



Report of the Chief Planning Officer

PLANS PANEL CENTRAL

Date: 10TH MAY 2012

Subject: APPLICATION 11/05239/FU – USE OF SITE AS CAR PARK (225 SPACES) AT INGRAM ROW, HOLBECK, LEEDS, LS11

APPLICANT
Ingram Row Ltd

DATE VALID
13/12/2011

TARGET DATE
7/02/20102

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:

Refuse permission for the following reason:

The application proposal is one of a number which seek permission for long stay car parking within the city centre. It has been resolved to grant planning permission to other applications which are considered to better meet the criteria set out in the Council's informal City Centre Commuter Car Parking Policy (CCCCPP), and in these circumstances this application is considered to be contrary to the Council's transport strategy to restrict commuter car parking in accordance with Policies CCP2 and T24A of the Leeds Unitary Development Plan Review 2006, and the CCCCCPP, by exceeding the cap of 3200 aggregate spaces allowed under this policy and would therefore have an adverse impact on the strategic highway network and sections of the local highway network in the vicinity of Ingram Row.

1.0 INTRODUCTION:

1.1 This application is one of the long stay commuter car parking applications being considered under the CCCCCP policy. It was originally recommended for refusal at Plans Panel on 15th March 2012. However, Members considered that there was some

merit in the application and the officer recommendation to refuse was not agreed. The formal minutes provide an accurate summary of the resolution:

“that the officer recommendation to refuse the application be not agreed. Members noted the officer recommendation had been made having regard to the policy and cap on spaces, however, felt that the proposals for this car park had merit, but would provide 225 spaces above the cap. Members therefore agreed with the suggestion to defer determination of this application in order to allow time to seek the comments of the Highways Agency and the Council’s transport policy section on the impact of exceeding the cap and the implications for the assessment process and request a further report on this application be presented to the April or May Panel meeting.”

- 1.2 The purpose of this report is to provide the requested additional information and to review the position taking in to account all material considerations.

2.0 PROPOSAL:

- 2.1 The proposal is for a 225 space long stay car park accessed from Ingram Row which is in the south-eastern part of Holbeck Urban Village (HUV). Physical works include the removal of all of the Pallisade and Herras fencing which surrounds the site and the demolition of the one remaining building thereby removing the pinch point from the eastern boundary. The existing trees along the southern boundary are to be retained and the western, northern and eastern boundaries are to receive a continuous strip of planting which varies in width between 3.5m and 5m with a wooden post and double rail fence on its outer face fronting the back edge of footpath. The plant species is stated as Pyracantha which has been used for security purposes. The surface is a mix of hard-standing and compacted rubble and the lighting is to remain unaltered as a series of individually mounted fixtures atop metal poles.

3.0 SITE AND SURROUNDINGS:

- 3.1 This was included in the original report, a copy of which is attached at the end of this report.

4.0 FURTHER RESPONSES RECEIVED SUBSEQUENT TO PANEL

- 4.1 Following the above resolution officers have received further responses from the Highways Agency and from LCC Highways, and Transportation Policy colleagues:

4.2 Highways Agency:

The Highways Agency was supportive of the Leeds City Centre Commuter Car Parking Policy and this support was on the basis of a cap on the number of spaces allowed. The agreed 3200 space cap was justified on the basis of the level of usage of unauthorised spaces and parking elsewhere in the city centre. Given the delay in major public transport provision such as NGT or park and ride, the Highways Agency were prepared to accept the 3200 space cap as this number of spaces would cater for existing need during the period prior to the benefits of any public transport interventions being realised. Any increase in this cap is likely to result in an overprovision of spaces which will only encourage more car use.

The HA considers that approving the application at Ingram Row would undermine the intention behind the CCCC policy and would open the door to further applications

being permitted over and above the 3200 space cap. See attached letter dated 30th April 2012.

4.3 **LCC Highways Services**

Harm to local traffic flow

The Transport Assessment submitted in support of the application was considered flawed in respect of the assumptions made with regard to the distribution of traffic to the car park on the network and with respect to the traffic modelling carried out. The Transport Assessment suggested that having the Ingram Row car park would have a lesser impact on the highway network than not having it, on the basis that most of the traffic would continue to enter the city along Meadow Road and that this was a worse impact than if the traffic turned off to the car park. This distribution assumption was not accepted by the council, as some traffic would inevitably approach the site from the Hunslet Road/Great Wilson Street direction along Meadow Road and some traffic that would use the M621, Junction 3, to get to this site would use another route to get to other car parks, thereby reducing the amount of traffic in the area of the site.

