



Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 26th March 2013

Subject: APPLICATION A - 12/03886/OT – OUTLINE APPLICATION FOR MIXED USE DEVELOPMENT COMPRISING OFFICES (BUSINESS PARK) (B1A), (B) AND (C), RETAIL AND BAR/RESTAURANT (A1, A2, A3, A4, AND A5), HOTEL (C1), LEISURE FACILITIES (D1, D2), MULTI-STOREY CAR PARK, TOGETHER WITH INTERNAL ROADS, CAR PARKING AND DRAINAGE AT LAND BETWEEN BARROWBY LANE AND MANSTON LANE, THORPE PARK, LEEDS.

APPLICATION B - 12/03887/FU – DETAILED APPLICATION FOR THE MANSTON LANE LINK ROAD (NORTH - SOUTH ROUTE) AT LAND BETWEEN BARROWBY LANE AND MANSTON LANE, THORPE PARK, LEEDS.

APPLICATION C - 12/03888/FU – DETAILED APPLICATION FOR THE MANSTON LANE LINK ROAD (EAST – WEST ROUTE) AT MANSTON LANE, LEEDS.

APPLICATION D - 12/05382/FU – DETAILED APPLICATION FOR THE MANSTON LANE LINK ROAD (EAST - WEST ROUTE) AT MANSTON LANE, THORPE PARK, LEEDS.

APPLICANT	DATE VALID	TARGET DATE
Thorpe Park Developments Ltd	24/9/12 (12/05382/FU=20/12/12)	21/5/13

<p>Electoral Wards Affected:</p> <p>Crossgates and Whinmoor, Garforth and Swillington, Temple Newsham</p> <p><input type="checkbox"/> Yes Ward Members consulted</p>	<p>Specific Implications For:</p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
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RECOMMENDATION: For Members to note the content of the report and to provide feedback on the questions posed at section 11.0 of this report.

1.0 INTRODUCTION:

- 1.1 Under Policies E4:6 and E18:2 of the Leeds Unitary Development Plan Review 2006 (UDPR), 63 hectares of land, known as Thorpe Park, is allocated as employment land and identified as a key business park reserved for offices (Class B1). In 1995, planning permission was initially granted for 1.2million ft² (111,500m²) of office floorspace. However the total quantum permitted was increased to 1.8million ft² (167,225m²) in 2004 when the relevant condition was varied. In the region of 600,000 ft² (55,742m²) of offices have been built out on almost half of the total available land. The main permissions which control the quantum of development permitted at Thorpe Park include a Section 106 agreement that requires the developer to undertake various off-site highway works to facilitate access into the site and to provide a new public park (known locally as Green Park) to the immediate west of the site. Delivery of the Manston Lane Link Road (MLLR) as a single carriageway is also secured but only when 93,000m² (1million ft²) of office development is occupied.
- 1.2 The outline application will seek to secure the revised quantum of development on the balance of the Thorpe Park site and the alternative mix of uses. A zonal masterplan forms part of the submission but full details relating to the MLLR are anticipated.
- 1.3 'Green Park' is to the immediate west of Thorpe Park and is a 47 hectare allocation of proposed open space within the UDPR (policy N5). Application 12/05150/LA proposed a new public park on this site and is examined in detail in report presented to the 26/3/13 Panel. The proposal includes playing pitches, a nature area (including utilisation of the half built newt ponds towards the northern end of the site) and a variety of further green infrastructure. As with the current S106 agreement, the developer will be contributing towards the cost of the new public park.

2.0 PROPOSALS:

- 2.1 Outline consent is sought for a major mixed use business park whilst three full planning applications seek permission for the associated highway infrastructure, further details are highlighted below.

2.2 A - 12/03886/OT – Mixed use outline proposals.

- 2.3 The proposal entails the provision of up to 160,000m² of development including up to 121,300m² of B1 offices, 22,100m² of retail (including a large supermarket of circa 12,000m²), 17,800m² of leisure uses including hotels and 3,200m² of food and drink uses. A proposal of 160,000m² would increase the level of development at Thorpe Park by 52,917m² over the current permission of up to 167,225m². The table below provides a summary.

	Amount of office floor space currently built	Amount of development yet to be constructed or proposed	Total amount of floor space allowed or proposed
Existing Consent	(circa) 55,742m ²	111,483m ² (offices)	167,225m²
Proposed position	(circa) 55,742m ²	121,300m ² (offices) 22,100m ² (retail) 17,800m ² (leisure/hotel) 3,200m ² (food & drink)	220,142m²

- 2.4 The outline application uses simple parameter plans to identify development zones and maximum heights of buildings and is supported by a design code that guides the future detailed design. Buildings heights are greater than the previous masterplan approved on the site with a maximum building height proposed to be the equivalent of five office floors or up to almost 30m above ground level. The proposal also includes an indicative masterplan which provides a basic layout. It represents a considerable intensification of development on the site with the consequential implications for building heights, traffic generation and impact on Brown Moor in addition to issues relating to the principle and quantum of retail development.
- 2.5 The proposals include a large area of open space that would be publicly accessible and run through the site linking Green Park to the west and Brown Moor to the east. This parkland area is referred to as Central Park and totals 30 acres. This greenspace and the adjacent Green Park will form part of the continuous green/landscaped route that will be incorporated into the East Leeds Extension as an attempt to link Temple Newsham with Roundhay Park.
- 2.6 New footpaths, bridleways and cycle routes are created across the site that continue and enhance links. The cycle route will form part of the strategic cycle route that is intended to provide a route from Temple Newsham through Thorpe Park and the East Leeds Extension to communities and villages to the north as far as Wetherby.
- 2.7 B - 12/03887/FU – MLLR north-south route (linking Thorpe Park with the East Leeds Extension).**
- 2.8 As highlighted above, a key piece of highway infrastructure is associated with both the extant approval at Thorpe Park and the current outline proposals. This planning application provides full details of the location and design of the MLLR from the existing M1 link road within Thorpe Park, through the new outline masterplan and over the railway line. This section of the MLLR is a dual-carriageway and includes two additional roundabouts within Thorpe Park. The north-south MLLR includes a landscaped central reservation and provides a pedestrian underpass in its southern half. This pedestrian underpass is 5m wide and 2.4m in height and provides both a footway and cycleway. To ensure there is no break in the Central Park landscape and its link to Brown Moor, the MLLR bridges over Central Park. The bridge will leave a minimum headroom of 4m and is 40m wide. To provide light into the underpass below the bridge the carriageway above is split into two and separated by 5m.
- 2.9 The N-S MLLR includes footways and cycle ways and bridges over the railway line at the northern boundary of Thorpe Park. The new rail bridge will allow for the removal of the level crossing. After bridging the railway line the N-S section of the MLLR terminates at a new roundabout connection with Manston Lane.
- 2.10 C - 12/03888/FU – MLLR east – west route (upgrade of Manston Lane, southern alignment – Option 1).**
- 2.11 The roundabout to the north of the railway line links into the existing Manston Lane. At this location the existing Manston Lane has the character of a country lane and therefore needs upgrading to accommodate the increase in traffic flows from the development proposed at Thorpe Park, proposed residential developments on

Manston Lane, existing commercial traffic using Manston Lane rerouting and other traffic rerouting to gain access to the M1 motorway.

2.12 The east-west route of Manston Lane is proposed to be enhanced with a wider (single) carriageway and footpaths to either side. The proposed carriageway is set above existing ground levels and will therefore require changes in the existing topography.

2.13 The new E-W MLLR requires land from various third parties therefore new vehicular access points are proposed to those relevant properties.

2.14 D - 13/05382/FU – MLLR east-west route (upgrade of Manston Lane, northern alignment – Option 2).

2.15 As highlighted above the E-W MLLR requires land from various third parties. At present there are two possible alignments that are proposed for the E-W MLLR that each require different third party land. This full application has a similar character to the E-W MLLR referenced above but is set slightly further north and therefore requires agreement with different third parties. The applicant has submitted both applications to keep their options open whilst negotiations continue with the third party land owners.

2.16 The applications are supported by the following documents:

- Planning Statement.
- Environmental Statement.
- Design and Access Statement.
- Design Code.
- NPPF Statement.
- Economic/Regeneration Statement.
- Sustainability Statement.
- Flood Risk Assessment.
- Transport Assessment.
- Coal Mining Risk Assessment Report.
- Statement of Community Engagement.
- Tree Survey.
- Landscape Visual Impact Assessment.

3.0 SITE AND SURROUNDINGS:

3.1 The proposals to expand Thorpe Park relate to the northern half of the employment allocation that totalled 63 hectares. The site is located to the south of the Leeds-York railway line and Manston Lane, west of the M1 (junction 46), north of A63 Selby Road and existing Thorpe Park buildings, Austhorpe Lane is to the west.

3.2 In terms of the wider area, Cross Gates centre is located to the west, Garforth to the east and Colton Retail Park is located across the A63 to the south. A number of residential properties are nevertheless located between the northern side of the A63 and the built component of Thorpe Park (namely Barrowby Lane, Road, Drive, Avenue etc and Austhorpe Lane, Avenue, Drive etc. In addition to existing development, the East Leeds Extension housing allocation (UDPR policy H3-3A.33) is located across the railway line to the north. A planning application has recently been submitted for 2,000 houses on that part of this allocation between the A58 and A64.

