



Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 28th October 2010

**Subject: CONSULTATION BY WAKEFIELD COUNCIL ON PLANNING APPLICATION:
10/00225/OUT – Outline Application for Mixed Use Development including 12000 seat
community stadium at Newmarket Lane, Wakefield.**

APPLICANT	DATE VALID	TARGET DATE
Yorkcourt Properties Ltd	n/a	n/a

Electoral Wards Affected:
Ardsley and Robin Hood/Kippax and
Methley/Rothwell

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

Leeds City Council wishes to make the following comments in respect of the proposal. Whilst Leeds City Council does not wish to frustrate regeneration and provision of important community facilities in Wakefield District, and there are no concerns in principle over the stadium itself, in the event that Wakefield Council are minded to grant planning permission, then there are strong objections to the scale and impact of the wider development on the Green Belt and transport network in Leeds District. It is recommended that a copy of these representations be sent to the Government Office and that a request is made for the Secretary of State to call-in the application for determination.

1.0 INTRODUCTION:

1.1 Leeds City Council has been consulted by Wakefield Council on a major development proposal close to the Leeds and Wakefield boundary. This report concerns a development proposal for the site which is the same as that previously considered by Plans Panel. (see para's 2.1 and 2.2 below).

1.2 Members will recall that the original submission was considered by Plans Panel (East) in May 2010, and Members raised the following matters at that Panel meeting:

- that the proposals were intrusive and unwelcome
- that this represented inappropriate development in the Green Belt
- that recently the site had been a breeding ground for the little ringed plover
- that local Ward Members had been invited to a meeting about the proposals although the presence of a distribution centre on the site had not been raised
- that alternative proposals in respect of a shared stadium with Castleford Tigers Rugby League club might be more appropriate
- that the new Secretary of State should be made aware of the proposals

1.3 The Panel resolved:

“To note the comments made by Members and that Leeds City Council wished to make the following comments in respect of the proposal: Whilst Leeds City Council does not wish to frustrate regeneration and provision of important community facilities in Wakefield District and there are no concerns in principle over the stadium itself, there are objections over the scale and impact of the wider development on the Green Belt and transport network in Leeds District”

1.4 Following the Plans Panel officers wrote to Wakefield Council informing them of the objections raised by the City Council and requesting that the City Council be consulted on any substantial revisions to the proposed development.

1.5 Whilst the planning application falls to be considered by Wakefield Council the views of Leeds City Council have been sought on the revised scheme, and any further comments raised by the City Council will have to be taken into account in the determination of the planning application. Wakefield Council is due to consider the planning application at their Planning and Highways Committee on 22nd October 2010. However, as the site is within the Green Belt, and due to the scale of development proposed, the planning application will have to be referred to the Secretary of State to see if he wishes to call the application in for his determination.

1.6 Wakefield Planning Officers are making the following recommendation to Committee:

In the event that Members consider the application should be determined rather than deferred for further examination of some of the issues in the report then Members could either refuse the application based on the planning policy issues raised in the report or be minded to approve the application on the basis that there are benefits which outweigh the policy issues raised in the report and subject to conditions, section 106 obligations, referral of the application to the Secretary of State as a departure from the development plan involving green belt land, and the Highways Agency direction being removed.

Should the Secretary of State not wish to call in the application a decision could be delegated to the Service Director subject to a Section 106 covering:-

- a) Requirements of Highways Agency including Travel Plan details
- b) Contract to build stadium before any buildings are brought into use.
- c) Highway requirements of WMDC

d) Air Quality Monitoring Contribution

e) The transfer of the stadium site to the Trust for operations purpose and conditions the wording of which to be delegated to the Service Director in consultation with the Chair and Vice Chair.

- 1.7 This Plans Panel will be up-dated on Wakefield's decision in respect of the application. It should be noted that due to the timing of the consultation with the City Council on the revised scheme this is the first available Plans Panel to which the revised application could be reported. Accordingly Officers have written to Wakefield Council informing them that the revised scheme does not address the concerns raised by the Plans Panel of May 2010 and a copy of this report was attached to that letter. That letter and report should be taken into account by Wakefield's Planning and Highways Committee in considering the application. In the event that Wakefield Council refer the application to the Secretary of State (via the Government Office) the outcome of this Plans Panel will then be made known to the Secretary of State so that the City Council's views are taken into account in the determination of the application.

