



## Report of the Chief Planning Officer

### PLANS PANEL EAST

Date: 27<sup>th</sup> August 2009

**Subject: APPLICATION 09/01995/FU – Full application for erection of replacement retail store with covered and surface car parking, new petrol filling station and landscaping – Tesco, Roundhay Road, Leeds**

#### APPLICANT

Tesco Stores Ltd

#### DATE VALID

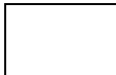
8<sup>th</sup> May 2009

#### TARGET DATE

7<sup>th</sup> August 2009

#### Electoral Wards Affected:

Roundhay



Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

### RECOMMENDATION

**GRANT permission subject to the following conditions and the completion of a legal agreement to include the following obligations:**

- i) Public transport infrastructure contribution (£319,241);**
- ii) Metro/bus stop upgrade and relocation (£46,000)**
- iii) Travel plan and travel plan monitoring fee (£4,500);**
- iv) Training and employment of local people;**
- v) Contribution towards Public realm enhancements to Oakwood district centre (which could be used for enhancement of pavements between the store and other shops, lighting and landscaping)**

1. Time limit for full permission.
2. Approval of materials (including brick, timber cladding, cladding to service yard, roof materials).
3. Details of surfacing materials, including pedestrian footways.
4. Preservation of existing trees and vegetation.
5. Retention of existing trees and vegetation.
6. Implementation of landscaping scheme in accordance with submitted details.
7. Landscaping method statement.

8. Replacement of trees which are damaged or die.
9. Laying out of vehicle areas.
10. Junction and off-site highway works to be completed prior to occupation.
11. Cycle parking provision.
12. Retention of disabled car parking spaces in accordance with approved plan.
13. Phasing plan for construction, to include site access, storage of materials and contractors' parking.
14. Service management plan for deliveries.
15. The car parking spaces associated with the development hereby permitted shall be made available at all times when the store is open, with no parking restrictions unless otherwise agreed in writing by the Local Planning Authority.
16. Restrict net retail floorspace to 7,072sqm.
17. Restrict comparison goods floorspace to 3,162m<sup>2</sup>.
18. Restriction of range of comparison goods sold.
19. Hours of delivery to be restricted to 7am-11pm Monday to Saturday and 8am-6pm on Sundays.
20. Drainage details to be submitted.
21. Submission of contaminated land information.
22. Details of bridge including materials.
23. Boundary treatments, including retaining walls.
24. Details of fixed plant to be submitted.
25. Noise levels from fixed plant to be limited.
26. Delivery vehicles to disable reverse beepers and refrigeration units prior to site entry.
27. Hours of construction restricted to 8am-6pm Monday to Friday and 9am-1pm Saturday, with no working on Sundays or bank holidays.
28. Recycling facilities not to be used between hours of 11.00pm -7.00am
29. Lighting details.
30. Provision of litter bins.

## **1.0 INTRODUCTION**

- 1.1 Members will recall that a position statement for this application was presented to Plans Panel on 2<sup>nd</sup> July 2009. Members raised concerns regarding the height and scale of the building, and stressed that the trees on the site should be retained and enhanced planting provided. Concerns were also raised regarding the location of the proposed service yard in relation to neighbouring houses and the potential for noise nuisance, and the need for another petrol station, given the close proximity of the one on Roundhay Road to the south of the site. Members questioned the proposed phasing of the development and whether 24 hour opening was proposed. Some Members felt that the enlarged store could be detrimental to local businesses in Oakwood, while others felt that it could enhance and revitalise the local shopping centre. There were also some concerns that objectors had not been notified of the site visit which took place prior to the Panel meeting.
- 1.2 Subsequent to the Panel meeting on 2<sup>nd</sup> July, revised plans have been received with revisions made to the design of the building to incorporate additional glazing in the building and vary the colours of the cladding to the service yard, in order to break up the visual massing of the building. Additional details regarding the retention of trees on the site, and on new planting proposals have been received, and further investigation has been carried out into the impact of the proposed development on Oakwood district centre. These details are discussed in the appraisal section below.
- 1.3 A further site visit will take place before the meeting on 27<sup>th</sup> August, as the visit on 2<sup>nd</sup> July allowed insufficient time for Members to view the whole site and

surroundings. This site visit will allow Members to view the site from Gledhow Valley Road and adjacent residential streets.

## **2.0 PROPOSAL:**

- 2.1 The application seeks full planning permission for the demolition of the existing Tesco and Homebase stores at the site, and the erection of a replacement A1 retail store with covered and surface car parking, a new petrol filling station (PFS), and landscaping.
- 2.2 The existing Tesco and Homebase stores at the site have a floorspace of 5,295sqm gross/3,469sqm net and 3,437sqm gross/2,947sqm net respectively. The proposed replacement store would have a total gross floorspace of 11,204sqm and a net sales area of 7,072sqm. The net uplift in retail floorspace is therefore 656sqm. Proposals would allow the store to sell a wider range of goods than the current store, with an increase in the amount of comparison goods that would be available.
- 2.3 The following documentation has been submitted in support of the application:
- Detailed drawings;
  - Design, Access and Sustainability Statement;
  - Planning and Retail Statement;
  - Transport Assessment;
  - Travel Plan;
  - Landscape and Visual Statement;
  - Desk Study Report and Site Investigation Proposal;
  - Flood Risk Assessment;
  - Environmental Noise Assessment; and
  - Community Engagement Statement.
- 2.4 The replacement store is proposed in the northern part of the site, closer to the site frontage and the rest of the district centre than the existing Tesco store. The new building would be 2 storey in design, accommodating the store on the first floor with an undercroft car park below. External surface parking is also proposed to the south of the store. The proposed PFS would be located in the southern part of the site.
- 2.5 The store has a contemporary appearance, comprising significant elements of glazing and timber larch cladding. The service area, which is proposed to the west of the store at first floor level, is to be screened with oyster coloured cladding. The development is proposed to be an 'environmental store', including elements which seek to reduce the store's carbon footprint, including:
- Use of rooflights and glazing to increase levels of natural light into the store;
  - Improved ventilation, reducing the need for air conditioning;
  - On-site Combined Heat and Power (CHP) generation.
- 2.6 The proposed vehicular access is in a similar position to the existing access point in the southern part of the site. The proposed access would be wider than the existing, and it is proposed to provide a signalised junction with pedestrian crossing points at the site entrance and on Roundhay Road. 665 car parking spaces are proposed, which represents an increase of 70 spaces at the site. Additional pedestrian access points are proposed to the front of the store, where cycle parking is proposed, and in the north eastern corner of the site, via a pedestrian footbridge from Roundhay Road to the store entrance. The existing pedestrian access point from Gledhow

Wood Road, to the south west of the site, is to be retained. Access to the store from the car parking areas is provided via travelators, lifts and stairs within a glazed atrium on the store's eastern elevation.

- 2.7 It is proposed to retain many of the existing trees along the site frontage, and to supplement this with additional planting. It is proposed to remove some vegetation from within the site, mainly within the existing parking area and along the western boundary where the service yard is proposed. Additional tree planting is proposed to the front of the store along the Roundhay Road frontage, and to the east and south of the proposed PFS in the southern part of the site. Additional planting is also proposed along Gledhow Wood Road to the south west, and within the proposed external car parking area.
- 2.8 The store is proposed to be open 24 hours Monday to Saturday, and from 10am to 4pm on Sundays. In terms of the proposed delivery hours, Tesco would accept similar conditions to those imposed on the existing store in this respect, although their preference would be to extend these on Sundays.
- 2.9 Details submitted with the application advise that there are 299 existing members of staff at Tesco and 65 at Homebase. The details submitted advise that the existing Tesco staff would be retained, and that up to 200 new jobs would be created, with Homebase staff being offered the opportunity to secure alternative employment at the new Tesco store. This would result in a net increase in jobs of 135 overall.
- 2.10 A draft Section 106 agreement has been submitted, covering the following matters:
- Public transport infrastructure contribution – a sum of £319,241 has been agreed in this respect;
  - Metro contribution to bus stop upgrades – a sum of £46,000 has been agreed in this respect;
  - Travel plan and monitoring fee of £4,500;
  - Training and employment of local people;
  - Contribution towards Public realm enhancements in Oakwood District Centre. This could include enhancements to pavements to provide a more unified surface leading from the store to the centre, lighting and planting.