In addition, the method of modelling the junctions adjacent to the site was not accepted by the council. A transport model had been agreed for this site as part of an earlier consent that could have been used and would have reduced the extent of disagreement on the results.

It is considered that materially exceeding the 3200 space cap in this location, combined with the approvals for Ingram St and Sweet St (City One), would cause capacity problems on the Meadow Road gyratory. The combination of the 3200 space cap combined with the distribution of the car parking spaces around the city is key to safeguarding the operation of the highway network and the acceptability of the additional car parking allowed under the policy. To approve this car park would therefore be contrary to the objectives of the policy and generate additional carbon emissions.

4.4 **LCC Policy**

Robustness of the cap

The Council first published a draft policy with a suggested cap of 3000 spaces in March 2011. This was subject to a period of public consultation to 6th May 2011. Executive Board took account of the public responses received before agreeing the revised cap of 3200 in September 2011, as part of the final CCCCPC Policy. The derivation of this figure took account of the level of usage of all the unauthorised car parks affected by the policy, together with the availability of alternative city centre parking. It also reflected the introduction of additional rail rolling stock from December 2011 that could be expected to reduce the demand for car commuting in the city centre. The calculation took a conservative view of the quantity of alternatives in order to provide a robust assessment.

The assessment of all the submitted car park applications against the comparative criteria of the City Centre Commuter Car Park (CCCCPC) policy resulted in 11 car parks being approved at the City Centre Plans Panel meeting of 15th March 2012, 4 being refused and this application being deferred. This means that the 11 approved car parks have taken up all of the 3200 car parking spaces allowable under the CCCCPC policy. At this point in time, allowing further spaces would therefore be contrary to the policy.

4.5 **LCC Legal**

Implications of exceeding the cap

The cap of 3200 spaces constitutes a fundamental element of the CCCCPC policy, introduced as a temporary measure to provide a limited exception to the Development Plan policy. Giving approval to the Ingram Row car park would add a further 225 commuter car parking spaces to those already approved taking the total number of car parking spaces to 3443, 243 spaces above the cap of 3200. Not only would this material increase in provision of long term car parking spaces constitute a breach of this policy and raise highway concerns in its own right (as set out elsewhere in this report) but, permitting Ingram Row (without good reason) could set a precedent and encourage other applications for long term car parking within the city which would be more difficult to resist as a consequence. There is a significant risk that to permit this application would undermine the CCCCPC policy and the intention behind the cap. Inevitably, in any future appeals for similar applications, an inspector would take this approval into account and the 'flexible approach' taken by the Council to the application of its own policy. It follows that it would be more difficult to resist further applications and maintain a robust position at appeal if the cap is exceeded to a material degree without very good reason.

5.0 **PUBLIC/LOCAL RESPONSES**

- 5.1 The original comments made were included in the original report a copy of which is attached at the end of this report.
- 5.2 Deltalord, the owners of the neighbouring buildings at The Mint and Manor Mills to the west of the application site, have written in support of the scheme stating that it would provide the opportunity to uplift the environment in the vicinity of their buildings for the benefit of all of the tenants and residents.

6.0 **CONSULTATION RESPONSES**

- 6.1 The initial consultation responses were included in the original report, a copy of which is attached at the end of this report.

7.0 **PLANNING POLICY**

- 7.1 Unitary Development Plan Review 2006
- 7.2 Unitary Development Plan Review (UDPR) policy is the development plan for Leeds which was subject to Examination. The plan was originally adopted in 2001 then the Review was adopted in 2006. Policy divides into that concerned with how much car parking accompanies new development (Policy T24 and T28) and that concerned with free standing provision of car parking. The latter divides between long stay commuter parking: covered by Policy T24A and short stay visitor parking covered by Policy T26. Here, we are principally concerned with long-stay commuter car parking unconnected with new development, i.e. T24A. Policy T24A states:

T24A: PLANNING PERMISSION WILL NOT BE GRANTED FOR NEW LONG-STAY CAR PARKING OUTSIDE THE CURTILAGE OF EXISTING OR PROPOSED EMPLOYMENT PREMISES EXCEPT:

- a) **WITHIN THE CITY CENTRE AND FRINGE CITY CENTRE COMMUTER PARKING CONTROL AREA, IN ACCORDANCE WITH POLICY CCP2;**
- b) **FOR PARK AND RIDE SCHEMES IN ACCORDANCE WITH POLICIES T16 AND T17;**
- c) **WHERE LACK OF PARKING WITHIN EMPLOYMENT PREMISES WOULD CAUSE SERIOUS TRAFFIC, SAFETY OR ENVIRONMENTAL PROBLEMS IN THE SURROUNDING AREA.**

