buildings in the Conservation Area with no concerns re the location of the petrol station. Considers that it is no good looking at the best for the Conservation Area when the existing site is an eyesore. What is proposed is better and will rejuvenate Town Street.

7.0 CONSULTATIONS RESPONSES:

Statutory:

English Heritage

No comment.

Environment Agency

The Environment Agency originally objected on the basis of the lack of a Flood Risk Assessment (FRA). Subsequent to submission of a FRA the Environment Agency has withdrawn its objection, subject to conditions.

Yorkshire Water

No objection, subject to conditions.

Network Rail

No objections, advice re protection of Network Rail interests given.

Highways

The original consultation response objected and raised concern on a number of grounds. Subsequent to submission of revised plans a revised consultation response has been received and Highways no longer object to the application, subject to the provision of highway works including:

- widening and signalisation of Carr Crofts/Town Street junction,
- widening and signalisation of Carr Crofts/Tong Road junction,
- widening and realignment of Modder Avenue at junction with Station Road,
- provision of shuttle signals across the railway bridge,
- TRO Point Closure Order of Modder Avenue,
- footway provision on south eastern side of Station Road,
- provision of bus lay-be and pedestrian crossing island on Carr Crofts,
- provision of acceptable safety audits.

Non-statutory:

Policy

Policy originally commented on the Retail Statement that this level of convenience floorspace was acceptable, but that the comparison floorspace could have a “more significant impact” on Armley retail. They concluded that the assessment of comparison goods was insufficient and that if a revised assessment found this level of comparison floorspace acceptable, a condition should be imposed limiting the comparison floorspace to that level.

Further to an objection by the Coop and submission of further retail impact information by White Young Green on behalf of the applicant, Policy officers have considered retail impact issues further. They note that in PPS4 terms the scheme comprises a “superstore” and not a “supermarket” and reiterated support for the

principle of a superstore on this site. They conclude that White Young Green's case is agreed and comment that:

- the site lies within the town centre,
- development is consistent with UDP policy S2,
- development is located to promote trips to other town centre uses,
- will contribute to West Leeds Gateway regeneration,
- will help reduce pressure for out of centre development,
- will strengthen Armley as a town centre.

Conservation

Conservation officers responded to the original submission with a number of concerns and queries in particular:

- the proposal weakens the enclosure of Town Street (which is a defining feature of the Conservation Area); could a new building turn the corner instead of the public space?
- impact of the petrol Filling Station on the Conservation Area and
- long distance views (views up the valley and down Town Street are identified as key vistas in the Armley Conservation Area Appraisal).

Further to amended plans providing replacement units for the Town Street/Carr Crofts junction and an assessment of visual impact, the conservation officer concludes that this changes his view. Although the scheme will have some impact on long-distance views it could "satisfactorily integrate" with the Conservation Area.

As regards refurbishment of the former chapel on Town Street a schedule of dilapidation and repair is required, along with a method statement for cleaning, repair and re-pointing as well as elevations/sections at 1:100 scale.

West Yorkshire Archaeology Service

Object to demolition of positive buildings in the Conservation Area and suggest archaeological appraisal if permission recommended.

Travelwise

Revised Travel Plan acceptable.

Transport Policy

No objection, subject to a Public Transport contribution via a S106 agreement of £660,756.00. Contribution complies with CIL regulation and will contribute to local schemes.

METRO

No objections in principle, but share concerns of highways officers re trip generation in already heavily used local highway network. Junction improvements require relocation of bus stops with likely objection from bus operators. Further discussions with highways officers/bus operators required before any approval.

Design

The original Design consultation response concluded that on the basis of information provided, a proper assessment of the scheme could not be made and that the proposal lacked interest and failed to achieve quality spaces.

The application was also considered at Design Review on Wednesday 23rd June chaired by the City Architect with Design Team Leader and a further architect from

the Design Team. The status of the application as outline and drawings as illustrative was clearly presented. It was the Design Review Panel's view that:

- the principle of extending the town centre was acceptable, but the scale of the development was more like an out of town centre and does not comply with this intimate town centre,
- elevations (though illustrative at this stage) were poor and should provide more live/active frontage Carr Crofts as well as Modder Place,
- site layout (although illustrative) had a poor visual connection to Town Centre,
- there were issues of scale and lack of landscaping between the west elevation/car park and semi-detached properties on Station Road,
- it was crucial to retain nodal points and frontage on Town Street.