### **3.0 SITE AND SURROUNDINGS:**

- 3.1 The application site comprises the existing Tesco and Homebase store on Roundhay Road in Leeds, together with their associated parking and servicing areas. The existing Tesco store is a single storey, brick building with a pitched, red pantile roof, and occupies much of the southern part of the site. The Homebase store, a more modern building with a glazed frontage, is located in the north western part of the site, and is set further back from Roundhay Road. The site has a large external parking area to the north east of the Tesco store and to the east of Homebase, with service yards to the south of the Tesco building and the north east of Homebase.
- 3.2 The site has two existing vehicular and pedestrian access points from Roundhay Road, together with an additional pedestrian access point from Gledhow Wood Road, to the south west of the existing Tesco building.
- 3.3 Although the site itself is relatively flat, Roundhay Road slopes upwards from north to south, and the land to the west is at a significantly higher level than the site. As a result, the site is enclosed to the west by high retaining walls, with smaller retaining

structures at points along the frontage and in the north eastern corner of the site. There are a number of mature trees along the Roundhay Road frontage, a number of which are protected by a Tree Preservation Order (TPO).

- 3.4 The site is in the southern part of Oakwood District Centre, with commercial properties within the centre to the north, and also to the south of the site, including offices and a petrol station. There are residential properties on Ravenscar Walk to the north, and, at a higher level than the application site, on Gledhow Wood Court to the south west. Residential properties to the south east are set further back and at a higher level than Roundhay Road, and are screened by existing trees. There are large areas of woodland to the north west and to the east of the site. Gipton Wood, to the east, is part of Roundhay Conservation Area. The woodland to the north west is designated as protected greenspace and as a Leeds Nature Area.

#### **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 Outline permission for the existing Tesco store was granted in February 1987 (application H30/39/86/), and full permission for the store was granted in May 1987 (application H30/69/87/). Permission was granted to vary the condition on the approval relating to delivery hours in December 1995 (application 30/330/95), allowing deliveries to take place between 7am and 11pm Monday to Saturday and between 8am and 6pm on Sundays.
- 4.2 An extension to the front and side of the Tesco store was approved in March 1999 (application 30/339/98/FU).
- 4.3 The existing Homebase store was approved as a retail warehouse in February 1987 (application H30/305/85/). Permission was subsequently granted for the laying out of a garden centre to the side of the retail warehouse in December 1987 (application H30/326/87). Permission for a greenhouse extension to the side of the store was approved in April 1991 (application H/30/420/90), and to use an area of the car park as part of the garden centre in January 1997 (application 30/339/96/FU).
- 4.4 The original permission for the Homebase store was subject to a legal agreement restricting sales to certain items, including garden equipment, self-assembly furniture, building materials and plants. An application to vary this agreement was approved in 2003, allowing unrestricted A1 use at the store.
- 4.5 In addition to the above, there have been various applications for alterations and signage to both the Tesco and Homebase stores over the years.

#### **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 Prior to the submission of the application, pre-application discussions have been ongoing with Tesco for over 2 years. Issues discussed have included siting, design, landscaping, highways, and the impact of the proposed store on Oakwood District Centre. These negotiations have culminated in a Planning Performance Agreement (PPA) with Tesco, whereby the local planning authority are working to pre-agreed timescales to determine the application.
- 5.2 Following comments from the landscape officer, revised plans have been submitted, which provide further clarification regarding the retention of trees and supplementary planting, and on matters such as levels, boundary treatments and planting specifications. In response to comments from the design officer, revisions have also been made to the design of the store, to incorporate more glazing to the elevations

facing the car park and Roundhay Road. Variations in the colour of cladding to the service yard have also been introduced to minimise its visual impact, and the colour of the windcatchers on the roof, have been changed from blue to grey. Minor alterations have also been made to the designs of the windows on the northern elevation.

- 5.3 Following concerns that the store's footprint may impinge on a culvert crossing the site, further investigations have been carried out by the applicant, who have now confirmed that the culvert would not physically impact on the proposed store footprint, and that they do not consider that the position of the culvert would cause any insurmountable problems for the redevelopment of the site.
- 5.4 Further investigation has been carried out by the applicant's agent regarding the impact of the store on Oakwood centre. This includes an analysis of all of the units in Oakwood, and an assessment of the level of competition anticipated between each unit and the proposed Tesco store. The findings of this analysis are discussed in the appraisal section below.

## **6.0 PUBLIC/LOCAL RESPONSE:**

- 6.1 The application has been publicised as a major application and as affecting the character of a conservation area by means of site notices, posted 20<sup>th</sup> May 2009, and a press notice, published 21<sup>st</sup> May 2009.
- 6.2 448 letters of objection have been received. 260 of these are copies of a standard duplicate email submitted by individual objectors with their own personal comments added. Two sets of duplicate letters, signed by individual objectors, have also been submitted, totalling 70 of the objections. The following concerns have been raised:
- Close to Roundhay Road and overbearing. Existing stores are further back in the site and do not dominate the streetscene.
  - Design, appearance and layout not in keeping.
  - Rear elevation is dull grey and will not blend into the area – Tesco have suggested to residents that they will provide a 2.8m screen fence along Ravenscar Walk/View. This is not a satisfactory solution.
  - Scale of development not appropriate to the site or to a residential area – better suited to an out of town location. 'Identikit' stores result in loss of local identity.
  - Negative impact on conservation area.
  - Materials not in keeping – brick or stone would be more appropriate.
  - Damaging to conservation of buildings, trees and natural environment.
  - Impact on outlook from neighbouring properties.
  - Increased noise for local residents – from traffic, construction and deliveries.
  - Service area too close to neighbouring residential properties, and noise will be heard 24 hours a day. Increased numbers of deliveries will worsen this.
  - Residents will be living in an industrial area.
  - Site was formerly a quarry, and noise levels are amplified by the variations in levels around the site.
  - Noise report does not provide sufficient evidence that there will be no impact on neighbouring properties.
  - Light pollution.
  - More traffic in an already congested area.
  - Customers of existing store park on neighbouring residential streets.
  - Rat running in nearby streets.
  - Insufficient parking.

- Undercroft parking is a fire and security risk. Can emergency vehicles access the site appropriately?
- Only having 1 vehicle access is inadequate – will lead to congestion on Roundhay Road.
- Not pedestrian friendly – have to negotiate 4 zebra crossings to cross the site access.
- No taxi pick-up point on the plans – taxis will not drive into undercroft area.
- Park and ride suggested.
- Can Oakwood have 2 Whizzgo cars?
- Not sustainable – will not encourage cycle or public transport use.
- Loss of trees and greenery, which at present provide a pleasant contrast to development as you drive out of Leeds.
- Pollution from traffic – impact on health and on vegetation.
- Impact on nature conservation in adjacent woodland.
- Has a flood risk assessment been submitted. Concerns regarding flooding from Gledhow Beck affecting properties in the Well Houses.
- Not sustainable to demolish 2 existing stores and replace with a new one.
- 'Eco store' claim is misleading.
- Litter dropped in an around the site has caused problems with vermin.
- Insufficient community engagement – information distributed about public exhibition was misleading.
- Significant increase in retail floor space if PFS is taken into account.
- Existing Homebase not directly comparable to new, larger Tesco. Homebase is quieter and not 24 hours.
- Impact on local shops – existing store has caused closures, store is likely to include pharmacy, optician etc, all of which exist in Oakwood.
- Oakwood is not identified in UDP as a centre where existing provision falls short of residents' needs.
- Impact on local centre at Harehills.
- Loss of local shops and difficulty in getting around such a large store will impact on older residents living nearby.
- Loss of jobs.
- No need for larger supermarket – good range of supermarkets and smaller shops in the area already. Not planners' job to prevent 'leakage' of Tesco customers elsewhere. Has a retail impact assessment been done?
- Competition Test to be introduced soon which would prevent applications like this from succeeding. The Council should take this into account.
- Already a petrol station just down the road – no need for another one. This could lead to closure of existing petrol station, leaving a derelict contaminated site. Existing petrol station more convenient (e.g. opening 24 hours on Sundays).
- Loss of Homebase DIY store – loss of variety and increase in car journeys if people have to go elsewhere.
- Existing Tesco could be run more efficiently.
- Section 106 contribution is insufficient to reflect the disturbance and impact the development will have on the area.
- A swimming pool and sports facility would be more appropriate for the site.
- Inaccuracies in supporting document with regard to number of existing pedestrian accesses – one is missed off.
- Impact on views from neighbouring properties.
- Tesco has enough shops in Leeds, including an existing large Tesco Extra at Seacroft. This will increase their monopoly.
- Impact on property values.
- No Environmental Impact Assessment submitted.