PROPOSALS UNDER c. MUST BE SUPPORTED BY A TRAFFIC ASSESSMENT, INCLUDING APPRAISAL OF OTHER MEANS OF ACCESSIBILITY TO THE SITE, INCLUDING PUBLIC TRANSPORT. WHERE PLANNING PERMISSION IS GRANTED THE EXTENT OF PARKING ALLOWED WILL NOT EXCEED THAT WHICH WOULD OTHERWISE BE PERMISSIBLE UNDER THE CAR PARKING GUIDELINES, RELATED TO THE SCALE OF THE EMPLOYMENT USE.

- 7.3 Policy CCP2 is particularly relevant for proposed car parking on vacant or cleared sites in the city centre or city centre fringe:

CCP2: PROPOSALS FOR CAR PARKING ON VACANT OR CLEARED SITES WILL BE CONSIDERED AS FOLLOWS:

i. CORE CAR PARKING POLICY AREA (INCLUDING THE PUBLIC TRANSPORT BOX):

THERE WILL BE A PRESUMPTION AGAINST THE USE OF VACANT OR CLEARED SITES FOR COMMUTER PARKING. NON COMMUTER PARKING WILL GENERALLY BE ACCEPTABLE; A PLANNING CONDITION WILL BE APPLIED PRECLUDING ADMITTANCE INTO THE CAR PARK BEFORE 0930 HOURS EACH MORNING.

ii. FRINGE CITY CENTRE COMMUTER PARKING CONTROL AREA AND PDA'S (OUTSIDE THE CORE CAR PARKING POLICY AREA):

USE FOR COMMUTER PARKING WILL ONLY BE SUPPORTED ON A TEMPORARY BASIS. PROPOSALS (INCLUDING RENEWAL OF TEMPORARY PERMISSIONS) WILL BE JUDGED ON THEIR MERITS TAKING ACCOUNT OF:

- a. **ACCESSIBILITY OF THE AREA BY PUBLIC TRANSPORT;**
- b. **PROBLEMS OF ON-STREET PARKING IN THE LOCALITY, AND THE RELATIONSHIP WITH ANY PARKING PERMIT SCHEMES;**
- c. **TRANSPORT STRATEGY OBJECTIVES**

- 7.4 The thrust of the above policy framework is to resist further commuter car parking in the Core Car Parking Policy Area and to only allow temporary commuter car parking within the fringe city centre commuter parking control area where there is limited availability of public transport and/or on-street parking problems. Ingram Row falls within the Fringe City Centre Commuter Parking Control Area.

- 7.5 UDPR policy on commuting into the city centre was conceived on the basis of West Yorkshire Local Transport Plan objectives. UDPR paragraph 6.5.7 explains the overall objective is to reduce the rate of traffic growth, particularly into the city centre at peak

periods, and this would include "...the promotion of all forms of public transport to provide an attractive alternative to the car, park and ride facilities in the suburbs..."

- 7.6 In 2011, Executive Board considered that since the UDP was originally adopted in 2001 the delivery of new public transport infrastructure such as Supertram/NGT and the provision of park-and-ride schemes had been delayed. The effect of the government's spending cuts had further impacted on the ability of the Council to bring forward such schemes. Major interventions of this nature were considered unlikely to be delivered in the short term. It was therefore concluded by Executive Board that an immediate clamp down on unauthorised commuter car parks in 2010-11 would be inappropriate and approved a non-statutory update to the policy. This update is known as the City Centre Commuter Car Parking Policy (CCCCP)

CCCCP Policy.

To permit temporary car parks in the city centre core and fringe car parking areas to accommodate commuter car parking subject to:

a) Physical improvements to the quality and appearance of the car park. Improvements may include the following: i) an attractive surface, making use of sustainable urban drainage solutions, ii) clear space markings, iii) appropriate landscaping, iv) security lighting, v) attractive means of enclosure and boundary treatment and vi) appropriate signage in terms of size and location. Physical improvement works and a maintenance programme should be agreed in writing with the City Council prior to planning permission being granted and implemented before commencement of operation of the car park,

b) where the site is of a scale and location that pedestrian movement between different areas of the city is impeded and where security of pedestrians and vehicles would not be endangered, insertion of pedestrian linkages through the site,

c) the total number of commuter car parking spaces permitted by this policy not exceeding 3200 for Leeds city centre Core and Fringe areas only,

d) Permission being temporary for 5 years from the grant of planning permission.