The Design Review Panel conclusion was that although the proposal lies within the designated town centre, in design terms it would not represent an extension of Town Street but was more like an out of town store next to an existing town centre. The size of development, consequences for the townscape and illustrative proposals were very poor with little to commend them.

Subsequent to revisions to the scheme, formal submission of the layout and amended illustrative plans, Design have commented that scale, massing and disposition is still too big for the general scale of Armley. Position of the petrol station remains poor and the sweeping roof is incongruous. Further work on design is required, although suitable solutions should be achievable.

Subsequent to the submission of amended elevations Design have commented that the revised roof form actually raises the roofline and increases its impact which is an unacceptable response. A potential solution has not yet been offered and a further meeting is suggested.

Landscape

There is little vegetation on site. Well developed landscape structure will be required with variety in surfacing materials. Position of petrol station needs reconsidering. Substantial trees will be needed to soften hard areas.

Mains Drainage

Mains Drainage originally objected that the site is within flood zone 1 and requires a Flood Risk Assessment (FRA), which has now been submitted. The objection has been withdrawn, subject to conditions.

Access Officer

No objection, subject to conditions.

Refuse Collection

No objection.

Environmental Health

No objection in principle, although concerns regarding potential nuisance and dust during demolition, construction and from the proposed use. Conditions suggested to mitigate impact.

Contaminated Land

No objection, subject to conditions.

Leeds North-West Area Management

Benefits cannot be understated, will bring new people into the town and wide footpath linking to town centre welcome.

Regeneration Services

Would want range of goods in the smaller units limited to exclude bulky goods and trade units. Request S106 contribution to town centre management.

8.0 PLANNING POLICIES:

Adopted Leeds UDP Review (2006)

8.1 The site is identified within the main urban area and Armley District Centre as designated in the adopted Leeds UDP (2006). The northern element of the site north of Modder Avenue lies within the Armley Conservation Area. No other allocations or designations affect the site. Relevant policies include:

SA5: strategic aim refers to the desire to ensure a wide range of shops in locations accessible to all members of the community without the car,

SA7: strategic aim to promote physical and economic regeneration of urban land and buildings,

GP5: development to resolve detailed planning considerations inc. access,

GP7: planning obligations to enhance quality of development,

GP12: a Sustainability Assessment is encouraged to accompany all applications for major development,

T2: new development to be served adequately from the existing or proposed highway network,

T2C: all significant generators of travel demand require a travel plan,

T2D: public transport contributions,

T5: access for pedestrians and cyclists,

T6: provision for disabled people,

T24: parking standards,

N12: urban design principles inc. spaces between buildings, good design, visual interest. Best buildings of the past should be retained. New development to respect scale and character of buildings,

N13: design of new buildings to be of high quality and have regard to character and appearance of surroundings, good contemporary design welcomed,

N18A: presumption against any demolition of a building which makes a positive contribution to the character and appearance of a Conservation Area,

N18B: demolition in Conservation Area not allowed unless detailed plans approved,

N19: new buildings to preserve or enhance character and appearance of Conservation Areas,

N22: development control decisions informed by Conservation Area Statements.

N23: incidental open space should be designed to provide a visually attractive setting and contribute to informal public recreation,

N25: boundaries should be developed in a positive manner,

S2: vitality and viability of town centres to be maintained and enhanced. Retail development encouraged and permitted in town centres unless it would undermine the vitality and viability of any S2 centre,

S3: enhancement of town centres promoted to secure refurbishment. Expansion and redevelopment of existing retail premises, environmental improvements and retention of larger redevelopment sites for large unit retailing,

S6: identifies centres deficient in convenience retailing (Armley not identified),

BD2: design and siting should enhance vistas and skylines,

BC7: development in Conservation Areas required in local materials,

LD1: landscape should reflect scale and form of adjacent development, complement views/skylines and provide visual interest,

LD2: altered roads should follow latest government guidance on environmental appraisal and design and minimise the demolition of existing property.

