



Leeds
CITY COUNCIL

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Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 6th December 2012

Subject: Planning application number 11/03820/FU – Laying out of access road and erect retail foodstore with service yard, covered and open car parking and landscaping at Stonebridge Mills, Stonebridge Lane, Wortley.

APPLICANT	DATE VALID	TARGET DATE
Tesco Stores Ltd and Santon Developments Ltd	8 September 2011	8 December 2011

Electoral Wards Affected:

Farnley and Wortley

Yes (Ward Members consulted referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Refusal for the following reason:

1. The proposed development comprises a substantial foodstore with a sizeable comparison goods area in an out of centre location. It is considered that the proposal is contrary to national and local policy guidelines and in particular will have an adverse impact on Armley Town Centre in relation to the comparison element and will significantly impact on the ability to bring forward a substantial supermarket in an in centre location which already has permission and which is critical to delivering regenerative benefits to the Town centre and Armley in general. As such it is considered that the proposal is contrary to advice in paragraphs 23 to 27 of the National Planning policy Framework, policies SP7, S2, S3, and S5 of the adopted UDP Review and policies SP2, SP8, P2, P5, P6 and P8 of the emerging Core Strategy

1.0 INTRODUCTION:

- 1.1 The Chief Planning Officer considers that this application should be referred to the Plans Panel as it is a major development which will have a significant impact within West Leeds. Members will recall that a position statement was considered by Plans Panel in November and December last year. The complete development being promoted by the applicants also included the refurbishment and change of use of some of the listed buildings at Stonebridge Mills adjacent to the site and the parallel listed building consent which also to facilitate this development and seeks consent to demolish some of the unlisted buildings on the site and two ancillary listed buildings on the Stonebridge Lane frontage.
- 1.2 At the November meeting Members deferred the application for a site visit in relation to the conversion of the listed buildings on the site and requested further information in relation to the listed building works on the site. In December Members had the following comments to make:
- Members were strongly of the view that listed buildings should be retained where possible. The scheme should come forward with a total package for the historic buildings on site including their reuse with viable uses and not just proposals to use some and seal and secure others.
 - In the meantime existing buildings to be retained should be protected to prevent further deterioration.
 - Reclamation and reuse of stone should any buildings be demolished.
 - Ensuring the retained mill pond had value by securing a management plan.
 - Highways issues – Members were shown details of access to the site and proposed road layouts.

2.0 PROPOSAL:

- 2.1 Outline planning permission for a supermarket with access and a new build/conversion of existing buildings to a mixed development was granted in 2005 and this permission was renewed in 2008. A reserved matters application for a supermarket was approved by Panel in August 2011. This proposal was for a supermarket with a 2321 square metres (24,990 square feet) net sales area.
- 2.2 This current application involves a supermarket is on the part of the site covered by the reserved matters approval. The proposal does extend beyond the reserved matters application into the site adjacent which has the listed buildings and Mill Pond. The Mill Pond will be further reduced in size as a result. The proposed store will have a gross floor space of 9,317 square metres and net sales floor space of 4,907 square metres – more than double the size of the previous detailed approval. The store will be two storey in scale with a car park underneath the store and the retail area at first floor level accessed via a traveller. The car parking underneath the store together with some surface car parking gives a total provision of 467 spaces.. There is a service yard on the upper level which is located on land between the store and the adjoining historic mills complex.
- 2.3 The access for the previously approved scheme involved an additional leg from and the remodelling of the roundabout at the junction of the Ring Road and Stonebridge Lane. This scheme involves the retention of the roundabout as is but introducing traffic lights with the store accessed off an access road directly from the Ring Road approximately 100 metres from this roundabout with the remodelling of the Ring

Road between to create the right number of lanes to make the scheme work. The access off the Ring Road will also have a traffic light controlled junction and involve and construction of a new bridge over Wortley Beck (in a different location than shown on the previously approved scheme).

- 2.4 The proposed building will be two storey and is proposed to be constructed from natural stone facing, glazing and larch cladding panels. The front elevation will be glazing and natural stone facing. The overall height on this elevation will be 14 metres at its lowest point and 16 metres at its highest . There is a 'Travelator' lobby on the front elevation which will be at a lower height of 12 metres. On this elevation will be a composite cladding and natural stone facing wall to the service yard. The side facing the listed buildings will be faced in natural stone and glazing and will contain the access road to the service yard. Part of this elevation will cover the plant well which is located to the rear on the boundary with residential properties. This plant well will be covered with louvres. The other side elevation facing the car park will be glazing and larch cladding panels. The rear elevation will be larch cladding panels and louvres to the plant well.
- 2.5 To the rear of the site on the eastern boundary the building will form the retaining wall for the length of the banking to the rear. On this boundary with the car park will be a crib wall which was approved as part of the previously approved scheme. On the top of this crib wall will be a wooden knee high rail. Above both the store and crib wall the land rises and will have landscaping, some existing and some proposed. On the boundary of this landscaping and the gardens of the residential properties to the north will be a 3 metre high weld mesh fence.
- 2.6 The southern boundary which is on the boundary with the open land allocated as Local Nature Area LNA38 in the Unitary Development Plan will also have the crib wall for part of its elevation then an open mesh fence with a hedge on the LNA side. The western boundary is along Wortley Beck. There will be a flood wall on the car park boundary and proposed access road on the Wortley Beck side. This is to protect the car park and store from flooding from the Beck. This wall will extend the entire length down to the roundabout. This will be faced on both sides in stone to match the stone on the proposed store. Between the flood wall and the beck will be an extensive area of landscaping which ranges between 20 to 50 metres in width. Some of this will be existing vegetation with supplementary planting. The boundary with the listed building complex will be a stone faced wall on both sides with railings above.
- 2.7 In relation to landscaping there will be a significant loss of trees, bushes and shrubs from the site. This removal has already been approved for the smaller scheme. The amount of landscaping proposed is more than the previous scheme as the border separating the development from the boundaries is wider and allows for more planting.
- 2.8 A Section 106 agreement formed part of the previous approval for the smaller development. The agreement included:-
- £500,000 to carry out improvements within the Armley, Farnley and Wortley and Bramley community areas with first consideration to be given to the improvement of Armley Town Centre; localised highway improvements in Wortley including a footpath between the Bawn Estate and the Ring Road and a pedestrian crossing

to the north west of the Ring Road roundabout should such a crossing be considered necessary

- £20,000 for improvements to the two adjacent bus stops on the Ring Road
Consultation with Metro and Bus Operators to require that a bus service is provided to the site or an existing bus route is diverted to the site to coincide with the opening of the supermarket.

