



Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

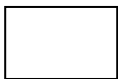
Date: 15th March 2012

Subject: APPLICATION 11/04259/FU – USE OF SITE AS CAR PARK (200 SPACES) AT MIDLAND PLACE, WATER LANE, HOLBECK, LEEDS, LS11 5BZ

APPLICANT	DATE VALID	TARGET DATE
St Paul's Street (Investments) Ltd	20/10/11	15/12/11

Electoral Wards Affected:

City & Hunslet



Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: APPROVE subject to the specified conditions (and any others which might be considered appropriate).

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) policy CCCC1.

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, full details of both hard and soft landscape works, including an implementation programme stating the works shall be completed within three months from the date of this permission, shall be submitted to and approved in writing by the Local Planning Authority within one month 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, hoardings, public art,
- (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, approved implementation programme and British Standard BS 4428:1989 Code of Practice for General Landscape Operations. The developer shall complete the approved landscaping works and confirm this in writing to the Local Planning Authority prior to the date agreed in the implementation programme.

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

4. 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.

5. 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.

6. 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 in the event of any severe flooding.

To ensure the site can be appropriately evacuated in the event of severe flooding in accordance with policies GP5 of the adopted Leeds UDP Review (2006) and PPS25.

7. 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.

8. Notwithstanding the details shown on approved plans ref 1A and 2A, no development shall take place until a plan showing visibility splays of 2.4m x 70m; has been submitted to and approved in writing by the Local Planning Authority. The approved visibility splays shall be laid out to an adoptable standard prior to occupation and retained for the lifetime of the development.

To ensure the free and safe use of the highway in accordance with adopted Leeds UDP Review (2006) policy T2.

9. Within one month of the date of permission full details of the operation of the shuttle bus shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented immediately and the shuttle bus operated in accordance with the agreed details thereafter.

In the interests of pedestrian safety in accordance with adopted Leeds UDP Review policy GP5.

10. Within three months of the date of this permission, 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. The landscape management plan shall be carried out as approved.

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

Reasons for approval:

In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government Guidance and Policy as detailed in the Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan, policy CCCC1, the Leeds Unitary Development Plan Review 2006 (UDPR).

GP5, T2, T24A, N19, N25, LD1, CCP2.

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

1.0 INTRODUCTION:

1.1 This application is one of the long stay commuter car applications to be considered under policy CCCC1. This report should be read in conjunction with the umbrella report to this Plans Panel for those applications being considered under CCCC1.

2.0 PROPOSAL:

2.1 The application proposal is for a 200 space long stay car park. Planting is proposed at the entrance that includes 8 Silver Birch trees with a further 11 Silver Birch trees within tree pits throughout the site. The site cabin and palisade fence onto Water Lane are to be repainted. The surface will receive Bitmac scalplings to provide a consistent surface and CCTV and lighting are proposed. A shuttle bus is proposed

to transport customers to and from Bridgewater Place at the opposite end of Water Lane, this will operate on demand from 7am-7pm.

3.0 SITE AND SURROUNDINGS:

3.1 The site is located on the southern side of Water Lane within the UDPR defined City Centre, Holbeck Urban Village and the Holbeck Conservation Area. The grade II listed Midland Mills abuts the site to the east and the railway viaduct is to the immediate west of the site. There is a mix of commercial premises in the area housed in a variety of industrial units or former mill buildings.

3.2 The site is cleared of all buildings except an electricity substation in the middle and site cabin close to the entrance off Water Lane. The site currently operates as an unauthorised long stay commuter car park for around 200 cars. The site is primarily enclosed by high brick walls together with a painted palisade fence onto Water Lane. The surface is uneven and broken in parts.

4.0 RELEVANT PLANNING HISTORY:

4.1 ENF/1545/05/20: Enforcement action commenced in 2005 regarding the unauthorised change of use of the site to a commuter car park. This notice was appealed but the appeal was dismissed on 27/10/10.

