



**Leeds**  
CITY COUNCIL

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Report of the Chief Planning Officer

**CITY PLANS PANEL - POSITION STATEMENT**

Date: 26<sup>th</sup> September 2013

**Subject: 13/03061/OT - Outline Planning Application for residential development with associated parking, landscaping, primary school, village centre, retail development, sports pavilion, play area, amenity space and associated off site highway works at Thorp Arch Estate, Wetherby, LS23 7FZ.**

**Electoral Wards Affected:**

**Wetherby**

Yes

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION:**

**For Members to note the content of the report and presentation and to provide any comments on the proposals.**

**1.0 INTRODUCTION:**

- 1.1 This Position Statement relates to a an outline planning application for a development that includes up to 2000 houses, associated community facilities, sports pitches, village centre, primary school, open space, enhanced bus service and relief road. Approval is sought for the principle of development and means of access at this stage. All other matters including layout, appearance, scale and landscaping are reserved for future consideration and approval.
- 1.2 Members will recall that two pre-application presentations have been made to the City Plans Panels on 27<sup>th</sup> September 2012 and 14<sup>th</sup> March 2013.

- 1.3 In September 2012 the proposed redevelopment was for part of the site for up to 1,150 two to five bedroom dwellings (35% affordable housing), a new primary school and associated access, landscaping and public open space. The two principal outcomes from that Panel were that Members wanted to see a comprehensive and sustainable masterplan for the whole of Thorp Arch Trading Estate and that a community Forum should be set up to discuss the proposals.
- 1.4 This report includes a section that updates Members on the discussions that have taken place at the community Forum and how as a result the development proposals have evolved.
- 1.5 In March 2013 the scheme was for circa 1,700 dwellings, new primary school, sport pitches, community facilities, retail provision, bus service provision and a relief road. At that Panel Members were of the view that the revised proposal, subject to the provision of a relief road, represented a comprehensive and sustainable form of development. A fuller summary of the meetings is provided later in this report.
- 1.6 This report seeks to update Panel Members on the progress of the planning application and seek comments on the key issues relating to the development proposals.

## **2.0 SITE AND SURROUNDINGS:**

- 2.1 The Thorp Arch Estate (TAE), Wetherby covers approximately 159 hectares (391 acres) with 103 hectares (254 acres) of developed land providing a range of employment uses, a retail park, and ancillary leisure and other supporting services. The Estate with its 140 businesses has approximately 2000 employees with a further 2000 people employed on the adjoining British Library, HMP Wealstun and Rudgate sites.
- 2.2 The land surrounding the Estate is rural agricultural land. Immediately to the north of the Estate the large buildings of the British Lending Library dominate the landscape. The northwest boundary is formed by the solid fencing surrounding HMP Wealstun; although partially screened by trees the perimeter fence would benefit from further screen planting.
- 2.3 To the west of the Trading Estate is a section of a Sustrans route that links the Estate to Wetherby. This Sustrans route utilises a former railway line and is in part set within a former railway cutting. Two stone listed field bridges (grade II) cross the Sustrans route. The southern end of the route falls within Thorp Arch Conservation Area and the central section forms part of a Leeds Nature Area. The fields to the south west of the Sustrans route fall within a Special Landscape Area. At the southern end of the Sustrans route is a residential property known as Station House (grade II listed) and to northwest at its junction with Wetherby Road is a pair of semi-detached houses often referred to as Walton Gates.

2.4 To the north of the Estate is the village of Walton and to the southwest are the settlements of Thorp Arch and Boston Spa. Access from Thorp Arch to Boston Spa is gained via Thorp Arch Bridge. This is a grade II listed structure and is of single carriageway width. Wetherby is the nearest large town and is some 3 miles to the west. There are other residential neighbourhoods and individual dwellings in the immediate vicinity of the site.

2.5 The local road network has a rural character.

### **3.0 CITY PLANS PANEL 27<sup>TH</sup> SEPTEMBER 2012**

3.1 At the September City Plans Panel Members received a presentation from the prospective applicant concerning an outline for the development proposals described at 1.3 above. Members also heard from a representative of Thorp Arch and Walton Parish Councils.

3.2 The main outcomes from this Panel may be summarised as follows:

- No objections were raised to the principle of a sustainable residential development so long as it was supported with the appropriate infrastructure to serve the needs of its residents and offset the impact of the development on the local communities.
- The nature of the development appeared disjointed and concerns were raised in respect of residential development on the 'Wighill Lane' site, as this was not well related to the rest of the proposed development or Walton village.
- A sustainable and comprehensive masterplan for the whole of the site that sets out the vision for the development of the Trading Estate as a whole is required.
- Further details required around a number of matters including proposed public transport, possible Primary School and Community Centre and investment in the industrial estate.
- It would be premature to comment in any detail at this stage. However, the mix and type of housing was too vague and required local housing needs assessment. Affordable housing should be 35%.
- Concerns were raised that the site was not sustainable and that significant measures should be proposed to make the development so. These included appropriate highway and public transport provision, environmental measures and appropriate facilities for the residents of the proposed development and details of what measures that would be put in place to help integrate this development with existing communities.
- That proper and meaningful public consultation should take place, including a Consultation Committee to be established.

3.3 A copy of the minutes are attached at **Appendix1**.

## 4.0 CITY PLANS PANEL 14<sup>TH</sup> MARCH 2013

4.1 At the March 2013 Panel Members received a presentation for a scheme described at 1.5 above. Members also heard from a representative from Walton Parish Council who was speaking on behalf of Walton, Thorp Arch and Boston Spa Parish Councils. The main points discussed may be summarised as follows (attached at **Appendix 2** is the Panel minute):

- The western route, with mixed views about the suitability of using the railway cutting to site the relief road. Members were generally concerned about impact on listed structures and ecology and questioned the suitability of this route
- That no detailed transport assessment had taken place and that this should be commenced as soon as possible and should include an assessment for the relief road to the Wetherby Bypass.
- That the provision of a relief road was a crucial factor in the proposals
- The benefit of consultative forums
- That the proposals could make a significant contribution to the Council's Core Strategy and that community benefits could flow from the scheme and that, whilst accepting there were some major issues to be resolved, this could be a scheme which could be supported, particularly in view of the public support it had, dependent upon the delivery of the
- Affordable housing, that in this location the requirement was 35% and that an open-minded approach might be adopted in view of progressing the proposals in terms of the costs associated with the scheme and the wider benefits it would bring to the city
- That subject to the provision of a relief road, the revised scheme represented the comprehensive and sustainable form of development which Members were looking for
- That a relief road was essential and that more work was needed on this, including costing's, with there being mixed views on the suitability of the site of the old railway line; to note the views of the Parish Councils that only route B could be supported locally and the need for the assessment to include from the relief road to the Wetherby Bypass
- That Members were satisfied with the quantum of development but a set of proposals and options were needed and consideration had to be given to the timing of the delivery of the relief road
- That it could be appropriate in this case to apply a 'roof tax' to contribute to the funding of the relief road
- Mixed views on the principle of the use of a proportion of monies that would have otherwise been used to deliver affordable housing to be used to finance a relief road and the need for further information and options to be provided
- That a co-operative approach was supported and that this should include the Yorkshire Water site, with it to be designated for housing development
- Members were of the view that an explanation of how the co-operative scheme for the whole of the estate will be delivered should form part of the planning application

- Members encouraged Officers to address the issues of design, house types, cycle ways etc. at an early stage and the need to link this with the sense of place discussions at the consultative forum, together with issues relating to Keyland Development's extant permission for industrial use on a nearby site

#### **4.0 THE THORP ARCH ESTATE CONSULTATIVE FORUM**

4.1 As Members are aware following the September Panel a forum was established to discuss development proposals for the site. The Forum comprises representatives of Rockspring (the prospective applicant), Walton, Thorp Arch and Boston Spa Parish Councils, the British Library, Wealstun Prison, Councillors John Procter and Gerald Wilkinson who chairs the Forum. The Forum has also been attended by a planning officer and various other officers as appropriate and necessary.

4.2 The Forum has now met on 9 occasions, the most recent being on 14<sup>th</sup> August 2013, and has discussed a wide range of issues that have centered on the following matters:

- The principle of and scale of residential development,
- The masterplanning of the site and the future of industrial estate,
- The form of development and how to create a sense of place,
- The range and scale of facilities to be provided on site,
- The form and nature of community facilities to be provided on site,
- The impact of the development on local communities,
- Highway issues including the need and provision of a relief road and how this can be delivered. In addition there is a clear desire from the local community representatives to deter/prevent 'new' traffic away from using Thorp Arch Bridge (this bridge is listed, single carriageway and links Thorp Arch to Boston Spa).

4.3 Clearly the various members of the Forum have different interests and this largely influences their respective perspectives and approach to the development proposals. Rockspring have set out that they want to follow a strategy that minimises the risk of challenge to the grant of planning permission and to pursue a scheme that they see as being compliant with planning policy. Originally their preferred strategy was to develop a scheme for a large scale residential development (in the order of 800 to 1000 dwellings) that is concentrated on land that was previously developed but now largely unused. In addition this proposal would largely retain and facilitate the enhancement of the business/industrial park and retail offer. Their assessment was that this could be achieved through the utilisation of the existing local highway network although localised highway works would be required at key junctions. Rockspring's intention was that this development would meet planning policy requirements such as affordable housing, educational needs, public transport provision and greenspace. In their view the element of risk was further reduced by a development that is wholly contained within their own land. Rockspring had calculated that this approach would result in a residential scheme of around 800 to 1000 dwellings and that

would allow for the expansion and enhancement of industrial/business development on the site. Nevertheless Rockspring have listened and entered into discussion with other Forum members to consider whether their preferred development can be revised to take account of the views of the representatives of the local communities.

- 4.4 The local community view expressed through the Forum has been largely influenced by the desire to achieve a development that sits comfortably with the established character of the area, that provides appropriate community facilities on site and whose impact on neighbouring communities is minimised. At the outset there was some concern about any large-scale development on the site. However, over the passage of time and in light of the discussions that have taken place that view has shifted. Although not all members of the Forum now share the same view, Boston Spa and Walton Parish Councils have largely been supportive of a larger scale of residential development on the site (assuming it addresses the points already identified) if an appropriate relief road is provided. In doing so the impact of traffic from the development on existing local residents can be minimised, greater certainty can be provided to local communities in that such a proposal represents a reasonably comprehensive plan for the whole of TAE as opposed to a piecemeal development and that it will help reduce the pressure for the development of greenfield sites in the locality. It should also be noted that the Forum had no concerns about the replacement of the existing retail park with a new retail facility. This was ultimately removed from the scheme by Rockspring due to concerns raised by planning officers that part of the proposal would be contrary to local and national planning policy.
- 4.5 However, over the passage of time Thorp Arch Parish Council have crystallised its view of the proposal and now object to any residential development on the site. Their particular concerns relate to the increased growth of traffic, the impact of the relief road on the landscape and setting of the village, the disruption to the SUSTRANS route, the impact upon the character of the area through the creation of a new settlement and that the site is not in a sustainable location (it is considered by the Parish Council that the UDP Inspector's comments that the site is not sustainable remain relevant).
- 4.6 It is important to note that the Forum has considered a number of potential routes for the relief road and a very strong preference has been expressed by the community representatives (now excluding Thorp Arch PC) for a new road that runs largely parallel and to the south west of the existing SUSTRANS route.

## **5.0 THE APPLICATION PROPOSALS**

- 5.1 Since the start of pre-application discussions the development proposals have evolved significantly. The revised proposals take the form of a masterplan for the whole of TAE and include the Keyland site and comprise in summary:

- Up to 2000 dwellings;
- A village centre comprising a convenience store and other small retail outlets.
- Community facilities including sports pitches Proposals for the readjustment of land uses including the consolidation of commercial/industrial development to the south;
- A hub containing retail and community facilities; and
- Off site infrastructure including a relief road.