2.9 An additional requirement for bus stops on Stonebridge Lane and real time passenger information as part of this application was considered a reasonable request and should be included as part of the scheme.

2.10 There are a range of listed buildings on land adjacent to this proposed supermarket. A change of use planning application to convert some of these buildings into residential has been submitted. This application originally involved conversion of two buildings on the site for 17 affordable dwellings with the rest of the buildings on the site being made air and water tight but having no specific use. When this scheme was brought to Panel last year there was concern regarding the buildings that were not being restored and Panel suggested that the plans were amended to allow for the restoration of all the buildings that were remaining on the site.

2.11 Since then a masterplan for the site has been submitted. This shows that each of the buildings remaining on site will be fully restored and will have an end use to ensure their long term viability. This includes two buildings which currently house the equipment used when the site was a working mill. This equipment will be restored in situ and the buildings surrounded it fully restored to form a small heritage centre for the local community. Other uses proposed for the buildings are general storage, cycle storage and bin storage linked to the affordable homes.

2.12 This change of use application currently relies on access from the access road provided as part of this application for the larger supermarket. Without this access the application would not be able to be supported. Officers consider that until a decision is made on the supermarket application then this change of use application should remain undetermined at this time as it is directly affected by it . Along with this planning application is a listed building application for demolition of some of the buildings on site (mostly unlisted) and for building works required to facilitate the above change of use. This application also involves the demolition of two listed buildings which are considered to be in a poor state or repair and would require complete demolition and rebuild if they were to be brought back into use. This loss of the two listed buildings gives an opportunity for a bus stop layby to be incorporated to the planning application for the supermarket. Again it is considered that a decision cannot be made on this application until it is clear what decision will be made in relation to this larger supermarket application.

3.0 SITE AND SURROUNDINGS:

3.1 The site consists of an area of green land beyond a complex of traditional historic industrial buildings located on the south east side of Stonebridge Lane/Silver Royd Hill known as Stonebridge Mills. Some of these existing buildings are listed. The Farnley/Wortley Beck runs along the south eastern boundary of the site with the Leeds Ring Road beyond. The existing access into the site is off the bend on Stonebridge Lane/Silver Royd Hill through the area of buildings and suffers from limited visibility.

- 3.2 The majority of buildings on the adjacent site are of stone construction but there are some brick and cladding buildings. Within this area are a mill chimney, a water tank tower, a reservoir and adjoining the site entrance a row of three cottages.
- 3.3 There are a number of Listed Buildings within the adjacent complex. These comprise a group of buildings dating from the 1830s - early 20th Century. There are four listings on the site covering approximately 11 buildings. These are located mainly in the northern part of the site and consist of:-
- The Old Mill, Engine House and Boiler House (Buildings 1,2 and 3)
 Row of workshops to the north fronting Stonebridge Lane (Buildings 6 to 11)
 The Mitre House and 2 cottages to the south west fronting Stonebridge Lane (Buildings 4 and 5)
 Row of 3 cottages to the north west fronting Silver Royd Hill (Buildings 12 to 14)
- 3.4 The buildings are now generally run down with all of the units vacant and in need of investment and regeneration.
- 3.5 The adopted UDP context identifies under Policy S6 that potential exists for retail development of a form which would remedy the known deficiency of convenience goods retailing facilities in Farnley/New Farnley/Lower Wortley in the vicinity of Stonebridge Mills. The explanation to the policy states that a retail impact study will normally be required to assess an appropriate scale of development when specific development proposals are advanced under this policy.
- 3.6 There are no other site specific policies relating to the site but the Ring Road frontage is designated as greenspace and Urban Green Corridor and a Leeds Nature Area. LNA 38 (Silver Royd Hill) includes the beck to the south of the site and adjoining land to the east and higher ground to the north east above the proposed car parking area. There is a Tree Preservation Order in place on the site and the site adjoins Wortley Beck to the south west.
- 3.7 To the rear of the site the land increases in height significantly and the boundary is formed by the rear gardens of residential properties on Silver Royd Drive. The site has a range of vegetation and trees on the site, some having to be removed for the development.

4.0 RELEVANT PLANNING HISTORY:

11/02394/LI – renewal of listed building application to demolish some buildings within the grounds of the listed buildings approved 14/9/11

11/00897/RM – reserve matters application for a supermarket approved 25/8/11

07/07851- renewal of outline permission 24/192/00/OT to layout access and supermarket and new buildings/change of use of existing buildings for a mix of uses approved 8th December 2008

08/04037/LI: Amendment of condition 3 of previous approval 24/359/05/LI approved 8/12/08 This was to change the planning permission number that was reference in condition 3 to the renewed planning permission number

24/359/05/LI: Listed building application to demolish various buildings on the Ring Road frontage to achieve the access – approved – 10th January 2007 and linked to the approval of 24/192/00/OT

24/192/00/OT: Outline to layout access and supermarket & new buildings/ change of use of existing buildings for a mix of uses - approved – 28th April 2005 with a Section 106 agreement

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Officers have been negotiating with the developer in relation to this proposal over the last 18 months. Much of that period has been taken considering the retail impact of the larger store and pursuing a complete package of works to the historic buildings. .

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 Leeds Civic Trust have commented on the application stating in summary;

Proposed store is large and involves widening of the Ring Road to three lanes encroaching on present 'grazing' land (involving removal of trees and bushes). Is an out of town store and inappropriate development in this area.