Regional Spatial Strategy (RSS 2008)

- 8.2 A recent high court decision following a challenge to the Secretary of State's purported abolition of RSS leaves RSS as part of the development plan. However, the Secretary of State's intention to abolish RSS may be taken into account as a material planning consideration. Therefore the amount of weight to be given to RSS is a matter for the decision maker. Relevant policies include:

YH4: Regional cities to be the prime focus for housing.

YH7: First priority to re-use of previously developed land and existing developed areas within town and cities, second infill in cities, third extension to towns and cities. LPA's to make best use of existing transport infrastructure, take into account capacity constraints and comply with public transport accessibility.

LCR1: Focus most development in Leeds and Bradford.

ENV5: Reduce greenhouse gas emissions, improve energy efficiency, developments over 10 dwellings to secure at least 10% renewable or low carbon sources.

T1: Personal travel reduction and modal shift - discourage inappropriate car use and encourage public transport and accessibility to non-car modes.

Local Development Framework (LDF)

- 8.3 Initial consultations on Issues and Allocations were carried out in October 2007 followed by consultation on the Preferred Approach in October/December 2009. The formal publication of the Core Strategy however, will not take place until Autumn 2011, with a Public Inquiry in 2012. The Strategic Sites DPD is not due for publication until 2012. In the context that the LDF is at an early stage, it is considered that it carries little weight in planning decisions at this time.

PPS1 "Delivering Sustainable Development" 2005

- 8.4 PPS1 para 18/19 states that planning should seek to "improve" and "enhance" the local environment and refers to the desire to improve the character and quality of an area (para 13 iv) and enhance the environment (para 19). Para 27 states that planning authorities should improve access to jobs, health, education, shops, leisure and community facilities and open space by foot, cycle or car to reduce reliance on car. Para 27 also states that planning authorities should promote the more efficient use of land through higher density development and bring vacant and underused land back into beneficial use.

PPS4 "Planning for Sustainable Economic Growth" 2009

- 8.5 PPS4 E16.1e) states that town centre uses in a town centre should be assessed whether they are of an appropriate scale in relation to the size of the centre.

PPS5 "Planning for the Historic Environment" 2010

- 8.6 PPS5 policy HE9 includes a presumption in favour of the conservation of designated Heritage Assets; once lost these cannot be replaced. Their loss requires a "clear and convincing justification."

PPG13 "Transport" 2006

- 8.7 PPG13 reiterates that policies for retail should seek to promote the vitality and viability of existing town centres, which are the preferred locations. Para 4 states key objectives as promoting more sustainable transport choices, promoting accessibility to jobs, shopping, leisure and other service by public transport and reducing need to travel by car. Para 76 and 79 state the importance of promoting walking and cycling

as a prime means of access. Para 91 states that the acceptability of a Travel Plan will depend on the extent to which it materially affects the acceptability of development.

SPD “West Leeds Gateway” 2010

- 8.8 The adopted SPD includes an overall vision for a vibrant economy which provides local jobs. A key aim is stated at para 1.3 of supporting the regeneration of west Leeds. Key objectives are listed at para 1.6 including improving the vitality and viability of Armley Town Street. Para 3.6.2 states that Town Street is the commercial focus and it's success is fundamental to regeneration and prosperity of the wider west Leeds area. Para 3.6.7 states a key objective that Armley fulfils it's true potential and remains the principal location for retail for local residents.
- 8.9 The SPD also includes a key objective at para 1.6 of improving the built environment through promoting high quality design and preserving and enhancing the area's heritage to reinforce it's distinct identity and sense of place. Policy WL1 also states “positive” buildings should be retained, unless it is not viable or the proposal preserves or enhance the Conservation Area.
- 8.10 The Armley Conservation Area (and associated appraisal) were adopted on 19th October 2007. Page 2 notes that buildings are tightly packed around lower Town Street and the site is defined as part of character area 1 (“Lower Town Street”). This character area is predominantly 2-storey Victorian and Edwardian interspersed with older sandstone buildings. All buildings (bar one) to be demolished within the Conservation Area are noted as positive. It notes at page 9:

“The degradation of historic buildings could be halted by preventing the loss of the features of importance identified in this appraisal and by high quality new development.”