### Application Documents

5.2 The application has been submitted in outline with all matters (layout, design, scale, landscaping) save for access reserved for later approval. Due to the scale of the proposed development and its potential effects the applicant has carried out an environmental impact assessment. The application has also been accompanied by the following documents:

- Planning Statement
- Estate Vision Document
- Design and Access Statement
- Transport Assessment
- Travel Planning Framework
- Housing Market Report
- Overarching Sustainability Statement
- S106 Heads of Terms/ Draft s106
- Employment Land Report
- Utilities Statement

### Section 106 Agreement

5.3 The draft heads of terms for the Section 106 Agreement comprises the following matters:

- Affordable Housing: To provide 35% affordable housing with the size of the units being aligned to meet local needs. Discussions are ongoing to determine whether all or a proportion of the affordable housing is provided on site with a commuted sum to deliver such housing elsewhere in the city.
- Relief Road: The delivery of a relief road prior to the construction of the first house on the site.
- Public Transport Provision: Prior to the commencement of development to submit to the Council for approval details of a bus shuttle service to and from Wetherby which in conjunction with the diversion of the existing bus service number 770 (or any replacement service) and any other existing public services will provide a 15 minute service between Wetherby and the development between the hours of 07.00 and 22.00 seven days a week. No later than the occupation of the 100th dwelling to commence the bus shuttle service and to continue it thereafter in accordance with the approved details for a period of no less than 10 (ten) years.

- Bus Stops: Not to occupy the development until a contribution of £120,000 for the provision of 4 bus stops including real time information display boards has been paid to the Council.
- Pedestrian Crossing to Walton: Not to occupy the development until a contribution of a sum to be determined for the provision the provision of a pedestrian crossing to Walton Village has been paid to the Council.
- Pedestrian and Cycle Links: Not to occupy the development until a contribution of £100,000 for the making of improved pedestrian links and connections from the development to the cycleway network within the Walton area has been paid to the Council.
- Traffic Calming in Walton Village: Not to occupy the development until a contribution of moneys to be determined for the provision of traffic calming measures in Walton Village has been paid to the Council.
- Travel Plans: For the school and residential development and to pay a travel plan monitoring fee to the Council for the monitoring of the provisions of the approved travel plan.
- Metrocard: Prior to the occupation of the development to enter into an agreement with the West Yorkshire Passenger Transport Executive incorporating for the provision of one "Bus Only" Metrocard for the use by each resident.
- Education: Prior to the commencement of development to submit to the Council for approval details of a primary school to be provided as part of the development designed to accommodate 2.5 classes per year group in multiples of 30 pupils and attendant infrastructure.
- Greenspace: Not to commence development until a plan showing the extent of the area(s) of greenspace to be provided as part of the development together with the details of soft and hard landscaping, play equipment and seating and proposals for the future maintenance of the greenspace in perpetuity has been submitted to and approved by the Council. Not to occupy or permit the occupation of any phase of the development until the greenspace for that phase has been laid out and completed in accordance with the approved plan. To maintain the greenspace in perpetuity in accordance with the approved plan.
- Sports Facilities: Not to commence development until a scheme for the location, specification for and construction of sports facilities comprising two sports pitches [type to be agreed], two tennis courts, a bowling green and a 5000 sq. ft. sports pavilion of 5000 sq. ft. together with a timetable for their provision and proposals for their future maintenance in perpetuity has been submitted to and approved by the Council. To construct the sports facilities and make them available for use by the public in accordance with the approved plan. To maintain the sports facilities in perpetuity in accordance with the approved plan.
- SEGI: Not to occupy more than a number of dwellings to be specified until the SEGI has been transferred to the Council or to the Council's nominee together with a commuted sum for its future management.
- Employment: From the start of the tendering process for the construction of the Development and throughout the period when the Development is under construction to seek to cooperate and work closely with Leeds City Council Jobs and Skills Service with respect to the provision of



employment and training opportunities arising from the construction of the Development.

- 5.4 One matter that is currently not included within the Sec.106 is a proposal for the re-investment of some of the profits from the residential development into the infrastructure of the remaining employment area. Negotiations are still ongoing in respect of this issue. It is considered that such a clause is required to help achieve a comprehensive and sustainable development solution for the whole of the site.

#### Planning Performance Agreement

- 5.5 The application is subject to a Planning Performance Agreement (PPA) that sets out, amongst other matters, the key dates in the processing and determination of the planning application. The PPA targets this Panel for the presentation of a position statement and the City Plans Panel of 21<sup>st</sup> November for the determination of the planning application. The dates set out in the PPA can be subject to review depending on the circumstances that prevail at any point in time.

#### Indicative Layout and Primary School

- 5.6 The indicative layout that has been submitted has evolved following negotiations and discussion with the Consultative Forum, officers and consultees such as English Heritage. At the heart of the scheme is a village centre that includes provision for a small convenience store and a primary school. The primary school will be delivered by the conversion and extension of an existing building known as Queen Mary House. It is so known due to the presence of 3 funnel like structures that give the building the appearance of ocean liner. This is arguably the one building of any significant architectural interest/merit that exists on the site. Emanating out from the centre is a number of residential neighbourhoods. The layout of the residential part of the scheme reflects and is heavily influenced by the historic street pattern set by the original munitions factory and process that operated at the site. Beyond and interspersed within the residential elements are areas of open space. The open space includes areas for informal recreation, nature conservation and formal sports provision. As part of the open space it is proposed to retain, in some form, a series of the original grass bunkers that enclosed some of the original munitions buildings. In this way a further reference to the historical use of the site is retained. The proposal seeks to retain the most significant and protected trees and undertake new woodland planting within the site and substantial planting to the boundaries and between the residential part of the site and the retained employment area.

#### Scale and Appearance of the dwellings

- 5.7 These matters are reserved for later consideration. However, the Design and Access Statement set out principles that are intended to guide future submissions. The statement states “the local character of the built form within the neighbouring villages is an important element in forming the character of

the new village, and the merging of local characteristics with the sites historical and green characteristics should combine to form a new community with an individual identity that fits into its locality” (page 81). In essence the aim of the Design and Access statement is that the appearance, scale, proportions and materials of the houses in the new village should reflect that set by neighbouring settlements. The scale of the dwellings is stated to be 2 and 3 storey. The community centre is also proposed to be a two storey building.

### The Relief Road

- 5.8 Members will recall that a number of options for routes of a Relief Road have been considered and the one that forms part of this application reflects the preference expressed through the Consultative Forum (but it should be noted that Thorp Arch Parish Council has since withdrawn their support for the scheme). The proposed road is shown largely to run adjacent to an existing Sustrans route, although it will cut across the line of the Sustrans route at a point between Station House and the Leeds United indoor training facility. The road also runs across land that is in third party ownerships and overall the road has a length of around 1.4 miles.
- 5.9 The Relief Road runs from the western edge of the Trading Estate at a point immediately to the south of HMP Wealstun. The Relief Road crosses the route of the existing Walton Road/Church Causeway. This part of Walton Road and Church Causeway would be reconfigured so that it forms a staggered junction with the Relief Road. This staggered junction has been designed so as to try to prevent traffic using the Relief Road turning left towards Thorp Arch but it does continue to allow traffic, and residents, from Walton to USE Church Causeway to access Thorp Arch. Once the Relief Road has crossed the existing route of Walton Road and Church Causeway it is shown to progress through open farmland some 50m to the north of the nearest residential property Station House (this property is listed). The Relief Road then cuts across the existing Sustrans route at a point approximately 330m to the north west of Station House and 100m to the south east of the Leeds United indoor training facility. The precise design of how the road crosses the Sustrans route is still under discussion but it is likely to take the form of a bridge or a bridge and embankment. The route then continues to the south west of the Sustrans route through open farmland. It is shown to run to the rear of a pair of residential properties known as Walton Gates to form a new junction with and to link into Wetherby Road. When scaled from the submitted application plan the route is shown to run approximately 20-30m to rear of these houses.
- 5.10 In addition to the junctions described above new junctions would be created with the Relief Road and Wood Lane (a road that has the character of a country lane and that currently links Wetherby Road with Thorp Arch village) and that section of Wetherby Road between Walton Gates and Walton village.
- 5.11 It is proposed to create a landscaped mound to the south western edge of the Relief Road to help screen views of it across open farmland from Thorp Arch

and surrounding countryside. Material submitted in support of the application indicates that the existing topography will largely screen views of the Relief Road from the village. However, the mound will have the added benefit of forming an acoustic screen. It is proposed to undertake woodland planting to both sides of the Relief Road and to create an area of nature conservation between the a section of the Relief Road and the Sustrans route.

#### Other off-site highway works

- 5.12 In addition to the works already mentioned it is also proposed to undertake the following:
- Provide a bus gate at the northern end of Street 5. This will stop traffic from the Estate accessing or exiting the site from Wighill Lane access adjacent to the British Library. But it will continue to allow traffic associated with the Library to use this access.
  - Provide a puffin crossing on Wighill Lane. This will provide a pedestrian link to and from the development to Walton.
  - Traffic calming measures within Walton Village to discourage vehicles from 'rat running' through the village.
  - Bridge widening over the A1(M).
- 5.13 Where it is proposed to reconfigure and close sections of existing roads that land will be landscaped. This includes the section of Wetherby Road to the north of Walton Gates. This section of road will become redundant through the introduction of the Relief Road with revised access arrangements being made to these residents and a farm to the north.

## **6.0 PLANNING HISTORY**

- 6.1 There are no planning applications that relate to this site that have direct bearing and relevance to the consideration of this proposal. However, in 2005 the UDP Inspector considered a proposal to allocate part of the Trading Estate for 1,500 houses in 2005, 50% of which would be affordable. It was proposed that employment uses would be consolidated in the southern and eastern parts of the Estate and a new neighbourhood centre would be provided adjacent to the "Buywell Centre". The Inspector noted that the existing road network was poor in that it was rural in nature and poorly maintained. The Inspector concluded that the site was inherently unsustainable "...in terms of location, accessibility, and the ability to sustain sufficient local services and facilities has not been shown to be certain of improvement to the necessary extent".

## **7.0 PUBLIC/LOCAL RESPONSE**

- 7.1 Members are advised that this is a summary of the numerous and detailed representations received to date.
- 7.2 The issues raised have been set out in this section under various subject headings in the interests of clarity. To date a total figure of 136 letters of

representation have been received in response to the neighbour notifications issued on the 17 July 2013, the newspaper advert printed in the Boston Spa and Wetherby News on the 8 August 2013 and the site notices dated 26 July 2013.

7.3 128 letters of objection have been received with 6 offering support. Objections have been received from local residents, a detailed and lengthy objection from a local action group (TAG), Thorp Arch Parish Council (along with representation from a Highways Consultant on their behalf in respect of highways matters) and Alec Shelbrooke MP. Walton Parish Council have written in support of the scheme subject to certain conditions being met. These are described later in this section of the report.