- Social costs of multinational food production - low wages and poor working conditions for employees, impact on local food producers.
- Increased carbon footprint – food miles and industrial food production.
- Morally objectionable.
- Tesco is too powerful, too dominant and non-accountable
- Larger supermarket with wider range of food will worsen obesity problems.

6.3 One letter of objection has been received from a charity shop in Oakwood centre, raising the following concerns:

- Do not believe that plans will increase number of people visiting Oakwood shops, more likely that people will do all of their shopping at Tesco and then drive home again. Even if one or two shops in Oakwood close, this will have a huge detrimental impact on the area.
- Tesco will stock goods that are comparable to those sold in existing shops (newspapers, stationery etc).
- Increase in traffic and environmental damage.
- Local businesses should be allowed to grow to maintain individuality and diversity of Oakwood.

6.4 3 letters of objection have been received from the directors of the existing petrol station to the south of the site, raising the following concerns:

- Design and appearance not appropriate to character of the area.
- Impact of development on conservation area.
- Noise for local residents.
- Many customers visiting Tesco will be doing so only for fuel and will therefore increase vehicle journeys to the area – will exacerbate queuing problems on Roundhay Road.
- Fuel volumes projected for a supermarket PFS are in the region of 12-20 million litre – this is 4-5 times that of a standalone non-supermarket PFS.
- Tesco traffic projections don't take into account increase in traffic from PFS.
- No provision for staff car parking at new store – parking levels are inadequate.
- No parking facilities at petrol station.
- Proposed single entry/exit to Roundhay Road is inadequate – traffic will queue.
- Parking on nearby streets will increase.
- No dedicated delivery access.
- Development will not create any new jobs in reality – as Homebase staff will be made redundant.
- Hours of use restriction due to intensification in use of site.
- PFS should be included as net retail area.
- Impact on nearby district centres.
- Impact of new PFS on business at existing BP garage, there are already several PFSs within a 1 mile radius, including a Tesco extra site. No need for another.

6.5 Two letters of comment has been received. One advises that while the author has no objections to the application, they wish Leeds City Council to ensure there are significant financial contributions via the Section 106 agreement towards the future vitality and viability of Oakwood centre. Suggestions include public realm and shop front/signage improvements and the appointment of a dedicated town centre manager. The second letter raises concerns regarding the provision of an additional petrol station, the loss of the DIY store, felling of trees which has taken place and that the proposed store would have a 'warehouse feel', whereas the existing has some architectural merit, and advises that they would prefer the site to be redeveloped for residential uses. However, they advise that the relocation of the

store closer to Oakwood centre seems to make sense, and that this is an opportunity to improve the local community which should not be missed.

- 6.6 Councillor Kendall has advised that she remains concerned about the following aspects of the proposals:
- Impact on the BP garage – may lead to a derelict site.
  - Traffic – hard to understand how a single entrance could cope with current volume of traffic, let alone likely increase from an enlarged store.
  - Impact on Oakwood centre – Somerfield already trades under shadow of Tesco. If larger Tesco store leads to closure of Somerfield, the centre will lose its anchor and much of its custom, and individual traders may close.
- 6.7 Councillor Lobley has made the following comments regarding the application:
- No overall objection to a new store, but some concerns about the design.
  - While retail sales space not markedly increased, the overall size and visual massing of the store will be much larger.
  - Regard needs to be given to the vista when travelling along Roundhay Road and the impact on Gipton Wood. May be better to move the store further back into the site.
  - Concern that claims regarding new jobs do not take into account loss of other jobs at Homebase. Not clear whether new jobs are full or part time. Doesn't take into account possible loss of jobs in wider area.
  - Increase in traffic – needs modelling and thoroughly checking. Need to look at additional journeys at peak times, and some independent advice on shopping habits is needed.
  - Impact of PFS – concerns regarding potential of a derelict site if BP garage were to close – associated problems with tipping and antisocial behaviour.
  - Potential impact that moving store closer to Oakwood would have on existing Somerfield. Impact on centre if Somerfield were to close. Views should be actively sought from Somerfield.
- 6.8 Fabian Hamilton MP has objected to the application, and refers to the following concerns of his constituents:
- Impact on traffic.
  - Scale of development not appropriate to the site or the area.
  - Impact on local shops.
  - Increased noise levels from deliveries.
  - Increase in parking spaces – will affect local community and surrounding area as well as the environment.
- 6.9 Leeds Civic Trust have raised concerns that the proposed store would be much larger externally than the existing one, despite the retail floorspace increase being relatively small, and have raised concerns that the proposals would result in the overdevelopment of the site. They also advise that they consider the proposed PFS unnecessary and that the development will have adverse effects on traffic and on the commercial viability of existing shops in Oakwood, Chapeltown and Harehills.
- 6.10 The Roundhay Planning Forum raises a number of concerns relating to the design, scale and massing of the store; the impact of the highway and traffic measures on the character of Roundhay Road and its wooded green landscape setting. Any s106 Agreement should also seek public realm improvements, shopfront/signage improvements and the appointment of a dedicated town centre manager. Concerns are also raised over the loss of the Homebase store and the impact upon the existing Somerfields Supermarket.

- 6.11 Gledhow Valley Conservation Area Group have raised the following concerns:
- Impact on Oakwood centre – possible closure of varied local shops.
  - Tesco claim this is an ‘eco’ store – not sustainable to use energy and materials in demolish and rebuild when existing building could be adapted.
  - Health of planting around the site needs to be considered.
  - Increased traffic – more parking spaces will encourage car use. More incentives needed for pedestrians, facilities for cyclists and free bus links to other shopping districts.
  - Number of existing Tesco shops in north Leeds.
  - Drainage – loss of open space to create hard surfaces.
  - Views into the site – green aspects need to be enhanced.
- 6.12 417 letters of support has been received, of which 389 are copies of a standard letter distributed in the existing store by Tesco, and signed by individual customers. The following comments are made:
- People currently have to travel to the Tesco store in Seacroft for more choice. New store will improve variety of products.
  - There is already traffic going to and from the site to Homebase and Tesco.
  - A new store will brighten up the area.
  - Improved shopping environment.
  - A café would be welcomed to provide a break from shopping.
  - Store will have environmentally friendly initiatives.
  - Significant investment in Roundhay.
  - Will not impact on Oakwood district centre, its entrance is closer and people will park in Oakwood and walk to Tesco. Will help keep Oakwood centre alive.
  - Development will bring much needed new jobs to the area and safeguard existing employment.
  - Road layout is much improved and will lead to free-flowing traffic.
  - Existing store is struggling as there are too many customers. An expanded store would be welcomed.
  - Homebase lease is running out, if Tesco don’t re-use the site then another retailer may still come in who may want to redevelop the site. How is this better? It will still bring increased traffic.
  - No reason for anyone but a few residents nearby to object to petrol station – BP garage may object, but their petrol prices are higher than other nearby supermarkets and people drive elsewhere for petrol. BP and Asda both operate in close proximity on York Road.
  - Will have no environmental impact on the area – Tesco have made the store as efficient as possible, and have tried to keep as many trees as possible.
  - The majority of objections relate to the fact that Tesco is a large company, that stopping Tesco will save the planet, and that people believe competition between petrol stations is to be frowned upon.
- 6.13 A further letter of support has been received from a tailors shop in Oakwood centre, which makes the following comments:
- Expansion will benefit Oakwood parade and local employment. No shops in Oakwood would be in direct competition with Tesco except Somerfield.
  - Additional traffic and people in the area can only benefit local shops, making people more aware of the goods and services available in Oakwood.
- 6.14 A letter has been received from a local resident advising that one of the duplicate letters of support submitted in their name was not actually submitted by them. This

letter has now been removed from the application file, and is not reported in the figures above. Approximately 1000 letters of representation on the proposals have been received so far. This appears to be an isolated case, as no other residents have come forward to advise that they have been misrepresented.