- 3.3 Manston Lane to the north includes primarily industrial and commercial premises but there are a limited number of residential properties. Many of the industrial sites are subject to applications/approvals for residential development therefore it is envisaged that the character of the area will significantly change in the coming years.
- 3.4 Thorpe Park is allocated as employment land and a 'key business park' in the UDPR. The land to the east and west is allocated as proposed open space. The UDPR designates a new cycle route running north-south through Thorpe Park and a scheduled ancient monument, Grims Ditch, is located to the immediate west of Thorpe Park. There is a group of protected trees on the western boundary of Thorpe Park and a small copse within the centre of the application site.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 32/199/94/OT – Outline application to layout business park, Green Park and access roads - Granted 04/10/95. This relates to the original outline permission and allows for up to 1.2million ft² (111,500m²).of office floorspace.
- 4.2 32/140/96/FU – Variation of condition application to allow up to 1.8m ft² (167,225m²) of office floorspace to be provided – Granted 31/03/04
- 4.3 Connected to the above permissions is a Section 106 agreement which requires the applicant to undertake various off-site highway improvement works to achieve satisfactory points of access from the A63 and M1 motorway (these works have been completed), to provide Green Park (via a series of trigger points) and the delivery of the MLLR which is triggered following occupation of 1million ft² of office accommodation.
- 4.4 32/9/96/FU – Full permission for the Manston Lane Link Road, approved 20/5/96 and renewed in 13/11/01 by application 32/66/01/RE. This is for a single carriageway road.
- 4.5 06/05310/FU – Application to vary various conditions attached to the MLLR scheme so as to allow details to be agreed as and when phases come forward rather than everything at the outset – Granted 21/11/06. This application is the latest permission relating to the provision of the MLLR and was submitted in recognition that part of the road had already been constructed (i.e. the section that links Thorpe Park with junction 46 of the M1.
- 4.6 08/00298/OT – Outline application for residential development of up to 256 units at Optare, Manston Lane, Crossgates – approved 15/11/12. A section 106 agreement requires the development to be phased with only the first of two phases permitted to be delivered prior to the upgrading of the MLLR. The reserved matters application for 204 units, 13/00288/RM, was recently presented to City Panel on 14/3/13. The applicant, Ben Bailey Homes, have commenced remediation works.
- 4.7 08/03440/OT – Outline application for mainly residential development of up to 151 units at former Barnbow site for Threadneedle – approved as a phased development subject to a Section 106 agreement linked that restricts the construction of no more than 122 units until the MLLR is constructed. The first phase of development is now under construction by Bellway.

4.8 12/05150/LA - Formation of public park, playing pitches, park and changing rooms on land to west of Thorpe Park. This application is currently under consideration and is subject to a separate report to the 26/3/13 Panel.

5.0 HISTORY OF NEGOTIATIONS:

5.1 The applicant has been engaged in pre-application discussions with the Council since November 2011. A number of meetings have taken place with officers, the Council's retail consultant and the Highways Agency.

5.2 The developer made a pre-application to the former East Plans Panel on 9th August 2012. Members were asked to respond to a number of specific questions and responses are noted below. A copy of the full minutes relating to this presentation is provided at Appendix 1.

- regarding the provision of a significant amount of retail at Thorpe Park, there were concerns relating to highways; the type and quantity of retail being proposed and how this would fit with policy requirements; the height of the supermarket and the fact that it was separated from the rest of the retailing; the need for Members to see the retail assessment and the demonstration of the special circumstances in this case to set aside policy. On this point, the question of whether retail being considered acceptable on the site was also raised
- Members considered that the approach of the concept/parameter plans and indicative masterplan for the site was beneficial
- that Members appeared happy with the nature and location of the open space on the site and how this linked through to Green Park
- that in respect of the proposed MLLR, that this should be delivered early in the scheme, if not before the start of the development and that building the MLLR per se would not be sufficient to deal with the increased traffic coming to the development from further afield
- concerning the proposed layout and facilities at Green Park, there was the need for the parking for the sports pitches to be located in Thorpe Park and that further information on the parking/access arrangements and the timescale for its delivery be provided at the outline application stage
- that a dangerous precedent could be set if policy was set aside to accommodate the proposals
- that other proposals were being considered in the area and that it would be necessary to have regard to the combined implications of any applications which were submitted

5.3 The applicant has also made presentations to the Outer East Area Committee and East Leeds Regenerations Board. These groups have been supportive of the principle of the development provided a strong employment plan is in place to ensure the creation of jobs for local people. There have also been requests for the MLLR (and ELOR) to be delivered early in the development.

5.4 The outline planning application is accompanied by a Statement of Community Engagement that highlight how the applicant has attempted to engage with the local community via a series of public consultation events in June and July 2012. Over 70 hours of events took place in five different locations and were attended by over 800 people. 37,000 leaflets were posted to local residents and businesses, posters were put up in prominent locations and an advert was placed in the Yorkshire Evening Post.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 13/03886/OT – Mixed use outline proposals.

- 6.2 Site notices were posted around the surrounding area 12/10/12. An advert was placed in the Yorkshire Evening Post (YEP) 17/10/12. 21 representations have been received.
- 6.3 A letter sent on behalf of Taylor Wimpey the owners on land within and intending developers of part of the East Leeds Extension (ELE) is generally supportive of the proposals. Taylor Wimpey consider the Thorpe Park proposals to be an important contribution to the full realisation of the ELE but to achieve the maximum benefits of the ELE a holistic planning, transport and urban design approach is necessary. The provision of new homes and jobs close to each other is extremely important as is the co-ordinated delivery of the ELOR. The Thorpe Park proposals should ensure there are significant commitment and a co-ordinated approach to public transport serving the ELE. There are some concerns expressed regarding the retail content as it is felt there should be no adverse impact on existing nearby centres or inhibit the establishment of local centres in the ELE.
- 6.4 The landowner of the Vickers Tank Factory site support all the planning applications as the delivery of the proposals will allow for the release of housing development land on their site.
- 6.5 A letter of objection has been received from the owners/operators of Crown Point Retail Park (CPRP). CPRP occupies a sustainable location within the city centre and is supported within the Core Strategy. However, the Council continues to seek to control the range of goods that can be sold from CPRP to ensure it does not compete with the Prime Shopping Quarter (PSQ). The retail content at Thorpe Park is in an out of centre location and would directly compete with CPRP and the PSQ. This letter also questions some of the more detailed findings of the applicant's retail study including its sequential and impact test.
- 6.6 A letter of objection has been received on behalf of Hammerson UK Properties Plc, the Eastgate developer. Hammerson have concerns regarding the supporting justification for the application and the impact it could have on their City Centre investment. Hammerson believe the application should be refused as the sequential test has not been passed, because there will be an adverse impact on investment in the City Centre and vitality and viability of Cross Gates, Seacroft and Garforth town centres and because the proposal is contrary to the UDPR and Core Strategy.
- 6.7 Leeds Civic Trust objects to the application. The retail component of the scheme is contrary to policy that seeks to ensure retail development is located in existing centres.
- 6.8 Twelve letters of objection (some representing more than one objector) have been received from residents in the local area including nearby Scholes and the Save our Scholes Community Forum (representing 21 objectors). The objections are highlighted in brief below:
- The introduction of a mixed use scheme will result in a loss of employment land.
 - There is no need for a new food superstore in this remote location.
 - Will the MLLR be able to cope with future traffic growth?

- The site proposes cul-de-sacs that include too much development to operate appropriately.
- A rail halt should be included in the proposals.
- The proposed public rights of way need enhancing.
- There is a lack of thought in the landscape proposals.
- There is a significant loss of woodland on Brown Moor.
- There are insufficient safety features around the water features.
- The proposals result in an overdevelopment and are not sustainable.
- There will be an adverse impact on local retail centres.
- There will be a loss of natural habitat (affecting bats, birds, deer etc).
- Development on this land will exacerbate flooding problems.
- Thorpe Park is already a blot on the landscape.
- There will be an increase in carbon emissions, noise and air pollution.
- There is no justification for the expansion of the business park.
- There are sites of archaeological importance affected.
- It will increase rat running through nearby villages.
- There was not widespread genuine consultation.
- Development should be focused closer to the centre of Leeds.
- Increased traffic flows will create highway safety problems, particularly at local schools.
- The proposed Green Park is no compensation for the loss of countryside.

6.9 One letter of objection has been received from a resident of Doncaster who grew up in Scholes. The objector states the further development of Thorpe Park will make it more of an eyesore when viewed from Scholes and will increase drainage problems in the area and have adverse impact on local shops and ecology.

6.10 Two letters from local residents make the following general comments:

- It is concerning that the application does not seek to encourage more public transport to the site.
- A rail halt should be provided.

6.11 Two local residents support the proposals stating they will encourage new businesses to the area and provide much needed employment and training opportunities and the highways infrastructure is essential.

6.12 12/03887/FU – MLLR north-south route.

6.13 Site notices were posted around the surrounding area 12/10/12. An advert was placed in the Yorkshire Evening Post (YEP) 17/10/12. 10 letters of objection have been received. Many of the comments repeat those highlighted above relating to increase in noise, pollution, impact on wildlife, rat running,

6.14 The Vickers Tank Factory owner also supports this application and a Scholes resident has written in support stating the proposed road will remove commercial traffic from Cross Gates, ease pressure on the Halton Ring Road and provide good access to the Aire Valley.

6.15 12/03888/FU – MLLR east-west route (southern alignment).

6.16 Site notices were posted around the surrounding area 12/10/12. An advert was placed in the Yorkshire Evening Post (YEP) 17/10/12. Six representations have been received including one of support from the owners of the Vickers Tank Factory.

- 6.17 Three letters of general comment requested the new road be carefully designed to ensure the visual and noise impact is kept to a minimum through the use of well planned landscaping and 'quiet' tarmac. It was also requested that the footpath/bridleway be segregated from the new highway. Cross Gates Watch Residents Association supports the broad principle but has some concerns regarding the potential noise and congestion caused during construction and request the road is constructed from the east to avoid the need for construction vehicles to gain access through Cross Gates.
- 6.18 One letter of objection objects to the loss of a quiet country road.
- 6.19 A letter of objection has also been received from the owners of Lazencroft Cottage, a kennels and cattery on Manston Lane, one of the third party land owners affected by the proposed new road. The owners of Lazencroft Cottage are concerned regarding the loss of their land, lack of consultation with the developer and potential highway safety issues. They fear for a loss of privacy and enjoyment of their land and state patrons who leave their pets at their site do so because of its quiet rural setting and this will be lost and therefore affect their business. The objectors also make reference to a failure of the Council to highlight the proposed road when carrying out site searches when purchasing the property.