On expiry of the 5 year temporary planning permissions, the City Council will consider whether the delivery of public transport improvements would justify the cessation of the car parking or the granting of further temporary extensions of permission.

Parts a) and b) of the policy will be informed by other planning policies and guidance notes adopted by Leeds City Council, for example on design and drainage.

7.7 Balancing competing objectives

- 7.8 The CCCCCP Policy seeks to balance a number of competing objectives. Following the determination of the enforcement appeals concerns were expressed about impact on the city's economy from a number of quarters. During this period of depressed market conditions, retail, leisure and business operations are under strain. The recent Mary Portas study has emphasised the importance of car parking in city and town centres to

support the vitality and health of centres. Hence, it is a priority for the CCCCPC to maintain availability of commuter car parking spaces at reasonable levels.

- 7.9 Secondly, it was important to ensure that Leeds' overall transport package for commuting into the city centre remains sustainable. As such, an overall cap on the number of car parking spaces to be permitted under the CCCCPC – 3,200 – was approved. The policy was amended following public comments and following consultation with the Highways Agency, including increasing the “cap” on the number of car parking spaces to be permitted through the policy from 3000 to 3200. Permissions would be temporary to enable future review of how much public transport infrastructure may have been improved.
- 7.10 Thirdly, the city expects to benefit from tangible improvements to the visual environment of car parks. The unauthorised car parks are mostly on cleared sites awaiting redevelopment which are usually secured with minimal regard to appearance to the detriment of the city and the attraction of potential investment. Boundaries are often unsightly. Palisade fencing, an absence of landscaping and poor surfacing is common. Their outward appearance is typically a negative blot on the surrounding townscape. So the opportunity to smarten up these sites needed to be taken to provide a genuine enhancement to the city, to create a more positive image of the city centre and to help create the conditions for future investment.
- 7.11 Fourthly, the City Council has a formal responsibility to deal with unauthorised use. The unauthorised car parks need to be dealt with in a managed way. This should create a level playing field so that the viability of legitimate car parks is not undermined by unauthorised car parks.
- 7.12 In addition to the above policies, the car parking applications have been considered against other most relevant development plan policies. These are listed in brief below:
- 7.13 Regional Spatial Strategy (RSS): The RSS for Yorkshire and Humber was adopted in May 2008. The vision of the RSS is to create a world-class region, where the economic, environmental and social well-being of all people is advancing more rapidly and more sustainably than its competitors. Particular emphasis is placed on the Leeds City Region.
- 7.14 UDPR Designation: All sites are within the designated City Centre. Some applications are within the Holbeck Urban Village Planning Framework area and Holbeck Conservation Area and one is within the South Bank Planning Statement Area, the appraisal of each application identifies when this is the case.
- 7.15 Other relevant UDPR policies:
- GP5: Proposals should resolve detailed planning considerations.
 - T2: Development proposals should not create new, or exacerbate existing, highway problems.
 - T24: Parking to reflect detailed UDP parking guidelines.
 - LD1: proposals should allow sufficient space around buildings to retain existing trees in healthy condition & allow new trees to grow to maturity.
 - N19: Development within or adjoining Conservation Areas should preserve/enhance the character and appearance of the Conservation Area.
 - N25: Boundary treatments should be appropriate to the character of the area.
 - N38B: Planning applications and flood risk assessments
 - N51: Nature conservation and enhancement
- 7.16 Supplementary Guidance and Policy:

Holbeck Urban Village Revised Planning Framework 2006.
South Bank Planning Statement 2011
Leeds Waterfront Strategy 2006

- 7.17 The Draft Core Strategy was agreed for public consultation on 10th February 2012. It seeks to support objectives for sustainable travel, minimisation of congestion and limiting commuter car parking in the city centre coupled with park and ride provision to provide greater traveller choice.
- 7.18 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning applications have to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan consists of the Regional Spatial Strategy for Yorkshire and the Humber of May 2008 and the Leeds UDP (Review 2006).