- 6.2 There have been 31 objections to the application concerned regarding the following matters:

Highways

- Farnley Ring Road running to full capacity
- Adding another lane of traffic will add to problems in terms of road safety
- Access sits too close to the Ring Road
- Access will restrict my access in and out of my drive
- 24 hours and dotcom will mean endless stream of delivery lorries and vans
- Increase in accidents rates in area as people race the lights
- More cyclists on footpaths increasing the risk to pedestrians
- The proposed supermarket is not classed as acceptable walking distance as a direct route is not possible.
- Residents would have to walk up steep hills on either side of the store with their shopping
- Difficult for cyclists to go to the store due to steep hills on either side
- Current bus routes do not go the New Farnley plus frequency of buses in area is poor

Noise

- Noise pollution by the supermarket itself and the traffic coming and goings
- Impact on health due to the noise pollution
- Noise from delivery vans which are proposed for 24hours a day
- 24 hour opening and deliveries goes is in conflict with the conditions on the smaller scheme

Comments on submitted Environmental Noise Assessment

- Only involves one house on Silver Royd Way where there are 3 houses nearer the proposed car park
- Houses are higher on a hill and the proposed service yard is a storey higher than approved scheme so noise closer to houses.
- As proposal is in a valley with steep side it will have a 'amplitheatre effect' which will echo
- Survey only details noise levels in houses what about in the gardens

- HGV reviving to get up proposed ramp will be very noisy
- Headlights flashing into gardens and houses
- Need to assess all gardens and houses on the Silver Royds

Comments on submitted Retail impact assessment

- is misleading as uses data that is two years old and householder survey from a different catchment area
- Catchment area would support smaller scheme but not the larger one
- Tesco catchment area based on their needs to justify development
- Foodstore now proposed is double the original scheme and will deter potential food retail operators which will seriously jeopardise the Armley scheme's implementation.
- Catchment area adopted is too small given the size and expected influence of the foodstore proposed. Catchment area for Armley supermarket contained a population of 125,000 whilst this is less than 50,000 despite the supermarkets being the same size
- The catchment area implies that there is very limited overlap between this proposal and the Armley stores catchment area and that Stonebridge Mills will serve a different area and people from Wortley/Farnley/New Farnley are outside of the Armley supermarkets catchment which is not the case.
- The previous consent is adequate to address the deficiency in this area and conforms with Policy S6 in the Unitary Development Plan.
- If consent granted it will undermine planned investment in Armley town centre which is seen by the Council as a regeneration priority.

Flooding

- Increase chances and severity of flooding
- Flood management plans focus on how to protect supermarket not other sites within the area.
- Building of supermarket will increase surface run off so increase risk of flooding
- Water discharges into Wortley Beck which is small and struggles to cope with high rainfall

Wildlife and trees

- Impact on wildlife in the area such as foxes, bats, natural habitat
- Tearing down of trees, destroying allotments, spoiling lovely green area.
- Building now two storey so greater impact on the surroundings
- Loss of trees will raise carbon footprint and major impact on wildlife
- Damage to the largest existing Mill Pond

Others

- House values will decrease
- Already too many supermarkets within the area
- If Armley supermarket is constructed question how many are needed
- Emphasis given to comparison goods rather than mixed development
- Should be supporting the proposed supermarket at Armley and the regeneration of Town Street

- No severe lack of retail provision in the area
- Impact on local shops
- Loss of listed buildings just for a supermarket
- Original scheme for area included community facilities as well as a supermarket whereas this scheme ensures that the supermarket has priority and community facilities abandoned.
- Concerned regarding the underground car park and the fact it presents a bomb threat and used for unsavoury activities

There has been 365 standard objection letters which state:

- far too large to fit in with local area
- the impact on carbon footprint
- 18,000 cars per week visiting the store causing pollution to a valley area from car fumes and noise creating 6 lanes of traffic on the Ring Road.
- Up to 400 job losses
- Possible closing down our local convenient stores and public houses
- The construction of new lanes on Ring Road would cause chaos to a very busy road possibly being closed to one lane while work goes on does not bear thinking about.

There have been a number of petitions that have submitted with 577 signatures in total. These have stated the following:

- Building not in proportion to the site that is proposed
- Increased traffic along the Ring Road
- 24 hours deliveries and noise caused by them
- Potential damage to local businesses, in particular local shops in the Bawn, Farnley Ring Road, Lower Wortley Road and Whingate areas.
- Lack of access to the site for pedestrians
- Environmental damage to wildlife, plant and tree species
- Increased pollution, 18200 extra cars per week
- Money to other wards (Armley)

- 3 lanes on each carriageway with traffic light controlled junctions that would need to be built to access the store, will ultimately cause congestion at peak times and safety issues for pedestrian access.
- already enough supermarkets within easy reach

6.3 There have been 14 letters of support which state:

- Good and much needed shopping alternative for local residents
- Ensures that the mill buildings are brought back to life
- Jobs promised for local people
- Consider that the road network will not be busier
- Will be in walking distance for local residents so saves money on buses and taxis
- Morrisons has had monopoly in the area for long enough
- Seen proposed photograph of new store and consider that the design is acceptable
- Will improve what is slowly turning into a eyesore

- Great benefit to the community of Farnley and Wortley
- Will benefit the OAP's and people on low income in the area.

There have been 335 standard letters of support submitted via the applicant agents which state that the proposals are set to bring many benefits to the area including:

- over 400 new jobs with up to half guaranteed for local long term unemployed
- New convenient supermarket shopping for residents of Farnley and Wortley.
- Bringing the historic mill back into active use as new flats and apartments.

7.0 CONSULTATIONS RESPONSES:

7.1 Highways – Conditional approval recommended

Transport Policy – Travel plan should be included in a section 106 agreement along with a Travel Plan review fee of £4000. Slight amendments to the travel plan required

Metro – No objections subject to amendments to some elements of existing infrastructure:

Public Transport Improvements and Developer Contributions – a contribution of £576,976 is required and this is on top of any bus stop infrastructure required on Stonebridge Lane and Ring Road.

Neighbourhoods and housing – conditional approval recommended

Fixed plant – the report has opted to place a overall fixed level for noise from plant which is consider low enough to not cause harm in gardens and inside residential properties.

Deliveries to store – information submitted that would ensure that deliveries should not have a detrimental impact on neighbours...needs a condition for a delivery management plan.

