

Report of Consultation on the City Centre Commuter Car Parking Informal Policy

1 Introduction

1.1 The CCCC Draft Informal Policy was approved for 4 weeks of public consultation by Executive Board on 30th March 2011. The first part of this report describes the measures taken to publicise the policy particularly to those persons, businesses and organisations which were thought to have a direct interest in commuter car parking and to invite comments to be made. The second part summarises the comments made and offers responses on behalf of Leeds City Council.

2 The Consultation Exercise

2.1 The following activities were undertaken to achieve effective consultation:

- i. **Notification of known interests.** 258 emails and 61 letters were sent to a range of organisations and individuals known to be interested in this matter
- ii. **Website.** A webpage was created on Leeds City Council's website giving a brief explanation of the proposed policy and the consultation exercise and offering downloads of the proposed policy, a map of the areas and a comment form. The screening for the Environmental Impact Assessment was also made available.
- iii. **Site Notices.** Site notices were placed at strategic locations around the City Centre, particularly near to existing unauthorised car parks. Each notice provided a summary of the proposed policy and explained how further information could be obtained and comments made.
- iv. **Press Release.** Leeds City Council issued a press release on the day before the draft policy was issued for consultation. The press release described the background, intentions and purpose of the policy and offered ways to find out more and make comments.
- v. **Officer Advice.** Planning and transport officers were on hand to offer further explanation about how the policy was proposed to operate in practice. In particular, meetings were held with the Highways Agency and Metro and advice was given to planning consultants acting for particular land owners, developers and/or car park operators.

2.2 Originally, the consultation period was set to run from 31st March to 29th April. However, it became apparent in mid-April that two of the planning consultants representing unauthorised car parks had inadvertently not been notified and another three notifications had not been addressed to the correct individual. In response, officers immediately offered to extend the consultation period for

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another week to 6th May. The individuals concerned indicated verbally that they were content with this arrangement.

3 The Consultation Responses

- 3.1 Comments were received from 26 respondents. In particular this included responses behalf of owners/developers/operators of 6 car parks and responses from statutory bodies and agencies Network Rail, the Highways Agency, the Environment Agency, Yorkshire Forward. The remainder were from a mix of individuals who use the car parks and we also had comments from Barwick & Scholes Parish Council, Little Woodhouse Community Association, Tom Holvey (LCC Economic Policy) and the Campaign for Better Transport. An earlier letter was considered from DWP Solicitors who raised concerns about the impact of car park availability on staff who use their office in Bridgewater Place.
- 3.2 The respondents were sent acknowledgement of receipt explaining the next step in the process.
- 3.3 The vast majority support the principle of the policy but raised concerns about the details. Key issues included i) whether the 3000 space "cap" should be increased, ii) whether to replace the "first come first served" approach to dealing with planning applications iii) whether the physical improvements required are too onerous. The responses are summarised in the following table:

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| Policy/Para | Rept | Comment (summary) | Change sought (if any) | LCC Recommended change | LCC reasoning |
|-------------|---|--|---|--------------------------------------|---|
| General | IC1, IC4, IC6, PCon1, CPO1, CPO2, CPO3, LWCA, MPA, SL, SG, ASDA | Support principal of policy intention. It is needed to support the economic growth of Leeds. The proposed policy accords with national guidance in PPG13 which offers flexibility for car parking to support the vitality of centres | Changes to details | See detailed changes suggested below | Detailed points addressed individually |
| General | BSPC, LCCEP, CPO4 CBT CPO1 CPO5 | Object to principle of policy. Acceptance of temporary car parking creates a financial disincentive for development which will put pressure on release of greenfield sites. Not convinced that vacant sites deter investment. Potential occupiers expect development sites to appear vacant and disused. Car parking for commuters will not help the cause of reducing congestion Commuter parking provides an important source of income to the site | Withdraw the proposals or introduce a binding legal clause on green infrastructure LCC to abandon policy and introduce other measures such as higher charges for commuter parking, 10am opening hours, promotional campaigns to use public transport and a 20mph speed limit | None | The policy is necessary to retain commuter parking until public transport improvements are made. A requirement for landscaping improvements remains part of the policy. |