6.20 13/05382/FU – MLLR east-west route (northern alignment).

- 6.21 Site notices were posted around the surrounding area 11/1/13. An advert was placed in the Yorkshire Evening Post (YEP) 4/1/13.
- 6.22 The owners of Lazencroft Cottage repeat their objections highlighted above for this application.

7.0 CONSULTATIONS RESPONSES:

7.1 Statutory:

- 7.2 Highways: Further analysis of the impact of the proposals is required (the highways implications are considered in more detail below).
- 7.3 Highways Agency: Detailed assessments are still being carried out, a holding direction preventing the Council making a decision on the application is in place until 28th March 2013 (the highways implications are considered in more detail below). Amendments to the Travel Plan are required.
- 7.4 Network Rail: No objection in principle. Drainage and lighting should be directed away from the railway lines and advice is provided on the construction of the railway bridge.
- 7.5 Environment Agency: No objection subject to a condition that requires a drainage scheme that maintains greenfield surface water run-off rates.
- 7.6 Natural England: No objection. New newt ponds are welcomed but there is some concern regarding the provision of appropriate habitats during construction. The large greenspace provides opportunities to introduce features that are beneficial to wildlife.

- 7.7 Health and Safety Executive: 12/03886/OT and 12/05382/FU - No objection. 12/03887/FU and 12/03888/FU – Whereas the risk is small, there is the potential of harm from major hazard sites/pipelines in the area therefore the HSE would support refusal.
- 7.8 Non-statutory:**
- 7.9 Police Architectural Liaison Officer: Underpasses should be avoided or kept as wide open and as straight as possible, CCTV is recommended.
- 7.10 Park and Countryside: The S106 should ensure the developer constructs the playing pitches and changing room in Green Park and provides a capital contribution for the construction of the remainder of the park and its future maintenance.
- 7.11 Neighbourhoods and Housing: Conditions are recommended to protect nearby residents.
- 7.12 Neighbourhoods and Housing (Air Quality): There will be a minor increase in noise and regulated pollutants. Provided the Travel Plan measures are adhered to there is no objection to the minor increase in pollutants. The new road will clearly change ambient noise levels therefore the mitigation identified by the applicant should be introduced. The main increase in noise levels will be on existing properties on Manston Lane and some properties on Austhorpe Lane. It may be necessary to add a condition to ensure mitigation measures are introduced such as lower speeds or quieter road surfacing.
- 7.13 Flood Risk Management: The majority of the Flood Risk Assessment is acceptable but there are some issues regarding the run-off calculations that need to be addressed. A meeting has taken place to agree the way forward and full details of the discharge and attenuation figures agreed at the meeting are awaited.
- 7.14 Yorkshire Water: No objection subject to conditions.
- 7.15 English Heritage: No objection.
- 7.16 Licensing: A premise licence would be required for some of the proposed uses.
- 7.17 Transport Policy (Travelwise): A variety of changes and improvements to the Travel Plan are required.
- 7.18 Metro: The site does not meet current accessibility criteria but negotiations have commenced on improving the situation. The increase in range of uses at Thorpe Park would help in introducing a bus service as would the MLLR. The applications for new highway infrastructure are supported.
- 7.19 Public Transport Contribution Officer: The scheme generates a significant number of trips and would trigger a contribution of between £2-3.8m. However, the site does not currently meet accessibility standards therefore enhancements are required and currently being considered. It is therefore vital that a public transport strategy is agreed. There is a potential benefit of delivery of the MLLR earlier than what would be the case under the extant permission. The requirement for, and size of, any public transport contribution must therefore be weighted against these two elements of the scheme with further discussions to take place.

- 7.20 Public Rights of Way: The additional footpath, cycleway and bridleway links are welcomed. However, there are issues outstanding with the temporary footpath diversions from earlier developments that need to be addressed. Meetings have taken place with the applicant and a way forward agreed in principle, further work on this issue is on going.
- 7.21 Contaminated Land: No objection subject to conditions.
- 7.22 West Yorkshire Archaeological Advisory Service (WYAAS): The proposed new highway will impact on a number of archaeological sites including a former WW1 shell filling factory and its internal railway, a medieval settlement, pottery manufactory and large earthworks. The application should be refused or the road realigned to avoid these features.
- 7.23 Coal Authority: No objection subject to a condition requiring the developer to carry out further intrusive work to identify existing coal mining conditions and a remediation strategy that considers the extraction of any residual shallow coal.
- 7.24 Wakefield Council: No objection. However, the retail assessment does appear to present an overly positive view of the vitality and viability of Castleford centre.
- 7.25 LCC Retail consultant: There are concerns regarding the adverse impact on a number of local centres including Cross Gates, Seacroft, Garforth and Rothwell (see table at 10.12 below). These and other centres/retail designations would experience a potentially significant loss of trade. Further information and studies are required.

8.0 PLANNING POLICIES:

8.1 Development Plan

- 8.2 The development plan includes the adopted Leeds Unitary Development Plan Review 2006 (UDPR) along with relevant supplementary planning guidance and documents. The site is allocated for employment purposes under policy H4:6 and identified as a key business park under policy E18:2 of the UDPR, these policies state that:

‘E4: Land for employment uses is allocated at the following locations:

.....6. Austhorpe (63.8 HA).’

‘E18: The following employment sites allocated under E4 are identified as key business park sites, and reserved for B1 use:

.....2. Austhorpe (E4:6: 63.8 HA)’

8.3 Leeds Unitary Development Plan Review (UDPR):

GP5: General planning considerations.
GP7: Use of planning obligations.
GP11: Sustainable development.
N10: Protection of existing public rights of way.
N8: Urban Green Corridor.
N5: Improvement in the quantity and quality of greenspace provision.
N23/N25: Landscape design and boundary treatment.
N29: Archaeology.
N38b: Flood Risk Assessments.

N39a: Sustainable drainage.
BD5: Design considerations for new build.
T2 (b, c, d): Accessibility issues.
T5: Consideration of pedestrian and cyclists needs.
T7/T7A: Cycle routes and parking.
T18: Strategic highway network.
T24: Parking guidelines.
E4, E18: Employment sites.
LD1: Landscape schemes.
SA5: Shops should be accessible by a choice of means of transport.
SP7: Priority is given to the maintenance and enhancement of the City Centre and Town Centres.
S5: Retail development outside centres.
S6: Sites identified to meet deficiencies in convenience retailing.

8.4 Relevant Supplementary Planning Guidance

8.5 Public Transport Improvements and Developer Contributions (2008): Developments that have a significant local travel impact will be subject to a requirement for paying a contribution towards public transport improvements.

8.6 Building for Tomorrow Today – Sustainable Design and Construction (2011): Sustainability criteria is set out including a requirement to meet BREEAM standards.

8.7 Natural Resources and Waste Development Plan Document (2013): Developments should consider the location of redundant mine shafts and the extract of coal prior to construction.

8.8 National Planning Guidance

8.9 The National Planning Policy Framework (NPPF) came into force on 27th March 2012. The NPPF states that unless material considerations indicate otherwise development proposals which accord with the Development Plan should be approved.

8.10 Emerging Policy

8.11 The Submission Draft of 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. The Core Strategy will be submitted to the Secretary of State for independent examination at the end of March 2013.

8.12 In line with the NPPF the Council may attach some weight to the document and its contents. The Core Strategy sets out a need for 70,000 new homes up to 2028 and identifies the main urban area as the prime focus for these homes alongside sustainable urban extensions and delivery in major and smaller settlements.

8.13 Within the context of 'Place making' and the focus of Spatial Policies 2 & 3 upon a strategy of 'centres first', detailed Core Strategy policies are also set out, to designate Town & Local Centres and appropriate uses within them. Policies P1, P2, P3, P4, P5 and P6, set out the approach in planning for shopping development (including the creation of new centres, in appropriate circumstances, linked to regeneration and longer term opportunities for growth). Integral to this overall

approach, is the desire to safeguard, enhance and develop the role of Leeds City Centre as the primary destination for major retail, commercial, leisure and cultural development. This also recognises its key role at the heart of the strategic transport hub (including Leeds City station and interchange facilities). Within this context, it is critically important to ensure that major investment opportunities (including major retail development at Eastgate) within the City Centre, are secured as a priority. The Core Strategy also places an importance on closer pedestrian links between Crown Point Retail Park and the Prime Shopping Quarter.

- 8.14 It is noted that from the 27th March 2013 the policies in the development plan must accord with the NPPF. Whilst the Core Strategy is at an advanced stage it is intended to carry forward a number of the UDPR policies which are in conformity with the NPPF.

9.0 MAIN ISSUES

- Background.
- Principle of development and proposed uses.
- Highways.
- Urban design.
- Landscaping.
- Residential amenity.
- Ecology.
- Drainage.
- Archaeology.
- Section 106.
- Economic impact.
- Letters of representation.
- Alternative proposals.

10.0 APPRAISAL

10.1 Background

- 10.2 Under Policies E4:6 and E18:2 of the Leeds Unitary Development Plan Review 2006 (UDPR), 63 hectares of land, known as Thorpe Park, is allocated as employment land and identified as a key business park reserved for offices (Class B1). There is an extant outline planning consent for 167,225m² (1.8m ft²) of which approximately 55,742m² (600,000ft²) of offices have already been built out on almost half of the total available land. The current consent includes a Section 106 agreement that requires the developer to undertake various off-site highway works to facilitate access into the site and to provide a new public park (known locally as Green Park) to the immediate west of the site. Delivery of the Manston Lane Link Road (MLLR) is also secured but only when 93,000m² (1million ft²) of office development is occupied.