Home deliveries – suggested that these don't start till at least 7am on weekdays and a later start at the weekends.

Customer traffic – 24hour use of car park unlikely to cause disturbance to surrounding dwellings and the benefits from being primarily under the store level

Increased local traffic – this will be a slight increase which shouldn't have a detrimental impact in terms of noise

Air Quality Team – No objections on submitted information however suggest that there are a number of Electric Vehicle recharging bays within the development or 'cable and enable' an area of the car park

Environment Agency – Conditional approval recommended

Main drainage – Conditional approval recommended

Contamination Team – Conditional approval recommended

Yorkshire Water – No objection subject to conditions

Ecology officer – removal of trees and vegetation with a corridor of trees along the boundary to the rear of the site is not sufficient to enable creation of nothing more than a line of trees and shrubs with no ecological provision.

- Pond further reduced in size and no space on the development for a replacement pond
- Common toads are present in pond so works need to ensure that the toad breeding habitat remains and that toads are able to migrate in and from the pond.
- Further details of the bridge over the beck is required.

Conservation Officer – The development of the supermarket will dominate the site and impact on the setting of the listed buildings. That being said the mill complex is quite enclosed and the open green space does not form a direct part of its character. The benefits to the listed building complex would balance the construction of the supermarket. However, the benefits to the listed buildings is negligible and is not sufficient for the long term preservation and enhancement of the site. Satisfied generally now with the package of measures suggested for the grouping of historic buildings which would regenerate the group and provide much needed investment into the group in terms of works to the fabric and providing suitable uses.

Landscape officer – No major concerns regarding this application as the principle has been accepted by virtue of the recent approval. Conditional approval recommended

English Heritage – We do not consider that it is necessary for this application to be notified to English Heritage.

8.0 PLANNING POLICIES:

8.1 National Guidance on retail and heritage policy is provided in the National Planning Policy Framework NPPF (March 2012) Paragraphs 23- 27 deal with ensuring the vitality of town centres and paras 126 -141 deal with conserving and enhancing the historic environment. There is also guidance in relation to requiring good design and promoting sustainable transport. The NPPF includes a presumption in favour of sustainable development and para 14 sets out how that should be applied in decision making.

8.2 The Development Plan consists of the Regional Spatial Strategy (RSS) and the adopted UDP. It is not considered that there are any relevant determining policies in the RSS but the following policies in the adopted UDP Review (2006) are relevant;

SA7: Strategic Aim to promote the physical and economic regeneration of urban land and buildings within the urban areas, taking account of the needs and aspirations of local communities.

GP2: Development on vacant, under-used or potential redevelopment sites.

GP5: Resolution of detailed planning considerations.

GP7: Planning obligation.

E7: Proposals for non-employment uses on employment land.

N4: Greenspace provision for residential developments.

N8: Urban green corridors.
 N12: Urban design principles.
 N14: Presumption in favour of preservation of Listed Buildings.
 N15: New uses in Listed Buildings.
 N23: Design of incidental open space around built development.
 N24: Development proposals abutting green belt, green corridors or other open land.
 N50: Impact of development on LNA.
 N51: Design of new development and enhancement of wildlife habitats.
 T2: Access for new development.
 T5: Provision for pedestrians and cyclists in new development.
 T6: Provision for disabled people in new development.
 H4: Residential development on non–allocated sites.
 SP7: Priority is given to the maintenance and enhancement of the City Centre and town centres.
 S2: Vitality and viability of town centres shall be maintained and enhanced.
 S3: Enhancement and maintenance of town centres.
 S5: Major retail development outside the defined S1 and S2 centres will not normally be permitted.
 S6: Retail development where known deficiency of convenience goods retailing.

The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 with the consultation period closing on 12th April 2012. Following consideration of the representations received, Executive Board recently resolved to publish a final set of revisions prior to submitting the draft Core Strategy for examination. The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy is now relatively close to submission it is considered that some weight can be given to the policies contained within;

Spatial Policy 2 – hierarchy of centres and spatial approach to retailing, offices, intensive leisure and culture

Spatial Policy 8 – economic development priorities part vii) developing the city centre and town/local centres as the core location for new development

Policy P2 – acceptable uses in and on the edge of Town centres – includes shops, supermarkets and superstores

Policy P5 – approach to accommodating new food stores across Leeds. States that a number of town centres could perform more successfully if they include a major food store and Armley is mentioned.

Policy P6 – approach to accommodate new comparison shopping in town and local centres

Policy P8 – sequential and impact assessments for town centre uses

9.0 MAIN ISSUES AND APPRAISAL

1. Principle of development and retail impact
2. Highway and Transport matters
3. Design
4. Boundary Treatments
5. Landscape and Ecology
6. Residential amenity
7. Job Creation
8. Impact on listed buildings
9. Flooding

1. Principle of development

- 9.1 The site is allocated in the UDP under Policy S6 and this is indicated by a blue star on the Proposals Map, the policy states;

POTENTIAL EXISTS FOR RETAIL DEVELOPMENT OF A FORM WHICH WOULD REMEDY THE KNOWN DEFICIENCY OF CONVENIENCE GOODS RETAILING FACILITIES IN THE FOLLOWING LOCATIONS:

- a. FARNLEY/NEW FARNLEY/LOWER WORTLEY – IN THE VICINITY OF STONEBRIDGE MILLS, RING ROAD, FARNLEY

Following the review of the UDP in 2006, this policy and site allocation remains unchanged.

Paragraph 9.2.7 of the UDPR states that the retail proposals of 2500sqm (gross) floorspace or more will be considered 'major' for the purposes of UDPR policy. This policy does not give support to any comparison goods retailing.

- 9.2 The Leeds City, Town and Local Centre Study 2011 also identifies that the deficiency still exists in this area and identifies the Stonebridge Mills site as a suitable provider.

- 9.3 The NPPF adopts a centres first approach for retail development specifically stating that Local Authorities 'should require applications for main town centre uses to be located in town centres then in edge of centre locations and only if suitable sites are not available should out of centres sites be considered'. The centres first approach is already contained within the UDP and is carried forward in the emerging Core Strategy.