5.0 HISTORY OF NEGOTIATIONS:

5.1 None.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 Advert in the Leeds weekly News 26/10/11 and site notice posted 28/10/11.

6.2 Leeds Civic Trust supports the approach of policy CCCP1 to assess the cumulative impact of this and other car parks in Holbeck. The Trust consider there to be an inadequate level of detail submitted with the application particularly with regard to the works to the entrance.

7.0 CONSULTATIONS RESPONSES:

7.1 Statutory:

7.2 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 CCCCP1 policy and associated 3200 space cap, the Highways Agency does not have any objection to the proposal.

7.3 Environment Agency: Sustainable Urban Drainage Systems (SUDS) should be used to manage the surface water drainage and, dependent on the type of SUDS used, an oil interceptor may need to be installed.

7.4 Non-statutory:

7.5 LCC Flood Risk Management: The Flood Risk Assessment relates to the future development of the site, no drainage details are suggested for this development so it is not possible to fully assess the suitability or feasibility of any proposal for the

drainage of this site. There are too many variables to agree specific conditions for the site and at least an outline drainage proposal should be submitted.

7.6 West Yorkshire Ecology: No objection.

7.7 West Yorkshire Police Architectural Liaison Officer: The assessments carried out by officers with regard to safety and security is appropriate.

7.8 Highways: Some information missing such as strategic distribution, visibility to right onto Water Lane is below standard with no improvements proposed, there would be a small traffic impact on Meadow Road gyratory and Water Lane/Neville Street junction.

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

- The application is primarily considered against the criteria identified in policy CCCC1:
 - Highways implications.
 - Safety and security.
 - Appearance/Biodiversity.
 - Temporary and/or additional uses.

10.0 APPRAISAL:

10.1 Highways implications

10.2 The Transport Assessment was not fully in accordance with the stated policy requirements and one of the visibility splays is below standards. However, the Highways Agency estimates the impact on the motorway to be minimal and there will be a small traffic impact on Meadow Road gyratory and Water Lane/Neville Street junction. A condition can be added to ensure the appropriate visibility splay is achieved.

10.3 Safety and Security

10.4 This is an isolated site located away from the more active uses on Water Lane in the centre of HUV. However, the site is manned and a shuttle bus operates throughout the day from the site to Bridgewater Place therefore removing the need for customers to walk what could be an intimidating route into town. The applicant proposes to install CCTV, further lighting, security bollards to enhance security and will retain (but re-paint) the palisade fence to the Water Lane boundary. Despite being rather isolated and potentially unsafe in its current form, the applicant has proposed a number of measures to improve security to an acceptable level.

10.5 Appearance/Biodiversity

10.6 The applicant proposes some improvement to the overall appearance of the site. New planting is proposed with Silver Birch trees in planters throughout the site and new trees and shrubs to the Water Lane frontage. This will significantly improve the appearance of the site. However, this could have been even better if the boundary

fence was relocated to increase the depth of the planting on the road side (something that could be sought and agreed via condition). Painting the existing palisade fence dark green will improve its appearance, albeit that a new fence would have been preferred. Overall the proposals would significantly improve the appearance of the site and will enhance the appearance of this part of Water Lane.