- 10.3 The current consent and the illustrative masterplan do not fit today's office market and would not deliver a business park that is considered to meet the needs of future occupiers. The out of town office market is flat and greater preference is being expressed for the City Centre as a location for office development. As such, the applicant seeks a new consent that includes a greater mix of uses that is intended to provide a much more attractive destination to work and also provide retail and leisure opportunities and therefore create a place that operates more than just 9am-5pm. In addition this new application seeks to deliver a more attractive business

park in terms of its urban design and enhance Thorpe Park's relationship to the adjacent greenspace.

- 10.4 The development proposals for Thorpe Park also need to be fully integrated into the future land uses to the north and east. These are likely to be housing based and in addition to integrating uses and access there will need to be a comprehensive approach to the provision of footpaths, cycleways and structural landscaping so that all developments are fully integrated.
- 10.5 Principle of development and proposed uses
- 10.6 As highlighted above, the site benefits from and an employment and business park designation in the UDPR plus an extant consent for a significant amount of office space therefore the principle of a largescale office based business park on this site is considered acceptable. The intentions of the previous outline approval plus other full planning permissions granted at the site have also resulted in other non-office uses being introduced to Thorpe Park including a hotel, restaurant and small scale ancillary retail. However, the current proposal includes an additional quantum of office development and additional non-office uses that are not considered to be ancillary. Each use is considered in turn below.
- 10.7 Offices (B1)
- 10.8 The UDPR designation promotes B1 offices. The current existing consent permits up to 167,225m² of which around 55,742m² has been built. The proposed development seeks 121,300m² of B1 office that would be an additional 9,817m² of B1 office on the site. The increase represents a 6% addition to the amount of office floorspace already approved. In light of the designation and previous approval highlighted above plus the relatively minor increase in office space proposed the principle of the office development is considered acceptable.
- 10.9 Retail
- 10.10 Whereas the previous outline existing development did not strictly permit non-office uses, the intention of the outline consent was to include ancillary complementary uses and subsequent full planning permissions have resulted in a hotel, retail (Greggs) and restaurant being introduced. However, the current proposals include up to 22,100m² of retail development of which 12,100m² would be in the form of a food superstore. For comparison, the Tesco Extra at Seacroft is 9,651m² and the Sainsburys at Colton is 5,000m². The remaining 10,000m² is proposed to be provided over several retail units intended to be occupied by 'high end' retailers such as TK Maxx, Boots, River Island and Asda Living.
- 10.11 Retail consultants have been employed by both the applicant and Council to fully assess the potential impact of such a large amount of out of centre retail development on other centres in a defined catchment area. A catchment area was agreed that covers much of north, south and east Leeds plus areas within Selby District. Sequential and impact tests have been carried out. Both parties fully acknowledge that the proposed retail development will have an impact on existing centres. However, the extent of that impact is disputed between the two parties. In addition a letter has been received from Crown Point Retail Park, a site outside the catchment area, the letter believes there will be an adverse impact on their operations, this is being examined in more detail.

10.12 A further letter has also been recently received on behalf of Hammerson, the Eastgate developer. This letter will be forwarded to both the applicant and the Council's retail consultant for comment. The submission suggests that;

- the retail sequential test has not been demonstrated,
- there will be significant adverse impact in investment in the City Centre and on the vitality and viability of Cross Gates, Seacroft and Garforth town centres (contrary to guidance in the UDPR, NPPF and Council's draft Core Strategy) and,
- that there is a need for a detailed viability assessment to justify the form and extent of retail development.

10.13 The retail assessment is on going, a summary of the current position is provided below.

10.14 Factors such as existing/proposed sales density, trade draws and turnover plus the types of goods sold and vehicular routes are being considered and the impact on existing sites are summarised in the table below. The table predicts the percentage of trade at existing centres/sites that would be lost to the proposed Thorpe Park retail provision.

10.15 Table 1: Trade Draw from existing centres/sites.

Centre/Store	Applicant's Assessment		Council's Assessment		
	<i>Convenience</i>	<i>Comparison</i>	<i>Convenience</i>	<i>Comparison</i>	<i>Overall</i>
Cross Gates town centre	2%	5%		19%	18%
Garforth town centre	2%	5%		26%	22%
Morrisons, Rothwell/ Rothwell town centre	13%	3%	17%	14%	16%
Morrisons, Wetherby/ Wetherby town centre	11%	2%	12%	4%	10%
Tesco, Seacroft/ Seacroft town centre	17%	4%	24%	21%	23%
Sainsbury's Colton/ Colton Retail Park	27%	17%	23%	20%	22%
Asda, Killingbeck/ Killingbeck Retail Park	18%	22%	19%	26%	21%
Tesco, Garforth	17%	-	20%	-	20%

Source: LCC Retail Consultant (England and Lyle) report January 2013.

- 10.16 The Council's retail consultant predicts an overall trade diversion of 18% of turnover from Cross Gates, 22% from Garforth, 16% from Rothwell, 10% from Wetherby and 23% from Seacroft. The impacts on Cross Gates, Garforth, Seacroft and Rothwell designated centres are considered significant and would have an adverse impact on the vitality and viability of those centres.
- 10.17 The impact on Wetherby is largely on the Morrison's supermarket and the remaining relatively minor impact on Wetherby Centre is considered acceptable as this centre is performing very well.
- 10.18 The three sites at the bottom of the table, Colton Retail Park, Killingbeck Retail Park and Tesco at Garforth are not in designated town centres and therefore do not benefit from protection under planning policy relating to town centre designations. However, the Colton site is identified in the UDPR to meet a deficiency in convenience goods retailing therefore there is a potential impact on this recognised planning objective. It is also being considered whether to include Colton as a designated centre in the Core Strategy. In addition, the Tesco in Garforth is the main convenience goods facility in the settlement, the NPPF seeks to promote sustainable development therefore an adverse impact on this facility could clearly lead to more and longer journeys for food shopping and unsustainable patterns of development.
- 10.19 The 10,000m² of retail development not located in the food superstore is for non-food retail units which the developer is now considering to be for high end retailers such as TK Maxx and Asda Living and not those retailers currently operating in local centres. However, this brings greater consequences with regard to the Council's retail policies and aspirations for the City Centre. This is a recent change to what was originally proposed therefore further consideration on the impact of these types of retailer on the centres within the catchment area plus the potential impact on the city centre is taking place.
- 10.20 It is accepted by all parties that there will be some impact on local centres. However, that scale of impact is disputed. The developer has put forward a set of planning conditions that could control the development and therefore avoid such adverse impacts on local centres. Due to the extent of the adverse impact from the proposed retail development officers do not consider that the proposed conditions could sufficiently protect existing centres, including the City Centre, therefore the proposed retail development still raises a number of concerns which can be summarised as follows:
- There are potential conflicts with policies for retail development set out in the draft Core Strategy and threats to the viability of the Eastgate development.
 - The benefit of new retail development at Thorpe Park would be offset by closure of shops (and job losses) in a number of existing centres at Cross Gates, Seacroft, Garforth and Rothwell.
 - The future position of Sainsburys at Colton (and subsequent impact on adjoining uses).
 - The retail proposals have the potential to help meet the needs of future residents in the East Leeds Extension and surrounding areas, but the location could be better integrated.
- 10.21 Leisure and food and drink
- 10.22 Sequential and impact assessment have been passed for these uses. The applicant has stressed the uses are complementary to the office and retail uses and

are not necessary to providing a critical mass of development at Thorpe Park. The type of food and drink operator targeted for Thorpe Park are the high profile and high quality operators that normally locate in large town centres or leisure parks associated with multiplex cinemas. It is considered that the leisure and food and drink uses have been adequately assessed and will not have an adverse impact on the catchment area or Leeds city centre.

10.23 Do Members share officer's concerns regarding the retail impact on local centres, Colton and the wider planning objectives for the City Centre and East Leeds?

10.24 Highways

10.25 The quantum of development outlined in the current outline consent plus the development currently proposed generates a significant amount of traffic flow in an already congested part of the highway network. In order to alleviate some of the existing problems in and around Cross Gates, enhancements to Manston Lane and a road link through Thorpe Park to the M1 has been sought by the Council for many years. This road, known as the Manston Lane Link Road (MLLR) will also provide an alternative route to the motorway for the large industrial sites operating from the existing commercial premises on Manston Lane. Due to capacity constraints on the existing highway network, the housing developments proposed along Manston Lane cannot be wholly delivered until the MLLR has been delivered.

10.26 The current outline consent on Thorpe Park requires the completion of the MLLR in order to occupy 93,000m² (1m ft²). The proposed development includes three full planning applications for the MLLR and the developer has indicated a commitment to deliver the road earlier than previously required.

10.27 The MLLR has already been partially implemented. Under the current approval the MLLR would be a single carriageway through Thorpe Park from the existing roundabout between Manston Lane and the existing most northerly roundabout within Thorpe Park. One further roundabout (ignoring the Manston Lane connection) would be built to serve the currently undeveloped part of Thorpe Park.

10.28 Notwithstanding the supporting information submitted with the applications, a significant amount of highway assessment work is still outstanding as there has been a failure from the applicant to fully analyse some of the key local junctions (particularly the junction of Austhorpe Road/Station Road) and key criteria needs to be agreed. However, it is clear that the proposals will significantly increase traffic in the surrounding area, particularly Cross Gates, but with the introduction of such an important piece of infrastructure it is hoped much of the impact can be mitigated by the MLLR. Until revised assessments have been carried out detailed comments on the highways impact cannot be provided. The applicant's highway consultant is currently working with highway officers and preparing to submit a new Transport Assessment. It should be noted that the developer obviously benefits from an existing outline consent for a development that would also generate a large number of trips and this must be taken into consideration when considering the current application.