Paras 23 to 27 of the NPPF are clear about ensuring the vitality of town centres and ensuring that all is done to ensure this including the provision of sites and where town centres are in decline planning positively for their future to encourage economic activity.' A sequential approach should therefore be adopted and where an application is outside of a town centre an impact assessment should be undertaken. Para 26 and 27 sets out what this should cover including the impact on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal. Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more such factors the application should be refused.

Policy S5 of the Unitary Development plan states that major retail development outside of defined centres will not normally be permitted.

- 9.4 Planning permission was granted on this site in August 2011 for a supermarket that had a 2,321 square metres net retail area. The majority of this floorspace was convenience shopping in an area of deficiency identified in the UDP so it was considered at the time that the supermarket at that stage complied with the UDP policy at that time. The NPPF has been issued since that decision but largely continues advice previously given on retail planning in PPS6.

- 9.5 It is accepted that there is a deficiency in convenience shopping facilities in this part of the City and that this is long standing - there have been a number of attempts to address this matter over the years culminating in the approval for the supermarket at Stonebridge Mills. This application involves a net retail floorarea of 4,907 which is

more than double the previous approval. This proposal also has a 33% comparison goods element which is the area of the store that would compete with the range of goods offered within the Town Centres located nearby. Smaller stores offering comparison goods would be easier accommodated in the town centres mentioned previously, the need for a large increase in comparison goods on this site goes against town centre policy, nor is it in line with Policy S6 of the UDP which does not mention comparison goods.

- 9.6 A retail impact assessment (R.I.A) has been submitted with the application and officers have indicated that they do not agree the catchment area shown within the report or the use of the household survey for the Leeds centres study which was for a different purpose and have requested that this impact assessment is revised. There have been extensive discussions and exchange of correspondence between the developers agents and officers in relation to this matter with a clear difference of view on this matter. Officers have also obtained independent retail advice on the submissions made regarding the impact of this supermarket on town centres within the area. The shopping habits of people in the locality are important for defining a realistic catchment and it is clear that stores of different sizes and offer will have varying degrees of draw to customers in the surrounding area. It is likely that catchment areas will overlap.
- 9.7 The RIA submitted with the application discounts the proposed large supermarket in Armley which has permission as it would not address the deficiency in the Farnley/New Farnley/Lower Wortley as it considers that the Armley store and this proposal serve different catchment areas. This RIA also states that the Armley Store is not located in a central area within Farnley/New Farnley/Lower Wortley area and for this reason would not meet the deficiency of convenience goods in this area. This has been assessed by officers using a 10 minute off peak drive time which shows that the Farnley/New Farnley/Lower Wortley areas are within the catchment area for Armley store and would be served by the proposed Armley supermarket conflicting with the findings in the submitted RIA.
- 9.8 The current scheme should be assessed in relation to the proposed impact on the surrounding town centres. The submitted RIA details that Armley is the only centre within the proposed catchment area for this new superstore, however officers consider that the application needs to be assessed in relation to the town centres of Farsley, Kirkstall, Bramley, Pudsey and Armley.
- 9.9 In terms of Farsley the nature of this town centre is such that it is not considered that the proposed supermarket will have a detrimental impact on this town centre. In terms of Kirkstall this proposal will not have a detrimental impact as it is dependent on a different catchment area. Members will be aware that Tesco have revised proposals submitted for a new large in centre store at Kirkstall which are under consideration.
- 9.10 Pudsey Town Centre is currently a thriving centre which caters for a specific local market and performs this role very well. Pudsey does not have a major store, never has had nor have any options been identified to provide one. Its on the back of this that there is already a out of centre supermarket at Owlcotes. The supermarket operates independently of Pudsey Town Centre and attracts different shoppers. As Pudsey is thriving alongside an out of town supermarket which is close by its very unlikely that a larger store at Stonebridge Mills which is a much longer journey from Pudsey than Owlcotes would have a detrimental impact on Pudsey Town Centre.
- 9.11 Bramley Town Centre is like Pudsey in that it is a thriving centre which caters for a specific local market the majority of which go to Bramley either by foot or public

transport. There is a small Tesco in the Town Centre itself and there could be concerns that Tesco would pull out of Bramley Town Centre if permission was granted for the larger supermarket at Stonebridge Mills. The loss of the Tesco's at Bramley could then impact on the vitality and viability of Bramley Town Centre. Discussions have been ongoing with Tesco regarding this matter. Tesco's representatives have stated that the Tesco's in Bramley Town Centre is one of Tesco's top earning stores and they do not intend to leave Bramley Town Centre if consent was granted for the larger supermarket at Stonebridge Mills. Tesco have confirmed that their lease at Bramley is for another 15 years to 2027 and Tesco are currently in discussions with the new owners of Bramley Town Centre in relation to a revamp of the store as whilst the supermarket is one of their top profit stores it is not the most attractive at the current time. As Tesco have a lease for another 15 years and they are investing money in the refurbishment of the store it is very unlikely that Tesco will leave Bramley if planning permission was granted for the larger supermarket. For these reasons it is considered that there will not be a detrimental impact on Bramley Town Centre.

- 9.12 The situation with Armley Town Centre is different. Armley is the closest town centre to the application site and there is currently no major supermarket in Armley or within the vicinity of Armley Town Centre. Armley is not as successful as Pudsey and Bramley and does contain some empty retail units although it is accepted that these are far too small to accommodate a superstore. However, planning permission was granted in January 2012 for a 8360 square metre (90,000 square feet) supermarket in Armley. This approved supermarket is a Town Centre location which is in line with advice within both the NFFP and policies within the Unitary Development Plan.
- 9.13 The Armley supermarket is a sequentially preferable site, has planning permission and will improve the vitality and viability of Armley Town Centre which so far has no large food store. The Leeds City Centre, Town and Local Centres Study (July 2011) supports the view that Armley is in need of a large food store and this is a key consideration in relation to the strategy for the area. It is considered that a Tesco store of the size now proposed, more than double that of the existing permission and with a sizeable comparison goods element, would have a significant impact on the viability of the Carr Crofts site and bringing a future supermarket forward. As a town centre site this has to have priority and now that planning permission has been approved should be given a suitable amount of time to be implemented. This is entirely consistent with both national and local policy and is a key consideration in the determination of this application.