IC1/2/3/4/5 = Individual Car Park Users Kevin Coyle (1), Craig Miles (2), Jennie Frost (3), Joanne Douglass (4), NR (5), **HA** = Highways Agency, **BSPC** = Barwick & Scholes Parish Council, **PCon1** = Planning Consultant ARUP, **CPO1/2/3/4/5** = Car park operator/Developer Elite Parking(1), MEPC (2), Town Centre Securities (3), Montpellier Estates (4), Ingram Row/Dandara (5), **LWCA** = Little Woodhouse Community Association, **EA** = Environment Agency, **LCCEP** = Leeds City Council's Economic Policy Team, **MPA** = Mrs P Auty, **NR** = Network Rail, **CBT** = Campaign for Better Transport (West Yorks), **RA** = Robin Adams, **SG** = Stuart Garforth, **DWF** = DWF Solicitors, **ASDA** = ASDA HQ

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| | | owners who having bought the site for development purposes and await improvements to market conditions to allow the schemes to be built | | | |
| General | CPO1 | Insufficient consultation time. | The consultation period should be extended to 6 weeks. | None | For an informal policy change, 4 weeks offered sufficient time. Those with a particular interest in the policy were notified immediately of the proposals by email. Interests who were inadvertently not notified were given extra time to respond. |
| General | EA | The flood risk implications of permitting car parks should be assessed. | The policy should clarify that all applications should be accompanied by a Flood Risk Assessment. | Agree. The supporting text to the policy will make clear that Flood Risk Assessments are required. The policy will be accompanied by a guidance note to help applicants understand what is required. | The submission of Flood Risk Assessments is a requirement of national planning policy set out in PPS25. More detailed assessments will only be required for sites in high risk flood risk areas. |
| General | EA | It will be as well to make developers aware that development within 8 metres of the top of the bank of the river will require the prior consent of the Environment Agency | The policy should make clear that any proposal within 8 metres of the top of the bank of the river will require the prior consent of the Environment Agency | Agree. Make a note of the requirement in the supporting text of the policy. | This is a statutory requirement. |
| Physical Improvements Policy a) | IC1, IC2, CPO1, CPO4, | Most of the physical improvements are unnecessary and will increase costs. Elite Parking estimates that improvements would cost between | No physical improvements should be required, or they should be limited in scale and | Clarify in the policy that the physical improvements listed are examples not | LCC does not want the cost of improvements to undermine the viability of schemes, so physical improvements will not be |

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| Physical Improvements Policy a) | RA | £1850 and £3150 per space. As up-front costs, these improvements would be unviable and are therefore unreasonable. Dandara suggest £750k of unnecessary expenditure per car park | cost and the length of time for implementation should be extended | mandatory requirements. | mandatory. However, LCC calculations based on the actual costs of constructing two car parks recently in Leeds validate the costs estimated by Elite Parking. However, officers believe that even the upper-range costs of improvement could be absorbed without having to raise prices beyond £5 per day which compares reasonably with public transport prices. |
| | IC1, IC4 | Improved surfaces are needed with improved drainage | None | | |
| | IC3, IC4, CPO4 CPO5 | Space markings are unnecessary because attendants direct cars into spaces | Delete requirement for clear space markings | | Not a mandatory requirement although it is good practice to provide space markings and clarifies exactly how many spaces exist. Also, attendants might not always be available. |
| | SG | Spaces should be enlarged to improve quality and usability of car parks | Spaces to have a minimum width of 2.7m | None | Size of spaces should comply with existing standards set out in the UDP Vol II including provision of larger spaces for disabled people. |
| | IC4, RA | Cost is a more important factor than appearance for sites south of the river | | | None |
| | LCCEP | Poor appearances and a sense of insecurity will deter investment | | Agree | |