10.29 As stated above the MLLR is an important piece of infrastructure that has been sought for many years. The MLLR will also act as the southern and final section of another key piece of highway infrastructure, the East Leeds Orbital Route (ELOR). As highlighted in the covering report to this application, the ELOR will provide a new orbital route for East Leeds from Red Hall/Wetherby Road to the M1 and will relieve

congestion along the existing outer ring road (A6120). The MLLR is therefore required to be built to a standard that will accommodate not only trips from Thorpe Park, but trips to/from the ELOR, proposed residential developments on Manston Lane, existing commercial traffic using Manston Lane rerouting and other traffic rerouting to gain access to the M1 motorway.

- 10.30 In contrast to the existing permission for the MLLR, the current north-south application (ref 12/03887/FU) would provide a dual carriageway route through Thorpe Park and on to Manston Lane. An additional roundabout would also be provided to serve the new indicative layout within Thorpe Park. Officers are concerned that an additional roundabout along this route may influence the amount of traffic that would transfer from the existing outer ring road to the new ELOR/MLLR. This aspect is still being evaluated by officers.
- 10.31 The Highways Agency (HA) is now in receipt of all the necessary studies to fully assess the impact on junction 46 of the M1. The HA currently believe any impact on the M1 can be mitigated by a variety of measures but further testing is on going. It is hoped further comment from the HA will be received prior to Panel and verbal updates will be provided as necessary.
- 10.32 On exiting Thorpe Park to the north, the proposed MLLR would bridge the existing Leeds-York railway line. The Council has an agreement to bridge the railway line up to March 2015 therefore this provides a clear target date for the delivery of the road, otherwise a new agreement would be required, potentially at a considerable financial cost.
- 10.33 After bridging the railway line there would be a roundabout upon which the ELOR could plug into. The western spur off the roundabout would provide for an enhanced Manston Lane along a similar alignment to the existing. Currently there are two full planning applications for this road with slightly different alignments. Each application affects different land owners with whom the applicant is still in negotiations with, hence there are two potential options still on the table. The route of the enhanced Manston Lane impacts on archaeological assets, this matter is examined in more detail below.
- 10.34 The existing consent generates substantial traffic flows and impacts on the local highway network, as will the proposed development. The full implications of the proposal are not known but as with the previous consent, there is an opportunity to deliver an extremely important piece of highway infrastructure. Currently the issues that still need to be addressed or better understood through a revised transport assessment include :-
- The strategic impact of traffic through Thorpe Park and on the existing outer ring road as a result of ELOR
 - The effect of opening MLLR prior to ELOR on traffic patterns in the Thorpe Park and the surrounding area
 - The design, suitability and capacity of the MLLR, including the capacity and number of junctions along its length/the additional roundabout.
 - The traffic impacts of the proposal in Cross Gates, Station Road/Austhorpe Road signals and Cross Gate roundabout which have not yet been considered.
 - Revised traffic impacts on various junctions on the surrounding highway network
 - The precise details of public transport improvements that would be delivered
 - Details of cycle and pedestrian infrastructure within the development and west along Manston Lane

- 10.35 The developer and their highway consultant have agreed to address these issues and others such as trip rates and distributions in a revised transport assessment which is understood to be in preparation.
- 10.36 Do Members share officer's concerns regarding the impact of the proposals on the highway network including the areas in and around Cross Gates, the A63 'cracked egg' roundabout and junction 46 of the M1?**
- 10.37 Are Members supportive of the introduction of the MLLR to help alleviate traffic congestion in the area and the delivery of the rail bridge by March 2015?**
- 10.38 Urban Design
- 10.39 The previous illustrative masterplan indicated a low density office park that spread across almost all the land designated for employment. The office buildings constructed at Thorpe Park are largely large blocks constructed in the centre of plots with large parking areas to the front and landscaping around the boundaries. The currently layout offer no real heart to the development and is very car orientated. This type of office park is no longer sought after by occupiers and developers therefore a new masterplan is proposed that intends to create a greater sense of place that will offer a more usable office environment attractive to not just car users but pedestrians.
- 10.40 The applicant considers that the proposed layout includes a retail heart with offices surrounding, a publicly accessible park of 30 acres and a large superstore detached from the main development on the eastern side of the north-south spine of the MLLR that splits the site into two. The application includes a set of parameter plans that indicate building plots, vehicular and pedestrian routes and building heights. These parameter plans are backed up by a design code that details how the site will be developed through future reserved matters applications and highlights the design quality, landscape constraints and aspirations for the future design.
- 10.41 The development to the west of the north-south MLLR (almost all development except the superstore), is laid out on a north-south and east-west grid that allows for clear permeability, well landscaped streets and spaces and order building lines. This ordered form gently meets the large public open space, Central Park, and allows for some buildings to penetrate into the open space to enhance that space and create attractive areas close to buildings but within a largely open area. To the north of the open space there would be office buildings that sit in an elevated position fronting onto Central Park.
- 10.42 The superstore is located on the eastern side of the MLLR with a dedicated access and undercroft parking. Due to the bulk of the superstore the building is sat in an area cut away from the existing Brown Moor and would result in a large 13m escarpment being created. The foodstore would be raised off the ground undercroft parking. The location, bulk and landscape changes required to locate the superstore in this location are contrary to urban design objectives and raise serious concerns about the physical appearance of the foodstore, the extent of the loss of Brown Moor, associated woodland and ecology. A further concern is that the foodstore is detached from the main part of the development and is poorly located for access by those on foot or by cycle.

- 10.43 Ground levels and maximum building heights for each development plot are defined on the parameter plans. Officers are still awaiting full details of the building heights therefore they have not been fully assessed as yet. However, the heights are intended to be greater than the previous indicative heights approved on the site at an equivalent to around five or six office storeys. Such a scale is considered acceptable in certain areas but may need to be lower in more sensitive areas such as plots adjacent to Green Park and those visible from key views from elsewhere in East Leeds. A visual impact assessment has been carried out and Panel will be presented with images from this assessment to allow them to understand the prominence of the development and its impact from local viewpoints.
- 10.44 With the exception of the location and impact of the foodstore, are Members comfortable with the new masterplan layout and maximum building heights?**
- 10.45 Should an alternative location for the foodstore, closer to the commercial uses, be explored with the applicant?**
- 10.46 Landscaping
- 10.47 The new parameters plan and indicative masterplan layout that includes the 30 acre Central Park allow for large areas of landscaping at the site plus a retention of existing protected trees. The new streets are largely pedestrianised and therefore allow for greater landscaping whilst the vehicular routes within the development allow for the creation of avenue tree planting and focal spaces. However, as highlighted above, the superstore is a substantial building located at the southern end of Brown Moor and requires such a large land take and flat plateau the result would be a significant loss of Brown Moor and high escarpment that is not desirable.
- 10.48 Further survey information has been requested and further details regarding the impact of the new roads as much of the roads are proposed to be elevated above the existing landscape.
- 10.49 Residential amenity
- 10.50 Due to the nature of the uses proposed and the distance to existing residential properties there are no direct amenity concerns relating to the proposed development of the business park. However, the MLLR will increase traffic noise and general comings and goings into existing residential areas therefore mitigation such as lower road speeds and quieter surfacing have been requested by Environmental Health colleagues and full details will be conditioned.
- 10.51 Ecology
- 10.52 Whereas the existing site is a greenfield site and therefore accommodates a variety of ecological habitats, there is an extent consent and UDPR designation for development across the site. The proposed development allows for a co-ordinated approach to ecology and the introduction of new features such as the balancing ponds.
- 10.53 In previous years, newt ponds were created without consent to the west of Thorpe Park within Green Park. These ponds still exist and have been well populated and are shown to be retained in the associated application for Green Park.

- 10.54 The current proposals will allow for conditions to be applied to ensure appropriate mitigation measures are introduced.
- 10.55 Drainage
- 10.56 Further information has recently been submitted and is being assessed by colleagues in Flood Risk Management. The majority of the submitted Flood Risk Assessment is accepted.
- 10.57 Archaeology
- 10.58 West Yorkshire Archaeology Service (WYAAS) object to the proposed MLLR due to the route extending over a number of sites of archaeological importance. The MLLR has historically been proposed along a similar route to that now proposed without objection from WYAAS therefore further dialogue is being sought.
- 10.59 Section 106
- 10.60 Section 106 negotiations are still in their infancy. The current section 106 clauses under consideration are outlined in brief below:
- Green Park – The developer has committed to fund the design and delivery of the enhanced proposals for Green Park.
 - MLLR – The developer is will to deliver the MLLR as far as it is necessary for their development. For any works over and above that, the developer would expect to recover costs from those parties that benefit (e.g. the housing developers on Manson Lane).
 - Retail impact mitigation – Whereas the applicant's assessment considers there to be a much lower and more acceptable impact on local centres, they are willing to offer fair and reasonable compensation.
 - Public Transport Contribution – Additional work is required on the transport impact, public transport strategy and travel plan before the contribution can be agreed.
 - Public Access – Public access will be available to all footpaths, cycleways and bridleways. Access to car parking within Thorpe Park will also be made available to those using the sports pitches proposed within Green Park.
 - Employment – A Local Employment Agreement is currently being negotiated with Employment Leeds. The Local Employment Agreement aims to create jobs for 2,691 local people (25% of the 10,700 expected gross FTE) and a significant number of work placements and apprenticeships. Further details are provided on this document/commitment below.
- 10.61 **Do Members support the principles set out in the S106 offer and, in particular, those relating to jobs and training?**
- 10.62 Economic Impact
- 10.63 The new masterplan will allow Thorpe Park to compete more effectively with other out of centre business parks across the country by offering a wider choice of amenities that are now understood to be sought by businesses and their employees. The applicant states the proposed development will create in excess of 10,400 jobs with between 4,600-5,600 jobs being created in the Leeds City Region. The deliverability of the proposed scheme will also ensure the long held aspiration of the MLLR is delivered in the near future to provide connectivity benefits and unlock residential developments along Manston Lane.

