



## Report of the Chief Planning Officer

### *PLANS PANEL CITY CENTRE*

Date: 15 March 2012

**Subject: APPLICATION 10/04358/FU – RETENTION OF PUBLIC CAR PARK FOR PERIOD OF 5 YEARS (290 SPACES) AT WELLINGTON PLACE (SOUTH), WELLINGTON STREET, NORTHERN STREET AND WHITEHALL ROAD, LEEDS LS1**

#### **APPLICANT**

Wellington Place General  
Partner Ltd

#### **DATE VALID**

24 September 2010

#### **TARGET DATE**

19 November 2010

#### **Electoral Wards Affected:**

City and Hunslet

No

Ward Members consulted  
(referred to in report)

#### **Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### **RECOMMENDATION:**

**APPROVE** subject to the following conditions (and any others which may be considered appropriate)

#### **CONDITIONS**

1. The use hereby permitted shall be discontinued and the land restored to a condition the details of which shall have been submitted to and approved in writing by the Local Planning Authority on or before 15th March 2017

To comply with the aims of the Council's transport strategy in accordance with adopted Leeds UDP Review (2006) and the City Centre Commuter Car Parking Policy 2011.

2. The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.

For the avoidance of doubt and in the interests of proper planning.

3. Unless otherwise agreed in writing by the Local Planning Authority, the hard and soft landscape works shown on Carey Jones Architects drawing ref. 20088 (SK) 110506-02, shall be completed within three months from the date of this permission. Landscape works shall include:
  - (a) boundary details and means of enclosure,
  - (b) method of delineating parking spaces,
  - (c) hard surfacing areas,
  - (d) any CCTV, lighting structures, bollards
  - (e) planting plans
  - (f) written specifications (including soil depths, cultivation and other operations associated with plant and grass establishment) and
  - (g) schedules of plants noting species, planting sizes and proposed numbers/densities

All hard and soft landscaping works shall be carried out in accordance with the approved details, and British Standard BS 4428:1989 Code of Practice for General Landscape Operations. The developer shall complete the approved landscaping works, confirm this in writing to the Local Planning Authority prior to the date as agreed, and retain for the duration of this temporary permission.

To ensure the provision and establishment of acceptable landscape in accordance with adopted Leeds UDP Review (2006) policies GP5, N25 and LD1.

4. a) No retained tree/hedge/shrub shall be cut down, uprooted or destroyed nor any tree be pruned, topped or lopped or suffer root severance other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any approved pruning, topping or lopping shall be carried out in accordance with current British Standards and any tree survey approved by the Local Planning Authority.

b) If any retained tree/hedge/shrub is removed, uprooted or destroyed or dies the Local Planning Authority shall be notified forthwith in writing. Another tree/hedge/shrub of an agreed size and species shall be planted at the same place and at such time, as may be specified in writing by the Local Planning Authority.

Retained tree/hedge/shrub refers to vegetation which is to be retained, as shown on the approved plans and particulars, and the condition shall have effect until the expiration of five years from the date of occupation.

To ensure the continuity of amenity afforded by existing vegetation in accordance with adopted Leeds UDP Review (2006) policies GP5, N23 and LD1.

5. If within a period of five years from the date of the planting of any tree/hedge/shrub that tree/hedge/shrub, or any replacement, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree/hedge/shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the Local Planning Authority.

To ensure maintenance of a healthy landscape scheme, in accordance with adopted Leeds UDP Review (2006) policies GP5 and LD1.

6. Development shall not commence until a scheme detailing surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The details should be in accordance with the council's Minimum Development Control Standards for Flood Risk. The works shall be implemented in accordance with the approved scheme before the development is brought into use, or as set out in the approved phasing details.

To ensure sustainable drainage and flood prevention in accordance with policies GP5, N39A of the adopted Leeds UDP Review (2006) and PPS25.

7. Before the development comes into use the developer shall submit to the council for approval details of a "Flood Risk Management Plan" for the site. The Plan should include details of arrangements for the evacuation of the site and the containment of on-site vehicles in the event of any severe flooding.

In accordance with UDP Review 2006 Policy GP5 and national planning guidance Planning Policy Statement 25.

8. Surface water from areas used by vehicles shall be passed through an oil and petrol interceptor of adequate capacity prior to discharge to the public sewer. The interceptor shall be retained and maintained thereafter.

To ensure pollution prevention in accordance with adopted Leeds UDP Review (2006) policy GP5 and PPS25.

9. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules shall be submitted to and approved in writing by the Local Planning Authority within 3 months of the date of this permission. The landscape management plan shall be carried out as approved thereafter.

To ensure successful aftercare of landscaping, in accordance with adopted Leeds UDP Review (2006) policies GP5 and LD1.

10. Unless otherwise agreed in writing by the Local Planning Authority, the temporary uses shown on Carey Jones Architects drawing ref. 20088 (SK) 110506-01 including the marketing suite, football courts, urban allotments and beehives shall be retained and operated for the duration of this permission.

In the interests of the vitality of the City Centre in accordance with policy GP5 of the Leeds UDP (Review) 2006 and the City Centre Commuter Car Parking Policy 2011.

11. The pedestrian walkways which pass through the site indicated on Carey Jones Architects drawing ref. 20088 (SK) 110506-01 hereby approved shall be kept open through the site at all times unless otherwise agreed in writing by the Local Planning Authority.

In the interests of pedestrian accessibility and safety, and the vitality of the City Centre, in accordance with policy GP5 of the Leeds UDP (Review) 2006 and the City Centre Commuter Car Parking Policy 2011.

## **Reasons for approval:**

The application is considered to comply with national guidance PPS1 and PPG13, the Yorkshire and Humber Regional Spatial Strategy, and policies GP5 T2 LD1 N25 N51 N38B of the Leeds Unitary Development Plan Review 2006 (UDP), as well as guidance contained within City Centre Commuter Car Parking Policy (CCCCPP) as an exception to policies T24A and CCP2 of the UDP, and having regard to all other material considerations, is considered acceptable.

## **INTRODUCTION:**

- 1.1 This application is brought to Plans Panel because it is a major application to be considered under the City Centre Commuter Car Parking Policy (CCCCPP). This report should be read in conjunction with the umbrella report to this Plans Panel for those applications being considered under CCCCCPP.

## **2.0 PROPOSAL:**

- 2.1.1 The proposal is for a 5 year temporary planning permission for the retention of 290 long stay commuter car parking spaces. This retrospective application is one of two at the Wellington Place site. The application subject of this report relates to the southern area of car parking. Planning application reference 11/02640/FU on this agenda item relates to the northern area of car parking.
- 2.1.2 The car parking area has a tarmac surface, is lit, attended and has CCTV. The site access is from Whitehall Road.
- 2.1.3 The application submission is supported by plans, a planning statement and a transport statement.
- 2.1.4 The site already features car parking, a marketing suite, football pitches, allotments, bee hives and seating areas. Good quality materials and extensive landscaping with footpaths through the site along future desire lines have also been laid out.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The southern car park site at Wellington Place has been in use as a temporary long stay car park since 2008. The Wellington Place site consists of surface car parking, temporary sports pitches, allotments, bee hives, a marketing suite, and the Grade II Listed lifting tower which sit in the centre of the site. The truncated end of the Grade II listed former railway viaduct and wild vegetation along the river bank sits at the western end of the site, beyond an area of mown grass. Gravel surfacing demarcates the footprints of the buildings approved as part of the outline scheme, and bound gravel walkways link through to the surrounding network of streets at the eastern end of the site. The site's parking areas have a tarmac surface with line markings, is lit, attended and covered by CCTV. The site is bounded by a variety of treatments including a landscaped border on all sides.
- 3.2 The application site is covered by an extant outline planning application for the northern side of Whitehall Road for a mixed office/residential development.
- 3.3 The site lies within the designated City Centre Prime Office Quarter and flood risk zone 3.

## **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 The main outline approval (06/06824/OT/C) was granted in 2008. Two of the buildings pursuant to this outline, Blocks 3 and 6A have both received reserve Matters approval. In addition a series of temporary schemes on parts of the site have been implemented.
- 4.2 The marketing suite now on site was completed late in 2008. This was approved under planning reference 06/06713/FU for a period of ten years.
- 4.3 Under planning reference 09/00102/FU use of land for the siting of 2 temporary football pitches, with changing facilities and lighting was granted permission for a period of ten years. This has been implemented.
- 4.4 Under planning reference 09/00782/FU a temporary public square with seating and planting, including the lighting of the listed lifting tower from the landscaped area was approved for a period of ten years. This has been implemented.