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| Physical Improvements Policy a) | EA | The Environment Agency welcomes the policy criterion on provision of sustainable drainage. It goes on to offer detailed advice. | “For sites within 50m of the River Aire, surface water draining from areas of hardstanding should be passed through an oil interceptor or series of oil interceptors, prior to being discharged into any watercourse, soakaway or surface water sewer. The interceptor(s) should be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the development and shall thereafter be retained and maintained throughout the lifetime of the development. Clean roof water shall not pass through the interceptor(s). Vehicle washdowns and detergents shall not be passed through the interceptor.” | None | The policy already includes a policy criterion on provision of sustainable drainage. The advice offered is considered too detailed to be included in the policy, but would be included in conditions on planning permissions. |
| | IC5 | The 20% landscaping is a punitive measure which is not necessary | Delete the requirement for 20% landscaping | Delete 20% requirement | The policy will not make the 20% a mandatory requirement However, 20% provision will be |

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| Physical Improvements Policy a) | CPO2, CPO3, CPO5 | The 20% landscaping is too prescriptive and may not be appropriate for each site | Substitute a new requirement: to provide an adequate and proportionate amount of landscaping relative to the site's layout and configuration taking into account wider development areas where applicable | Delete 20% requirement | comparable with the UDP policy requirement for major site redevelopments to provide 20% public space. On the basis that most of the car parks will subsequently be subject to this policy, it makes sense to be consistent. The landscaping space provides opportunity to make significant visual enhancement including greenery where appropriate. It is also a means of helping spread the distribution of car parking spaces. |
| | ASDA | The high density character of the city centre means that the most efficient uses should be preferred (ie car parking rather than landscaping) to achieve sustainable development | | | |
| | CPO4 | 20% landscaping unjustified. Better to focus improvements on the boundary areas. | Policy should prefer sites that offer improvements to boundary areas and improvements to security. | Delete 20% requirement | |
| | LWCA | The requirement for 20% landscaping could be interpreted as provision of gravel, which would not provide sufficient visual enhancement | Landscaping should specify provision of greenery including shrubs, bushes, grassy areas and the protection of any existing trees on the site | Offer further advice on what forms of landscaping would be sought in the supporting text. | Agree that as far as possible the landscaping should be good quality and suited to the site context including greenery as appropriate. |
| Pedestrian Linkages Policy b) | IC3 | Requirement for improved pedestrian linkages is unnecessary. Bridgewater Place is the biggest impediment because of the risk from high winds. | Delete criterion b) | None | The City Council has aspirations to achieve greater pedestrian permeability of city centre areas and appropriate opportunities should be taken to create wider linkages as part of car park development. Security will need to be considered in determining |
| | CPO4 | Providing pedestrian linkages across car parks could pose security risks | Pedestrian links should be established through boundary buffer areas | Security of pedestrians and vehicles should be inserted as a factor | |

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| | CPO5 | Better to allow pedestrian access only during operational hours | Reword policy to allow pedestrian access only during operational hours | into the policy considerations | where a pedestrian link should be made and what times of day it should be open. Depending on site circumstances, certain routes may be safer or as safe to open at different hours to operational hours. |
| Quantity of Spaces Policy c) and Paras 3-5 | PCon1, CP01, IC2, IC5, DWF, SG | 6000+ long stay unauthorised spaces are currently in use and are important for the economic growth of Leeds. | The "cap" should be removed altogether or increased to cover all redundant development sites. | Replace the cap of 3000 with 3200 | In response to all comments, it is considered that a cap is needed to limit the number of car parking spaces that could be regularised so that road congestion is not exacerbated and the Council's target for reducing carbon emissions and the objectives of the West Yorkshire Local Transport Plan are not compromised. The City Council does not want the policy to draw in any more car commuting than before. Therefore, the cap has been calculated, taking account of the existing stock of unauthorised spaces, the number that can/cannot be enforced against, and potential to make better use of under-occupied lawful commuter car parking spaces (on and off-street). It also takes into account additional seats being made available on commuter trains into Leeds city centre. |
| | CPO4 | The Council's evidence to support the 3000 cap lacks transparency and reliability | | | |
| | RA | The Council's calculations are too tight. Just 5% under-count would result in a need for 300 more spaces. | Build in safer margins to the figures. The cap should be at least 4800 spaces | | |
| | IC3 | Take account of the total number of city centre employees; in this context 3000 spaces is wholly inadequate | | | |
| Quantity of Spaces Policy c) and Paras 3-5 | PCon1, CPO4 | Lack of consideration of anticipated losses of long stay spaces because of redevelopment, eg Sovereign St | | | |
| | IC1 | Will force commuters who work south of the river to park on insecure streets. | | | |
| | IC1 | Better usage of authorised car parks | | | |