9.0 MAIN ISSUES

1. Principle of Development
2. Regeneration
3. Impact on Town Centre
4. Conservation
5. Highways/Public Transport
6. Design/Layout
7. Drainage

10.0 ISSUES

1. Principle of development

- 10.1 The proposals represent significant new investment in Armley. The additional retail offer that this superstore will bring will support this town centre in accordance with adopted Leeds UDP strategic aim SA5, plus policies S2 and S3, as well as the West Leeds Gateway SPD. As such the principle of the development should be supported.
- 10.2 Being located within the defined town centre, the proposal would be in a sustainable location, reducing the need to travel by car for local residents and reducing longer trips that are currently made to adjoining centres. As such the development would enhance sustainability in accordance with adopted Leeds UDP strategic aim SA5 and RSS policies YH4, YH7 and T1 as well as PPG13.

- 10.3 Accordingly it is considered that the principle of retail development on this site is acceptable and should be supported.

2. Regeneration

- 10.4 The supporting statement submitted with the application argues that Armley is a deprived area with below average life expectancy, high levels of crime and unemployment and widespread evidence of poverty. Physical and environmental problems abound including run down housing. New investment, social inclusion and physical renewal are part of Leeds City Council's strategy with other key stakeholders.
- 10.5 The "West Leeds Gateway" initiative promotes physical regeneration and job creation in Armley, including enhancing the role of Armley district centre (in particular Town Street) as a retail focus. The Planning Support Statement estimates that up to 400 jobs could be provided which would make a significant contribution to employment generation in the locality. The "West Leeds Gateway" SPD para 3.7.43 seeks to support business growth and help the local community access jobs. Whilst retail use is distinct from business use in planning terms, it is clear that a development of this scale would have significant benefits in terms of job creation in the locality.
- 10.6 In the context that existing business can relocate, that potentially 400 additional jobs will be provided and the poor quality environment of the Waste Transfer Station would be significantly improved, it is concluded that the scheme will have environmental, economic and social regeneration benefits for Armley.

3. Impact on Town Centre

- 10.7 The application is on the basis of an open A1 consent; although the covering letter indicates an intention to divide the 5,017 sq m (net) store into c 3010 sq m convenience goods and c 2007 sq m comparison goods. Policy originally commented that this level of convenience floorspace is acceptable (subject to other development control considerations) but that the comparison floorspace could have a "more significant impact" on Armley retail.
- 10.8 The store lies within the designated town centre but a superstore of this size (which is significantly larger than regular format supermarkets) but the impact of such a store on the vitality and viability of Town Street (especially comparison goods) is a material consideration. The superstore (which is 1,000 sq m larger than that at Kirkstall Morrisons) has been assessed further in terms of potential impact on Armley centre and neighbouring existing centres. Additional information from White Young Green (dated 5h August 2010) was submitted and concluded that the store will not act as a retail destination its own right but would co-exist with specialist retailers in the town centre. An estimated 1,820 additional linked trips to the town centre would be created. The report argues that overtrading at Morrison's at Kirkstall and Tesco's at Bramley means that these will remain viable stores.
- 10.9 Following the Coop objection further information was submitted by White Young Green (dated 30th September 2010). This concluded that there was no evidence of any significantly negative impact on their Somerfield store, or significantly adverse trade diversion.
- 10.10 At Progress Report stage members requested that officers assess the impact of similar stores (Morrisons at Rothwell and Tescos at Batley). Discussions with

Kirklees Council (Policy section) and the former Town Centre Manager for Rothwell have concluded that both stores had very different impacts as follows.