- 6.15 A public meeting was held on 24<sup>th</sup> June 2009 at Roundhay Methodist Church, which was attended by approximately 150 local residents and local business owners. Representatives from planning and highways, and from Tesco and their highway consultants, together with the three Ward Members for Roundhay, were also present. Residents and local business owners raised concerns regarding the size of the store, increases in traffic on Roundhay Road, and the impact on local residents, shops in Oakwood and Harehills district centres, and the BP garage to the south of the application site.

## 7.0 CONSULTATION RESPONSES:

### **Statutory:**

#### 7.1 Highways

Environmental Studies have endorsed the submitted air quality assessment, and Transport Planning have indicated that the design of the junction would be compatible with the Council's High Occupancy Vehicle (HOV) proposals along Roundhay Road.

The levels of cycle parking and car parking are considered acceptable. Some minor revisions to the plans have been requested, including confirmation of parking space dimensions and motorcycle parking provision. Additional details have been supplied in this respect, and are currently under consideration. A service management plan is required with regard to the management of deliveries and a condition is recommended requiring this.

In terms of the design of the new signalised junction and the impact of the development on the highway network, including the Fforde Green and Oakwood Clock junctions, further information was requested from the Council's Urban Traffic Control (UTC) team. This is now under consideration, although it is considered that any minor concerns are likely to be overcome.

### **Non-statutory:**

#### 7.2 Contaminated Land

No objections, subject to conditions.

#### 7.3 West Yorkshire Police

Recommend that anti-terrorism measures are included in the undercroft parking area – measures have been agreed with Tesco. Lighting should be in accordance with the relevant British Standard and the car park should meet 'Park Mark' Safer Parking Award standards.

#### 7.4 Transport Policy (Travelwise)

Comments and recommendations regarding the submitted draft travel plan have been provided. Negotiations are ongoing in this respect. A Travel Plan Monitoring and Evaluation fee of £4,500 has been requested and this should be included within the s106.

#### 7.5 Public Transport

A contribution of £319,241 towards public transport infrastructure should be sought under the adopted SPD. [*The developer has agreed to pay this sum*].

7.6 Access Officer

Recommendations are made regarding the location and layout of disabled parking spaces, the provision of tactile paving at pedestrian crossing points, the gradients of access points and the footbridge, and the design of steps and glazed entrances, in the interests of providing appropriate access to the building for all users.

7.7 Neighbourhoods and Housing

No objections, subject to conditions covering the following matters:

- Restrictions on noise levels from fixed plant
- Delivery hours to be restricted to 7am-11pm Monday to Saturday and 8am-6pm on Sundays, which are the current permitted hours for the existing store.
- Recycling facilities not to be used at night.

7.8 Mains Drainage

Concerns had been raised regarding the presence of a culvert at the site and whether this would impact on, or be affected by, the proposed development. Further investigation in this respect has been carried out. The applicant's agent has now confirmed that the culvert would not physically impact on the proposed store footprint, and that they do not consider that the position of the culvert would cause any insurmountable problems for the redevelopment of the site. Comments from Mains Drainage and from the Environment Agency in this respect are awaited.

7.9 City Services

The bin collection arrangements for the site appear to be acceptable.

7.10 Metro

Would welcome the extension of the High Occupancy Vehicle (HOV) lane into the proposed widening of Roundhay Road to reduce delays for buses passing the site. The signalised junction should be installed with traffic light priority for buses.

The local bus infrastructure is poor given the level of service on this corridor. The redevelopment of the store provides an opportunity for this to be addressed. The proposed new store access will require the relocation of a bus stop on Roundhay Road. Should this be agreed, the associated kerb works should be provided, along with a shelter with real time information display. A shelter on the opposite side of the road should be upgraded with real time information and kerb works. Metro should be consulted should this require relocation. The applicant has agreed to fund improvements to the nearest southbound bus stop, and the relocation of the northbound bus stop. These matters are covered by the Section 106 agreement.

The development should be required to join the West Yorkshire Travel Plan Network.

7.11 Yorkshire Water

No objections, subject to conditions.

7.12 Environment Agency

No objections, subject to condition.

**8.0 PLANNING POLICIES:**

Development Plan

8.1 The development plan comprises the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006). The RSS was issued

in May 2008 and includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development.

8.2 The following RSS policies are relevant to the proposed development:

E2 – Relates to town centres where the focus should be for local services and facilities.

ENV5 – Relates to renewable energy. Encourages the use of combined heat and power and states that developments of over 100sqm floorspace should secure at least 10% of their energy from renewable or low carbon sources.

8.3 The site is within Oakwood District Centre. A number of the trees within the site and along the frontage are protected by a TPO. Land to the north west of the site is designated as Greenspace and Leeds Nature Area, and Gipton Wood, to the south east, is within Roundhay Conservation Area. The following UDP policies are relevant to the consideration of the application:

GP5 – General planning considerations;  
GP7 – Planning obligations to enhance quality of development;  
N12 – Urban design principles;  
N13 – Design of new buildings;  
N19 – Development within or adjacent to conservation areas;  
N50 – Development and Leeds Nature Areas;  
T2 – New development and highway safety;  
T2B – Requirement for transport assessment;  
T2C – Requirement for travel plan;  
T2D – Public Transport contributions;  
T5 – Access for pedestrians and cyclists;  
T6 – Provision for disabled people;  
S2 – Development in town centres;  
S3 – Enhancement and maintenance of town centres;  
S3A – Priority to refurbishment and enhancement of Harehills Corner;  
BD3 – Access to public buildings for disabled people;  
BD5 – New buildings, design and amenity;  
LD1 – Landscaping proposals.

8.4 Supplementary Planning Guidance/Documents  
Public Transport Improvements and Developer Contributions SPD.  
Draft Street Design Guide SPD.  
Travel Plans SPD.  
Roundhay Conservation Area Appraisal.

8.5 National Planning Policy and Guidance  
PPS1 – Delivering Sustainable Development  
PPS6 – Planning for Town Centres  
PPG13 – Transport  
PPG15 – Planning and the Historic Environment.

## 9.0 MAIN ISSUES

1. Principle of development and retail issues.
2. Scale, design and impact on character of area.
3. Highways.
4. Impact on nearby residential properties.