2.0 PROPOSAL:

- 2.1 The original proposal, considered by Plans Panel in May, covered a total site area of 86.5 hectares (214 acres) and consists of a community stadium to be occupied by Wakefield Trinity Wildcats Rugby League Club, class B8 warehouse units (146,324 sq m total floorspace), B1 office units (7,024 sq m total floorspace), a 120 bedroom hotel and a class A3 drive-thru restaurant.
- 2.2 This proposal is substantially the same. For completeness, the proposal also contains a Multi Use Games Area (MUGA) and playing pitches (totalling around 6 500 sq m), and associated transport infrastructure including a Park & Ride facility.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site is located to the south east of Junction 30 of the M62 motorway. The northern boundary of the site runs along the southern side of the M62 which also forms the administrative boundary between Wakefield and Leeds metropolitan districts. The site is located within 2km of three settlements in Leeds district, the Rothwell/Oulton urban area to the north, Methley village to the east and Lofthouse/Robin Hood to the west.

4.0 LEEDS CITY COUNCIL CONSULTATIONS RESPONSES:

Highways.

- 4.1 Concerns are raised (see paragraphs 8.15 to 8.22 below).

5.0 LOCAL RESPONSE:

- 5.1 Local ward members for Rothwell and Kippax & Methley have been consulted on the proposal. Although no formal letters of objection have been received, representatives from all three wards have indicated that previous objections still stand.

5.2 Members for Ardsley & Robin Hood continue to object to the above application. It is considered that nothing has changed to address concerns and those of the residents in Lofthouse about traffic movement which will affect residents in this area of their Ward. Members have received two additional objections from their constituents from Lofthouse.

6.0 PLANNING POLICIES:

6.1 The proposal needs to be considered against the relevant parts of the development plan for Wakefield which comprises the Wakefield Local Development Framework (LDF) including the Core Strategy (April 2009) and saved policies and allocations from the Unitary Development Plan First Alteration (January 2003). The site Allocations Development Plan Document (DPD) Consultation Draft period expired at the end of September 2010. The DPD allocates only approximately 1/3rd of the application site for development, the allocation being the equivalent of Plots 1a, 1b, 2, 3 and 7. (Proposal W40A Newmarket Colliery warehousing & freight 33.28 ha). Leeds City council formally objected to the DPD on 29 September 2010. The objection is on similar grounds to those objections raised in this report (see paragraphs 8.3 to 8.9).

6.2 Consideration also needs to be given to national planning policy namely: Planning Policy Statement 1 (PPS1) Delivering Sustainable Development; Planning Policy Guidance Note 2 (PPG2) which covers Green Belt issues; Planning Policy Statement 4, (PPS4) Planning For Sustainable Economic Growth; and Planning Policy Guidance 13 (PPG13) Transport.

7.0 MAIN ISSUES

- Green Belt and Policy considerations
- Highways

8.0 APPRAISAL

Green Belt and Policy considerations

8.1 Wakefield Council want to offer support to maintain the Super league status of their local rugby league club. This necessitates a new stadium the construction of which requires additional enabling development to help meet the costs. The Wakefield position is that they have searched for a suitable site and that this is the most appropriate location for the stadium and the associated development.

8.2 Principle of Development in the Green Belt

8.3 The application proposal represents a significant intrusion into an area in the Green Belt. This is inappropriate and harmful to the purposes and objectives of Green Belt as defined in PPG2. The proposal will narrow the extent of Green Belt separating the urban areas in the north of Wakefield and south of Leeds. Such inappropriate development can only be justified in very special circumstances, and it is considered that these have not been demonstrated.

8.4 Currently, the Green Belt extends on both sides of the M62 corridor into Wakefield and Leeds districts. This proposal would set the precedent of extending urban development right up to the motorway on the Wakefield side of the boundary. It

would also lead to inevitable pressure for similar development on the other sides of Junction 30 roundabout. The land to the north of the junction is within the Leeds District.