- 10.11 The Morrisons at Rothwell comprised a 6,875 sq m store but replaced an existing Morrisons of 4,438 sq m and did not significantly expand the range of goods sold. Overall the store had beneficial effects on vitality and viability of the town centre and vacancy rates decreased following occupation of the store. It is not clear how much the reduced vacancy rates are attributed to the confidence that the store brought to the town centre, or the additional investment that Leeds City Council were putting into the centre to make it more attractive.
- 10.12 The Tesco's at Batley (c 8,000 sq m with less than 40% of the store devoted to comparison goods) was considered at a call-in inquiry in 2001 and opened in summer 2003. The Inspector concluded that it formed part of the town centre and approved the application. Subsequent monitoring by Kirklees Council considered that initially the store boosted confidence in the centre and was beneficial to vitality and viability. Up to 2006 the town centre saw rising rental level and a reduced vacancy rate. However a subsequent mezzanine in summer 2006 boosted floorspace to c 11,000 sq m. Since the mezzanine was introduced, pedestrian activity has continually reduced and is now 15-20% below its peak in 2003. Local retailers consider that the current store and the range of goods sold, is now detrimental to the centre and has caused this decline in activity, though clearly the recession will also have had an impact.
- 10.13 Having considered the assessment by Policy officers of White Young Green's submissions, the Coop objection and information provided on stores at Rothwell and Batley, it is concluded that with suitable safeguards limiting the maximum comparison goods retail floorspace, that the impact on the existing Armley town centre and surrounding district centres are likely to be acceptable.

4. Conservation

- 10.14 The proposal as submitted results in the demolition of 8 properties (6 buildings) in the Conservation Area; 5 of which are identified in the Armley Conservation Area Appraisal as positive buildings (where demolition will be resisted). The buildings on Carr Crofts form part of the historic street pattern leading to Town Street and the building at the junction of Carr Crofts and Town Street is a key pivot building in the Conservation Area. The building on Modder Avenue is an attractive, although dilapidated stone building. It is noted that one building noted as positive (to the rear of 39-41 Carr Crofts) has already been demolished.
- 10.15 PPS5 policy HE9 includes a presumption in favour of the conservation of designated Heritage Assets; once lost these cannot be replaced. Their loss requires a "clear and convincing justification" which was not available at the time of the Progress Report to Panel. Planning officers agreed with the Conservation Officer's view that
- "The scheme will have a major impact on the Armley Conservation Area which, without compensatory interventions, is considered negative."
- 10.16 Since the Progress Report, siting has been formally included at outline stage. Whereas the original proposal left a large gap in the urban fabric by demolishing all the Conservation Area buildings, the new layout replaces these units with three new retail units that retain the street pattern and visually turn the corner well. The Petrol Filling Station is set back and the shop element turned to provide active frontage to Carr Crofts, re-enforcing the street pattern. It is considered that the loss of these buildings remains detrimental to the conservation area and any opportunity to

refurbish them or complement them will be lost. However the replacement by new units of a scale and potential design that is sympathetic to the Conservation Area is considered to result in a neutral impact overall.

- 10.17 It is therefore concluded that that whilst the proposal will not enhance the character and appearance of the Conservation Area overall, it will preserve that character and appearance. It will have a neutral impact and hence is acceptable.