8.0 MAIN ISSUES

1. An assessment of exceeding the policy cap against the benefits of environmental improvements to the site.

9.0 APPRAISAL

- 9.1 Members felt that the proposals for this car park had merit and it is clear that the physical changes proposed would provide an environmental benefit to this area which is within the Holbeck Urban Village boundary. This is particularly the case as there are residents and office occupiers in buildings which flank this site to both west and east. The proposed improvements, especially the removal of the building on the eastern side of the site and the removal of areas of high fencing and metal panelling, would also be expected to have a positive impact on personal security, or at least the sense that the area is safer and better maintained.
- 9.2 Against this, the policy position set out above has to be considered. The cap on the number of spaces permissible under the CCCCPC policy is an essential ingredient of that policy. It is important that the credibility of the policy is not undermined and it is considered that approving a further car park and taking the total number of approved spaces to 3443 is significantly in excess of the cap and would undermine that policy. In addition it is considered that it would impact on the ability to defend the policy at appeal and make resisting future applications for commuter car parking more difficult. This position is fully supported by the Highways Agency and this is made clear in their additional comments set out above.
- 9.3 It should not be forgotten that this position is set against the successful deployment of UDPR policy in enforcement action against a number of unauthorised commuter car parks in 2010, including this site. At that time the policy could have been used to end all of the unauthorised commuter car parks in Leeds. The introduction of the CCCCPC policy was designed to permit a capped number of commuter car parking spaces. Without this cap, increased commuting would exacerbate traffic congestion to an unacceptable level and generate additional carbon emissions contrary to the Council's transport objectives.
- 9.4 It must also be remembered that, as part of the comparative analysis undertaken by officers, other sites scored just as well in respect of the proposed physical improvements and bio-diversity but achieved a higher score in respect of highways. It is because the site scored poorly in this regard which meant that its total score was relatively low and ultimately resulted in the original recommendation for refusal.

9.5 The decision at Panel was to approve the 11 sites with 2 of these being located at Ingram St and Sweet St. Now these have been approved and the capacity of the highway network has been reassessed, it is considered that the use of the Ingram Row site for car parking in addition to Ingram St and Sweet St would lead to capacity problems at the Meadow Road gyratory. Therefore, the impact of 3 car parks in this location would have an adverse impact on the local highway network and undermine its ability to accommodate the resultant number of vehicles at peak periods as well as creating additional carbon emissions.

10.0 CONCLUSION

- 10.1 It is considered that to approve this application would be contrary to the objectives of the CCCCPC policy because it would increase commuter traffic flows and cause an unacceptable level of congestion and additional carbon emissions which is contrary to the Council's transport objectives. It would also open the policy up to such challenge that it would undermine the entire process and the position at appeal. There was sound justification for the setting of the cap at this level and there is no justification for exceeding the cap now. This is a view strongly supported by the Highways Agency.
- 10.2 The original 11 applications that were approved at Panel in March optimize the short term economic need for city centre parking within the scope of the CCCCPC Policy and its cap of 3200 spaces, whilst still adequately safeguarding against the potentially adverse impact on the highway network. Such an adverse impact would be likely to arise given the location and size of two of the sites approved as part of this process at Ingram St and Sweet St.
- 10.3 Whilst it is acknowledged that the physical improvements to the site would provide a significant up-grading of the local environment, the disbenefits in highways and policy terms are considered to out-weigh this. Consequently this application for Ingram Row is recommended for refusal.

Back Ground Papers:

Application File: 20/177/05/FU.

Application File: 06/06817/FU

Application File: 07/02820/FU

Application File: 09/04037/FU

Appeal File: (APP/N4720/A/10/2125970)

Enforcement File: 06/01037/NCP3

Enforcement Appeal File: (APP/N4720/C/10/2126365)

Certificate of Ownership – Certificate A signed on behalf of Ingram Row Ltd.

Highways Agency Letter: 30th April 2012



Report of the Chief Planning Officer

PLANS PANEL CENTRAL

Date: 15TH MARCH 2012

Subject: APPLICATION 11/05239/FU – USE OF SITE AS CAR PARK (225 SPACES) AT INGRAM ROW, HOLBECK, LEEDS, LS11

APPLICANT
Ingram Row Ltd

DATE VALID
13/12/2011

TARGET DATE
7/02/20102

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:

Refuse permission for the following reason:

The application proposal is one of a number which seek permission for long stay car parking within the city centre. It has been resolved to grant planning permission to other applications which are considered to better meet the criteria set out in the Council's informal City Centre Commuter Car Parking Policy (CCCCPP), and in these circumstances this application is considered to be contrary to the Council's transport strategy to restrict commuter car parking in accordance with Policies CCP2 and T24A of the Leeds Unitary Development Plan Review 2006, and the CCCCCPP, by exceeding the cap of 3200 aggregate spaces allowed under this policy and would therefore have an adverse impact on the strategic highway network.