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| Quantity of Spaces Policy c) and Paras 3-5 | | (which tend to be north of the river) will not help commuters who need to park south of the river | | | In particular, it should be noted that nearly 700 unauthorised spaces appear to be immune from enforcement action and therefore will remain available for commuter car parking. Also, the cap makes allowance for expected under-occupancy of spaces being permitted by this policy by 10%. |
| | IC2 | 24 hour commuter car parks are also used by residents who don't have sufficient residential spaces | On-street car parking south of Granary Wharf should be made available to residents. | | |
| | DWF | Public transport cannot always substitute for travel by car which offers the flexibility needed for modern lifestyles. | | | |
| | IC3, SG | LCC should be less concerned about car commuting as increasing numbers of electric vehicles will lower CO2 emissions | LCC should i) explore car share schemes ii) be more restrictive of large cars/4x4 | | |
| | CPO2, CPO3 | It is not appropriate to factor in the following: i) under-occupancy @ 80% because the newly regularised car parks are also likely to occupancy of 80%, ii) on-street car parking because it is typically short stay nor iii) permitted car parks because they charge uncompetitive rates. | The "cap" should be raised to 6070 spaces (CPO2) | | |
| CPO4 | The 80% occupancy rate is only applicable now in recessionary conditions. | The cap should be based on calculation of a higher rate of occupancy in subsequent years. | | | |
| CPO5 | The "cap" of 3000 spaces is not justified. | The cap should be 4800 spaces | | | |

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| | RA | Not appropriate to expect authorised car parks to increase occupancy from 80% to 100%. There has to be some slack; otherwise, cars will cause congestion going from car park to car park. Also, many commuters currently using unauthorised car parks will find the authorised car parks too expensive. | The cap should be at least 4800 spaces | | |
| | ASDA | The assumption that 1800 spaces (Cap of 3000 against current occupancy of 4800 unauthorised spaces) can be absorbed by public transport and unused spaces of authorised car parks is unrealistic. No evidence is presented that existing car commuters will switch. | Set cap at or nearer to 4800 | | |
| | NR | Concerned that the cap should only apply to cleared sites, and not other car park proposals, eg long stay spaces at Leeds Train Station | Rewrite clause c) to say "The total number of commuter car park spaces <i>the subject of this policy</i> not to exceed..." | Rewrite clause c) to say "The total number of commuter car park spaces <i>permitted by this policy</i> not to exceed..." | Should be obvious that the cap applies to cleared sites only, but no harm in making it clear. |
| Quantity of Spaces Policy c) and Paras 3-5 | HA | Is LCC going to extend the Fringe area southwards? | | None | Not part of this policy |
| | HA | Will LCC hold back planning applications beyond 3000 spaces | | | |
| "First come first served" means of implementation | PCon1, CPO1, CPO2, CPO3, | Raises many questions about how the Council will be fair and even handed in dealing with applications. | Delete the "cap" (CPO1) | In response to all comments regarding "First come first served" means of | Officers agree with comments that the "first come first served" approach could be unfair and difficult to operate if the cap on |