10.7 Temporary and/or additional uses

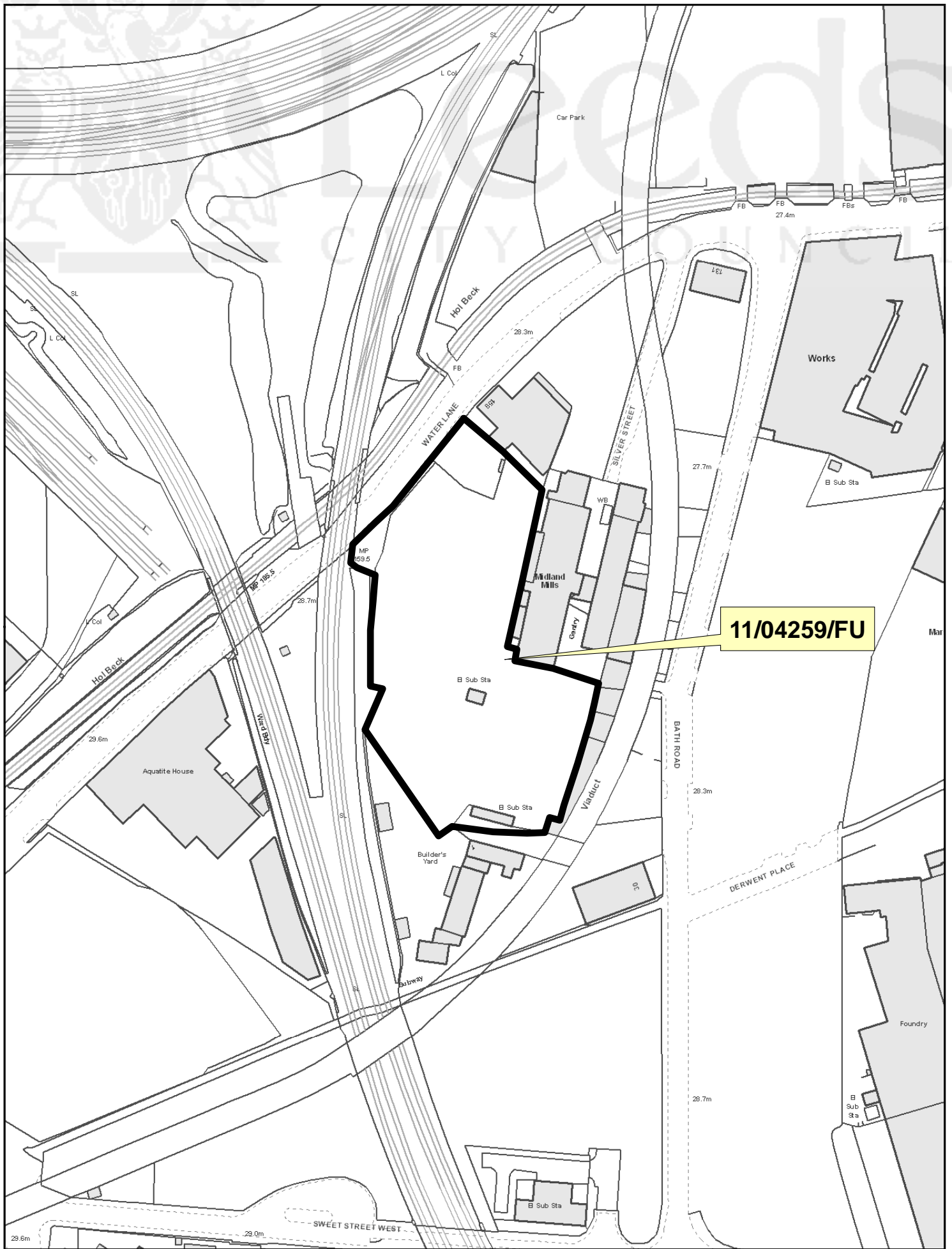
10.8 No temporary uses are proposed.

11.0 CONCLUSION:

11.1 Based on an assessment against the criteria within UDPR policy CCCC1 this application was considered to have an acceptable impact on the highway and included proposals to make the site safer, more secure and more visually attractive. It is therefore considered on balance that it betters the other site proposals (recommended for refusal) when evaluated in terms of the quality and provision of the benefits recommended by the CCCC1 policy and is recommended for approval.

12.1 BACKGROUND PAPERS:

12.2 Application file 11/04259/FU and previous enforcement file ENF/1545/05/20. Certificate of Ownership – Certificate A signed by the applicant.



CITY CENTRE PLANS PANEL