



Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 15 March 2012

Subject: APPLICATION 10/04375/FU – RETENTION OF SURFACE CAR PARK FOR PERIOD OF 5 YEARS (423 SPACES) AT WHITEHALL RIVERSIDE (TCS), WHITEHALL ROAD, LEEDS LS12

APPLICANT

Town Centre Securities PLC

DATE VALID

24 September 2010

TARGET DATE

24 December 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 (SK) 11-05-16/01 Revision A, 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.

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 The proposal is for a 5 year temporary planning permission to retain 423 long stay commuter car parking spaces at this site. The application submission is supported by plans, a transport statement, a planning statement and a flood risk assessment.

- 2.2 It is proposed to retain the site's mixture of tarmac and compacted rubble surfacing, post and rail fencing, and landscaped border on all sides, and accessed from the Whitehall Riverside site development access. The car park is fully lit, attended, and covered by CCTV.
- 2.3 The proposed landscaped border to the Whitehall Road frontage and its return to the access road would be some 1.8m wide, to match that on the eastern side of the car park which is existing. This would be planted within 3 months of the date of permission, unless otherwise agreed in writing with the Local Planning Authority. This consists of a mix of *Pyracantha*, *Euonymus Fortunei*, and *Pyrus Calleryana*. There is also a 4-5m wide grassed border around the southern, eastern edges of the car park, with a grassed mound to the western edge.

3.0 SITE AND SURROUNDINGS:

- 3.1.1 The site has been in use as a temporary long stay car park since circa 1988. The most recent temporary permission lapsed in 2004 and it has been in use as an unauthorised long stay car park since then. Following the outline planning permission to erect 4 office blocks, 2 residential blocks, 2 café bars, retail units and multi-storey car park granted in 2001, there has been a gradual reduction in the levels of long stay car parking on the site as permanent development has progressed at the eastern and western ends of the site with the construction of No.1 Whitehall Riverside (offices) and No. 2 Riverside Way (residential/offices).
- 3.1.2 The application site was covered by an outline planning application for most of the south side of Whitehall Road between the end of Northern Street and Monk Bridge, for a mixed office/residential development. Two buildings have been built from this outline scheme and a subsequent amending application - the No.1 Whitehall Riverside office block, and the No.2 Riverside Way residential block. The site is in close proximity to a number of large redevelopment sites including the proposed Wellington Place outline scheme to the north of Whitehall Road, and the West Central and Whitehall Quay developments along Whitehall Road to the east. Plans Panel approved a office and hotel proposal for the site directly adjacent to the east of this car park in December 2011 (ref. 11/04023/FU). However, no extant redevelopment planning permission is in place for this application site.
- 3.1.3 The site lies within the UDP designated City Centre Prime Office Quarter and flood risk zone 3.
- 3.1.4 The site's surface consists of a mixture of tarmac and compacted rubble. The site is bounded by post and rail fencing, with a landscaped border on all sides.
- 3.1.5 Pedestrian links to the riverside, a bound gravel riverside walkway running along the southern edge of the site, and a footbridge over the River Aire, were delivered as part of the No.1 Whitehall Riverside and No.2 Riverside Way schemes.

4.0 RELEVANT PLANNING HISTORY:

20/299/00/OT Outline application to erect 4 office blocks, 2 residential blocks, 2 café bars, retail units and multi-storey car park – approved 10 October 2001, now expired. There is no extant redevelopment permission for the current application site.

07/01390/FU Retention of temporary car park for period of 3 years - withdrawn

06/01849/FU Retention of site as car park – withdrawn

20/296/03/RE Extension of temporary permission for use of cleared site as car park - approved

20/303/02/RE Extension of temporary permission for use of cleared site as car park – approved

20/261/01/RE Extension of temporary permission for use of cleared site as car park – approved.