7.4 Set out below are details of objections to the scheme:

### **Summary of Objections:**

#### Sustainability and policy

- The site is not sustainable. The site has previously been rejected as an unsustainable location for residential development at the Leeds UDP Review public inquiry during 2005/6. The proposal at this time for TATE was for 1500 houses where the Inspector considered the submitted evidence which included over 300 letters of opposition. Unless the applicant can provide evidence that either the underlying principles have changed or that the physical environment is significantly different from that prevailing in 2005/6 then the Inspector's findings that the site is unsustainable remain.
- The NPPF is absent on how to apply an approach to sustainability; however the Core Strategy interprets this as settlement location, transport connections and accessibility. The principles contained within PPG3 at the time of the 2005/6 Inquiry carry through to the new guidance.
- Since the UDP Inquiry the physical environment has had some improvements to the highway system, with a new round-about providing access to TATE on the north-east side and re-surfacing of the C78. However on the negative side the original access directly onto the A1(M) from the C78 at Wetherby have been lost and such access now requires travelling for about 2.7km south and 3.5km north around the LAR with three round-about in either direction prior to reaching the access round-about to the A1(M). Overall the highway links to the site are arguably worse than at the time of the inquiry.
- The site is not within the Leeds Settlement Hierarchy.
- Has no direct linkage to Leeds centre other than by private vehicle or by a limited bus service that would have journey time of approximately 1hr.
- There are no existing facilities within 2km of the proposed housing.
- The proposed development would not be linked to any existing settlements and can therefore be classed as a new settlement and therefore has to be self

sufficient to meet sustainability criteria and there is no likelihood of this being achievable.

- There is no phasing information to indicate how and when facilities and subsidised transport will be introduced or removed.
- Medical provision will be distant at best and local NHS capacity to absorb future residents has not been demonstrated.
- The provision of secondary schooling has not been clarified.
- The residents occupying the first houses will have no facilities with no demand for ancillary retail until there is a significant increase in resident numbers once more housing is completed. Therefore future residents will travel to Boston Spa.
- Trips to Boston Spa on foot or bike is long and difficult (changes in levels and terrain with sections of the route being in close proximity to passing traffic). This journey by these methods are not practical on a day to day basis.
- Guidance for sustainable communities suggest a range of 5k to 15k homes as being the minimum size for self containment.
- The Inspector at the 2005/6 PI was unconvinced that any bus service would survive the subsidised period.
- TATE will become a dormitory settlement for workers in York, Harrogate and Leeds rather than a settlement of self containment.
- TATE is not accessible by walking (poor footpaths, narrow dangerous bridge, steep terrain).
- The Sustran route is not a practical route to travel by cycle in the dark (i.e. dangerous) nor is it functional for a commuting option.
- There is no mention of secondary school locations or capacity.
- The development is in conflict with the emerging Core Strategy inter alia of permitting a new settlement in a rural area if such a settlement functionally requires a rural location. Also the Spatial Vision set out in chapter 3 and contrary to policies 4.1.7 and 4.1.14.
- The site is politically driven to avoid 'pepper potting' around the local villages and that local neighbourhood planning groups have been informed by Councillors that no further housing sites will be brought forward in the outer North-East quadrant as the proposed scheme for up to 2k dwellings will meet the local housing need.
- The housing supply figures quoted by the Applicant referring to Thorp Arch and Walton has little in relation to Leeds. The Leeds numbers taken as

averages are also meaningless since Leeds has a wide distribution of housing neighbourhoods. The Applicant needs to use local housing data.

- The site is not wholly Brownfield. Much of the site has never been developed or where demolished has returned to a natural state.
- The land proposed to be used for the relief road is Greenfield of high agricultural value and in a Conservation Area.
- If LCC are considering granting outline planning permission then the application should be referred for a call in by an Inspector as a departure from the development plan.
- If the LCC is pursuing this approach because it is desperate to boost its housing supply numbers, this is misplaced because of the likely time lag in getting such a difficult site underway, and more likely than not placing delivery of a large number of homes towards the medium term rather than the short. In contrast, it is understood there are planning permissions for over 1000 units already available in Outer North East Leeds. In addition, a planning application for 400 units is being considered by LCC at Spofforth Hill, Wetherby. In addition, there are other locations closer to Wetherby where development could be achieved with more ease, in shorter periods of time, and without seriously affecting existing communities.
- The risk is that the build up of new households will be slow. This would be a major disincentive to the provision of services and public transport for the new residential location until later stages. LCC are acting irresponsibly by not recognising this risk and admitting how unsatisfactory this could be for new residents, who could be isolated from proper service provision, and particularly for occupiers of affordable housing who might be dependent upon what could be a limited public transport service.
- The scheme fails to propose even intend to produce limited health services for the site.
- The serious risk that the applicant/developer could not sustain the major financial subsidies needed over a lengthy period of time to overcome the sites inherent unsustainability.
- The site is “premature” prior to the adoption of the DPD.

### Economic

- The reality will be that volume house builders will build on the site using their own workforce thus removing the opportunity for local building companies.
- The development is being promoted on the hypothesis that there will be significant numbers of people living and working at TATE which is the same hypothesis put to the inspector at the 2005/6 public inquiry. There is no evidence that existing workers want to live on site. The cost of housing in the surrounding area would be out of reach for most employees.

- There is no foreseeable significant growth of the TATE employment levels; therefore no demand.
- The average house prices within the area will be out of the reach of workers on TATE.
- The level of employment suggested by the Applicant as part of the constructions period is questioned as the figures quoted are unsubstantiated.
- Loss of employment land.

#### Environmental and ecological

- The 3.0m 'scrape' over the site to clear the potential array of contaminants (asbestos, explosive residues, cyanide) will create a large amount of material to remove from the site which is to be transported an unknown distance to unknown locations and its disposal will be environmentally damaging.
- The best current practice for sites like this, provided that no contamination is affected surrounding areas or water resources is to leave the contaminated area undisturbed (with the exception of removing exposed asbestos). Due to the potential contaminants the site should not be developed.
- The development will create a car based community (per the Inspectors conclusions in the UDP Review inquiry).
- No facilities are practically accessible by foot or bike.
- The provision on site for any facilities is uncertain. If the number of properties equate to a viable convenience store residents of the houses will do their shopping in Wetherby or Boston Spa and will travel by car.
- Applicant aiming to avoid any environmental obligations (CSH standards) by offsetting green standards against the provision of other facilities i.e. a new school.
- The waste assessment refers to 900-1150 dwellings and not on the submitted scheme for up to 2k houses.
- The roads on the estate are to be lit. This will affect the bat population.
- Flood risk.
- Loss of wildlife habitat (woodland, scrub and grasslands)
- Loss of botanical areas.
- Out of character with the surrounding rural villages.
- Loss of 40 acres of Conservation landscape.

- The relief road will cut across the sustrans route with possible harm to the Listed bridge, the adjacent open land and harm the Conservation Area.
- The remains of the ROFF including the Listed buildings/structures in and around the site are of national significance and the large scale residential development would have a damaging effect on the heritage of the remains of the ROFF.
- Yorkshire Wildlife Trust (not a consultee) object to the current application due to the lack of information regarding the biodiversity value of the site. They are concerned by the Landscape & Ecology Mitigation Plan which shows the loss of a significant area of the SEGI/LWS sites with no buffer around the areas to be retained and only a limited amount of mitigation. They believe that the current application is therefore contrary to policies SA1, N49, N50, N51 and N52 of the Leeds UDP as well as paragraph 118 of the NPPF.

#### Highways matters

- Extra traffic generated by the development going to/through Boston Spa will exacerbate the congestion issues (The Packhorse bridge/bridge road/ T-junction) cutting off Boston Spa for periods of the day.
- Limited public transport provision proposed with a 30 minute service between Leeds and Harrogate (No.770/771) and a shuttle bus with unspecified hours travelling to Wetherby. This will be inadequate to serve up to 2k homes.
- It is likely that the traffic increase in Thorp Arch village main street will exceed 25%. If so, according to the design manual for roads and bridges the noise increase will exceed 3%.
- Disagreement with the public transport provision for TATE being assessed in-line with developments elsewhere in the area (i.e. Former Clariant Works for 400 dwellings and Church Fields for 153 dwellings).
- The existing trip generation does not include all of the proposed land uses which are likely to have an influence on the highway network.
- A comparison of journey times between existing routes and the proposed relief road show similar results, questioning the requirement for the relief road.
- A greater proportion of traffic will travel through Boston Spa and Thorp Arch to reach the proposed development.
- No analysis in the submitted Travel Assessment why the existing highway network cannot be upgraded to accommodate an increase in the absence of a relief road.
- The proposed traffic growth covers only the first phase of the proposed scheme up to 2023 (55% of the development).



- Existing facilities are outside comfortable walking distances from TATE.
- The additional bus service for 10 years is not in line with the construction period of the site.
- Access to rail services are poor by bus resulting in residents travelling between 50 minutes and 1hr to reach Harrogate and Leeds train stations respectively.
- Access to rail services are poor via car (Garforth, Harrogate, Wetherby and York)
- Accident analysis fails to include the route through Boston Spa.
- The proposed mitigation would force additional traffic to use Wood Lane which has substandard width and a poor alignment and would increase traffic through the centre of Thorp Arch.
- There has been a lack of scenario testing submitted on implications through Boston Spa and Thorp Arch addressing highway capacity concerns in this area.
- The relief road will not work and consideration should be given to the southern exit from the estate following the Rudgate Route to the A64 and A1 which would negate traffic problems from Thorp Arch and Boston Spa.

#### Consultation process

- The Statement of Community Involvement (“SCI”) submitted by the Applicant is largely fiction rather than fact. The only consultation with the community was an event to present a scheme for 1150 on the 6 June 2012. This scheme had no relief road and minimal community facilities and bears almost no relation to the submitted scheme. An event on the 18 May 2013 presented a scheme for 1700 houses with a relief road and increased community facilities and including some public transport proposals. TAG believe that this was not a consultation as the scheme was virtually finished with increased housing number (x 2000) and the removal of retail provision (replaced by housing).
- The consultation process was poor and badly handled. Differing views have not been taken into account and outcomes incorrectly reported with consultation taking place late in the process.
- The Consultative Forum meetings were effectively secret and the minutes were withheld.
- The timing of the application is questioned with submission being at a time during the holiday period when many residents were absent and the period to provide comments to the Council was the 29 August presented little time to respond.

- TAG consider that the process of consultation for the SCI is flawed and in contravention of The Community Involvement in Planning – The Government Objectives (Feb 2004) as no real connection with communities offering a tangible stake in decision making has occurred.
- The Applicant has only sought to engage with leaders of the Parish Councils, have prevented open and transparent discussions on issues when that has been sought and in conjunction with Ward Members and Planning Officers created the Consultative Forum which met without the involvement of the local community electorate to devise the current scheme which only became known to the wider community on the 18 May 2013.
- The method of community involvement and the closed nature of the consultative forum meetings goes against the grain of the Localism Act and the Councils code of conduct (i.e failure to provide minutes outside the Freedom of Information route).
- Failure to disclose copies of minutes between the applicant, its advisors, Council Planning Officers, Ward Members, Panel Members, and leaders of the local Parish Councils.
- No minutes are available on a meeting that took place between stakeholders in London on the 5 March 2013.
- TAG are of the view that the closed meetings is an indication of an approach by the Applicant to achieve a pre-determined decision.
- There is not total community support from residents of Thorp Arch.

#### Viability/Deliverability

- The proposed relief road, off-site highways works and land acquisition issues from local landowners to allow development pose an issue of delivering the works.
- Landowners do not support the scheme and Compulsory Purchase Orders can lead to a costly process.
- It is unlikely that phase 1 (1100 houses) of the development as proposed will be completed in the 10 years period as proposed.
- Costs associated with infrastructure, contamination mitigation, affordable housing and all other costs (e.g. public transport) may render the scheme unviable.
- It is accepted that Walton and Thorp Arch should take a reasonable share of housing (a figure of 20-30 houses are suggested for Thorp Arch if an appropriate site can be located).
- Risks in the nature of the planning application itself. It is for outline planning permission. The scheme proposed is illustrative only with all matters

reserved. The applicant is not the developer. Some of the measures required to boost the sustainability qualities of the site might not be included at the detailed stage because it would be a developer facing the cost realities not a land owner wanting a planning permission

In addition to the above Alec Shellbrooke MP has also written to the Council to voice his objection to the proposals. Mr Shellbrooke's objection is summarised below:

- Leeds City Council's Strategic Housing Land Availability Assessment highlights the Thorp Arch Trading Estate site as 'green' for future development. The Outer North East quadrant has been allocated a figure of 5,000 units. It is Mr Shellbrooke's opinion that Leeds City Council's housing figures equate to a copy of the Regional Spatial Strategy (RSS) and that this target for house building was abolished shortly after the last election.
- One of the biggest problems with the figures derived, including those in the RSS, is that they were based on a predicted population rise in the city, calculated on figures past. Since that time, two fundamental changes have occurred.