8.5 Wakefield Council's Site Allocations document confirms in para 4.37 that the main purpose of the Green Belt in Wakefield district is to keep land open and free from development, to maintain the character and identity of individual settlements and make a clear distinction between town and country. Para 4.41 goes on to describe the main principles applied to the review of the Green Belt and indicates that potential sites must adjoin settlement boundaries shown on the proposals map and that isolated sites away from identified settlements have not been considered. Potential sites have apparently been assessed against the role and function of the Green Belt set out in PPG2, particularly the prevention of settlements from merging, and protection of the character and setting of historic settlements. Leeds City Council contend that the proposed allocation currently serves the Green Belt purposes of preventing neighbouring settlements from merging into one another, checking unrestricted sprawl of large urban areas, and safeguarding the countryside from encroachment. In addition the land clearly fulfils the Green Belt objective of securing nature conservation interest given that the Site Allocations Plan identifies part of the site as a Wildlife Habitat Network. The proposal is therefore contrary to policy as set out in PPG2. It is emphasised that the Green Belt take is far in excess of the 33.28 ha allocated in the draft Site Allocations document.

8.6 Location of development

8.7 The Wakefield Core Strategy whilst identifying a need for more land for warehousing and distribution is clear that there is a substantial existing supply of employment land sufficient to accommodate likely take up to 2021. In looking for additional land the Core Strategy (CS1) sets out the broad spatial framework for the location and scale of development. It identifies that most employment development will take place within urban areas taking advantage of existing services and high levels of accessibility with the largest amount of development located within the Sub-Regional City of Wakefield. It also identifies a priority order for identifying land for development with previously developed land within settlements first priority, followed by other infill sites and then suitable extensions to the relevant settlement.

8.8 Paragraph 8.20 of the Core Strategy acknowledges that warehousing is not usually suited to locations within densely built-up urban because of the large amounts of land needed and HGV movements but also states that *"every opportunity needs to be taken to allocate sites which are suitable for this type of use in sustainable locations. In the first instance, best use will be made of brownfield sites on the edge of existing urban areas, which are close to existing housing [and] are accessible by public transport."*

8.9 The table under paragraph 5.14 of the Core Strategy identifies Stanley/Outwood (the nearest settlement to the proposal site) as an urban area but the proposed development is not well related and therefore does not represent an appropriate sustainable extension to Stanley/Outwood.

8.10 Scale and impact of development

8.11 Officers are particularly concerned about the scale of the development and potential impact of the proposal on nearby settlements in Leeds district.

- 8.12 There is very little development within the immediate vicinity of the site therefore a very small percentage of those accessing the application site would be in a position to do so on foot or cycle. In terms of public transport there are a number of existing bus services on both the A642 Aberford Road and on Newmarket Lane itself. However, whilst the buses do serve a number of local towns and villages the only settlement with an acceptable level of service is Wakefield City Centre itself and it is unlikely that the existing bus services would be attractive enough to achieve high levels of patronage. In the circumstances it can be concluded that the majority of employees would travel by car to the site, adding to traffic on the local network in addition to HGV and other employment related traffic and creating potential highway congestion and road safety problems. In addition due to the relative isolation of the site there are no local facilities adjacent to serve employees. The unsustainable nature of the site is likely to further add to traffic movements when employees access local facilities.
- 8.13 It should be noted that Leeds City Council itself promoted significant employment development around J30 M62 in early versions of the Leeds Unitary Development Plan in 1992 and 1993. However, Leeds City Council ultimately accepted the UDP Inspector's recommendation that this was an inappropriate location for employment development.
- 8.14 Finally, para 8.3 of the Site Allocations document identifies that Wakefield's economy is inextricably linked with that of the wider Leeds City region and needs to take full advantage of opportunities presented by the continued growth of the Leeds economy. Aire Valley Leeds a 1,000 hectare site to the south of Leeds is the most significant employment opportunity within the Leeds City region. This represents a more appropriate location for large scale warehousing and freight distribution linked to an urban eco settlement if a more appropriate site cannot be found within Wakefield district.
- 8.15 In addition, there are employment sites in Leeds District has the following sites which are available now or in the short term where plots of this size could be offered, as follows:

LOCATION	SITE AREA
S/O SKELTON GRANGE PWR STN LS9	26.70
BELL WOOD SITE (E4:9) OFF PONTFRAC LANE LS9	59.92
B2/B8 ELEMENT SKELTON MOOR FARM PONTFRAC LANE LS9	33.06
Ph2 HAWKS PARK NORTH NEWHOLD ABERFORD ROAD GARFORTH	16.80
Ph1 WAREHOUSE HAWKS PARK NORTH NEWHOLD ABERFORD ROAD GARFORTH	7.25

- 8.16 If sites of 5 ha plus are considered, which could offer c 20000 sq.m. (220k sq.ft.) this adds in two more

HUB62 BRUNTCLIFFE ROAD MORLEY LS27	5.94
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Therefore, it comes down to four sites that would be impacted by the proposed scheme. Of these, it would be the Bellwood, Skelton Moor and Skelton Grange sites that feature most prominently in Leeds' regeneration ambitions in AVL.