20/473/99/RE Temporary use of cleared site as car park - approved

20/25/97/FU Temporary use of cleared site as car park - approved

20/379/94/RE Extension of temporary permission for car park and vehicular access - approved

20/122/93/RE Extension of temporary permission for car park to cleared site - approved

20/123/93/FU Use of cleared site as car park - refused

20/326/92/FU Laying out of car park - refused

H20/485/91/ Laying out of enlarged temporary car park with landscaping to cleared site – approved

H20/544/90/ Use of cleared site as car park - refused

H20/507/89/1 Extension of temporary permission to lay out enlarged car park with landscaping to cleared site - withdrawn

H20/507/89/ Laying out of enlarged temporary car park with landscaping to cleared site - approved

H20/53/89/ Laying out of enlarged temporary car park to cleared site - withdrawn

H20/303/88/1 Amendment to previous application, involving removal of condition no.7 for the use of land for temporary car parking - refusal

H20/303/88/ Use of land for temporary car parking - approved

5.0 HISTORY OF NEGOTIATIONS:

5.1 Numerous discussions since 2010 with the applicant regarding the acceptability of the proposal in the context of adopted UDP policy and the nearby appeal decisions. The application was held in abeyance in December 2010 to allow the formulation of the CCCCP, and the applicant made written submissions in September 2011 to support their application in the light of this.

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 Press Notice posted 14 October 2010 expired 4 November 2010
- 6.1.3 Site Notice posted 16 September 2011 expired 7 October 2011
- 6.1.4 Press Notice 22 September 2011 expired 13 October 2011

6.2 No comments were received.

7.0 CONSULTATIONS RESPONSES:

7.1 Statutory Consultations

7.1.1 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 policy and associated 3200 space cap, the Highways Agency does not have any objection to the proposal.

7.1.2 LCC Transport Development Services

The Transport Assessment is not strictly in accordance with CCCCP. It does not demonstrate a full TRANSYT model for the wider local network. The site access accords with the Street Design Guide SPD visibility splay standards in both directions for the type of road. It is considered that there would be moderate traffic impact on Whitehall Road/Northern Street/Wellington Street and Whitehall Road/Globe Road junctions. However, it is considered that the proposal would not adversely affect road safety.

7.1.3 Environment Agency

No objection subject to recommended conditions

7.2 Non-Statutory Consultations

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 are 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/Biodiversity
4. Other beneficial temporary uses

10.0 APPRAISAL

10.1 Highways implications

The Transport Assessment is not strictly in accordance with the stated policy requirements under CCCCP. It does not demonstrate a full TRANSYT model for the wider local network. However, the Highways Agency estimates the impact on the motorway to be minimal and LCC highways officers believe there will be a moderate traffic impact on the local highway network, particularly at the Whitehall Road/Northern Street/Wellington Street and Whitehall Road/Globe Road junctions. It is therefore considered that the application proposal would not give rise to road safety concerns, and the site has been evaluated as comparatively average when compared to other alternative sites on this basis.

10.2 **Safety and Security**

The site benefits from natural surveillance from pedestrian routes all around the site, and from neighbouring residential and office buildings, and open aspects to the riverside walkway and Whitehall Road. The site is well lit, attended and has CCTV coverage. The site has been evaluated as comparatively above when compared to other alternative sites on this basis.

10.3 **Appearance/Biodiversity**

The proposed landscaped border to the Whitehall Road frontage would be some 1.8m wide, and would be planted to match that on the eastern side of the car park which is existing. This consists of a mix of Pyracantha, Euonymus Fortunei, and Pyrus Calleryana. There is also a grassed border around the southern, eastern and western edges of the car park. It is considered that the proposal makes a positive contribution through the provision of a riverside walkway, and with reasonable planting and biodiversity enhancements around its edges, particularly to the eastern boundary. Although there is potential for more generous planting along the Whitehall Road frontage and for landscaping features to be proposed within the car parking area, it is considered that the proposal is satisfactory. The site has been evaluated as comparatively average when compared to other alternative sites on this basis.

10.4 **Other beneficial temporary uses**

No other temporary uses are proposed.