5. Highways/Public Transport

- 10.18 The proposal would result in an additional 1197 two way vehicle trips in the pm peak and 1293 two way vehicle trips in the am peak. This translates as an increase in traffic by 2015 of 29-53% along Town Street and 8-12% on Tong Road.
- 10.19 The original Highways consultation response indicated a number of significant issues that needed addressing prior to determination in particular relating to acceptability of potential traffic flows towards Town Street or Tong Road, level of necessary off-site highway works, clarification of flows in the Transport Statement, redesign of proposed access points and provision of a Travel Plan. Subsequent discussions have resulted in access and siting being determined at outline stage and additional information submitted as follows.
- 10.20 The applicant has supplied two alternative junction arrangements for Carr Crofts/Town Street assessing the potential to avoid demolition of the prominent corner building 65-67, involving demolition of the single storey extensions 65a and 65b instead. Highways have confirmed that neither of these alternatives would be acceptable in highway terms and the formally submitted junction arrangement remains the optimal junction in highway terms.
- 10.21 Further to a highways objection regarding the lack of a signalisation scheme for the Carr Crofts/Tong Road junction, discussions have been ongoing. These have resulted in the submission of informal drawings that demonstrate that a signalisation scheme is achievable. The applicant is willing to offer a financial contribution to the works which involve highway land and a small parcel of LCC land (which Asset Management are willing to discuss with the applicant); although a sum is not yet agreed. It is considered that a grampian condition requiring a scheme to be submitted, agreed and implemented prior to occupation would be reasonable and sufficient to ensure this is delivered. In this context it is considered that there are reasonable prospects that the requirements of such a condition could be met within the life of the permission.
- 10.22 Various revisions to the Site Layout and associated access points to the development are now acceptable. Further discussion regarding the Interim Travel Plan have also resulted in a document that is acceptable to Travelwise. As such the formally submitted Interim Travel Plan should be appended to the S106 agreement and a Full Travel Plan (when a named operator is on board) will be required by condition.
- 10.23 Network Rail had confirmed that a report on the future of the bridge on Carr Crofts (between the site and Tong Road) should be available by the end of March, although this is still awaited. Two scenarios are a) permanent ban over 7.5 tonnes or b) withdraw weight restriction. Highways have concluded that even with single file working the scheme would be acceptable, with shuttle signals across the bridge.

6. Design/Layout

10.24 Further to concerns expressed at Progress Report stage re the illustrative layout and impact on the Conservation Area, subsequent discussions led to the applicant formally applying for siting as part of the outline application and resubmitting the layout with a number of improvements listed below:

- inclusion of new retail units to turn the corner and reinforce the street scene in the Conservation Area,
- setting back of Petrol Station from Carr Crofts,
- improved access and closing off of Modder Avenue,
- new footpath along Station Road,
- store moved forward to improve linkages with town centre,
- store entrance atrium move toward Carr crofts for better visual linkage,
- parking in front of store moved to enhance pedestrian route,
- additional customer pick up and taxi points,
- recycling and cyclist facilities added,
- service yard revisions,
- new bus lay-bye provided on Carr Crofts.

The store involves a large footprint but is of sufficient distance from neighbouring uses to avoid it being potentially overbearing, conditions regarding hours of operation/deliveries are suggested to protect residential amenity. The layout provides for a landscaped area between the town centre and the store. This provides more than just a public footpath but provides opportunity for a landscaped area that will form an attractive link to the town centre. Along with the new retail units on Carr Crofts it is considered that this will provide a positive linkage to the remainder of the Town Centre and encourage linked trips.

10.25 The Design Officer now considers the layout acceptable in urban design terms but remains concerned about the proposed elevational treatment and roof form. Particular concerns have been expressed both by Planning Board and the Design officer at the potential visual impact of the large roof because of it's height and unbroken nature. The applicant was asked to consider revisions to reduce height and break up the unrelieved nature of the roof and suggestions were provided by the Design Team. The applicant has now submitted revised illustrative elevations. However these do not follow the Design advice and actually increase the height in some areas and reduce the breaking up of massing. Design have objected that these proposals are unacceptable and do not follow the design advice provided. Accordingly the latest elevations do not provide any confidence that a suitable roof form can be achieved with this footprint or quantum of floorspace at reserved matters stage.

10.26 However, as these matters are illustrative this does not preclude the grant of planning permission, particularly in the context that the design officer considers that this concern can be designed out. Accordingly it is suggested that an informative to this effect be placed on any decision notice.