(i) GDP shrank by over 6%, leading to one of the deepest recessions in history and leaving the current Government with a mountain of debt and unprecedented deficit. This consequently led to a fall in demand for new homes with fewer people able to secure mortgages.

(ii) Much more significant aspect is the current Government's strategic policies of gaining control of unfettered immigration, something previously promoted by the last Labour Government's open door policy. The 2011 census confirmed the immigration policies of the last Labour Government allowed over 2.1 million immigrants access to Great Britain on a permanent basis. Clearly, this resulted in growing pressure for homes, especially in our city, which has had a disproportionate flow of immigration compared to other cities in the country. In the first half of this current Parliament, net immigration has been cut by a third. This is a deliberate policy of this Government; to return levels of immigration to the tens of thousands, not the hundreds of thousands per year.

Therefore, these fundamental changes in immigration policy now resulting in lower immigration figures in Leeds surely means the housing target figures set by the Council are out of date.

- Before any building takes place in Leeds as a result of the SHLAA, a revaluation of the figures proposed needs to be undertaken which will, Mr Shellbrooke believes, relieve villages in constituencies such as his, from totally unnecessary expansion on this scale.
- Thorp Arch village will struggle to accommodate the proposed expansion in respect of increased traffic and pressure on local services.

## Summary of Letters of Support

- 7.5 Set out below are the reasons for support set out in letters of representation from local residents:
- The relief road and provision of a school is essential.
  - There has been good communication with the local community.
  - Re-use of Brownfield makes sense.
  - The scheme will provide much needed housing.
  - Will provide a new lease of life to the estate.
- 7.6 In addition to the above points Walton Parish Council have expressed support for the scheme subject to various matters. Set out below is a summary of Walton Parish Council's comments.
- 7.7 The Parish Council support the development of the site, on the express condition that a relief road was provided to mitigate the traffic impacts on not just Walton but also Boston Spa and Thorp Arch. The development proposal has been debated by the Walton Parish Neighbourhood Plan Steering Group and the consensus of that Group is that the PC should support the development of this brownfield site before building on Green belt/rural/farm land within the designated area. The Steering Group has also supported the promotion of this site in the LCC Site Allocation Process.

This support is subject to the below heads of terms:

### Affordable Housing

The Council has received local comments about the nature of the Affordable Housing to be provided on site. In particular, there is a local shortage of property to rent for agricultural workers, many who travel miles currently to get to work. There should be provision of smaller affordable homes and residential care facilities for local elderly residents. There should be the provision of discounted purchase scheme homes to assist future generations of local young people get themselves established on the housing ladder.

### Relief Road

For avoidance of doubt, Walton Parish Council's support of this Planning Application is absolutely conditional on the completion of the relief road prior to commencement of any residential development on the site.

### Bus Infrastructure

The Council would wish to ensure that the phasing of the changes to the services, including the introduction of new shuttle services, is carefully managed, in full consultation so as not to result in any diminution of service to users along the Walton Road, in particular residents of Walton Chase, Woodlands, Rudgate Park and employees and visitors to HMP Wealstun.

### Crossing Contribution

The puffin crossing should be provided at the same time as the other traffic calming measures.

#### Cycleway Contribution

These funds should be directed to delivering a dedicated cycle track and pedestrian route from the south side of Wighill Lane where the Puffin Crossing joins to provide a continuous route travelling through the centre of the new community and on to link up with Route 66 of the National Cycle Network on the south west of the new development. When linked up to the proposed Walton Cycle track on the western side of Walton, to Route 66 at Walton Gates, it will provide the residents of the new community, Walton and other nearby communities with a valuable safe circular route for cycling, running and walking, improving the inter community connectivity, reducing the reliance on cars and promoting healthy lifestyle habits amongst residents.

#### Traffic Calming - provision

The definitive list of traffic management/calming measures should be as follows:

- (i) The provision of the Bus Gate on Street 5, south of the entrance to the British Library before the existing Roundabout.
- (ii) The provision of gateway build outs on Smiddy Hill, School Lane and Springs Lane, Walton.
- (iii) The introduction of a 20 mph speed limit on School Lane, Main Street, Smiddy Hill (along which the proposed Walton Cycle track will divert walkers and cyclists) and along Springs Lane to a new speed limit boundary beyond the vehicular entrance to the Walton Cricket Club Grounds.
- (iv) The introduction of a HGV Point Closure on Springs Lane, Walton between Springs Lane Farm and the entrance to the Village Cricket Club.
- (v) The provision of a kerbed footpath, along the eastern side of Springs Lane, from Main Street, Walton to the pedestrian entrance to Walton Cricket Club.

#### Traffic Calming Measures – Timing

All of the above measures must be completed prior to the opening of the new relief road.

#### Education

Mindful of the chronic lack of pupil capacity in the local primary school, the Council wishes to ensure that the provision of the nursery and primary school on the development is phased so that it can accommodate the new residents' children from their point of occupation of homes in the new development.

### Waste Strategy - Removal of Contaminated materials from site

There remains a local concern about the toxic/dangerous nature of some waste which may be uncovered and subsequently need to be removed from site during the completion of this large development. The Parish Council is satisfied that routing the transport of such materials off site for correct disposal via the new relief road will minimise the potential contact with residential properties. The Planning Authority should apply a planning condition to the permission which ensures that all contaminated material be routed off the site via the Rudgate Roundabout, Wighill Lane, Rudgate and the B1224 to the Motorway network or the new relief route only, and that it is expressly prohibited to carry contaminated waste arising from the site at any time after the granting of Permission on any other local road. These are the two most effective routes to minimise the potential contact with residential properties and therefore minimise local anxieties.

### Site Access - Construction Related Traffic

Mindful of the concerns of residents about the significant volume of construction traffic the Parish Council would wish, to see a condition attached to the permission, to ensure that other than along the new Relief Road there should only be one permitted access route to the Site for all Construction Related Traffic; via the B1224, Rudgate, Wighill Lane and the Rudgate Roundabout entrance to the Estate. Such a condition is critical, not just for the peace of mind of residents of Walton but also residents of Grange Avenue, Rudgate Park, Woodlands and Walton Chase.

## **8.0 CONSULTATION RESPONSES**

### 8.1 Waste management

The refuse collection arrangements for the above look to be acceptable but it would be better to comment at a later more detailed stage.

### 8.2 Cycling Officer

The cycle route looks acceptable, although detail will need to be agreed with LCC and with Sustrans, who provided part of the funding for the existing National Cycle Network Route, and who maintain it under agreement. Information on the restrictions for traffic to Thorp Arch would be helpful. These should exempt cyclists.

### 8.3 Contaminated Land Team

The submitted details are still under consideration by colleagues in the Contaminated Land Team.

### 8.4 Landscaping

The Landscape Officer has raised significant concerns regarding the impact that the relief road would have on the SUSTRAN route and the surrounding landscaping. The objective must be to maintain the connectivity of the SUSTRANS route in terms of the SUSTRANS route itself; keeping the historic connections; keeping the visual and the ecological continuity. Consideration of the setting of the listed structures and that of the listed buildings. Key

consideration after that is light penetration into the underside of the road to ensure that it is still an attractive and safe route for pedestrians/ cyclists and allow vegetation to grow. Light penetration could be maximised by lifting the road up as high as possible. This would additionally lift the road out of the main line of sight for pedestrians travelling south from the first bridge. This would allow the dramatic vista down the rail tract to be retained. Open sides and an open structural support system are other considerations for light penetration. A central verge lightwell could be considered (similar to elsewhere in Leeds).

Keep the Sustrans route as it stands including the part that runs alongside the property containing the listed railway sheds building. Although there is no public access, visual observation is possible and it is important that this is retained.

The proposal needs to be combined with some enhancement to the general historic area (including repair and maintenance to the listed bridge structure and the retaining walls including the removal of vegetation that is overgrowing the central railway line to the southern end). This would help mitigate the loss in this area of trees/ railway path character and the general environment impact of a large road over the sustrans route.

- 8.5 North Yorkshire County Council (“NYCC”) and Selby District Council (“SDC”)  
NYCC have raised an objection on the impact the scheme would have on the highway network outside LCC’s control. This objection will remain until the necessary mitigation has been discussed and agreed with NYCC.

SDC would not offer detailed responses on issues other than strategic issues that could affect Selby District.

There is concern over the lack of cross-boundary consideration given in the submitted application in regard to highway impact. It is highly unlikely that there would be no traffic movement between Thorp Arch and Tadcaster. Tadcaster is defined as a Local Service Centre in the Selby District Core Strategy Local Plan (to be adopted later this year, having been found sound by the Inspector in June). Tadcaster plays an important role as the hub for a large number of villages in the area, and Thorp Arch is the home of employment for a number of people in those villages, and Tadcaster itself.

The application appears to consider that all traffic shall move between the site and Wetherby/A1(M), however such a notion is contested. The attraction of the local services and facilities in Tadcaster itself (shopping, schools, leisure centre, swimming pool, theatre, community centres, evening economy etc) cannot be ignored. Indeed, Tadcaster is similar to Wetherby in such terms, and broadly the same distance from the site. The impacts of traffic on Tadcaster cannot be properly considered without any information, and thus the application **cannot** be supported.

It is also noted that the proposed development would invariably impact upon the A64 at Tadcaster, with a corresponding impact upon the limited junctions

there. The A64 is already subject to detailed cross-boundary scrutiny due to its existing capacity issues. Tadcaster is anticipated to grow with its own development quantum and thus the application fails to recognise the impacts upon the strategic highway network at this location.

It is considered essential that the highway impact is investigated on; Wighill Lane where it leads to Tadcaster, the main junctions within Tadcaster, the junctions with the A64, and the A659 between Boston Spa and Tadcaster.

8.6 Public Rights of Way  
No objections.

8.7 Ainsty Drainage Board  
No objection subject to a condition for a scheme for the provision of surface water drainage works.

8.8 Natural England  
From the information provided with this application, it does not appear to fall within the scope of the consultations that Natural England would routinely comment on. The lack of specific comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated sites, landscapes or species. It is for the local authority to determine whether or not this application is consistent with national or local policies on biodiversity and landscape and other bodies and individuals may be able to help the Local Planning Authority (LPA) to fully take account of the environmental value of this site in the decision making process, LPAs should seek the views of their own ecologists when determining the environmental impacts of this development.

8.9 West Yorkshire Police  
No objections. The principles of Crime Prevention through Environmental Design (CPTED) should be fully taken on board by the developers.

8.10 Environment Agency  
Awaiting comments.

8.11 Highways Agency  
The Highways Agency are unable to respond positively until issues relating to the Transport Assessment have been resolved. The proposed development is greater than that considered at pre-application stage therefore trip generation and distribution need a detailed review. There appears to have been some reduction in trip rates since the pre-application scheme but these have not been explained. Therefore the modelling needs to be reviewed to ensure that the trip generation has been reasonably reflected in the highways impact, particularly those at J45 of the M1.