5. Trees and landscaping.
6. Planning Obligations.
7. Other issues.

## **10.0 APPRAISAL**

### Principle of development and retail issues

- 10.1 The site is within Oakwood District Centre, and is currently occupied by two unrestricted A1 retail stores. The replacement store would result in a total net retail floorspace of 7,072m<sup>2</sup>, which represents an increase in net retail floorspace of only 656m<sup>2</sup> over the net floorspace of the existing stores on the site. In terms of the proposed split between convenience and comparison goods, the application proposes a floorspace of 3,910m<sup>2</sup> for convenience goods and 3,162m<sup>2</sup> for comparison goods. This results in a percentage split of 44.7% for comparison goods and 55.3% for convenience goods. A planning condition would prevent any percentage increase in the amount of comparison goods floorspace, while another condition would restrict the range of goods available. The proposed petrol filling station (PFS) kiosk would provide a further 70m<sup>2</sup> of retail floorspace, and 12 petrol pumps would be provided within the forecourt.
- 10.2 The retail statement submitted with the application advises that, at present, the relatively limited range of goods available at the existing store results in people travelling outside of the Oakwood area to shop. Other destinations include Sainsbury's at Moor Allerton, Tesco at Seacroft and Asda at Killingbeck. This information was derived from a household survey undertaken by the applicants which involved 1,970 interviews of people within the study area. The proposed replacement store would also bring the store entrance significantly closer to the rest of the district centre than the entrance to the existing Tesco store. A new pedestrian bridge is proposed which facilitates pedestrian access from street level on Roundhay Road, straight into the store.
- 10.3 Government guidance in the form of PPS6 (Planning for Town Centres) provides advice on how proposals for retail development should be considered and is more up-to-date than the relevant retail policies contained within the UDP. In particular, PPS6 provides guidance on how local planning authorities (LPA's) should assess retail proposals, taking into account need (quantitative and qualitative); scale; the sequential approach to site selection; impact; and accessibility. PPS6 also advises that LPA's should also consider relevant local issues and other material considerations. In addressing each of these issues, PPS6 advises that it is not necessary to demonstrate the need for retail proposals for main town centre uses located within identified centres. Equally, PPS6 further advises that the sequential approach to site selection should only be applied for sites that are not in an existing centre. Accordingly, given the site's location within the District Centre, there is no requirement to identify need and to carry out a sequential approach. The matters relating to scale, accessibility and impact are therefore relevant.
- 10.4 In terms of scale, PPS6 advises that the scale of development should relate to the role and function of the centre within the wider hierarchy and the catchment served. It is clearly evident that the proposal would result in a much larger retail store than the existing Tesco store. However, regard needs to be taken to the existing Homebase store which is to be demolished. Whilst it is recognised that the Homebase store generally attracts fewer customers than a supermarket, it must be stressed that this store is unrestricted in terms of the range of goods that could be sold. In effect, this store could be operated by a supermarket or other retail operator

without any restrictions. Regard therefore needs to be had to this potential fall-back position as a material consideration.

- 10.5 Whilst the uplift in net retail floorspace is only 656m<sup>2</sup> above the net floorspace of both stores which currently exist, it is apparent that the retail offer would be materially different, with an overall increase in the amount of both convenience and comparison goods floorspace. It is therefore a question of whether the scale of this proposal is appropriate to Oakwood District Centre. Guidance within PPS6 advises that district centres will generally be appropriate locations for large scale new development. Accordingly, as the proposal is situated within a district centre (the second hierarchy of centres within Leeds after the city centre), this would suggest that such centres are appropriate for large scale retail proposals. The scale of the replacement store is considered to be appropriate given the limited increase in net retail floorspace, coupled with the fall-back position of the Homebase store which has an unrestricted open A1 consent. The entrance to the store will also be moved closer to the rest of the district centre, while a financial package towards public realm enhancements should help reinforce this physical link within Oakwood Centre. Other matters relating to retail impact and accessibility are considered in detail below.
- 10.6 In terms of accessibility, the site is currently located adjacent to a main public transport route, connecting the northern parts of Leeds to the city centre. It is also located within the district centre and within easy walking distance to a number of residential properties. The site can therefore be regarded as relatively sustainable. The applicant proposes to increase the number of car parking spaces by a further 70 spaces given the potential for increased custom. However, the applicant also proposes to improve the accessibility of the store through other measures, including walking, cycling and by public transport. Pedestrian and cycling connections and facilities are proposed to be improved while the highway improvements and a package of public transport measures, secured through a Section 106 Agreement, will be secured. This would provide a contribution of £319,241 towards public transport infrastructure improvements in accordance with the SPD, a contribution of £46,000 for Metro to upgrade bus stops and the provision of a relocated bus lay-by to immediately outside the front of the proposed store. It can therefore be concluded that accessibility by other means of transport other than the car to the site would be improved as a result of the proposals.
- 10.7 The impact of the proposed development on identified centres must also be considered, given the guidance within PPS6. The applicant's retail impact study provides conclusions on the impact on these centres, including Chapel Allerton, Meanwood, Moor Allerton, Moortown Corner, Harehills Lane and other isolated stores. The study concludes that there would be no significant impact on these centres. More importantly, the study provides conclusions on the impact upon Oakwood District Centre itself, as well as the nearby Harehills Corner centre which is recognised under Policy S3A as an insecure centre where priority will be given to its refurbishment and enhancement to expand the range of facilities. With regard to the impact on Harehills corner, it is considered that there would be little if no impact as the as the scale and nature of the retail offer is different to that of the Tesco offer, with many independent ethnic stores and other stores that are used for top-up style shopping prevalent at Harehills Corner. Any impact must also be balanced against the fact that the existing Homebase is unrestricted in terms of the range of goods that can be sold and that any other retail or supermarket operator could trade from this site.

- 10.8 In terms of the impact on Oakwood District Centre, it is relevant to highlight the objections received from residents which relate to the impact on the existing shops within Oakwood, including the Somerfields store. However, no businesses within Oakwood have objected to the proposals, with the exception of a nearby charity shop. Following these concerns from local residents, further details were requested regarding the impact that the replacement store would have on traders within Oakwood Centre. A detailed analysis of existing shops within Oakwood centre has been carried out, with the use and nature of all shop units noted, and an assessment made as to how directly Tesco would compete with each shop. The study found that, of the 51 shops/premises within the centre, 31 (61%) are in A1 retail use. Of these, only Somerfield was identified as being in direct competition with Tesco. It is anticipated that a number of shops (for example, a newsagents, opticians, pharmacy and post office) would experience moderate competition, with clothes shops experiencing limited competition. However, the study advises that, of the 31 A1 units in Oakwood centre, 17 would experience no direct competition, as the goods and services offered by these shops (for example tailors (who support the application), jewellers, charity shops, travel agent, printing shop and hairdressers) would not be affected by the Tesco store proposed. It is considered that this assessment is robust and there are no reasons to dispute this analysis. In addition, a condition would be imposed to restrict the range of goods available. It is also considered that the retail offer of Somerfields, whilst in direct competition with Tesco, would mainly provide top-up style shopping, thereby resulting in no significant impact. It is also worthy to note that Somerfield have not objected to the proposal, although it is recognised that this in itself does not signify that they necessarily support the proposals.
- 10.9 In seeking to mitigate any retail impact and to encourage linked trips, the applicant has agreed to a financial contribution as part of a Section 106 Agreement which would be used to fund public realm enhancements. A figure of £192,500 would be used to improve and enhance the public realm within Oakwood District Centre, including resurfacing of the footway which is in a poor state of disrepair, lighting and tree planting between the proposed store and the remainder of Oakwood centre on the western side of Roundhay Road. This would improve visual and physical links between the store and the district centre, and should help to encourage visitors to the store to visit other shops and services in the centre. It is therefore considered that the proposed redevelopment would not detract from the vitality or viability of Oakwood or other local centres identified.
- 10.10 The guidance within PPS6 also advises that local issues and material considerations are taken into account in assessing retail applications, and that these may include matters relating to physical regeneration, employment, economic growth and social inclusion. In this regard, the proposal would provide a replacement building which would take the opportunity to improve the character and quality of the area with the removal of the existing Tesco and Homebase stores. The proposal would also provide additional employment opportunities, both in terms of construction and at the replacement store with an additional 135 jobs being created. The proposal would also represent a symbol of economic growth, albeit in the retail market given the investment into the local area as a result of the development.
- 10.11 In summary, in view of the relatively small increase in net retail floorspace proposed, the improved links and public realm enhancements between the proposed store and Oakwood centre, the number of jobs created and the limited impact on Oakwood and Harehills Corner centres, it is considered that the principle of the replacement store is acceptable.