7. Drainage

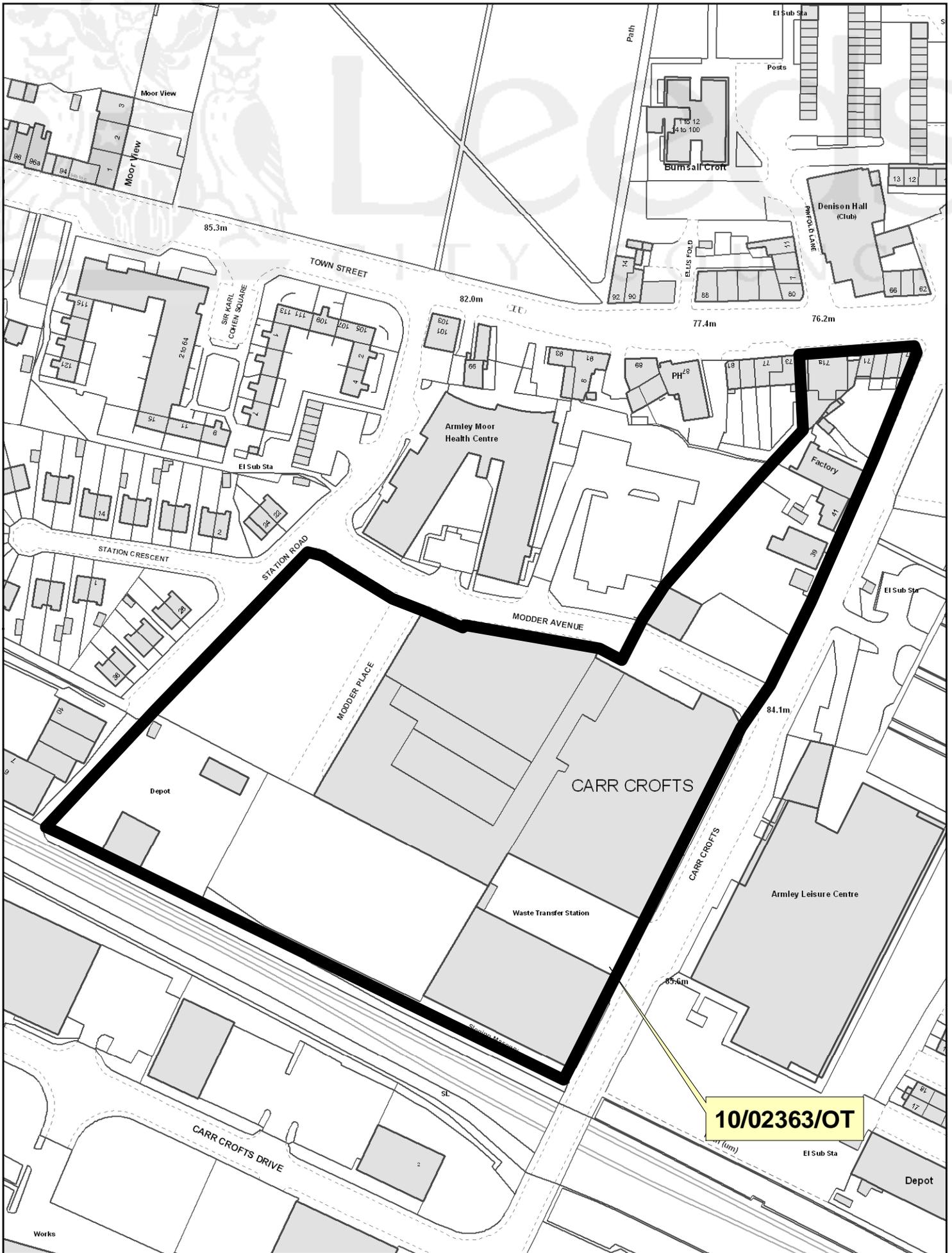
10.27 The Environment Agency, Yorkshire Water and Mains Drainage have now withdrawn their objections subsequent to the submission of a satisfactory Flood Risk Assessment. Standard drainage conditions are recommended.

11.0 CONCLUSION

- 11.1 The application is in outline (now with access and siting at outline stage) with remaining supporting material illustrative. Issues listed in the progress report relating to conservation, highways and drainage issues have now been resolved.
- 11.2 Officers consider that the principal of retail development on this site should be supported and that the proposal is acceptable in planning terms, subject to conditions and a Section 106 agreement. Accordingly the recommendation is for approval.

Background Papers:

Application file 10/02363/OT, associated applications 10/02364/CA and history file H24/284/87.



EAST PLANS PANEL