- 10.64 The developer is committed to creating a significant number of local jobs and apprenticeships and is currently negotiating a Local Employment Agreement with Employment Leeds. Currently, an estimated 470 (just over 10%) of Thorpe Park's 4,500 employees come from the east Leeds area, however the relatively narrow variety of occupations and sectors currently represented on the park has limited the opportunities available to the local population. As part of the build out of the second phase the proposal is to diversify the range of uses on site and therefore diversify job opportunities. The draft Local Employment Agreement aims to increase the representation of East Leeds residents working on site at Thorpe Park to include an additional 2,691 local people (or 25% of 10,700 expected gross FTE roles created on site) during the construction and operation of the forthcoming phases of development. The target area for local employment is within the following wards, Gipton and Harehills, Burmantofts and Richmond Hill, Cross Gates and Whinmoor, Killingbeck and Seacroft, Garforth and Swillington and Temple Newsam.
- 10.65 The developer has committed to a number of measures to ensure jobs, apprenticeships and work placements at Thorpe Park are created at design, construction and operational phases and also seeks future occupiers to sign up to an additional employment agreement. The success of the Local Employment Agreement will be monitored by the developer to ensure targets are being met.
- 10.66 The applicant asserts that the viability of the proposals and their ability to deliver further employment development and key infrastructure (MLLR, Green Park) rests on the ability to include retail and leisure uses at the site. A viability assessment has not been provided by the developer but it is stated that the inclusion for retail and leisure uses make the scheme more viable.
- 10.67 A viability assessment would take account of the additional infrastructure expenditure (and cash flow) to deliver the MLLR and rail crossing by March 2015 to dual carriageway standards (and surely help the delivery of the East Leeds Extension). It would also take account of capital receipts for the disposal of sites in Thorpe Park, for additional residential developments adjoining Manston Lane and the ransom value arising from development of allocated sites to the north of the railway line. It is suggested that the applicant be requested to carry out this assessment.
- 10.68 Do Members agree that a viability assessment should be provided by the applicant in relation to the mix and quantum of development proposed (and alternatives) and the likely capital receipts for adjoining development sites and to the costs and timing of the delivery of the MLLR?**
- 10.69 Letters of representation
- 10.70 Many of the issues raised in the letters of representation have been discussed elsewhere in this report and will be addressed in future Panel reports when further information is available. Those issues raised in the letters of representation and not discussed elsewhere in the report are briefly responded to below.
- 10.71 The Council is continuing work into the potential provision of a rail halt at Micklefield and not at Thorpe Park. However, there is still the potential in the long term for a rail halt within or close to Thorpe Park.

- 10.72 The extent of public consultation is highlighted in the history of negotiations section and is considered to be extensive and thorough.
- 10.73 The objection from Lazencroft Cottage highlights that the property was purchased after site searches failed to highlight the proposed route of the MLLR. Whereas the impact on amenity and highway safety at Lazencroft Cottage is a planning matter, the activities of other Council departments are not to be considered in this report.
- 10.74 Alternative proposals
- 10.75 In response to some of those issues highlighted above, officers have put forward alternative the proposals for the applicant to consider. These revised proposals include options for both maintaining and reducing the amount of office space and reducing the leisure and retail development and introduce residential accommodation. These possible alternatives include an 8,000m² food superstore (down from 12,000m²), 6,000m² additional retail (down from 10,000m²) and residential accommodation of up to approximately 300 houses and 130 older persons residential accommodation. These proposals reduce retail impact, remove the additional roundabout on the MLLR, help address housing land supply and reduce the impact on Brown Moor but still provide new facilities and help pay for the landscape and highway infrastructure.
- 10.76 Whereas the retail content would still be a significant provision in an out of centre location and would still require sequential and impact tests, the impact would be less than the current proposals and may therefore be considered more appropriate. The reduction in the amount of food retail proposed allows for the food superstore to be located with other retail units in the centre of the site and therefore create more of a retail heart. In turn this allows a number of small buildings to be introduced at the foot of Brown Moor and therefore reduce the land take and impact on topography. The introduction of housing will also help the council deliver its housing targets. This scheme could still deliver the necessary highway infrastructure and open space sought by the current application and be better located and integrate into the wider land use proposals.
- 10.77 These proposals were presented to the applicant at a recent meeting and whereas the applicant has not had the opportunity to fully consider the alternatives they have confirmed they are willing to work with officers to explore the suggestions and wish to continue to engage with officers. The applicant maintains that they have presented a robust case for the scale of retail development which is currently proposed, and have proposed planning conditions to limit the use of the retail space to address officers' concerns over retail impact. The applicant has confirmed they are likely to provide further comfort on this issue by reducing the quantum of retail floorspace.
- 10.78 The applicant has stated it is too early to say whether the suggested inclusion of residential development is something they can support but have confirmed it is being considered. As Members will appreciate, the applicant also has to take account a number of commercial considerations, viability and deliverability, which are driven by the quantum of the various land uses in the current proposals and the significant costs (MLLR, Green Park etc) which the development has to carry. Whereas amendments may be considered acceptable the applicant is keen to ensure the momentum of the current applications is maintained given the importance of delivering the MLLR, it's relationship with the wider regeneration of East Leeds and a number of critical dates, not least that which concerns the agreement with Network Rail relating to the construction of the new rail bridge.

10.79 Officers welcome the applicant's willingness to consider the alternative proposals.

10.80 Do Members support officers in continuing discussions with the applicant to further consider the alternative proposals with reduced retail and traffic impacts, new housing provision and better integration of land uses?

11.0 CONCLUSION

11.1 Members are requested to consider all the matters raised within this report in order to provide officers with appropriate comments and/or advice on the proposal. Specifically, feedback is requested from Members on the following matters:

- **Do Members share officer's concerns regarding the retail impact on local centres, Colton and the wider planning objectives for the City Centre and East Leeds?**
- **Do Members share officer's concerns regarding the impact of the proposals on the highway network including the areas in and around Cross Gates, the A63 'cracked egg' roundabout and junction 46 of the M1?**
- **Are Members supportive of the introduction of the MLLR to help alleviate traffic congestion in the area and the delivery of the rail bridge by March 2015?**
- **With the exception of the location and impact of the foodstore, are Members comfortable with the new masterplan layout and maximum building heights?**
- **Should an alternative location for the foodstore, closer to the commercial uses, be explored with the applicant?**
- **Do Members support the principles set out in the S106 offer and, in particular, those relating to jobs and training?**
- **Do Members agree that a viability assessment should be provided by the applicant in relation to the mix and quantum of development proposed (and alternatives) and the likely capital receipts for adjoining development sites and to the costs and timing of the delivery of the MLLR?**
- **Do Members support officers in continuing discussions with the applicant to further consider the alternative proposals with reduced retail and traffic impacts, new housing provision and better integration of land uses?**

12.0 BACKGROUND PAPERS

12.1 Application files 12/03886/OT, 12/03887/FU, 12/03888/FU, 12/05382/FU and application file 12/05150/FU.

12.2 Notice has been served on Leeds City Council, Network Rail regarding 12/03886/OT and 12/03887/FU. Notice has been served on Leeds City Council, and three land owners on Manston Lane (PK Jordan and J Jordan, CA Eade and L Michael, Zurich Assurance Ltd) for applications 12/03888/FU and 12/05382/FU.

APPENDIX 1

Minutes of the 9th August 2012 East Panel relating to PREAPP/11/01151, Thorpe Park.

Minutes:

Prior to consideration of these pre-application proposals, Councillor Nash and Councillor Wilkinson left the meeting

Plans, photographs and graphics were displayed at the meeting. A Members site visit had taken place earlier in the day

Officers presented the report which outlined pre-application proposals for the redevelopment of the remaining land at Thorpe Park Business Park, Junction 46 of the M1, in LS15

Details of the residential planning permissions granted in the Crossgates/Manston area were provided with Members being informed that in the case of the former Optare site and the adjacent Threadneedle site, phasing conditions had been implemented to control the amount of development which could take place before the Manston Lane Link Road (MLLR) was required to be built

Due to the strategic importance of the site locally and the city as a whole and the issues raised by the scheme, the proposals were being brought to Members at an early stage for comment, with East Leeds Regeneration Board and East Outer Area Committee also receiving a similar presentation and the opportunity for comment

The Panel then received a presentation on behalf of the developers

With reference to the consented scheme, Members were informed that this was a product of its time; the site was unwelcoming; lacked greenspace and amenities and facilities for the 4500 staff employed there. To attract new occupiers this shortfall in amenities had to be addressed as higher standards of staff welfare were now expected from large employers

The proposals were to create a sense of place; to create amenities; to stimulate demand and by doing so, to create 5500 – 6500 new job opportunities in a broader range than the predominantly professional jobs currently available on the site. A key part of the proposals was the delivery of the MLLR

As well as providing additional office accommodation, the site would also provide new retail opportunities, including food and drink uses together with a large – approximately 12,000 sqm - supermarket in one corner of the site which was considered to be the best location for this which would add to the offer on Thorpe Park and for local residents. A landscape and visual impact assessment of the proposals had been carried out and a decision had been taken to reduce the floor level of the foodstore to minimise its visual impact

A considerable amount of greenspace would be provided. The amount of Brown Moor to be retained would be enhanced with a central area of parkland connecting to this. The nearby Barrowby Woods would be respected in the scheme and good pedestrian links would be provided,

including a new footbridge. A new public park to be known as 'Green Park' would be created, with the possibility of an additional hotel on the site to add to the increased leisure and recreational uses being proposed

Employment and training opportunities would be provided in the scheme and the creation of a successful Thorpe Park to the standard of a European Quality Business Park would reinforce the position of Leeds in the city region and could help to attract greater investment

Details of the level of consultation on the proposals was provided with Members being informed that 70 hours of face to face consultation time had been provided to supplement the letters and leaflets distributed across a wide area