## **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 On 26 February 2009 Plans Panel City Centre received an information only presentation to update Members on the current situation in respect of temporary landscape treatments to the Wellington Place site.
- 5.2 In September 2010 an application for car parking at Wellington Place (South) was received. This was held in abeyance during the review of car parking policy. The applicant confirmed its package of supporting information and the site extent in June 2011 and November 2011.
- 5.3 In July 2011, the applicant submitted an application for the operation of car parking at Wellington Place (North), and commenced this use shortly after. The application was held in abeyance pending the outcome of the car parking policy review. The applicant confirmed its package of supporting information and the site extent in November 2011.

## **6.0 PUBLIC/LOCAL RESPONSE:**

- 6.1 Application publicity consisted of:
- 6.1.1 Site Notice posted 8 October 2010 expired 29 October 2010
- 6.1.2 Site Notice posted 15 July 2011 expired 5 August 2011
- 6.1.3 Site Notice posted 16 December 2011 expired 6 January 2012
- 6.2 No comments were received.

## **7.0 CONSULTATIONS RESPONSES:**

### **7.1 Statutory:**

#### **7.1.2 Highways Agency**

The Highways Agency has reviewed the planning application and has concluded that the site will have a minimal impact on the Strategic Road Network (when considered in line with the highway impact scoring criteria.) In the context of the CCCCP and associated 3200 space cap, the Highways Agency does not have any objection to the proposal.

#### **7.1.3 LCC Transport Development Services**

The submitted Transport Assessment is in accordance with UDP policy and CCCCPP. The site access accords with the LCC Street Design Guide SPD visibility splay standards in both directions for the type of road. There is a modest traffic impact on the Whitehall Road/Northern Street/Wellington Street and Whitehall Road/Globe Road junctions. It is considered that the proposal would not give rise to adverse road safety issues.

#### 7.1.3 **Environment Agency**

No objection subject to recommended conditions

### 7.2 **Non-statutory:**

#### 7.2.1 **LCC Flood Risk Management**

No objection subject to recommended conditions

#### 7.2.2 **West Yorkshire Police Architectural Liaison Officer**

The assessments carried out by officers with regard to safety and security is appropriate.

## 8.0 **PLANNING POLICIES:**

8.1 The policy background and process for assessing each submitted application is discussed in the umbrella report on this agenda.

## 9.0 **MAIN ISSUES**

1. Highways implications
2. Safety and Security
3. Appearance (including the setting of the Grade II listed building)  
/Biodiversity
4. Other beneficial temporary uses

## 10.0 **APPRAISAL**

### 10.1 **Highways implications**

The Transport Assessment was submitted in accordance with the guidance provided. The Highways Agency consider that there is minimal impact in relation to the motorway. LCC highways officers consider that there is a modest traffic impact on Whitehall Road/Northern Street/Wellington Street and Whitehall Road/Globe Road junctions. It is considered that the established car park access point meets the standards of the Street Design Guide, and that the application proposal would not give rise to adverse road safety issues. The site is comparatively above average in relation to other alternative sites in terms of traffic impact criteria.

### 10.2 **Safety and Security**

The site is lit, attended and has CCTV. Other active uses also provide natural surveillance. The site is comparatively above average in relation to other alternative sites in terms of community safety criteria.

### 10.3 **Appearance (including the setting of the Grade II listed building)/Biodiversity**

It is considered that the proposal makes a positive contribution to the visual appearance, landscape quality and biodiversity in the area. Good quality materials and extensive landscaping with footpaths through the site along future desire lines have been laid out. Seating areas are also provided. The listed building on the site has been respected and is lit at night. It is therefore considered that the special

architectural character and historic interest of the listed building is enhanced. The site edge to the River Aire is not publicly accessible but features mown grass and wild border which makes a positive contribution to local biodiversity. The promotion of bee hives is an additional biodiversity benefit. The site is comparatively above average in relation to other alternative sites in terms of the provision of visual enhancements, landscape quality and biodiversity.

#### 10.4 **Other beneficial uses**

The site features a marketing suite, football pitches, allotments, bee hives and seating areas. This presents an exemplar in other beneficial temporary uses which bring positive activity to the site. The site is comparatively above average in relation to other alternative sites in terms of the provision of other beneficial uses.