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| Para 6 | CPO4 | | | implementation: | number of spaces is over-subscribed. |
| | PCon1 ASDA | Sites that are more suitably located could lose out to badly located sites that are submitted early. Contrary to PPS1 and PPG13 | | Introduce a new method for considering applications based on an "application window" of 3 months from adoption of the policy. In order to deal with over-subscription and distinguish between applications, sequential preference will be given to the following: | The preferences suggested aim to maximise the benefits to the city in terms of i) avoidance of localised congestion. ii) visual appearance, iii) ability to walk from car parks to a variety of central destinations, and iv) provision of beneficial temporary uses. |
| | PCon1 | Potential bias in favour of unauthorised sites that have broken the rules but are advantaged by being in the system already. | New sites should be considered equally against sites that are already in the system | | |
| "First come first served" means of implementation | PCon1 | Will encourage hurried applications that might be badly designed as a result | | | It is considered that the individual economics of each and every scheme should not be assessed and compared. Such exercise would not necessarily make comparisons any fairer because the city council will not have full information about each site. It would also add a level of complexity which strays beyond normal planning expertise and could delay the whole process. |
| Para 6 | CPO2, CPO3 | The policy should set down criteria for differentiating between proposals. Sites that are already in operation as car parks will not generate additional congestion and environmental impact. | Preference should be given to sites which have been in existence for 10+ years and sites that benefit from extant or recently lapsed permission for car parking. Preference should be given to sites that can offer most contribution to environmental quality. | <ul style="list-style-type: none"> Preference to sites that will generate least localised congestion or junction problems in Transport Assessments (assuming a base-line that ignores traffic generated by unauthorised car parks) Preference for sites that contribute the greatest enhancement in terms of visual appearance and biodiversity. High | However, it is recognised that ability to meet preference iv) will depend on size of site, which is why preference iv) is ranked least important |
| | CPO4 | Case by case judgements should be made of which sites perform better. Can LCC provide reassurance that sites in appropriate locations that are suitably improved will be selected? | Preference to sites offering 1) environmental improvements to boundary areas 2) ability to intercept traffic which would | | In terms of preferences to fringe areas, this part of Policy T28 of the UDPR concerns parking |

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| | CPO4, CPO5 | Ability to cover costs, including abnormals, should be considered and whether certain car parks may have a cost advantage. | otherwise drive more centrally 3) less negative impact upon the highway network; and 4) positive measures being advanced to promote site redevelopment. | quality landscaping including greenery will be a plus. It will be recognised that larger sites may have the opportunity to install landscaping in the same locations as approved on permanent schemes; as such investment will be longer term, the landscaping quality will be expected to be higher than would otherwise be the case. | related to new development rather than cleared sites. |
| | CPO5 | The “first come first served” approach does not make sense. | Give preference to sites that would comply with all other planning policies and which are most used by commuters. Give preference to fringe locations in accordance with UDPR Policy T28 | <ul style="list-style-type: none"> • Preference for sites inside the city centre boundary • Preference to sites that contribute other beneficial temporary uses such as allotments, sports pitches, public spaces, seating areas, electric charging points. It will be recognised that smaller sites will not be capable of delivering large | |

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| | | | | temporary uses. | |
| Geographic Distribution Para 7 | HA | The Policy should distinguish between different parts of the city centre | Authorise say up to 600 spaces around Mabgate and up to say 2,000 spaces in the south west quadrant? These areas would serve the main commuter corridors of A64 and M621 (HA) | None | In response to all comments it is considered that geographic quotas are not supported because i) a good proportion of commuters walk to sectors beyond where they park, often to the city core, ii) they would unduly complicate the process of distinguishing between applications in the likely situation of over-subscription. |
| | SG | The policy should set quotas for different parts of the city to ensure even distribution (no figures are suggested) | | | |
| | IC3 | Commuters parking south of the river appear to work locally. Restriction of car parking south of the river will merely shift where people park and will not help congestion overall. | | | |
| | IC5 | There are several large office blocks located on Sweet Street: Lateral, 1 City Walk, 2 City Walk, The Mint, with the Central Park and Apex View offices across the road and Victoria House offices and other office blocks one street away on Manor Road. This represents several thousand workers. | Local workers should be given priority to Sweet Street car parks. | | |
| Geographic Distribution Para 7 | CPO2, CPO3 | Survey work for the Wellington Place planning application found that most commuter car park users worked in the Prime Office Quarter/West End. Restriction should not be applied to particular areas, but preference should be given to areas proximate to the west end. | | | |