2. Highway and Transport Matters

- 9.14 A 5-arm roundabout, replacing the 4-arm roundabout at the Outer Ring Road (A6120) and Stonebridge Lane was approved for the reserved matters smaller scheme. This application involves signalisation of this roundabout but not an access directly off this roundabout. The access for this scheme has changed and will be directly off the Ring Road approximately 100 metres from this roundabout rather than another leg off the roundabout. This will also involve signalisation of the access and egress. The highway will be increased from 2 lane both ways to 3 ways both ways. Negotiations regarding the access and alterations to the highway network have been ongoing.
- 9.15 A transport assessment has been submitted for the development. This has been assessed by officers and it is considered that the development can be

accommodated within the area subject to the proposed highway improvements without the detrimental impact on the safe and free flow of pedestrians and vehicles.

- 9.16 There are a variety of other highway improvements that are required as part of the development. These include a new pedestrian crossing on Stonebridge Lane and improved footway. There will also be two new bus stops on Stonebridge Lane. To accommodate a bus stop and bus layby on the same side of Stonebridge Lane as the application site would involve the demolition of two existing listed buildings numbers 4 and 5. These bus stops and layby will improve accessibility by public transport to the store as there is a proposed footpath through the residential site linking the bus stops and the store. This part of the site is flat so is an acceptable link to public transport.
- 9.17 A Green Travel Plan has been submitted which requires some amendments. A green travel plan monitoring fee will be required and this along with a revised Green Travel Plan can be incorporated into any s106 agreement.
- 9.18 The parking proposed for the supermarket is below the standards required for the amount of floor space proposed. However there is a large population surrounding the site that will not use the car to access the store. The developer is paying for improvements to public transport so there is no objection to the level of car parking proposed.
- 9.19 A contribution towards public transport improvements will be required and this will be £576,976 and this will be on top of any bus stop infrastructure required on Stonebridge Lane and the Ring Road. Metro have also requested that the scheme should provide for the two new bus stops on Stonebridge Mills, pedestrian access through the residential site to the store, relocation of a bus stop on the Ring Road and improvements to the frequency of the number 80 with diversions for the supermarket and extension into New Farnley. The bus stops and access have already been discussed above and the improvements to the bus services would also be funded by this development. Any contributions can be secured through a section 106 agreement.
- 9.20 Overall it is considered that the proposal for a supermarket in this location will not have a detrimental impact on the safe and free flow of pedestrian and vehicular traffic subject to the highway improvements discussed above.

3. Design

- 9.21 The design of the supermarket is consistent with the materials and design of the adjacent listed buildings and the permission for the smaller store. The store will have glazing and stone to the front with stone, glazing and larch panels to the side elevations. The rear elevation will be larch panels. The store is much bigger in scale than the previous approval being up to 16 metres in height in some places. The current approval is for a store that is 6 metres in height. The proposal is two storey with the store on the upper level on stilts above the proposed car park. The main store is on a flat site and there is existing landscaping and additional planting proposed which will help to soften the appearance of the building in its setting. The use of glazing will also ensure that the building will not appear as a prominent feature in the street scene. Both the properties to the rear and the properties on the other side of the Ring Road going into Farnley are at a higher level than the proposed store so will look down onto the roof scape. The buildings roof is shallow and is broken up by features such as **roof ventilators** which along with the planting

should ensure that the visual amenity from these properties is not impacted to a detrimental extent.

- 9.22 Officers have some concerns regarding the design as it is important that the building does effectively address the ground and the main view visible when entering the site will be the service yard at an elevated height. There is also concern that the building is double in height and located closer to the listed buildings impacting on their setting. Some changes have been discussed with the applicants but formal revisions to the plans have not yet been submitted.
- 9.23 The proposed car park is mainly under the store with a small element of surface car parking to the side of the proposed store. This reduces the impact of the development in terms that there are no large areas devoted solely to car parking and the impact on visual amenity that this can create.
- 9.24 Overall the design of the store is modern and its impact on the local area and on the listed buildings nearby is sensitive and so needs careful consideration.

4. Boundary treatments

- 9.25 The eastern elevation to the rear of the site will require significant retaining walls due to the significant change in levels in this location. To the rear of the store the retaining wall will be the building itself. The rest of the eastern elevation along side the car park will have a retaining wall which will be covered with a timber crib lock wall and planted with landscaping. This crib wall was approved for the whole length of the eastern boundary in the approval for the smaller store. Above both the building and the crib wall will be a landscaped area which will have existing and proposed landscaping. Further information is required as to how the construction works will be carried out for the store and its impact on current and proposed landscaping. This will allow officers the opportunity to assess whether the store as a retaining wall will have a greater or lesser impact than the crib wall previously approved. Beyond this landscaping will be a weld mesh fence which will form the boundary treatment between the development and the rear gardens of the properties along this boundary. The weld mesh fence was approved as part of the smaller scheme. A weld mesh fence was considered visually more acceptable than a palisade fence but still gave residents the security they required.
- 9.26 The southern boundary with the adjacent LNA will have the crib wall for the first part of the boundary as there is a change in levels. The rest of this boundary will be a weld mesh fence on the store side of this boundary and a hedge on the LNA side. This is acceptable in this location as the weld mesh fence will provide security but will allow views through of the hedge that will be planted behind. The hedge is also an acceptable boundary treatment on the LNA boundary.
- 9.27 There will be a flood wall erected to the western side of the proposed car park and the beck side of the access road all the way down to the existing roundabout. This is required to prevent the existing Beck flooding the car park and store. The flood wall will be 1.2 metres in height and will be stone faced on both sides. There will be coping above this wall which needs to be stone and not concrete and a condition can be attached to ensure that this is the case. This wall was approved as part of the smaller supermarket scheme.