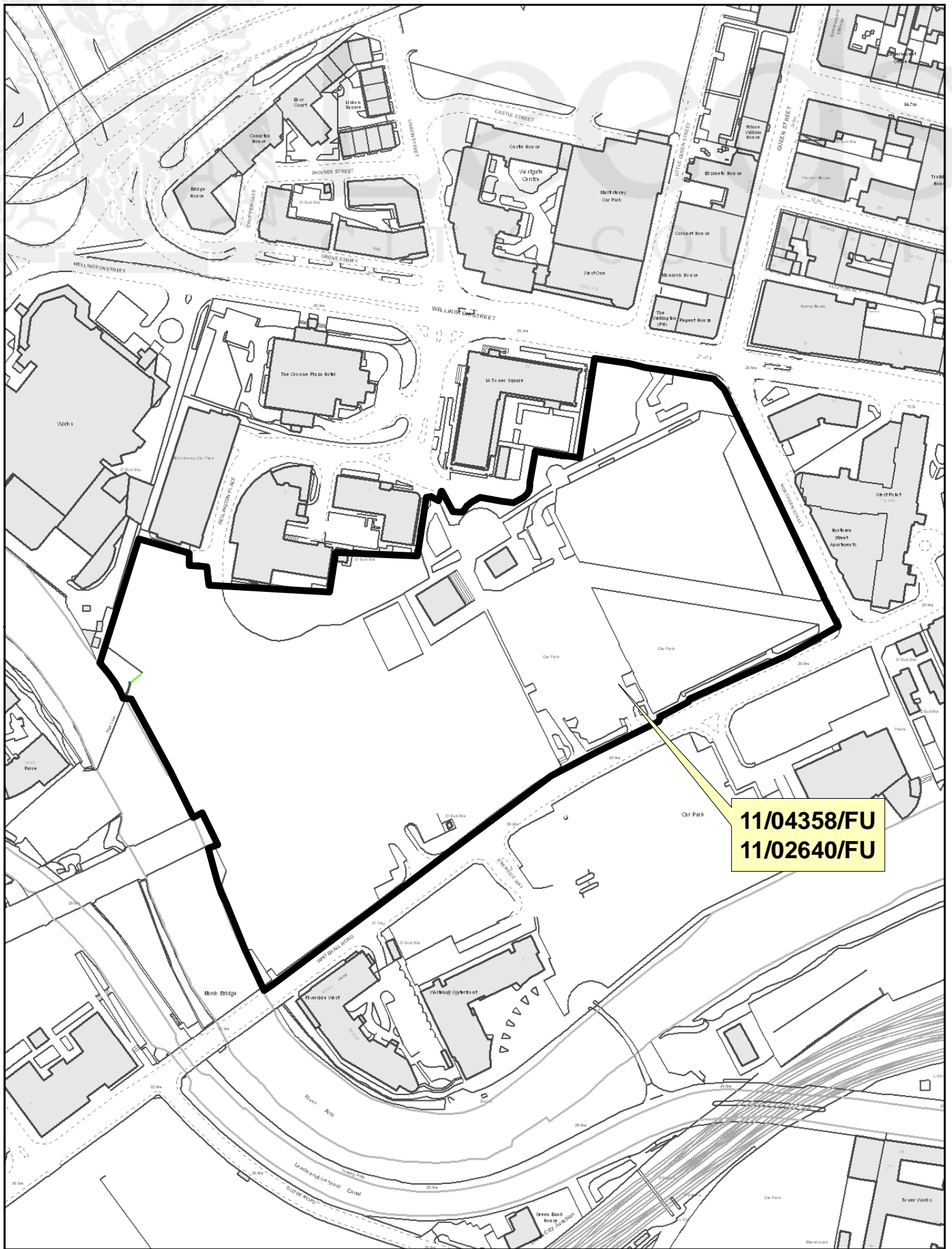
### 11.0 **CONCLUSION**

11.1 In the case of this application proposal, it is considered that it meets the provisions of the Leeds City Centre Commuter Control Parking Policy in terms of its assessment against other alternative sites as comparatively well above average in respect of traffic impact, community safety and visual appearance criteria. The scheme presents an exemplar approach to dealing with a site awaiting development, and therefore there may need to be adjustments over the time period to allow permanent site development to be built out without affecting the provision of car parking, which helps to fund the enhancement, upkeep and lighting of the Grade II listed lifting tower, the landscaping and its maintenance, and the provision of the other beneficial temporary uses. The application is therefore recommended for approval.

#### **Background Papers:**

Application files 10/04358/FU

Certificate of Ownership – Certificate A signed on behalf of Wellington Place General Partner Ltd



**11/04358/FU**  
**11/02640/FU**

# CITY CENTRE PLANS PANEL