1.0 INTRODUCTION:

1.1 This application is one of the long stay commuter car parking applications to be considered under policy CCCCCP1. This report should be read in conjunction with the umbrella report to this Plans Panel for those applications being considered under

CCCP1. This site is one of a pair of sites which sit on either side of Ingram Row and are in the same ownership. As the sites are physically separated by Ingram Row and have separate vehicular access points they have been submitted separately for determination.

2.0 PROPOSAL:

- 2.1 This proposal is for a 225 space long stay car park. Physical works include the removal of all of the Pallisade and Herras fencing which surrounds the site and the demolition of the remaining building on the site thereby removing the pinch point from the eastern boundary. The existing trees along the southern boundary are to be retained and the western, northern and eastern boundaries are to receive a continuous strip of planting which varies in width between 3.5m and 5m with a wooden post and double rail fence on its outer face fronting the back edge of footpath. The plant species is stated as Pyracantha which has been used for security purposes. The surface is a mix of hard-standing and compacted rubble and the lighting is to remain unaltered as a series of individually mounted fixtures atop metal poles.

3.0 SITE AND SURROUNDINGS:

- 3.1 This site is located between Ingram Row, on its southern side, and Manor Rd to the north. To the west are the newly constructed apartments of Manor Mills and to the East are the offices and flats of the Velocity development. The site has a mix of boundary treatments:
- Fronting Manor Rd it is exclusively Herras fencing which provides a very temporary and flimsy looking means of enclosure with no screening.
 - To the west facing Manor Mills there is further Herras fencing but further south the treatment becomes 2m high Pallisade fencing painted grey.
 - The southern boundary is bounded by further palisade fencing only punctuated by the site access point half way along its length and corrugated sheet steel near to the residential entrance to Manor Mills. Inside this is a row of 6no. 15m Poplar trees and a mix of other semi-mature trees.
 - The eastern boundary is a mix of Palisade and Herras fencing with a disused brick building which creates a pinch point between an out building of the Velocity scheme.
- 3.2 The northern and southern boundaries have public footway as part of the public highway running along them and to the west and east are private footpaths with plant and trees. The site is part of the Holbeck Urban Village and is at its south-eastern corner. The site itself is surfaced with a mix of hard surfacing, where a building once stood on the northern half of the site, and loose chippings and stone across the remaining southern half. There is a wardens hut near to the vehicular entrance and the only other features are the individual masts which hold the security lighting.

4.0 RELEVANT PLANNING HISTORY

- 4.1 This site has been the subject of a considerable amount of planning history which is set out below:

20/177/05/FU Temporary laying out of 172 shopper and visitor car parking spaces and erection of temporary sales and marketing suite. – approved 8 May 2006 - expired 1 May 2007 - subject to conditions regarding opening hours and pricing strategy.

06/06817/FU Variation of condition 2 (opening hours) and removal of condition 3 (pricing) (Application No. 20/177/05/FU) to car park – refused 4 January 2007

07/02820/FU Renewal of approval 20/177/05/FU (temporary laying out of 172 shopper and visitor car parking spaces and erection of temporary sales and marketing suite) – approved 14 June 2007 – Expired 1 May 2008.

09/04037/FU Retrospective application for use of vacant site as temporary long stay car park – refused 9 November 2009 – this was subject of an appeal which was allowed subject to conditions which ensured that the site would be used for short stay car parking (APP/N4720/A/10/2125970)

06/01037/NCP3 Enforcement Notice against Unauthorised use of Land as Car Park issued 12 March 2010 – this was subject of an appeal which was allowed subject to conditions which ensured that the site would be used for short stay car parking (APP/N4720/C/10/2126365)

5.0 HISTORY OF NEGOTIATIONS

5.1 Pre-application advice was provided prior to the submission of this application.

6.0 PUBLIC/LOCAL RESPONSES

6.1 Letters of support have been received from AWS Surveyors and Savills (Surveyors) stating that this car park is essential to support the many local businesses by providing spaces for both commuters and visitors, particularly in the absence of significant public transport improvements. The car park is in a good location, well managed and the improvements proposed would meet the relevant policy requirements. Site Notice was posted on 23rd December 2011. Expired 13th January 2012.

7.0 CONSULTATION RESPONSES:

7.1 Statutory:

Highways Agency - The Highways Agency has reviewed the planning application and has concluded that the site will have a major impact on the Strategic Road Network (when considered in line with the highway impact scoring criteria) however it would have no objection to the proposal provided it would not exceed the CCCCP policy cap of 3200 car parking spaces.