Over 800 people attended the consultation events with considerable support being given to the proposals

In terms of timescale, dependent upon obtaining outline planning permission for the scheme, it was hoped to commence on phase 1 of the development in 2015

Members commented on the following matters:

- the proximity to the site of an existing supermarket and the future for this store
- whether a retail impact study had been carried out in the neighbouring wards
- the decision to site the supermarket away from the rest of the development and the reasons for this
- the need to guarantee jobs and apprenticeships for local people
- the need for early delivery of the MLLR
- the impressive images of Green Park and that such a new facility was welcomed
- car parking proposals and concerns that local residents visiting the site might park in the surrounding streets in order to easily access the pedestrian links to the retail areas
- that as sports pitches were being provided, some thought had to be given to ensuring visiting teams knew where to park
- whether discussions on the scheme had taken place with public transport providers
- that clarification of the route of the MLLR was needed, together with details about how this would be secured and how the financial contributions from other developments for the MLLR would be secured
- the concept of creating a European Quality Business Park, and that whilst the comments for the need for enhanced facilities for office workers on Thorpe Park could be understood, as could for example, the provision of a small convenience-type supermarket, the suggestion of introducing a large supermarket and bulky goods retailing would have an impact on other district and town centres
- the considerable policy objections to the proposals; the guidance contained in the NPPF which strongly defended the role of traditional town centres and concern that if a special case to deviate from policy was accepted on this site, similar applications would be brought forward on other sites

The following responses were provided by the development team:

- that in drawing up the proposals, 15 defined centres and been taken into account, 12 of these being local and that whilst there would be impacts, these were of a low order due to the catchment areas of the site and that a retail impact study had been carried out and had been submitted to the Council for consideration by its retail consultant
- in respect of the supermarket located close to Thorpe Park, if the current operator vacated, the unit would most likely be taken over by someone else
- that the location of the major foodstore had been carefully considered. As there was a move towards creating a sense of place and the provision of an urban grid, the decision had been taken to site the foodstore on the east side of the MLLR which would create minimal disruption to the street pattern and would enable more of Brown Moor to be retained
- that there was now a strong duty towards developments providing local employment and this scheme would seek to do this
- that concerns about increased on-street parking had been one of the issues raised by local residents throughout the consultation process and that whilst there was an acknowledgement of the need to carefully handle this issue, it was felt that the proposed centrally located multi-storey car park would address this issue
- that the point raised about visiting sports teams had not been considered but this could be managed by the provision of good signage and information to encourage use of the formal car parking areas
- concerning the delivery of the MLLR, a commitment had been made to deliver all of the MLLR in the first phase of development and although there were issues about the East Leeds Orbital Road linking in to the MLLR, that was a separate issue
- about how contributions to the MLLR from developers would be ensured, this might be dealt with corporately or through planning, with discussions taking place with all relevant parties and highways. In terms of third-party land issues, the possibility of the Council using its powers of CPO could be considered
- the MLLR would be provided, as previously approved with the only element of discussion on this being the possibility of some minor reorientations to the line of the link road and some possible impact on private land owners
- that the creation of a small district centre to serve the business park was not possible and would not be viable and that for a major improvement in the status of Thorpe Park and the possible benefits flowing from that, good shopping and leisure facilities were needed

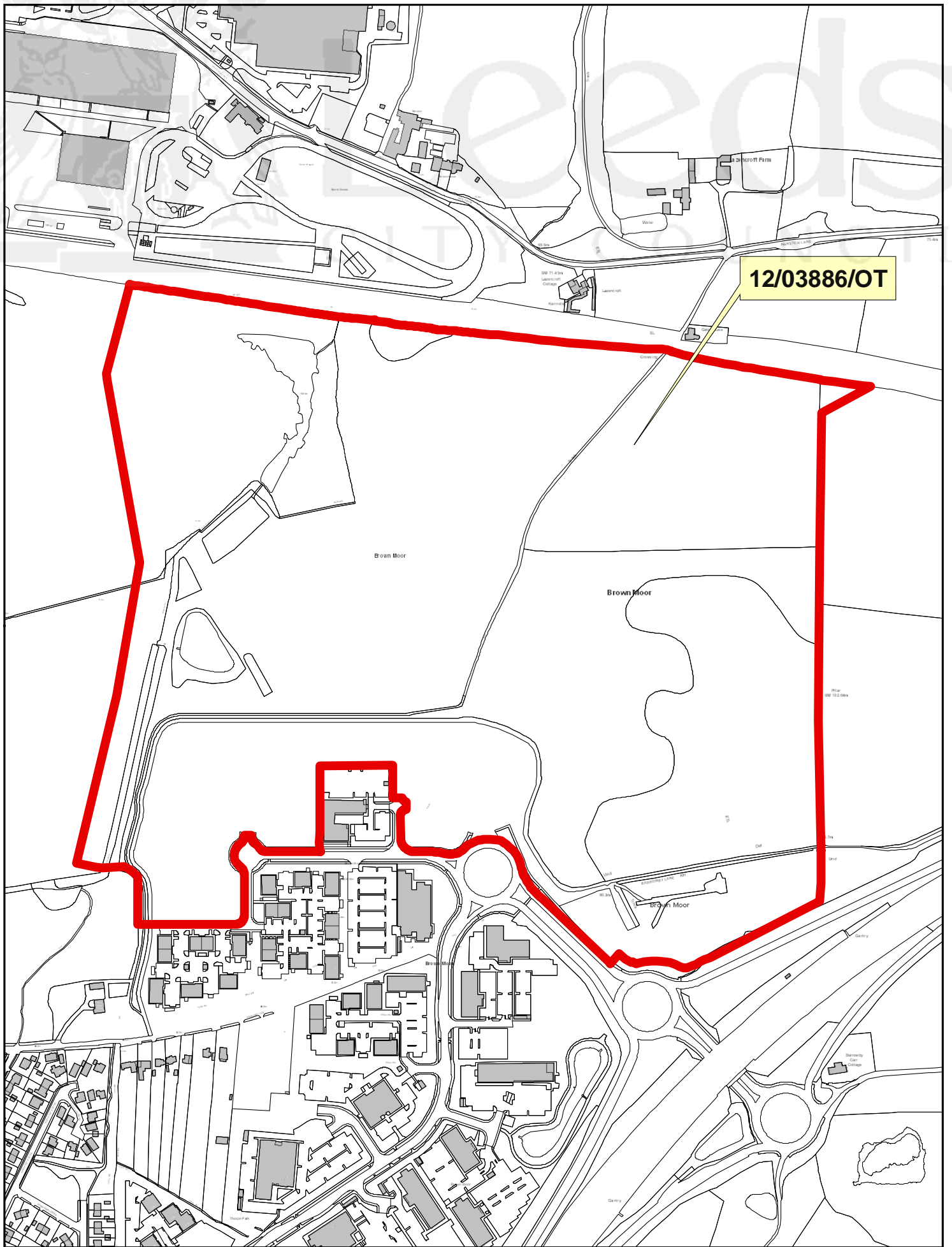
In answer to the specific questions contained in the report for Members' comments, the following responses were provided:

- regarding the provision of a significant amount of retail at Thorpe Park, there were concerns relating to highways; the type and quantity of retail being proposed and how this would fit with policy requirements; the height of the supermarket and the fact that it was separated from the rest of the retailing; the need for Members to see the retail assessment and the demonstration of the special circumstances in this case to set

aside policy. On this point, the question of whether retail being considered acceptable on the site was also raised

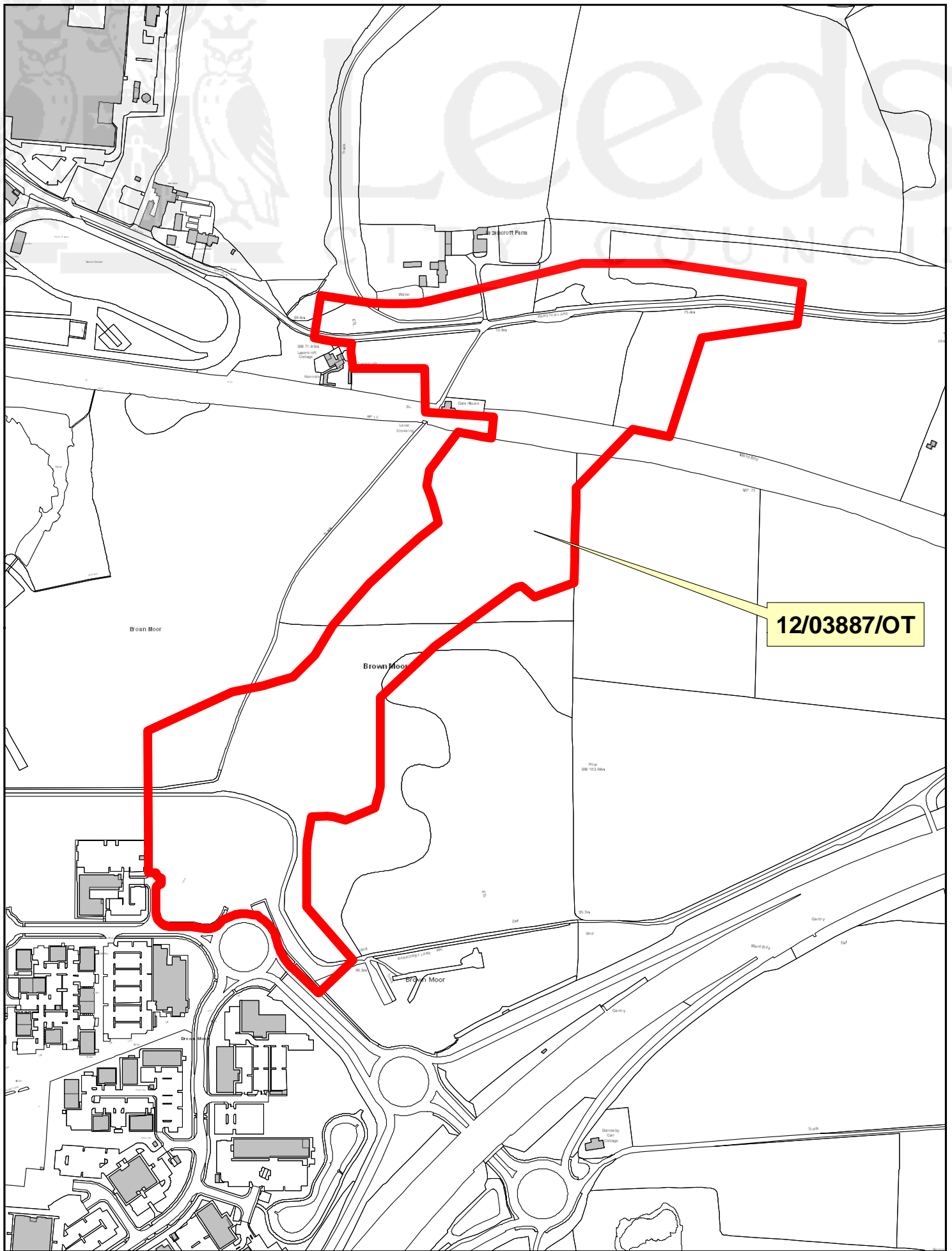
- Members considered that the approach of the concept/parameter plans and indicative masterplan for the site was beneficial
- that Members appeared happy with the nature and location of the open space on the site and how this linked through to Green Park
- that in respect of the proposed MLLR, that this should be delivered early in the scheme, if not before the start of the development and that building the MLLR per se would not be sufficient to deal with the increased traffic coming to the development from further afield
- concerning the proposed layout and facilities at Green Park, there was the need for the parking for the sports pitches to be located in Thorpe Park and that further information on the parking/access arrangements and the timescale for its delivery be provided at the outline application stage
- that a dangerous precedent could be set if policy was set aside to accommodate the proposals
- that other proposals were being considered in the area and that it would be necessary to have regard to the combined implications of any applications which were submitted