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Appendix B - Comments received on Draft City Centre Commuter Car Parking Policy March 2011

| Policy/Para | Rept | Comment (summary) | Change sought (if any) | LCC Recommended change | LCC reasoning |
|----------------------|---------------|--|--|--|---|
| | CPO4 CPO5 | Preference should be given to fringe areas which have the ability to take cars off the highway network before they reach core locations. | | | |
| | RA | Agree no local apportionment is appropriate. | | | |
| Use of TAs Para 8 | HA | Questions of how TA consideration would work in practice: i) need for a full TA? ii) what baseline? iii) consultation with the HA? iv) cumulative impact of other sites? v) growth beyond temporary period? | | Retain the need to submit Transport Assessments but provide guidance on what should be included. | In response to all comments it is considered necessary to require TAs in order to assess impact on <i>local</i> traffic flows. The baseline traffic flow should ignore traffic generated by unauthorised car park use. Any applications for LCC car parks will be treated the same. |
| | CPO1 | Transport Assessments are costly. The requirement to undertake a TA is too onerous. | The requirement for a TA is omitted or at least downgraded to a Transport Statement given the costs involved | | |
| | CPO2, CPO3 | TAs are unnecessary because the policy implicitly accepts that car parking spaces up to the level of the cap are acceptable. For existing unauthorised car parks, traffic impact is already known and the Screening for the Environmental Impact Assessment by the City Council indicates that no worsening of the current situation in terms of quantum of car commuting is expected. | The need for a TA should be determined on a site by site basis | | |
| Use of TAs Para 8 | | | | | |

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| | IC3 | Inequitable that Tas required for unauthorised car parks in the fringe but not for those owned by LCC in the core | Require Tas for LCC owned car parks in the core area. | | |
| Duration of permissions Para 10 | HA | Will permissions be renewed and the 3000 cap be reviewed depending on progress in delivering public transport improvements? | | None | Permissions will be reviewed on expiry. Renewal will depend upon progress in delivering public transport. These will be decisions to be taken at the time; policy now cannot second guess what the outcome should be. |
| | CPO4 | The evidence to justify 5 years as a sufficient time to recoup investment should be made available. | | None | Five years is considered sufficient time to recoup investment ensuring developments remain viable and proposals and their viability will be shaped by applicants against non-mandatory requirements. |
| | CPO4 | 3 months is too short a time to expect for the physical improvement works to be carried out. For example, it takes no account of planting seasons | Delete 3 months. The time required should be negotiated on a case by case basis | 3 months is retained in the supporting text as a benchmark, but with acknowledgement that individual site circumstances may justify a longer period. | It is assumed that most owners will be keen to complete the works ASAP in order to re-open for business. However, it is accepted that there may be exceptional site circumstances to justify a longer period than 3 months to complete works. |
| Map of Core and Fringe areas | IC3 | Map lacks clarity and reference points | Show street names so that car park locations can be identified | Provide a map with an ordnance survey base | Improve clarity. |
| Miscellaneous | CPO4 | Danger that permitted schemes may delay or fail to deliver the agreed physical improvements. This would | | None | LCC aims to be rigorous in using its enforcement powers to ensure that physical |

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| | | be unfair to schemes refused permission. | | | improvements are delivered to time. LCC would be aided by the favourable appeal decision achieved in 2010. |
| Miscellaneous | CPO2, CPO3 | The status of the policy should be clarified. | State that the policy will be treated as a material consideration in determining proposals for city centre car parking | Insert: This policy will be treated as a material consideration in determining proposals for car parking on cleared sites in the city centre core and fringe car parking zones. | Clarify the status of the policy. |
| Miscellaneous | LWCA | Overnight car parking should be restricted | Ensure erection of barriers to prevent overnight car parking | None | Hours of opening and means of control of opening hours would be a site specific matter for determination in planning applications. |
| Miscellaneous | IC3 | "there are stricter standards for the core area because of public transport accessibility" (para 9) – are there really? – the state of some of the existing car parks suggests not! | | None | "Stricter standards" refers to policy controlling the number of on site parking spaces to accompany development proposals, not to standards of maintenance |
| Miscellaneous | IC3 | "much of the existing commuter parking on cleared sites is used by people who work in the Core area" (para 9) – where is the evidence of this? | | None | Periodic surveys carried out by Leeds City Council. |

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