Highways

- 8.15 Highway Officers still have concerns regarding the impact the proposed development will have on Leeds' highways and do not consider it fully addresses concerns previously identified. As a result, it is considered that the proposal could not be supported as currently submitted and the following issues still need to be resolved:

Parking

- 8.16 The applicant has stated that they would not be opposed to extend the parking restrictions to meet Leeds Highways Officers' suggested distance of 2km around the stadium on match days and have also stated their intention to promote a HGV ban on Newmarket Lane. However, bearing in mind the following concerns Officers have about the parking for the proposed employment site, as well as the stadium, it is recommended that the time period of any proposed waiting restrictions should be extended to cover the operational times of the employment site to ensure that all roads within 2km of the development site are protected from potential road safety/amenity problems created by overspill parking from the proposed employment sites and not just on matchdays or in relation to events at the stadium.
- 8.17 As a result, it should be conditioned that a Traffic Regulation Order restricting parking on all the roads in Leeds within 2km of the Development site together with the proposed HGV ban on Newmarket Lane should be promoted. If Wakefield are minded to approve the application these measures will protect Leeds roads within this area from any potential overspill of parking.
- 8.18 As Members may be aware, there are existing sites in Leeds which are currently experiencing problems with overspill parking and a condition to promote waiting restrictions will address these issues at this location.

HGV's

- 8.19 A Freight Management Plan is proposed as part of the reserved matters, which states that all HGV's will access the site via the M62. However, this does not specify how this will be managed. Whilst, it is appreciated that this is an outline application and the applicant has stated that this could be conditioned to be dealt with at the reserved matters stage, it is considered that the management of HGV's to and from the development site is a fundamental issue regarding access and, as such, should be addressed as part of the outline application. A framework management plan should be provided at the outline application stage which sets out the general methods proposed and explains how it will ensure that all the HGV's will use the M62 and what measures are available to prevent traffic from this site using other less suitable routes.

Sustainability and Phasing

- 8.20 Bearing in mind the rural location of the site, the application does not adequately address sustainable travel to the site but relies strongly on using the number of parking spaces to limit car travel. The parking provision for the proposed development is based on the target modal splits to be achieved as part of the Travel Plan, resulting in 70% of the maximum parking spaces permitted within the UDP Guidelines for the business uses. It is understood that this is now to be reduced further following discussions with the Highways Agency.
- 8.21 Both PPG13 and PPS4 suggest that the use of parking policies within a 'package' of considered planning and transport measures can be effective in reducing the reliance on the car for travelling to work. However, to use the parking provision as the only way of enforcing the Travel Plan modal splits without providing or considering any other measures (e.g. upgrading bus routes, linking the sites to railway stations, etc) could result in overspill parking taking place on the surrounding highway network, to the detriment of road safety, if the targets modal splits are not met.
- 8.22 The proposed Travel Plan states that should the targets not be met after 24 months then future development will be prohibited. However, it does not mention specific quantities of development. The Applicant states that a maximum scale of B1 and B8 is currently being sought and that the actual scale of the development and phasing would be fixed during the reserved matters stage and may be lower than currently being applied for. However, it is considered that a phasing plan should be provided as part of the outline application to ensure that the targets highlighted within the Travel Plan are being met before the next stage of the development can start. Set quotas should be agreed now as part of the planning application to provide comfort that the next stage of development cannot start if the traffic generations are higher than expected and the targets set within the Travel Plan are not being met.

9.0 CONCLUSION

- 9.1 In the event that Wakefield Council is minded to approve the application, it is proposed to raise a strong objection to the scale and impact of the wider development on the Green Belt and transport network in Leeds District. It is recommended that a copy of these representations be sent to the Government Office and that a request is made for the Secretary of State to call-in the application for determination.

Background papers:

Planning application 10/00225/OUT