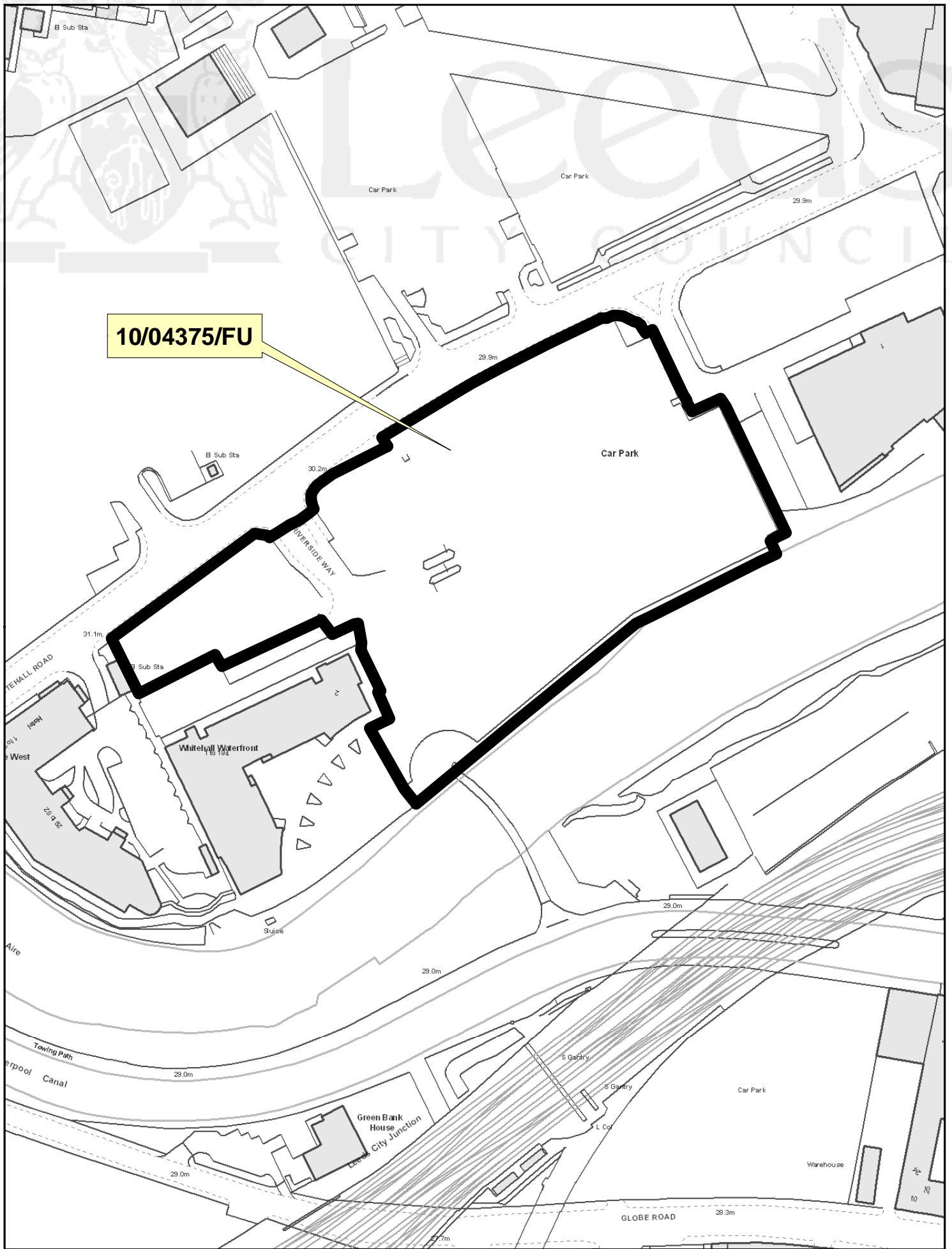
11.0 **CONCLUSION**

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 average in respect of traffic impact and visual appearance criteria, and above average in terms of community safety criteria. The application is therefore recommended for approval.

Background Papers:

Application file 10/04375/FU

Certificate of Ownership – Certificate A signed on behalf of owner Town Centre Securities PLC



10/04375/FU

CITY CENTRE PLANS PANEL