Environment Agency - No objection to the proposal. Advise that 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.

Highways Services – The proposal has a moderate impact on the Meadow Road gyratory. The access accords with LCC Street Design Guide SPD visibility splay standards in both directions for the classification of road on to which it accesses.

7.2 Non-statutory:

Flood Risk Management - The site is within Flood Zone Risk Area 2. The proposal would be acceptable subject to conditions controlling surface water drainage, a flood risk management plan including an evacuation strategy in the event of severe flooding and the insertion of an oil interceptor.

West Yorkshire Ecology - No objection.

West Yorkshire Police Architectural Liaison Officer - Confirms support for the overall assessment method of the safety issue and encourages the operators to adopt the park mark scheme.

8.0 PLANNING POLICIES:

8.1 The policy background and methodology for balancing the relative merits of each submitted application are discussed in the umbrella report which is part of this agenda. The UDPR allocates this site within Holbeck Urban Village and again the relevant policy is set out in the umbrella report. The southern Prestige Development Area is located immediately to the north and east of this site.

9.0 MAIN ISSUES

1. Highways implications
2. Safety and security
3. Appearance/biodiversity
4. Temporary and/or additional uses

10.0 APPRAISAL:

10.1 Highways implications:

This site is located close to the M621 junction and therefore the traffic generated by the this proposal is considered to be likely to impact on the strategic highways network. Consequently, when considered in accordance with the highway impact scoring criteria the Highways Agency estimate the impact on the motorway to be major. It is also considered that there would be a moderate impact on the Meadow Road gyratory. The dimensions and setting out of the current site access point are acceptable. However, in comparison with alternative sites which are considered to better meet the criteria in the CCCC policy it would exceed the cap of 3200 commuter car parking spaces and is therefore considered to have an unduly adverse impact on the strategic highway network.

10.2 Safety and Security:

The site benefits from high levels of natural surveillance being bounded on two sides by residential properties. This would be improved by the reduction in height of the boundary treatment and the removal of the brick building on the eastern boundary. The site is lit and is also manned and therefore has a good level of security.

10.3 Appearance/Biodiversity:

It is considered that the proposal is an improvement on the existing especially around the boundary where a 3.5 - 5m planting strip is to be introduced. This would improve the quality of the pedestrian environment as well as that for the surrounding occupiers. It also retains the existing bank of trees on the southern boundary of the site. However, the fact that it relies on one species and there is no additional tree planting either around the edge or within the site results in the submission being a missed opportunity.

10.4 Temporary Uses:

There are no other temporary uses included as part of this application.

11.0 CONCLUSION

It should be noted that both this and its partner site to the south at Ingram St were equal when assessed against the evaluation criteria and consequently are positioned 11th and 12th in the comparative assessment process (Ingram Street and Ingram Row

respectively). However Ingram St would take the total number of car parking spaces to over the 3200 cap whilst Ingram Row would fall 35 spaces short of the 3200 cap. As stated in the Ingram St report above it has been decided to recommend Ingram St for approval which takes the total number of car parking spaces to 3218 spaces. This is because it is considered that allowing this level of commuter car parking is still compatible with the objectives of the CCCC Policy and would optimise meeting the short term economic need for city centre parking whilst still adequately safeguarding against the potentially adverse impact on the highway network. Consequently this application for Ingram Row is recommended for refusal.

Back Ground Papers:

Application File: 20/177/05/FU.

Application File: 06/06817/FU

Application File: 07/02820/FU

Application File: 09/04037/FU

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Certificate of Ownership – Certificate A signed on behalf of Ingram Row Ltd.

Our ref: SE298326
Your ref: 11/05239/FU/C

Leeds City Council
Leonardo Building
2 Rossington Street
Leeds
LS2 8HD

Toni Rios

3 South
Lateral
8 City Walk
Leeds LS11 9AT

Direct Line: 0113 283 4710

30 April 2012

For the attention of Paul Kendall

Dear Paul

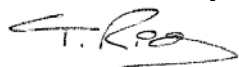
Re: 11/05239/FU/C Ingram Row

We understand that the above mentioned application although recommended for refusal was deferred by members at the last plans panel. The application did not score sufficiently well to site within the 3200 space cap and if approved would mean that the cap is breached by over 200 spaces. You have asked us to confirm our position in relation to this application which is as follows:

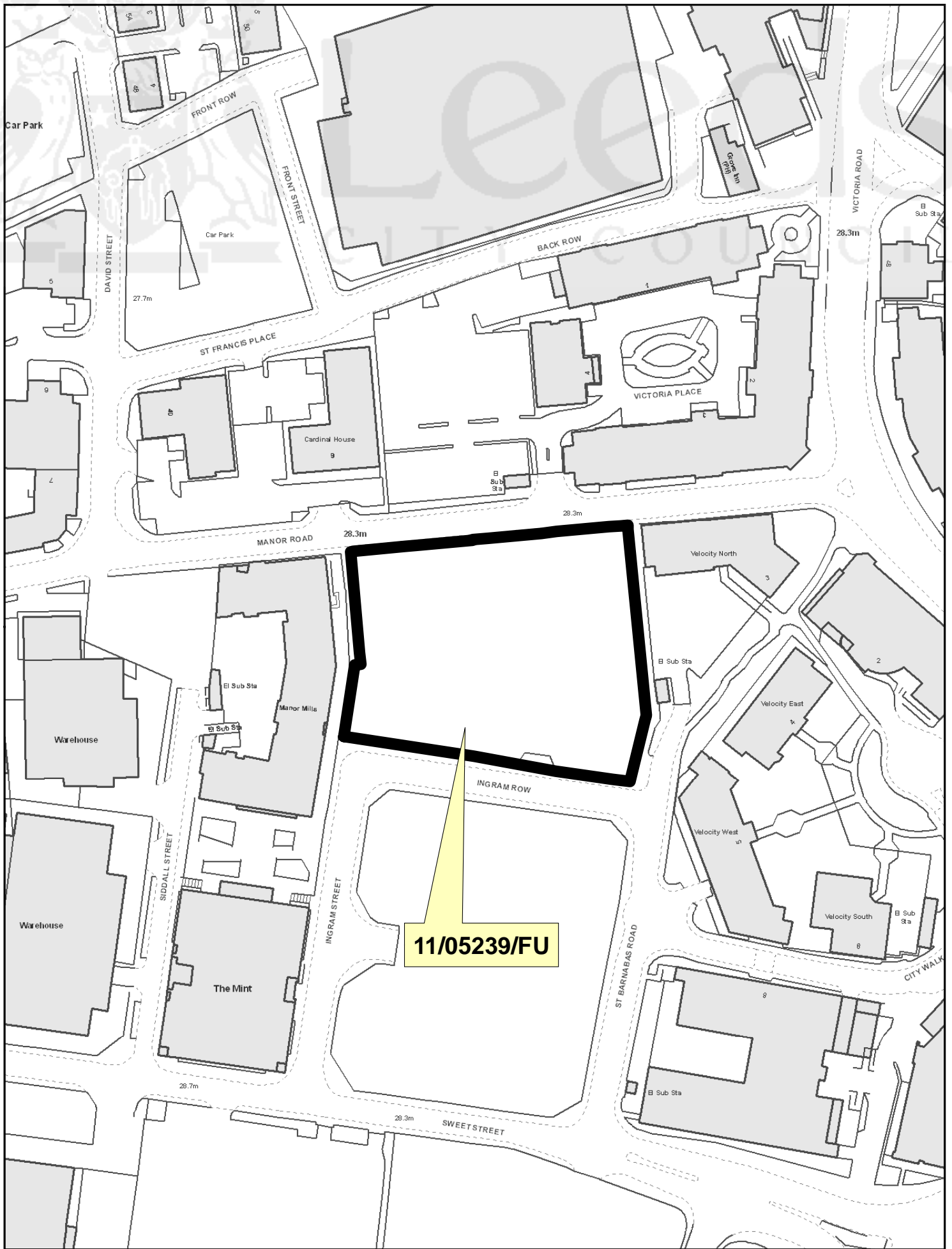
The Highways Agency was supportive of the Leeds City Centre Commuter Car Parking Policy and this support was on the basis of a cap on the number of spaces allowed. The agreed 3200 space cap was justified on the basis of the level of usage of unauthorised spaces and parking elsewhere in the city centre. Given the delay in major public transport provision such as NGT or park and ride, the Highways Agency were prepared to accept the 3200 space cap as this number of spaces would cater for existing need during period prior to the benefits of any public transport interventions being realised. Any increase in this cap is likely to result in an overprovision of spaces which will only encourage more car use.

We feel that approving the application at Ingram Row would undermine the intention behind the LCCCCP and would open the door to further applications being permitted over and above the 3200 space cap.

Yours sincerely



Toni Rios
Asset Manager
Email: toni.rios@highways.gsi.gov.uk



CITY CENTRE PLANS PANEL