8.12 West Yorkshire Ecology ("WYE")  
Objection on the grounds that the application does not include sufficient, up to date information on the biodiversity of the site and, from an assessment



based on information held by West Yorkshire Ecology (the local ecological records centre), WYE consider that the development will have an unacceptable impact on regionally important species rich grassland communities. This includes two areas designated as Sites of Ecological and Geological Importance in the Leeds UDP and additional areas which also meet new Local Wildlife Site selection criteria. Thorp Arch Trading Estate SEGI and Thorp Arch Disused Railway SEGI, are recognised as being of regional importance for their Lowland Calcareous Grassland community a UK Biodiversity Action Plan Priority Habitat. The site has for many years supported the largest number of pyramidal orchids in West Yorkshire with counts of over 1000 spikes.

There is also an impressive range of other quality indicator species for the proposal site.

The calcareous grassland component of this site is the largest example of this habitat type within West Yorkshire and is of regional importance and therefore of high environmental value. WYE consider that this proposal is unacceptable for a site with known high biodiversity interest. It is clear from the information WYE hold that the current proposal will result in substantial loss of biodiversity interest of regional importance.

The mitigation for biodiversity loss to the development is currently totally inadequate, particularly in respect of the calcareous grassland. Much of the retained SEGI area appears to have been selected for its trees and landscape value, rather than the principal interest, the species rich grassland. The scrub and secondary woodland does have a value particularly for breeding birds but the effectiveness of any mitigation strategy for biodiversity must be judged primarily against the species rich grassland interest. This application does not meet the requirements of Policies SA1, N49, N50, N51 or N52 of the Leeds UDP, nor does it conform to Policies G7 and G8 in the emerging LDF.

#### 8.13 Air Quality

No objections. Given the location of the proposal it is unlikely that any air quality standards will be breached at that site. However, it is likely that such a development will lead to a notable increase in vehicle ownership given the remote location which could have a knock-on effect on the wider road network and levels of road transport emissions. In recognition of this we welcome the measures outlined in the submitted Travel Plan, but feel that measure CU7 is inadequate and needs strengthening. As it stands it is proposed that 'electric car use will be monitored and encouraged. If there is a continued substantial use of the electric car as a mode of transport to and from the site then the installation of an electric car point(s) will be considered'. In support of Leeds City Council's policies to encourage uptake of low emission vehicles throughout the District and in anticipation of Government measures to incentivise purchase of electric vehicles we would like to see all properties with their own integral parking space having a power point installed to enable 'slow' recharging of EVs to take place in addition to any others that the Applicant has in mind.

#### 8.14 Policy

The site is brownfield and is part unallocated and part allocated in the UDP for employment use. The Core Strategy Submission (including the Key Diagram) identifies the site at Thorp Arch Trading Estate as an 'opportunity for regeneration and brownfield land/residential development'. This reflects that the site is unique in Leeds being a large brownfield site with associated employment which is not in the green belt. Although it is not part of the settlement hierarchy as set out in the draft Core Strategy, and therefore is not inherently a sustainable location for new growth, it nevertheless therefore has the opportunity to meet some of the housing requirement if sustainability criteria can be met. Its development would alleviate some of the pressure on the need to develop the green belt in this area of Leeds, a factor to be weighed up in judging relative sustainability principles whether it would be more sustainable to locate 2,000 dwellings on this brownfield non-green belt site compared to 2,000 dwellings primarily on greenfield/green belt sites elsewhere in the area. Although the Core Strategy has not yet undergone public examination, its policies and approach hold some weight. However, as a brownfield site an application for Thorp Arch Trading Estate is not in any case premature ahead of its identification in the Core Strategy and potential allocation in the Site Allocations Plan. It must also be assessed under UDP policies. UDP Policy H4 requires that development on unallocated sites which lie in the main and smaller urban areas, or in a demonstrably sustainable location, will be permitted provided it is clearly within the capacity of existing and proposed infrastructure. The key issues are therefore whether it is in a sustainable location with an acceptable level of infrastructure.

The site was promoted by the Council in the UDP Review as a strategic housing site for 1,500 dwellings and a neighbourhood centre, but this was rejected by the Inspector in the Inquiry in June 2005. The Inspector's rejection was based primarily on the lack of evidence provided to support that the proposals to improve the site's accessibility and sustainability would be feasible and viable, including that the costs could be met by the development.

A great deal of evidence has now been produced in relation to all the sustainability issues including detailed transport modelling and identified upgrades to roads and the bus and cycle network, provision of community facilities, and assurance that the developers will meet all the costs. The proposals for contributions and mitigation are set out in the draft S106 agreement.

The key sustainability criteria to be demonstrated are accessibility, local facilities including education, and sustainable construction. There is the need to improve public transport and to generally make the site accessible, improve and promote cycling and walking, improve connectivity, and embrace best practice in sustainable construction, energy efficiency, environmental protection and enhancement and sustainable drainage. Key other relevant UDP policies relate to employment and greenspace. Subject to these being adequately demonstrated the principle of the scheme is supported.

Natural resources and Waste Local Plan (NRWLP) Thorp Arch Estate is identified in the NRWLP as an industrial estate which is a preferred location

for new waste management facilities and therefore such facilities will be supported (site 213, Policy Waste 5). However, this does not preclude its development for other uses, plus this potential function could still be employed in the remaining part of the estate once the housing is built.

The Hope concrete batching plant (formerly Lafarge until January 2013) within the very east of the application site is also identified as a safeguarded asphalt and concrete batching plant (Site 28) where Policy Minerals 12 'Safeguarding Minerals Processing Sites' applies. At present, it is not considered that the application conforms with this element of the NRWLP as the future of The Hope is unclear.

Employment Sites - UDP Policy E7 restricts use of employment sites (including those allocated for employment) for alternative uses unless a number of criteria can be met. It is considered that on the evidence available there is an adequate long term supply of employment land and that the loss of this site to alternative uses would not pose any harm to the Council's interests in providing opportunities for local employment and therefore the application meets the criteria in E7. The development is also assumed to support the ongoing employment use in the wider Estate by providing local housing, and by rationalising the Estate through further refurbishment and redevelopment.

Transport - The key element of improving the sustainability of the site is in improving public transport links.

Greenspace - UDP Policy N2.1 requires 0.2 ha of local amenity space per 50 dwellings which equates to 8ha for 2,000 dwellings. Policy N2.2 requires a local recreational area of 2.8 ha within 400m, and N2.3 requires 12 ha of neighbourhood parks within 800m. The application proposes 9.90 ha of new public open space which includes 2.65 ha of community playing pitches. The provision of greenspace is considered to meet the requirements on site for Policy N2.1 and N2.2. There is also a playing pitch provided within the new primary school.

Access to the existing woodland would also be created through a new footpath network, which needs to be taken into consideration as additional open space. The site as a whole will provide 15.55 hectares of new woodland, 2.65 of community sports, and 11.78 of new open space, coming to a total of 29.99 ha. In reflecting its location and proximity to the open countryside (which while not a formal designation does provide a crucial element of greenspace and recreation) it is therefore considered that there is no need to also require a greenspace contribution under Policy N2.3 in this instance.

Retail and community facilities - The Core Strategy Submission Policy P7 relates to the creation of new centres, and it is considered the scheme meets the criteria in P7. UDP Policy S9 contains a number of criteria for new retail floorspace, including the requirement for a sequential test and potentially an impact test. There is a fallback position that there is an open A1 consent for the existing 2,230 sqm retail park within the site. The Estate also contains

other main town centre uses such as restaurant and gym which may move into the new centre and the total increase in floorspace may therefore not be as much as 5,000 sqm. As it is also a requirement for residential development to provide a village centre and top up convenience shopping in order to improve sustainability, then taken together it is considered that it would not be necessary or appropriate to require a sequential test in this instance and the policy meets the criteria in Policy S9.

Education - Provision of a primary school within the site is necessary due to the projected number of new pupils it will give rise to and the lack of capacity or potential capacity at the existing primary school at Thorp Arch. It is considered that provision of the primary school will overcome one of the key arguments that the site is an unsustainable location.

Draft Section 106 Agreement - The provision of 35% affordable housing is confirmed in the S106 Heads of terms in line with the policy requirement. The other policy requirements as discussed in this response are also confirmed, with 'triggers' to be agreed.

Conclusion - The application is supported as a package of sustainable measures which override its inherently unsustainable location. This is, however, subject to detailed comments from other colleagues.

However, the scheme is not supported in terms of Policy Minerals 12 'Safeguarding Minerals Processing Sites' of the Natural resources and Waste Local Plan as it provides no certainty that the concrete batching facility will definitely be retained within the Estate. Further information has been sought from the applicant and the operator in this regard.

#### 8.15 TravelWise

In accordance with the SPD on Travel Plans the agreed residential and school Travel Plans should be included in the Section 106 Agreement along with the following:

- a) Leeds City Council Travel Plan Review fee of £17040 (£12,000 for residential, £2540 for food store and £2500 for the school)
- b) Bus only MetroCard scheme
- c) Securing the £50,000 travel plan mitigation fund, set out in para 8.17 of the travel plan

Conditions should cover the following:

- cycle and motorcycle parking for development
- shower for staff at retail and school
- electric vehicle charging points in garages for dwellings, and at food retail

Details of the Travel Plan still need to be agreed including the following areas:

- Transport Impact - Trip generation figures need to be agreed.
- Travel to School - The travel plan needs to influence travel to school

- Targets and Time Frames - The targets should cover all trips. The travel plan should set out a timescale for when the mode split targets will be met.
- Monitoring & Review - Monitoring will need to continue until a minimum of 5 years after completion of the development.

#### School Travel Plan

Section 106 - In accordance with the SPD on Travel Plans a Travel Plan Monitoring and Evaluation fee of £2500 should be secured.

Highway infrastructure should be provided to ensure that pupils can safely walk, cycle and catch the bus to school. Facilities within the school grounds should also be provided to promote, walking and cycling.

#### 8.16 West Yorkshire Archaeology

There is potential for regionally significant archaeological remains to be affected by development of hitherto undeveloped areas. The Thorp Arch ROFF is of national significance. While the proposed development scheme will preserve some of the character and physical remains of the site additional targeted archaeological evaluation and recording is considered necessary to offset any loss of to these heritage assets prior to and during development. A new roadway from Thorp Arch and new construction in previously undeveloped areas has the potential to uncover and destroy archaeological remains from the late prehistoric, and Roman and medieval periods. WYAAS are generally supportive of the application for conversion and adaptive reuse of the site. However, in order to secure this the WYAAS recommend:

1. Pre-determination archaeological evaluation of the Western Relief Road and areas which were not developed as part of the ROFF. Further archaeological excavation or the preservation of nationally significant remains in situ may be necessary in these areas after evaluation.
2. Post determination:
  - a. Post determination but prior to demolition or redevelopment archaeological and architectural record of the Queen Mary Buildings and a pump house. In addition the WYAAS would recommend:
  - b. A photographic record of the ROFF by means of low level aerial photography prior to demolition or development (E.G. photography from a pole, kite, balloon or remote controlled vehicle) and
  - c. An interpretative earthwork survey of a selected area to illustrate the sequence of construction of roadways, clearways and earthworks.

This record may be secured by placing a suitably worded condition.

#### 8.17 Environmental Protection Team

No objections subject to a number of conditions.

#### 8.18 Yorkshire Water

This development will generate create significant volumes of both foul and surface water. Thorp Arch and some surrounding villages currently drain to Thorp Arch Waste Water Treatment Work, a small rural treatment facility with limited capacity.

Thorp Arch WwTW has only very limited capacity and the volume of additional flows loads arising from a development of this size would cause the works to fail agreed standards. Yorkshire Water Services therefore have serious concerns regarding this application because of the risks associated with the foul drainage strategy and consequent effects on the environment and objects to the proposals until further information can be provided.