5.Landscape and Ecology

- 9.28 The site is the subject of a Tree Preservation Order made in 2000 and consists of groups of trees along the beck, adjoining the pond, 10 hawthorn trees along a field boundary within the site and an area of woodland to the north and east to the rear of existing housing. The development involves the loss of some trees but does involve improvements and tree planting as part of the proposal. The tree consultant at the outline stage for the smaller scheme made the point that with such a major scheme including replanting and landscaping it is inevitable that the character and nature of the area will change. This change is considered to be from a relatively even age tree structure with limited species diversity to a more varied age and species structure of more significant ecological value.
- 9.29 There will be some tree retention along the eastern boundary with the residential properties and some along the existing beck area. Objections have been received regarding the loss of trees, vegetation and the impact on the existing flora and fauna on the site. However, the level of tree and vegetation loss is not as significant as the loss that was approved for the smaller store.
- 9.30 The access road being moved allows for more land on the junction of Stonebridge Lane and the Ring Road to be planted than the previous access which will help to soften the development from views off the Ring Road. There is a bridge proposed over the Wortley Beck for the proposed access. A bridge has previously been approved for the access for the smaller supermarket so the principle of a bridge over Wortley Beck has already been agreed. Further information into the precise details of this bridge and its impact on the Beck and ecology in this area will be required and this could form a condition attached to any approved scheme.
- 9.31 A full ecological survey and bat survey have been submitted as part of the application. This showed that there are no bat roosts present on the site but the land is used to supply food for the bats. The report states that there will be two habitats created as part of the development. The first habitat is the landscaping to the rear of the store and the boundary with the existing houses. This remaining corridor is not of sufficient width to enable the creation of habitat and will be just a line of trees and shrubs. As the plant equipment and the service yard is located on this side there will be noise and disturbance which will hinder the wildlife using this corridor. The second habitat is within the new hedgerows that will be along the access road and a swale corridor to the south of the beck, this will provide limited compensation for the habitats that will be lost. However, as permission has already been granted for a supermarket on the site and this scheme allows for more retention of vegetation, wider borders on the boundary for planting and more planting than this scheme should impact less on the fauna and flora of the site.
- 9.32 The application also involves a further reduction in the size of the existing mill pond on the site. The principle of reduction in the length of this mill pond was approved under the outline permission for the smaller scheme but this application reduces the mill pond down by another third. The pond itself has some limited wildlife and ecological interest but has been polluted in the past. The pond is a breeding environment of the common toad and compensation for the loss of some of the pond should have been replaced in another part of the site but there is no space to house another pond. The works to reduce it in size should ensure that the toad breeding habitat is maintained and there should be provision in the layout for the migration of toads to and from the pond. This can be conditioned.

6. Residential amenity

- 9.33 There are residential properties across the Ring Road separated from the development by the beck, areas of landscaping and the Ring Road itself. The Ring Road is a busy road during daytime hours so any noise and disturbance from the operation of the supermarket and the comings and goings of traffic should not produce any additional impact on residential amenity in terms of noise and disturbance to those residents. However, the proposal involves both 24 hour opening and 24 hours delivery which will produce traffic at times when the Ring Road is quieter and could have a detrimental impact on residential amenity. The smaller supermarket had its opening and delivery hours limited to times between 0800 and 2000 hours due to the potential for impact on residential amenity in terms of noise and disturbance. This proposal is more than double the size of the previous scheme and therefore will have more deliveries and more customers than the current approval. Whilst it is appreciated that the client would wish to offer 24 hour shopping to its customers it does have to be aware that this is supermarket within a partly residential setting.
- 9.34 There are also residential properties on the eastern boundary of the site which are closer to the supermarket. These properties are at a higher level and are separated from the development by their own gardens. The service yard is also located on their boundary and it a storey higher than the smaller approved scheme. This along with the comings and goings of customers, cars and lorries all have the potential to impact on the residential amenity of the residents. The operation of the supermarket and the service yard during the day is unlikely to cause any detrimental impact in terms of noise and disturbance due to the noise already created from the Ring Road. When the Ring Road is quieter during evenings, overnight and weekends then there is potential for noise disturbance from the supermarket. Should the store have 24 hours opening and deliveries then this has the potential to impact significantly on the residential amenity of the occupiers of these properties.
- 9.35 A noise report has been submitted with the application and environmental health have looked at this report and concluded that the measures to reduce disturbance to local residents would bring the noise levels down to the levels that are considered acceptable to residents even over the 24 hour period. The noise survey was carried out at one residential property which is the nearest house to the service yard and plant equipment which will produce the highest level of noise associated with the scheme. Objections have been received from other occupiers of the Silver Royds who have requested that noise surveys are carried out at their properties. Environmental officers have concluded that the noise levels at these other properties will be lower than the house chosen for the noise survey so considered no additional works are require.

Job creation

- 9.36 Tesco have stated that there will be approximately 400 jobs created for the local area, not including the number of jobs that there will be for the construction of the supermarket. Tesco will use local labour and are happy for a section 106 agreement ensuring that the jobs will be provided for local people – they have , as a company, a positive track record in supporting local employment initiatives and retraining /retaining those who have been long term unemployed.

Listed buildings

- 9.37 The other applications submitted with this application involves a substantial package of investment to regenerate the historic mills complex and give the buildings active ongoing uses. Whilst the applicants are not putting forward the argument that the

larger supermarket is enabling development it is clear that the level of investment needed to secure and improve this group of buildings could not be achieved by just looking at the buildings on their own. The other applications involve the demolition of additional buildings that did not form part of the previous consent. They also involve the demolition of two further listed buildings on the site. A justification has been submitted for the loss of these two listed buildings which include some structural information which shows that these two buildings are in a very poor state of repair. For them to be used they would have to be completely demolished and rebuilt so they would be a modern building taken on the appearance of the previously listed buildings. In their place will be a wall that will still give the sense of enclosure on the application side of the development. Officers have agreed with the findings of the justification and structural information in relation to these two buildings - 4 and 5.

- 9.38 The scheme for the other listed buildings now includes full restoration for the other listed buildings on the site and is strongly welcomed and supported including their use as affordable housing and a heritage centre. There may be some conflict with residential amenity if the store was to open 24 hours but residential is considered acceptable in principle in this location.