### Scale, Design and Impact on the Character of the Area

- 10.12 At the Plans Panel meeting on 2<sup>nd</sup> July, Members raised concerns regarding the scale of the proposed building, and stressed that the planting along the site frontage should be retained and enhanced. Concerns have been raised by local residents regarding the design, scale and positioning of the building.
- 10.13 The site at present is characterised by high levels of planting along the Roundhay Road frontage, with the Tesco building close to the southern and eastern boundaries, and the Homebase building set back further into the site. The existing buildings on the site are not considered to make a significant contribution to the visual character of the area, and there is no objection in principle to their demolition.
- 10.14 Although the scale of the proposed building would be greater than that of the existing buildings, the variation in levels between the site and Roundhay Road would serve to screen some of the lower ground floor area from view, particularly towards the northern part of the site. In addition, it is proposed to retain the majority of the trees along the site frontage, and to supplement this with additional tree planting, providing screening of the building, and maintaining the landscaped street frontage which characterises this part of Roundhay Road. It is therefore considered that the proposed development would not appear unduly prominent within the streetscene.
- 10.15 Following discussions with the design officer regarding the detailed design of the building, revisions have been made to incorporate greater levels of glazing in the elevation facing the car park, and to provide more regular glazing heights in the front elevation. Minor revisions to the office windows in the northern elevation have also been made. It is considered that these alterations and incorporation of greater levels of glazing, particularly to the southern elevation facing the car park, help to break up the massing of the expanses of timber cladding on this elevation. It is also considered that the proposal to incorporate timber cladding into the design of the building would help to assimilate the development into a site which is surrounded by trees and woodland to the east and west.
- 10.16 Concerns had also been raised that the light grey cladding proposed to screen the service yard would be too light, giving this area undue prominence. A continuation of the timber cladding to this area was not considered appropriate, since this would further increase the horizontal emphasis of the main building. In revising the proposals to provide darker cladding to the lower parts of this screen, with lighter panels above, it is considered that an appropriate contrast and visual break between this area and the main building has been achieved, while ensuring that the service yard area is less visually dominant in views into the site and from the car park. The colour of the windcatchers to the roof has also been revised from blue to grey, which was considered more appropriate in visual terms.
- 10.17 Following receipt of revised plans as discussed above, it is considered that the scale and design of the proposed new store would appear appropriate within the site, and would not detract from the character of the streetscene or the wider area.
- 10.18 Although the site is across the road from part of Roundhay Conservation Area, this part of the conservation area is a wooded area, with some residential properties set back from the road. Through the retention and enhancement of the planting along the site frontage, it is considered that the landscaped character of this part of Roundhay Road would be preserved. The Conservation Officer has advised that he has no objections to the proposed development, and it is not therefore considered

that the proposed development would detract from the character or appearance of the adjacent conservation area.

- 10.19 The proposed petrol filling station would be located in the southern part of the site. It is proposed to increase the depth of the planting area to the east of this area, along the Roundhay Road site frontage, and to provide replacement planting along Gledhow Wood Road to the south of the proposed PFS. It is not considered that the canopy and kiosk for the PFS would be of such a scale that they would appear overdominant, and it is considered that the proposed planting would provide an appropriate level of screening of this area. It is not therefore considered that the proposed PFS would detract from the visual character of the area.

#### Highways

- 10.20 It is proposed to remove one of the site's two vehicular access points onto Roundhay Road, and to relocate and widen the second one, providing a signalised junction with pedestrian crossing points. Vehicular access to and from the car park, service yard and PFS would be via a single roundabout toward the rear of the site. 665 car parking spaces are proposed – an increase of 70 spaces over the existing car park – which would be provided in an undercroft parking area beneath the store and an external parking area to the south. This level of parking is deemed to be acceptable. The applicant has confirmed that there would be no restrictions on the use of this car park. However, a condition is recommended that in the event that Tesco would want to control parking, then agreement from the Council would be required.
- 10.21 The service and delivery yard for the store would be at first floor level to the rear of the store, accessed via a ramp from the central roundabout. A lay-by would be provided alongside the drive between the internal roundabout and Roundhay Road to provide for deliveries of petrol to the PFS.
- 10.22 It is proposed to retain pedestrian access points from Gledhow Wood Road to the south of the site, and from Roundhay Road to the east. Additional pedestrian access points are also proposed along Roundhay Road to the front of the proposed store, with cycle parking provided in these areas. These access points would lead into the lower ground floor area of the travelator hall to the front of the proposed store, with travelators and lifts providing access to the first floor retail area. To the north eastern corner of the site, a pedestrian footbridge would lead directly from Roundhay Road to the first floor of the building.
- 10.23 The Highways Officer has advised that the vehicle and cycle parking levels proposed are appropriate and that the service yard would appear to be of an appropriate size to function satisfactorily, but that a service management plan relating to delivery arrangements and the frequency and timings of recycling collections is submitted. A condition to this effect could be attached to any permission.
- 10.24 In terms of the acceptability of the new signalised junction and the impact on the local highway network, including the nearby junctions at Fforde Green and the Oakwood clock, further information was sought from the applicant from the Council's Urban Traffic Control (UTC) section. This information relates to minor re-modelling of the traffic model and has been provided by the applicant's highways consultant. Although comments are awaited from the Council's UTC team, it is considered that the principle of the new junction and impact on Roundhay Road and nearby junctions is likely to be acceptable.

- 10.25 At the previous Panel meeting where a position statement was reported to Members, some of the Panel expressed concerns over the potential impact of the proposed petrol filling station on the local highway network as a result of vehicles queuing back onto the internal access road and Roundhay Road. In response, it is considered that there is sufficient space within the site to accommodate the anticipated demand for fuel, in terms of the number of pumps available, the queuing space in front of the pumps and the length of the internal access road.
- 10.26 A Travel Plan has also been provided which seeks to promote the use of public transport, walking and cycling, thereby reducing the reliance on the private car. This Travel Plan is considered to be acceptable and agreed by the TravelWise team. Contributions of £319,241 towards public transport infrastructure improvements, and £46,000 towards the upgrade of nearby bus stops and the relocation of another bus lay-by to the front of the store have been agreed. These matters, together with the Travel Plan and monitoring fee, which have now been agreed, would be covered by the proposed Section 106 Agreement.
- 10.27 The access officer had raised concerns regarding the distance of some of the disabled parking spaces from the store. The applicant's agent has advised that, while the majority of the disabled parking spaces would be within the undercroft parking area, and closest to the store entrance, it was recognised that some disabled visitors would have higher vehicles, and therefore some of the disabled parking bays had been proposed in the external parking area. A condition is recommended requiring the disabled spaces to be retained in accordance with the approved layout plan. The access officer also provided advice regarding tactile paving, access and footbridge gradients, and glazing. The applicant has advised that all steps and walkways are designed to be DDA compliant, and that the disabled parking spaces were designed to appropriate dimensions.
- 10.28 Concerns have been raised that no parking would be provided at the proposed petrol filling station. Five spaces are proposed adjacent to the proposed kiosk, which is considered appropriate for this part of the development.
- 10.29 In summary, although final comments are outstanding from the Council's UTC team, it is considered that these relate to matters of fine detail, and do not alter the view that the scheme is acceptable in highway terms. The level of parking proposed and new signalised junction is considered to be acceptable, while the package of measures put forward to improve public transport and other travel plan measures are deemed to be appropriate and would improve accessibility to the site. It is concluded that the proposed development would not have an adverse impact on highway safety in compliance with the relevant UDP policies and the guidance contained within PPG13.
- Impact on nearby residential properties
- 10.30 Neighbours' concerns regarding noise and disturbance from the proposed store are noted. The closest residential properties to the site are those on Gledhow Wood Court, to the west, and Ravenscar Walk to the north. The service yard for the store is proposed in the western part of the site, at first floor level, and would be at least 25 metres from the nearest neighbouring property on Gledhow Wood Court, according to the submitted plans. Screening and cladding of the service area is proposed. The existing woodland to the west of the site would provide further screening for properties on Ravenscar Walk.
- 10.31 A noise report has been submitted with the application, which has been assessed by the Council's Scientific Noise Officer. While the Scientific Officer has raised no

objections to the proposed store, conditions have been recommended to cover the following matters:

- Details of any fixed plant to be submitted to and approved by the local planning authority prior to installation.
- Restriction of delivery hours to 7am-11pm Monday to Saturday and 8am to 6pm on Sundays (as is permitted at present). This includes tanker deliveries to the petrol station.
- Delivery and service vehicles to disable reverse beepers and refrigeration units prior to entering the site.
- Limits on construction hours (8am-6pm Monday to Friday, 9am-1pm Saturday with no working on Sundays and bank holidays).
- Restrictions on lighting.