#### 8.19 Public Transport Contributions (NGT)

The proposed development will generate a large number of trips, a proportion of which will have to be accommodated on the public transport network. The scheme has, therefore, been assessed in accordance with the City Councils adopted Supplementary Planning Document (SPD) "Public Transport Improvements and Developer Contributions".

As a result of this assessment, it is clear that the proposed use will have a significant travel impact. The SPD sets out that where a site does not meet accessibility criteria the formulaic approach should not be used and instead the developer is required to bring the site up to the appropriate standard. The developer is proposing to subsidise new bus services which would result in a 15 minute frequency service to Wetherby and 30 minute frequency service to Leeds. Assessing the site against the Core Strategy accessibility standards it is clear that some, but not all standards are met.

Notwithstanding the above; a contribution equivalent to £2,452,425 based on 2000 residential houses is required. This sum needs to be considered against the proposed subsidy of bus services and any benefits deriving from the proposed relief road.

Some form of improvements should be available from first occupation.

#### 8.20 Mains Drainage

No objections and Drainage are generally satisfied with the scope and content of the Flood Risk Assessment and have suggested conditions.

#### 8.21 Leeds Civic Trust

The Trust is very keen to see development on brownfield rather than greenfield sites. While Thorp Arch is a long way out from Leeds City Centre, which is likely to be an employment destination for many residents, we acknowledge that there is local demand for lower-cost dwellings to serve nearby employers.

The key at Thorp Arch will be to make the community as sustainable as possible and the Civic Trust note that the number of dwellings proposed is such as to make the site large enough to attract appropriate community support services, a school and local-level retailing. A major factor will be whether the bus companies will introduce bus services from the outset, so ensuring that residents do not get into the 'car mode' when they first move in. We are pleased to note that the developer has included proposals for bus services to run through the estate but it is important that financial support is

provided for this initially so there is no delay. Bus services must run into the evenings and at weekends to meet the leisure needs of the settlement. The Civic Trust note that cycle and footpath routes will provide access to nearby communities and these too should be provided at an early stage.

The Civic Trust are also pleased that their suggestion that the school and local centre should be linked has been adopted and that some of the blast mounds, though not the buildings they protected, will be retained within the open space. There should be information boards associated with these. The layout of houses on the site of the current retail park does retain the pattern of these original buildings but we would prefer to see at least the north-east building and blast mounding, closest to the local centre, retained and used for community purposes, to give some meaning to the pattern and a complete physical connection with the heritage of the site.

The proposed scale with both daytime and evening demand for heat and power would be an appropriate site for exploring the potential for district heating from a local generating plant and suggest that this be explored.

The development of a site of this scale at Thorp Arch could be an appropriate way in which to meet the housing needs of north east Leeds but only if high quality public and sustainable transport options are provided at an early stage to support the also essential highway infrastructure.

## 8.22 Highways

Highways have requested the following in their interim comments:

1. A sensitivity test in order to understand the impact of alternative trip route scenarios.
2. An assessment of impact through Thorp Arch, and Thorp Arch Bridge and at High Street/ Bridge Road in both capacity and safety terms.
3. A Non-Motorised User Audit.
4. A Road Safety Audit and assessment of the proposed highway works to confirm that it conforms to current design guidance.
5. Concerns regarding the proposed restricted movements junction layout and enforceability.

In addition the following comments from Highways have been provided:

### (i) Traffic Generation, Distribution and Traffic Figures.

Whilst we welcome the provision of the village centre, it would not be unreasonable to assume that it would not be viable without business from outside of the development site. Consideration is given to the UDP Review Inspector's comments in this regard therefore the combination of retail alongside a potential fast food use, public house, crèche, community and leisure uses, and a 120 space car park will undoubtedly generate traffic in its own right. As such, the traffic generation for these uses should be calculated and the traffic figures and models should reflect this additional traffic.

In terms of school related traffic clarification is required for the assumptions that have been made, and the assumption that only 15 of the 200 secondary school children travelling by car is considered to be unrealistic. The assumptions regarding school related journey reductions in the PM peak, and whether or not an allowance has been made for linked trips should also be clarified.

There are concerns regarding the proposed assignment of traffic for local and regional distribution patterns. It is considered unlikely that 22.89% of local distribution flows would remain in Thorp Arch.

Minor errors have been found in the traffic figures. The figures should also be amended to show additional junction turning manoeuvres, trip assignments and turning percentages.

There are concerns the methodology used for predicting trip routes. This forms part of the basis for requesting sensitivity tests, as it is more likely that drivers would use the less congested route via Wetherby when the Thorp Arch and Boston Spa route is most congested, as opposed to a route which is marginally quicker but a longer distance.

An assessment year of 2023 has been used. Although this is acceptable in principle, clarification regarding the proposed phasing is required, as information within the Planning Statement states that only 1,100 dwellings would be built in the first 10 years. On this basis the assessment year should be amended to reflect in to the year in which the development is predicted to be completed by.

Taking the above points into account, and notwithstanding the sensitivity tests, we cannot agree to the predicted traffic flows at this time.

(ii) Traffic Impact – Full Development (2000 dwellings).

The 2013 base traffic analysis has shown that all of the junctions would operate within their theoretical maximum capacity. This will be validated on-site in September.

The 2023 base plus development scenario shows that two of the assessed junctions would experience congestion. The congested junctions would be Junction 1 (A168 Privas Way/ Walton Road) and Junction 9 (Boston Road/ Privas Way/ Walton Road).

It is very important that sensitivity tests are carried out in order to understand what the impact of the development proposals would be, should traffic not behave as predicted.

In addition it is also recommended that junction assessments are carried out at the proposed relief road/Church Causeway staggered junction and at the proposed relief road/ Wighill Lane priority junction.



It must therefore be stressed that the comments regarding the acceptability of some of the submitted assessments should not be taken as our acceptability of the predicted traffic impact of the scheme as a whole.

(iii) Traffic Impact – 933 dwellings.

The Applicant has anticipated that 933 dwellings would be occupied before the relief road is constructed.

A figure showing the development flows for 933 dwellings is required

Notwithstanding the above, the outcome of the assessment has shown that all of the junctions would operate within the theoretical maximum capacity, with the exception of the Wighill Lane/ Street 5 junction. On this basis we require details of improvements to mitigate against this increase in traffic.

There are concerns about the impact of additional development traffic travelling along Church Causeway, through Thorp Arch, Thorp Arch Bridge and to Boston Spa. Although an argument has been put forward that the local highway network can accommodate the additional traffic in highways terms, there are concerns that it would cause highway safety issues. Uncontrolled and unrestricted movements to and from Church Causeway would inevitably lead to a significant amount of traffic travelling on a highway network which is considered to be substandard in terms of carriageway widths, geometry and lack of footways. This is not considered to be in the interests of highway safety or efficiency.

(iv) Access.

The application site is remote and is not considered to be in a particularly accessible or sustainable location. As such it is considered that the site goes against current objectives to reduce reliance on the private car, and is contrary to NPPF aspirations with regard to sustainable developments.

We would disagree that the site benefits from a high level of connectivity. As previously requested, an assessment of the suitability of pedestrian and cycle links is required. Where necessary, improvements should be proposed. The NMU audit needs to address accessibility and also demonstrate how the Inspectors comments in relation to poor accessibility have been addressed. The Inspectors comments relating to poor accessibility, sustainability walk and cycle distances, public transport, and journey times should be addressed.

The location of the site is not attractive for public transport users due to the long journey times. It is acknowledged that the 770 service would be diverted to serve the application site. It is also noted that a shuttle bus service would be provided. It is understood that Metro are currently considering the suitability and viability of these public transport enhancements. The comments from our Public Transport Officer regarding the timing of diverting the 770 service prior to the relief road being constructed also require clarification.

The walking distances shown in SK007 have been measured from the edge of the site and do not show what is within a reasonable walking distance for

many of the residents. A plan should be provided which indicates what would be within walking distance from the centre of the site.

Additional details about timing and the extent of funding are required.

A Road Safety Audit should be undertaken and submitted. The Road Safety Audit should assess all of the proposed off-site highway works and include the Designers Exception Response.

A geometrical and technical assessment of the proposed relief road against current design standards should also be provided. Any departures to recommended standards should be fully justified. It should be noted that this requested information is needed in order for us to be able to fully assess the proposed off-site works.

A full justification for the need for the relief road is also required. It is recommended that the Applicant provides an objective assessment of what the relief road actually achieves, and how this compares to the alternative of providing improvements on the existing local highway network. This is considered to be an important issue, as currently no information relating to the need for the relief road has been provided.

There are also concerns that the proposed restricted movements' arrangement at the Church Causeway/relief road junction would create a highway safety issue, as restricted movements would still be possible and it is unclear how 30mph speeds would be ensured.

The proposed junction improvements at the A168 Privas Way/ Walton Road roundabout are acceptable in principle, subject to the provision of the Road Safety Audit. However, given that the traffic figures and traffic impact assessment have not been fully agreed, these improvements could be subject to change. Furthermore, the bridge widening over the A1(M) is a substantial engineering operation and will involve careful traffic management. It is understood that the Highways Agency are still considering this aspect of the proposals. A fully costed scheme would be required to be agreed with LCC and the HA.

The S106 Heads of Terms refer to a contribution towards a traffic calming scheme in Walton Village. Additional detail of the traffic calming scheme and how it relates to the development proposals should be provided.

(v) Road Safety.

The shortest route for development-related traffic would be via Wood Lane, through Thorp Arch Village, across Thorp Arch Bridge and through the High Street/Bridge Road junction. This route is considered to be rural in nature and substandard in terms of carriageway widths, alignment, and presence of on-street parking and lack of footway provision. Furthermore, the bridge does not allow two-way traffic over a significant length and vehicle priority is uncontrolled, which therefore relies on oncoming vehicles giving way to each other. This is further exacerbated by the presence of on-street parking on

Bridge Road. The highway safety implications of the impact of additional traffic using this route have not been addressed and should be carefully considered within the Transport Assessment. This should also include an assessment of the impact of existing TATE traffic which would no longer be able to access Church Causeway and would use Wood Lane instead.

Conclusion:

The proposals cannot be supported as a significant amount of additional information is required and a number of points of concern should be addressed.

### 8.23 Ecology

The Ecology Officer has expressed significant concerns regarding the implications on the SEGI within the TATE site and the implications that the proposed relief road will have. Biodiversity calculations have been conducted and the findings of these are currently being analysed. To date a formal response has yet to be received providing final comments on ecology matters. The findings of the biodiversity calculator will go some way in showing if the proposed mitigation proposed i.e. replacement ecological areas within the TATE site are of suitable quality.

#### SUSTRANS crossing point

The road needs to be high enough over the disused railway and appropriately designed to allow enough natural light through to enable vegetation to establish at the entrances and on the ground within the main tunnel feature.

#### Southern section of proposed new road adjacent to Westminster Yard and disused railway

The proposed alignment appears to go through significant areas of unimproved grassland, scrub and woodland but this is not clear from the submitted plans. It would be useful to overlay the proposed route on aerial photos to confirm this. The proposed route should be amended to ensure it passes to the east of the existing vegetation as per the attached drawings and follow the alignment of Street 1. A strip of existing scrub/young woodland and an area of unimproved grassland to the east of Street 1 should be retained on ecological grounds and to help screen the new road – which is on potentially contaminated land planned to be remediated but could be considered for exclusion from remediation in order to retain the unimproved grassland and scrub/young woodland features.

The ecology discussions are ongoing between LCC, the applicants agent and West Yorkshire Ecology.