Flooding

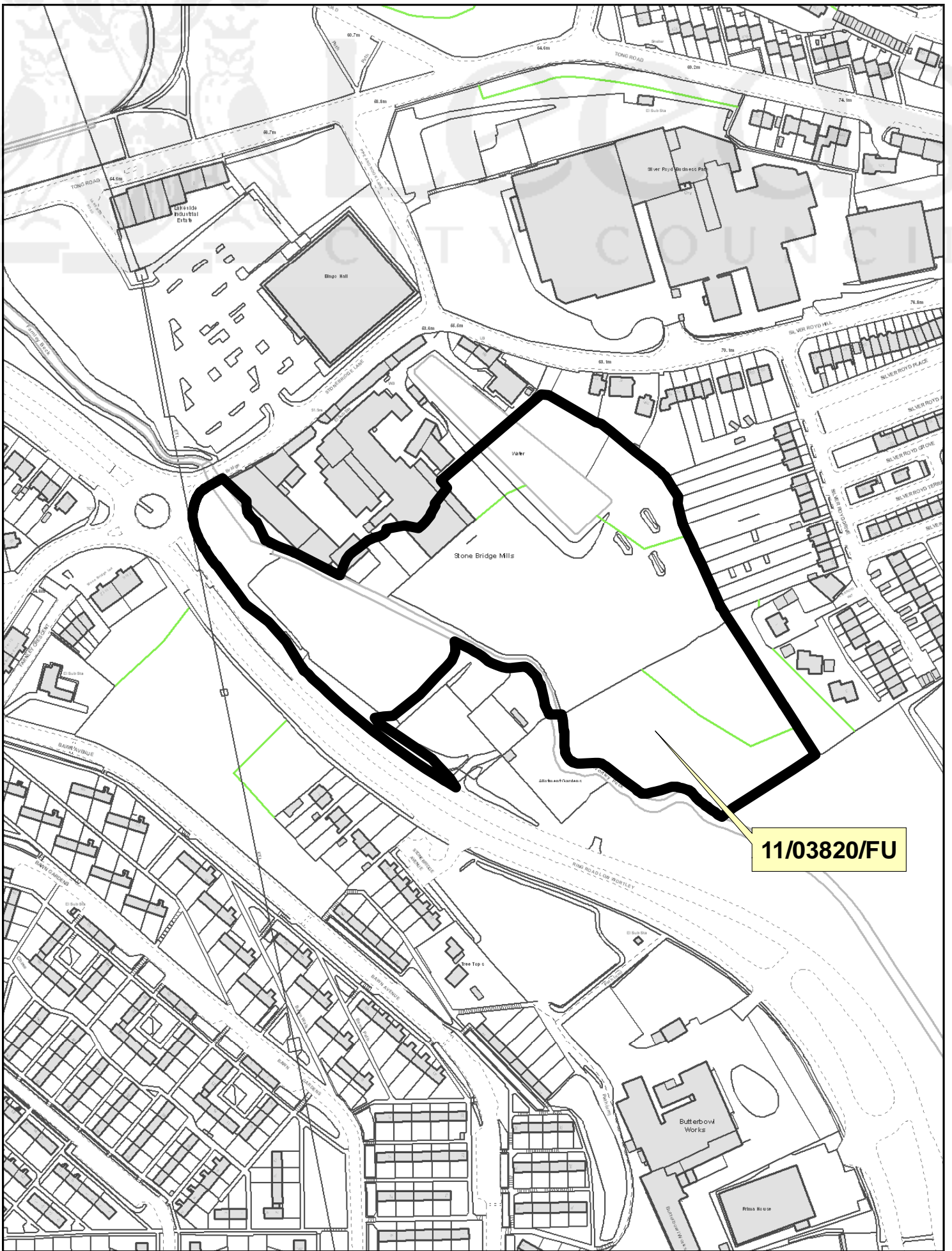
- 9.39 The application has submitted a Flood Risk Assessment which has measures to ensure that the store does not flood or the surrounding area. There will be a large storage tank underneath the store to store and release water slowly in times when rainfall is high. There is also a flood wall proposed which will protect the store from flooding of the Beck and send the additional water from the Beck to the storage tank below.
- 9.40 It is considered that providing the measures detailed in the Flood Risk Assessment then there should be no additional impact to the surrounding area in terms of flooding.

10 CONCLUSION:

- 10.1 There is no argument that the site is in an out of centre location. The convenience goods deficiency locally has been recognized for many years and approval has already been given on the site for a smaller supermarket which can be implemented.
- 10.2 The present proposal would more than double the size of the store and introduce a substantial comparison goods element. In terms of the wider regenerative proposals on this site the proposal to reuse and reinvest in the historic buildings is welcomed and supported. The store would also bring local jobs and investment which is clearly in line with national objectives in encouraging growth. Together these factors should be given significant weight.
- 10.3 Officers consider however that the key consideration in this case is the impact the substantial uplift of retail floorspace will have on existing local town centres and this should be given overriding weight in the balancing exercise.
- 10.4 Whilst there has been disagreement about methodology and catchments the concerns of officers remain the impact on Armley town centre from the increase in comparison goods and the effect that a size of this store would have in bringing forward a substantial convenience supermarket in Armley. The Armley supermarket has been given permission which is extant. National guidance is clear in the NPPF

that where an application fails the sequential test or is likely to have significant adverse impact on town centre vitality or on existing, committed and planned public or private investment in a centre then the application should be refused.

- 10.5 It is accepted that the possibility of a larger store at Stonebridge Mills will have an impact on potential retail occupants coming forward at Armley. A decision on this application is therefore important both to the applicants and the developers of the site at Armley. Given the strong desire to give the scheme at Armley the best chance of success when it is in centre and important to the future regeneration of Armley then members are advised that in the balance they should give greater weight to this matter than the economic and heritage benefits which this application provides.
- 10.6 Whilst there are concerns about 24 hour operation on this site, ecology and design and the full Section 106 package is not fully clear it is not felt that any of these matters in themselves are sufficient to include as reasons for refusal because if members were minded to support the application then they would be subject to further negotiation and clarification.
- 10.7 On balance, therefore, members are recommended to refuse the application for the reason given.



11/03820/FU

WEST PLANS PANEL