RESOLVED - To note the report, the presentation and the comments now made



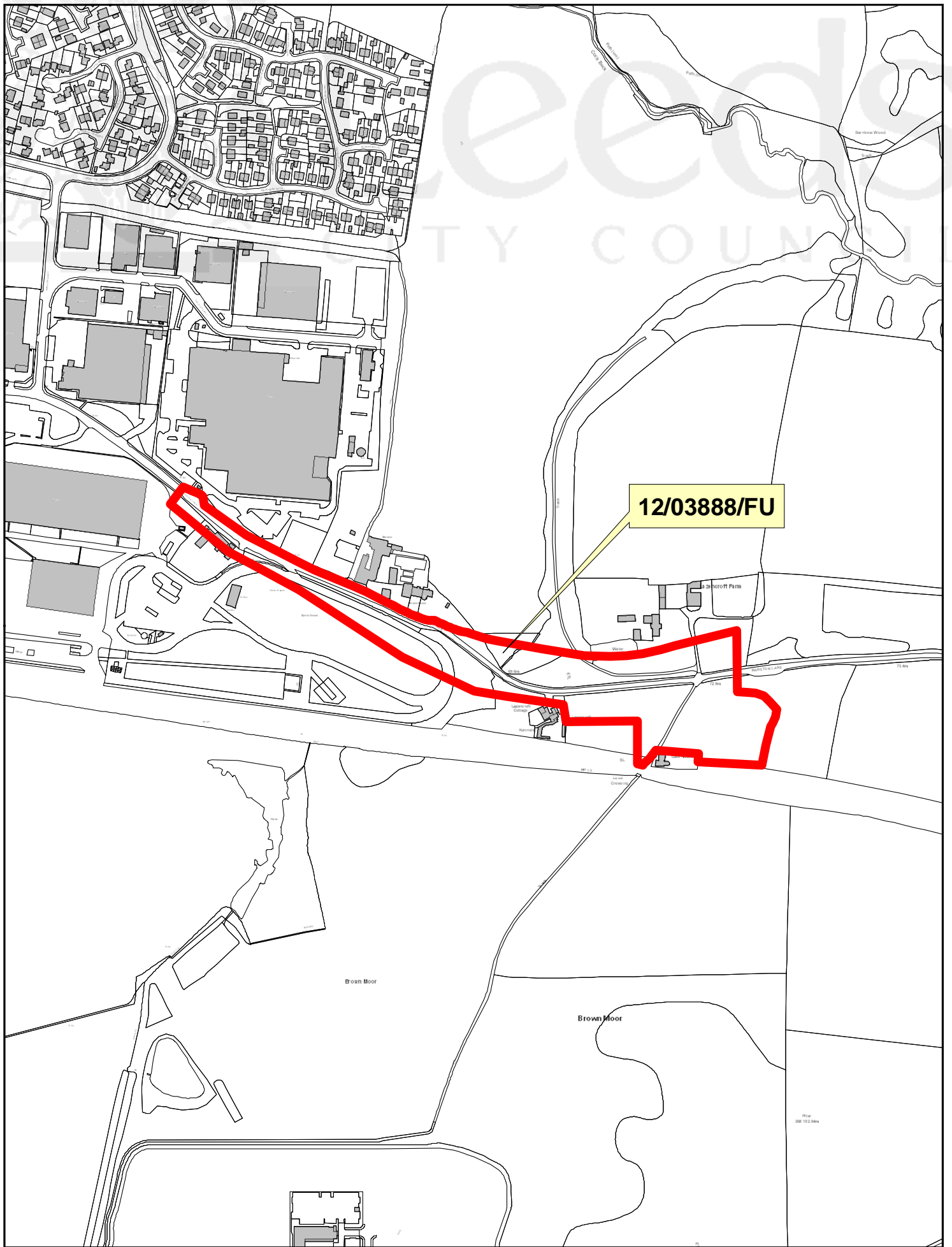
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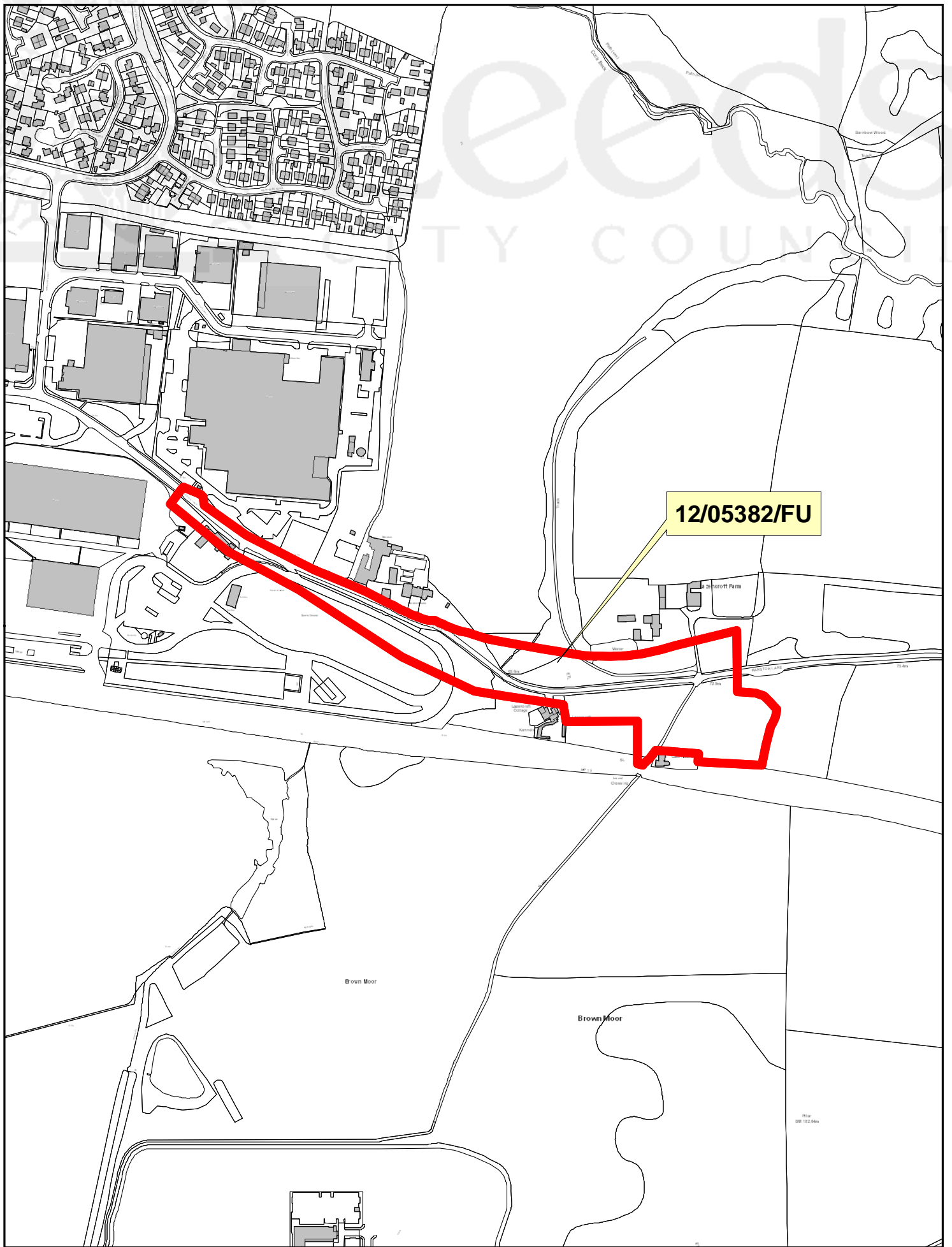


CITY PLANS PANEL





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