### 8.24 Conservation

The general outline and the proposed retention of historic “process” features appears to be acceptable. The proposals appear to be for an embankment crossing the sustrans route. The Conservation Officer is generally happy with this approach as the angle required for the road means that anything of solid construction may have too great an impact on the setting of the listed bridge. One thing that is not on plan though which was with the applicants heritage

expert, was the need for a continuous link from the listed station house and the former rail-line/listed railway bridges. The current embankment severs this relationship, so access under the embankment through tunnels etc would help maintain the legibility and mitigate somewhat the setting of the listed structures.

## **9.0 PLANNING POLICIES:**

- 9.1 The development plan is the adopted Leeds Unitary Development Plan (Review 2006) (UDP) along with relevant supplementary planning guidance and documents. The Local Development Framework will eventually replace the UDP but at the moment this is still undergoing production with the Core Strategy still being at the draft stage.

### Leeds Unitary Development Plan (UDP) Review:

- 9.2
- GP5: General planning considerations.
  - GP7: Use of planning obligations.
  - GP11: Sustainable development.
  - N2/N4: Greenspace provision/contributions.
  - N10: Protection of existing public rights of way.
  - N12/N13: Urban design principles.
  - N14: Preservation of listed buildings.
  - N19: Development in conservation areas.
  - N23/N25: Landscape design and boundary treatment.
  - N24: Development proposals abutting the Green Belt or other open land.
  - N29: Archaeology.
  - N37/37A: Protection of Special Landscape Areas.
  - N38 (a and b): Prevention of flooding and Flood Risk Assessments.
  - N39a: Sustainable drainage.
  - N49: Nature conservation area protection.
  - BD5: Design considerations for new build.
  - T2 (b, c, d): Accessibility issues.
  - T5: Consideration of pedestrian and cyclists needs.
  - T7/T7A: Cycle routes and parking.
  - T18: Strategic highway network.
  - T24: Parking guidelines.
  - H1: Housing supply requirements.
  - H2: Monitoring of annual completions for dwellings.
  - H4: Housing development on unallocated sites.
  - H11/H12/H13: Affordable housing.
  - E7: Loss of employment land to other uses.
  - LD1: Landscape schemes.
  - RL1: Rural Land.

### Draft Local Development Framework

- 9.3 The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 and the consultation period closed on 12th April 2012. The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the

district. On 14th November 2012 Full Council resolved to approve the Publication Draft Core Strategy and the sustainability report for the purpose of submission to the Secretary of State for independent examination pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004. Full Council also resolved on 14th November 2012 that a further period for representation be provided on pre-submission changes and any further representations received be submitted to the Secretary of State at the time the Publication Draft Core Strategy is submitted for independent examination. As the Council have resolved to move the Publication Draft Core Strategy to the next stage of independent examination some weight can now be attached to the document and its contents recognising that the weight to be attached may be limited by outstanding representations which have been made which will be considered at the future examination.

- 9.4 The draft Core Strategy has been published and significant progress has been made on the site allocation issues and options document. Spatial Policy 6 sets out a housing delivery target of 70,000 new dwellings net to be delivered between 2012 and 2028. Guided by the settlement hierarchy the Council will identify 66,000 dwellings gross (62,000 net) to achieve the distribution across identified areas of the city using considerations including: sustainable locations, supported by existing or access to new local facilities, preference for the use of brownfield sites, use of design to enhance local distinctiveness, the least negative and most positive impacts on green infrastructure, corridors and nature conservation.
- 9.5 Spatial Policy sets out that the distribution of housing land will be based the inclusion of 5,000 new dwellings in the outer north east Housing Market Characteristic Area.
- 9.6 The draft Core Strategy at 4.6.17 states "... the Council consider opportunities outside the settlement hierarchy, where the delivery of sites is consistent with the overall principles of the Core Strategy, including the regeneration of previously developed land, and are in locations which are or can be made sustainable". The Core Strategy identifies Thorp Arch Trading Estate as an 'opportunity for regeneration and brownfield land/residential development'. A development of this scale could make a significant contribution towards meeting the housing provision target for the outer north-east sector of Leeds. However, ultimately its allocation for residential development would be for the development Plans Panel to decide but the discuss that takes place here will help inform that debate.

Supplementary Planning Guidance / Documents:

- 9.7 (i) Neighbourhoods for Living – A Guide for Residential Design in Leeds
- (ii) Street Design Guide
- (iii) Thorp Arch Conservation Area Appraisal and Management Plan – Part of the proposed Relief Road falls within Character Area 1, "Historic Village and Field Pattern", and that part nearest Station House within Character Area 3, "Railway Station". The Appraisal notes that there is evidence of the historic

strip field pattern. Station House and the associated engine shed are noted as being positive buildings, that opportunities should be taken to retain the inter-relationships of railway structures, that the setting of the railway station and railway bed should be protected and that opportunities to enhance the historic character and public realm within the vicinity of these buildings should be taken. The Appraisal also identifies key views, including one from the edge of the village towards the north-west end of the proposed Relief Road.

(iv) Natural Resources and Waste Local Plan (NRWLP). Thorp Arch Estate is identified in the NRWLP as an industrial estate which is a preferred location for new waste management facilities Policy Minerals 12 'Safeguarding Minerals Processing Sites' applies: "The mineral processing sites shown on the Policies Map are safeguarded to protect them against alternative uses unless it can be demonstrated that the site is no longer required to produce a supply of processed minerals." The explanatory text at 3.32 states that mineral-related activities such as facilities for concrete batching, asphalt plants and aggregate recycling facilities encourage recycling, and if they are lost to other uses then it may be very difficult to replace them in other locations.

#### Neighbourhood Plans

9.8 The Trading Estate falls within Thorp Arch Parish Council and Walton Parish Council's boundaries. The majority of the proposed development falls within Thorp Arch Parish Council's area. Both Parish Council's are preparing neighbourhood plans with Walton's plan being at a more advanced stage. Walton PC has produced a pre-submission draft of their plan. This plan includes the following aspirations:

- To protect distant vistas and village skylines,
- To improve and provide safe cycle and pedestrian links, including to Thorp Arch,
- To minimise HGV movements through residential areas.
- To increase the frequency of bus services through the parish.

9.9 The Walton Plan has been commented upon by the council and by the owners of the Trading Estate. Both parties have commented that the neighbourhood plan should address planning issues concerning the Trading Estate. As the Parish Council's share a common boundary, and this runs through the Trading Estate, there is a clear benefit in the Parish Council's working together to ensure that their respective approach to planning issues at the Trading Estate are consistent and complimentary.

#### National Planning Guidance:

9.10 National Planning Policy Framework:

- Promotion of sustainable (economic, social and environmental) development.
- Encourage the effective use of previously developed land.
- Secure high quality design.
- Promote the delivery of housing to meet local needs (5 year supply and affordable housing).

- When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:
  - if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
  - proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site's notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest;
  - opportunities to incorporate biodiversity in and around developments should be encouraged;
  - planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.

## **10.0 DISCUSSION OF MAIN ISSUES**

### **Context**

- 10.1 This report seeks Members comments on the scheme as it has evolved and it is not intended here to revisit issues that Members raised no objection to at previous presentations. This proposal is set against a context of central government placing an imperative on the delivery of new housing, of achieving sustainable development and at a local level emerging policy in the Core Strategy that seeks to set a housing target of the delivery of circa 70,000 new dwellings (gross) by 2028 across the city and with an indicative target of 5,000 within the outer north east area. Officers have concluded that this is a brownfield site (previously developed land) and this supports the conclusion reached by the UDP Inspector in 2005. This is largely based on the fact that the development is taking place within the historic curtilage of the munitions factory and the curtilage of the Trading Estate. Accordingly it is felt that the application site falls within the definition of previously developed land as set out in the NPPF. As such this development provides an opportunity to deliver a significant proportion of the housing requirement for the outer north east area and in doing so it should aid the council resisting the loss of some greenfield sites. It should be noted that there are not many significant opportunities identified for the delivery of appropriate sites for housing in this area. However, this application has come forward in advance of the final form and adoption of the Core Strategy.

- 10.2 Previously Members have requested a that scheme be developed that is comprehensive and sustainable and these proposals respond to that aspiration.
- 10.3 The proposal has increased in size since Members last considered the scheme in March of this year with the number of houses now proposed rising to 2000. This increase has resulted from the removal of the out of town retail element from the scheme and its replacement with housing. The other significant change to the scheme is that the route of the Relief Road has been revised. Following discussions at the Consultative Forum the route runs, in the main, adjacent to the Sustrans route rather along it.
- 10.4 Members will have also noted that following the publicity associated with receipt of the planning application a significant number of local representations have been received. The majority of these raise objections to the scheme, including from Thorp Arch Parish Council, but there are also letters of support including from Walton Parish Council.
- 10.5 There are also a number of key issues that are not at present resolved but are subject to ongoing discussions. These include:
- work to quantify the ecological impact of the development,
  - highway issues remain unresolved,
  - the details of how the Relief Road crosses the Sustrans route,
  - the mechanism to deliver the Relief Road is being progressed but further work needs to be undertaken particularly in regard of the funding, payment mechanism and the timing of the delivery of the road.
- 10.6 Balanced against this the applicant has reached agreement with officers and the Consultative Forum (excluding Thorp Arch Parish Council) over a number of matters including the scale and mix of uses, the design and general layout of the development, the design approach to appearance of the houses and the timing of the delivery of the Relief Road.
- 10.7 The report now progresses to address key issues associated with this proposal and seeks Members guidance and comment on these matters.

### **Comprehensive and sustainable masterplan**

- 10.8 The UDP Inspector came to the conclusion that the proposed allocation of the site was inherently unsustainable "...in terms of location, accessibility, and the ability to sustain sufficient local services and facilities has not been shown to be certain of improvement to the necessary extent". The planning policy context has now changed with an imperative placed on the delivery of large scale housing. However, the question whether development is sustainable or not is key. The NPPF identifies three dimensions to sustainable development: economic, social and environmental. It is set out that these factors are mutually dependent and should be sought jointly and simultaneously. The NPPF further notes that decisions need to take account of local circumstances. As the draft Core Strategy recognises the issue for development at Thorp Arch is whether it can be made sustainable.



10.9 At the present time the site is accessed via roads that are rural in character, is poorly served by public transport and there are a limited range of facilities in the immediate locality to meet the day to day needs of existing residents. Balanced against this the businesses on the Trading Estate and neighbouring uses including the prison and library provide a significant employment base.

10.10 The application proposal seeks to address this by:

- The development of a masterplan that addresses the whole of the site including both the residential development and the remaining employment land.
- Provide a range of facilities on site that have regard to and are proportionate to village life. These include a village centre to meet day to day needs, community and sporting facilities, a primary school, areas for informal recreation and improved cycle and pedestrian routes.
- Enhanced local bus service/provision.
- The regeneration of a brownfield and, in part contaminated, site.
- Measures to mitigate the ecological impact of the development.
- The development of a strategy to fund the revitalisation and enhancement of the remaining employment area.

10.11 Many of the issues set out above are discussed in more detail in the following paragraphs. However, it is for Members to provide feedback as to whether the approach adopted by the applicant is one that delivers the comprehensive and sustainable form of development that the Panel seeks.

**Question:**

*(1) Does the masterplan represent the comprehensive and sustainable form of development that Members desire?*

**Design, layout and landscaping of the housing and associated development**

10.12 This is an outline planning application and the layout of the scheme and appearance of the buildings are reserved for later consideration and approval. Accordingly at this stage only an indicative layout has been submitted and the Design and Access Statement sets out the design principles (in terms of the appearance of the houses) to be followed. These two documents do however, set the parameters for future submissions.