- 10.32 Subject to these conditions, and in view of the distance between the service yard and the nearest neighbouring residential properties which are some 30m away, it is not considered that the proposed development would impact significantly on the amenities of nearby residents.
- 10.33 The Scientific Officer raises concerns regarding noise from the proposed petrol filling station, which would be open 24 hours. However, he concludes that, on balance, as no complaints have been received regarding noise from cars on other Tesco forecourts, or from the existing BP garage to the south of the site, which is open 24 hours and has houses to the rear, it would be difficult to justify refusal of the application on these grounds.
- 10.34 Concerns were raised by some local residents that the sample size of measurements in the submitted noise report was insufficient to demonstrate that noise would not be a problem. The Scientific Officer's comments on this have been sought, and he has advised that the sample size of 3 locations for day and night time noise level recordings was considered appropriate.
- 10.35 Concerns regarding the impact of the proposed new store, which would be 3m higher than the existing Homebase store on the site, on the outlook from neighbouring properties, are noted. The nearest neighbouring properties which overlook the site are on Gledhow Wood Road, to the south, and Ravenscar Walk and Ravenscar View, to the north west, and are situated at a higher level than the application site. According to the submitted plans, the north western corner of the proposed building would be almost 40 metres from the nearest dwelling on Ravenscar View. The nearest building on Gledhow Wood Court, to the south west, would be 30 metres from the edge of the service yard. In view of these separation distances, the variation in levels between the site and neighbouring residential properties, and the screening provided by existing trees along Ravenscar Walk, it is not considered that the proposed building and service yard would appear oppressive when viewed from neighbouring dwellings.
- 10.36 Neighbours' concerns regarding increased litter at the site are noted. A condition requiring details of the provision of litter bins at the store and PFS is recommended as part of any approval, to ensure that the level of provision at the site is appropriate.
- 10.37 It was suggested at the Panel meeting on 2<sup>nd</sup> July that the cladding to the rear of the building be extended to ground level to prevent noise from the undercroft parking area, which has open sides as proposed. The applicant's agent has advised that the

sides of the car park would need to be open to provide appropriate ventilation to the car park. In view of the separation distance between the car park and neighbouring properties, the variation in levels, and the screening provided by the trees to the west of the site, it is not considered that the refusal of the application on these grounds could be justified. Environmental Health have raised no concerns regarding noise in this respect. The parking spaces in this rear area of the car park are some 75 metres from the store's entrance atrium, and it is unlikely that they would be used late at night, as spaces closer to the entrance to the store are more likely to be available.

#### Trees and landscaping

- 10.38 Although it is proposed to remove a number of trees from within the site, predominantly those within the existing car parking area, it is proposed to retain many of the existing mature trees and planting along the site's Roundhay Road frontage and along the northern boundary of the site, and to supplement this with additional planting to the front of the proposed store and in a dense belt to the front of the proposed petrol filling station, to provide screening of the proposed development. Further planting is proposed around the eastern and southern boundaries of the proposed surface parking area, and along Gledhow Wood Road to the south. It is considered that, in general, the proposed landscaping will help to screen the development. The landscape officer is satisfied with the proposals, subject to conditions, which are recommended as part of any approval.

#### Planning Obligations

- 10.39 The submitted draft Section 106 Agreement covers the following matters:
- Public transport contribution – a sum of £319,241 has been agreed in this respect.
  - Metro contribution – relocating one nearby shelter and upgrading another - £46,000.
  - Travel plan and monitoring fee of £4,500 – a draft travel plan has been submitted, and is under consideration.
  - Training and employment of local people – the obligation is for Tesco to use reasonable endeavours to offer positions of employment to local people, in associated with the Council's Jobs and Skills service.
  - Contribution towards Public realm improvements to include resurfacing of footways, lighting and landscaping.

#### Other matters

- 10.40 In addition to the matters raised above, a number of other material planning considerations have been raised in the representations received. These are discussed in turn below.
- 10.41 Concerns had been raised regarding a culvert which crosses the site, and whether this would impact on or be affected by the development. Following further investigation, the applicant's agent has confirmed that the culvert would not physically impact on the proposed store footprint, and that they do not consider that the position of the culvert would cause any insurmountable problems for the redevelopment of the site. The Mains Drainage Officer and Environment Agency have been reconsulted on this matter, and have confirmed that they have no objections to the proposals, subject to conditions.
- 10.42 Concerns that the proposed development would increase flooding in the area are noted. As discussed above, the impact of the proposed development on the

culverted watercourse crossing the site has been carefully investigated. A Flood Risk Assessment for the development has been submitted, and neither the Council's drainage officers nor the Environment Agency have raised any objections in this respect.

- 10.43 Concerns have been raised regarding the security of the undercroft parking area. The police architectural liaison officer has been consulted on the proposals, and has advised that anti-terrorism measures (which have been agreed with the applicant) are included in the undercroft parking, and that lighting should be in accordance with the relevant British Standard. Conditions covering these matters are recommended.
- 10.44 The directors of the existing PFS to the south of the site and local residents have raised concerns regarding the impact of the proposed PFS at the Tesco site on this existing business, with the possible result that, were the BP garage to close, this would leave derelict site. Although, in accordance with the requirements of PPS6, regard has been given to the impact of the proposed development on the vitality and viability of nearby district centres, the existing PFS is not within the district centre, and competition between individual businesses, such as would be the case here, is not a material planning consideration. As such, little weight can be given to this matter in the consideration of the application, and refusal on these grounds could not be justified.
- 10.45 Concerns have been raised regarding the impact of the proposed development on wildlife. Although the site is adjacent to a Leeds Nature Area, the development itself would not encroach into this area, and it is not proposed to remove any trees in this area.
- 10.46 Some residents have queried whether an Environmental Impact Assessment (EIA) for the proposed development has been submitted. The development falls below the threshold for which an EIA would be required.
- 10.47 Concerns regarding the loss of the existing Homebase DIY/garden centre store are noted. The lawful use of this existing store was as an unrestricted A1 unit, meaning that planning permission would not be required for any other A1 retailer to move into this unit. The loss of this specific retail use from the site can therefore be given little weight in the consideration of the application.
- 10.48 Some residents have expressed concern regarding inaccuracies in the plans and supporting documentation. Where reference has been made to specific inaccuracies, such as the annotation of an existing pedestrian access as 'new', this has been taken into account in the consideration of the proposals. The level of information submitted is considered appropriate to make a comprehensive and appropriate assessment of the application.
- 10.49 Matters such as the impact of the development on property values, the number of existing Tesco stores in the area, and the social and environmental impacts of multinational retailing are not material planning considerations and therefore cannot be given any weight in the consideration of the application.

## **11.0 CONCLUSION**

- 11.1 The scheme has been considered against the relevant policies contained within the RSS and the UDP, as well as the guidance contained within PPS6 and the scale of the existing unrestricted A1 retail use of the site. It is considered that the scale of the proposal in this District Centre is appropriate. Furthermore, it is not considered that

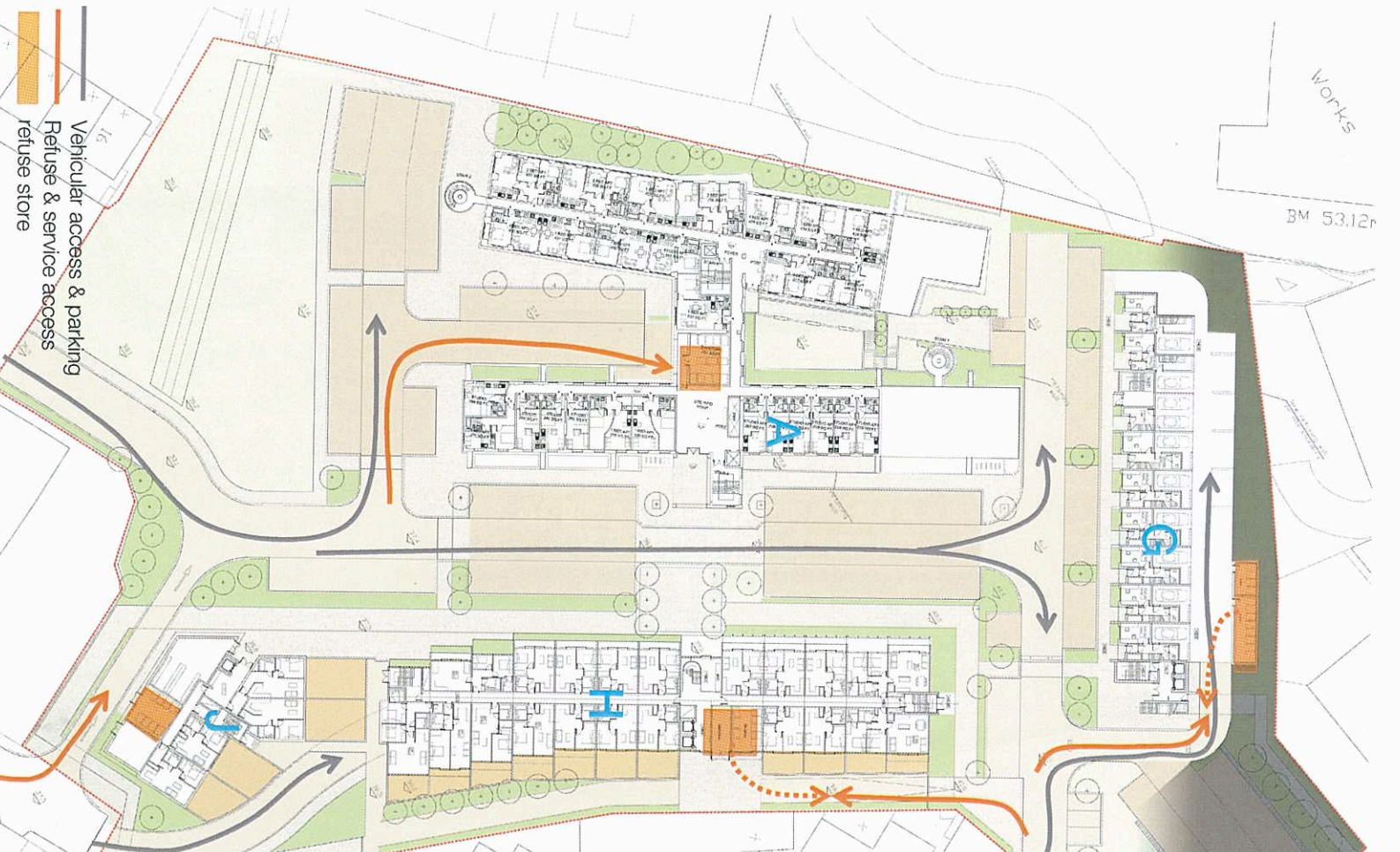
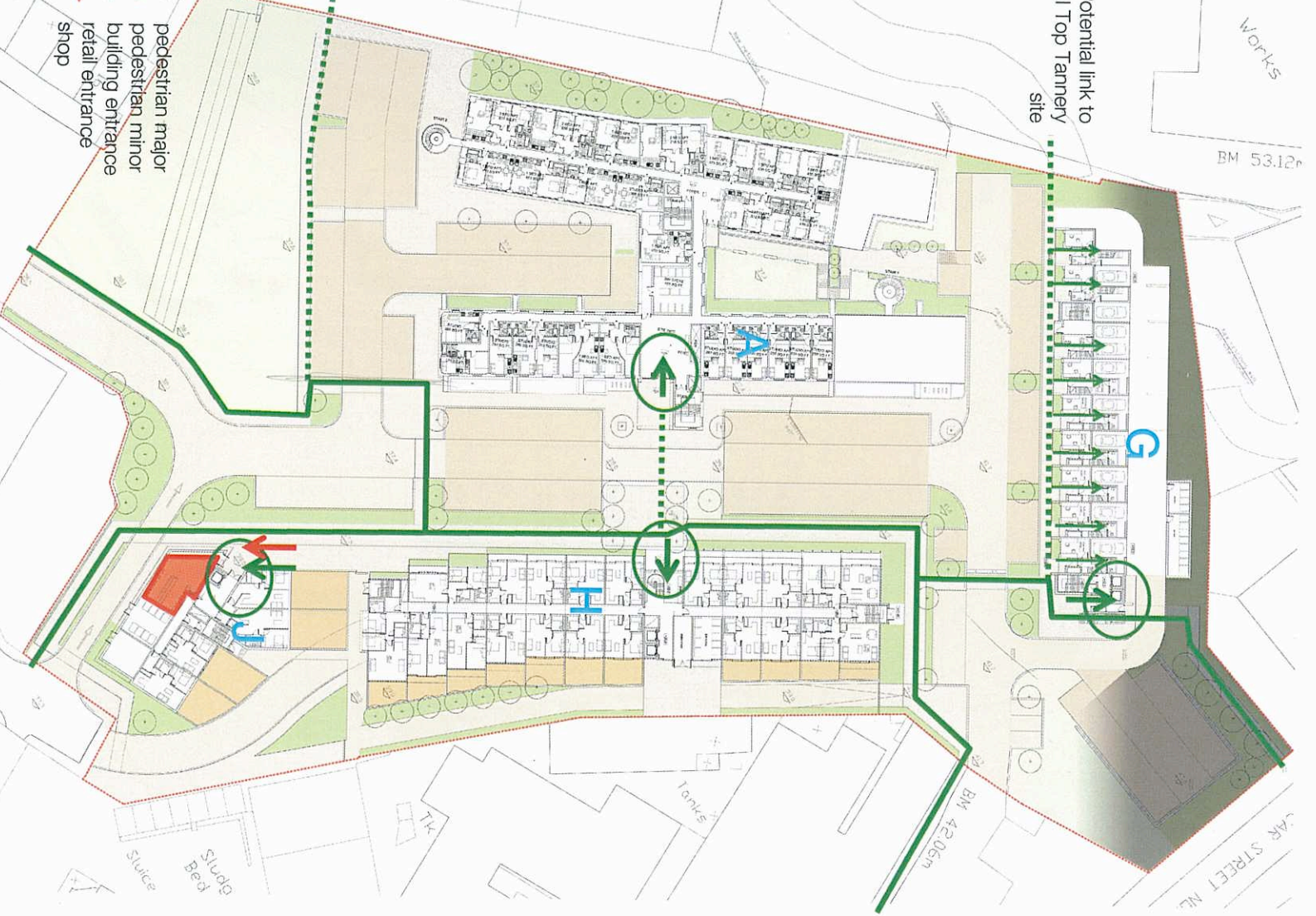
the increase in the scale of the store would have an adverse impact on the vitality and viability of Oakwood Centre and other nearby centres, including Harehills Corner. Indeed, the contributions would improve the environmental quality of Oakwood with replacement surfacing, lighting and landscaping, while public transport facilities would be improved through the s106 package.

- 11.2 The development will also result in an increase in the number of jobs, while the design and scale is acceptable within the streetscene and would not detract from the character and appearance of the locality. The proposed signalised junction, the impact on the local network and the number of car parking spaces are acceptable, resulting in a scheme which would not have an impact on highway safety. Furthermore, it is not considered that the proposed development would impact significantly on the amenities of nearby residents. As such, the proposed development is considered to comply with the relevant UDP and RSS policies and national planning guidance, and officers have balanced the proposal against other material considerations. In light of the above, the application is considered to be acceptable, and approval is recommended subject to the specified conditions and completion of a s106 Agreement.

**Background papers:**

Application and history files.

Certificate of Ownership: Notice served on Homebase Ltd





09/01995/FU

# EAST PLANS PANEL



Scale 1/ 3000

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