10.13 The indicative layout shows a road pattern that follows that set by the historic use of the site. This should help afford the new village a sense of place and identity of its own. The development creates a readily identifiable and accessible core with the primary school and village shops being at the centre of the overall development. Extensive areas of open space are also provided and these penetrate into the built up area with substantial areas around the periphery of it. The retention, in some form, of a run of the grass bunkers that are a feature of the site again adds to the sense of place.

- 10.14 The Design and Access Statement sets out design principles for the new houses that draw on the character of the neighbouring settlements. This includes the scale of new houses, the design and proportions of windows, roof treatments, the range of materials for the external finishes, architectural features and how the dwellings address the street.
- 10.15 The submitted masterplan indicates that the most significant and important trees within the Estate are to be retained as part of the proposal. It is also proposed to strengthen and enhance planting to the perimeter of the site to screen views of the prison and the British Library. New woodland planting will help create wildlife corridors. Buffer planting in association with earth bunds are proposed to separate the new residential development from the retained employment park. New woodland planting is also proposed to screen sections of the Relief Road and along its south western edge where it cuts across open fields this will also be supplemented by further earth bunding. This will help screen views of the Relief Road from views across open farmland.

**Questions:**

*(2) Do Members consider that a high quality indicative layout has been achieved and that the appearance of the housing should reflect the guidelines set out in the Design and Access Statement?*

*(3) Do Members consider that the applicant's landscaping strategy is appropriate?*

**Relief Road**

- 10.16 There are three key issues with the Relief Road. The first is whether what is proposed is the appropriate route for it, the second is how the relief road will be funded and the third is the timing of its delivery. Members should note that the alignment of the road is set by highway design standards and there is little scope to modify that alignment (for example the angle at which the road crosses the Sustrans route is set by highway design requirements).
- (a) The route
- 10.17 The proposed route is that favoured by the Consultative Forum (save for Thorp Arch Parish Council who now object to the principle of development). The proposed route no longer runs along the Sustrans route but it runs parallel to it and crosses it at one point. The crossing means that it does impact upon the functioning and character of the existing Sustrans route and it does have a negative impact on ecology. An alternative route that ran to the south of but following the line of the Sustrans route was considered. However, this route took it closer to existing residential properties. Therefore whilst the ecological impact of the alternative would be less its impact on the amenity of existing residents (albeit of 3 houses) would be significantly greater.
- 10.18 Members will have noted from earlier in the report that it is proposed to screen the road from views to the south through the use of landscaped mounds which

should also serve to mitigate the noise impact. Extensive planting is also proposed where the road runs to the north of the Sustrans route and with the passage of time this will largely serve to screen it from views to the north. Its greatest visual impact will be when the road crosses the Sustrans route.

10.19 Another key issue is the impact that the use of the road will have on residential amenity. The residents of the properties of Station House and Walton Gates are the most likely to be affected. With the degree of separation, mounding and landscaping it should be possible to mitigate the visual and noise impacts on the residents of Station House. Further work is required to understand the impacts and mitigations measures that can be implemented to protect the residents of Walton Gates.

10.20 Beyond this regard also needs to be had on the impact of the route on the setting of the listed Station House and associated engine shed and the listed bridges that cross the Sustrans route. As set out above a reasonable degree of separation exists between the road and Station House and to a large extent its visual impact will, over the passage of time, be mitigated by new woodland planting. Potentially the greatest impact will result from the crossing of the Sustrans route. This may create a barrier that severs the historical link between the Station House and the railway bridge. It will also have an impact on the setting of the bridge as it is impact upon views to and from the bridge. The form of the crossing is a matter that is still under consideration and discussion.

#### (b) Funding

10.21 The applicant is seeking to enter a funding arrangement with the council. The applicant is currently exploring whether they can borrow money from the council to fund the construction of the road and agree a mechanism for the paying back of any loan. This raises issues that go beyond the consideration of the planning application and the decision whether the council is agreeable to enter into a loan agreement, and the terms of any such agreement, are matters for Executive Board. At the present time the final cost of constructing the road is not known and the applicant has not agreed a purchase price for the 3<sup>rd</sup> party land. If these matters are resolved it is likely that a repayment mechanism will either be on the basis of a roof tax or staged repayments.

#### (c) Delivery

10.22 With regard to the delivery of the Relief Road it is the applicant's intention that it will be constructed prior to the commencement of the residential development. This reflects the view of the Consultative Forum. However, as set out above the applicant is still in negotiation with the landowners over the purchase of the land required for the road and discussions are also ongoing about the securing of finance to fund its acquisition and construction.

10.23 If the applicant is not able to secure the land and finance that facilitates the early delivery of the Relief Road that raises the issue as to whether a quantum of development can be delivered prior to its construction. Such an approach, depending on the number of houses allowed to be built, could help the applicant generate revenue to fund the delivery of the road at a later but

specified time. However, the benefit of the early delivery of the road for existing residents would be lost for a period of time. In these circumstances it is also difficult to design a mechanism that compels the applicant/developer to complete the whole of the development for which planning permission has been granted including the delivery of a Relief Road.

**Questions:**

*(4) Do Members consider that the proposed route of the Relief Road is acceptable (subject to the amenities of local residents being protected)?*

*(5) Do Members consider that the Relief Road should be delivered prior to the commencement of the construction of the housing development?*

**Highway Considerations**

10.24 A key consideration is the impact that traffic generated by the development will have on highway safety and whether local roads have the capacity to cater for such traffic. The local road network is rural in nature and Thorp Arch Bridge is only of single carriageway width. A further matter relates to the sustainability of the site and whether the measures to improve public transport provision are sufficient to enhance the sustainability of the site to an appropriate and proportion degree.

10.25 The applicant proposals include:

- **Relief Road:** The delivery of a relief road prior to the construction of the first house on the site.
- **Public Transport Provision:** Prior to the commencement of development to submit to the Council for approval details of a bus shuttle service to and from Wetherby which in conjunction with the diversion of the existing bus service number 770 (or any replacement service) and any other existing public services will provide a 15 minute service between Wetherby and the development between the hours of 07.00 and 22.00 seven days a week. No later than the occupation of the 100th dwelling to commence the bus shuttle service and to continue it thereafter in accordance with the approved details for a period of no less than 10 (ten) years.
- **Bus Stops:** Not to occupy the development until a contribution of £120,000 for the provision of 4 bus stops including real time information display boards has been paid to the Council.
- **Pedestrian Crossing to Walton:** Not to occupy the development until a contribution of a sum to be determined for the provision the provision of a pedestrian crossing to Walton Village has been paid to the Council.
- **Pedestrian and Cycle Links:** Not to occupy the development until a contribution of £100,000 for the making of improved pedestrian links and connections from the development to the cycleway network within the Walton area has been paid to the Council.
- **Traffic Calming in Walton Village:** Not to occupy the development until a contribution of moneys to be determined for the provision of traffic calming measures in Walton Village has been paid to the Council.

- Travel Plans: For the school and residential development and to pay a travel plan monitoring fee to the Council for the monitoring of the provisions of the approved travel plan.
- Metrocard: Prior to the occupation of the development to enter into an agreement with the West Yorkshire Passenger Transport Executive incorporating for the provision of one “Bus Only” Metrocard for the use by each resident.

10.26 These matters are still subject to discussion with the applicant. Areas of particular concern are the impact of traffic on the use of Thorp Arch Bridge, the junction of Bridge Road with the High Street in Boston Spa and the use of Wood Lane. At this moment in time the following matters remain outstanding:

- Predicted traffic flows are not agreed including local flows of traffic to Thorp Arch.
- Further work needs to be undertaken to understand the impact on key local junctions
- A more detailed assessment of the suitability of pedestrian and cycle links is required.
- A road safety audit is required and should assess all of the proposed off site highway works (relief road, restricted movement junction, bridge widening, junction improvements and pedestrian crossing).
- A geometrical and technical assessment of the proposed relief road needs to be undertaken.
- A highway justification for the relief road is required.
- Further work is required in respect of the proposed restricted movements junction at the Church Causeway/relief road in that the design of the junction would not prevent inappropriate manoeuvres.
- The highway safety implications of additional traffic using Wood Lane to Thorp Arch Bridge and Bridge Road need to be assessed.

10.27 In light of the above it is clear that there are a number of matters outstanding and until these issues are resolved it will not be known whether the scheme will be acceptable in highway terms.

10.28 However, there is a particular point that Members guidance is sought. The applicant has proposed to stagger the junction of the Relief Road with Walton Road and Church Causeway to try and restrict access for traffic from the development to Thorp Arch Bridge. This arrangement would allow existing residents from Walton and neighbouring communities to continue to access Thorp Arch via Church Causeway. However, there is a Highways concern that the junction as currently designed will not prevent traffic from the development accessing Church Causeway and that this could lead to highway safety issues in Thorp Arch and particularly around the Bridge. This issue may be able to be resolved by amending the junction design. An alternative to this junction arrangement is to provide a bus gate along Church Causeway. This would prohibit the use of Church Causeway by private vehicles wishing to travel from the development, Walton and neighbouring communities to Thorp Arch. This was a concern for the residents of Walton. However, ultimately this may be

the only solution to the treatment of this junction that is acceptable to the council's highway team. However, as yet Highways do not consider that sufficient and compelling information has been presented to allay their concerns. In any event it may be prudent to build clauses into any Section 106 Agreement that allow the effectiveness of the agreed traffic mitigation measures to be reviewed and alternative or additional measures to be put in place if a need arises.

**Question:**

*(6) Do Members have a preference for the use of a bus gate or a suitably designed staggered junction to limit the use of Church Causeway by traffic generated by the development?*

**Ecology**

10.29 The development affects land designated as SEGI and Leeds Nature Area. These are not statutory designations (i.e. not of national importance) but are designations that exist in the Unitary Development Plan and should be afforded appropriate weight. There are also areas outside of these designations that potentially have ecological value. Whilst discussions are ongoing it remains likely that not all of the ecological impacts can be mitigated. It may be some of the impacts will be considered to be significant in ecological terms. The greatest impacts are likely to be through the loss of calcareous grassland and natural habitat for wildlife. This will in the main result from the carrying out of built development on areas of SEGI and other sensitive ecological areas and through the relief road crossing the Sustrans route. These impacts need to be balanced against any benefits the development will deliver and the mitigation measures proposed.

10.30 The applicant has yet to formalize their proposals to offset the nature conservation and ecological impacts of the development. Where development is proposed on some areas of SEGI the applicant proposes to address this through the transplanting of areas of calcareous grassland and in effect creating new areas of SEGI. In addition it is also proposed through new planting to create new wildlife and ecological corridors.

**Question:**

*(7) Do Members consider the approach taken by the applicant to address the ecological impact of the development to be appropriate and proportionate in the context of trying to deliver a sustainable form of housing development on the site?*

**Section 106 Agreement and Affordable Housing**

10.31 It is the applicant's proposal to provide 35% affordable housing so that the development meets the local planning policy requirement. However, policy sets out that the mix of affordable housing should reflect, on a pro-rata basis, the mix of the development. The applicant has proposed that the mix of affordable units should reflect identified local need rather than the mix of open

market housing proposed. The applicant has set out that if affordable housing is provided on a pro-rata basis this will impact upon the viability of the scheme and the applicant is likely to seek a reduction in affordable housing provision to offset the cost of the Relief Road. Comments are awaited on this aspect of the proposal from colleagues in the Housing Investment Team.

10.32 In addition the applicant is content to provide all of the affordable housing on site or a proportion on site with a commuted sum towards off site provision. The applicant has submitted a Housing Market Assessment in support of their proposals. The data indicates that a mix of housing is required to be aimed at higher income groups and those households with moderate incomes seeking to trade up. It also shows a requirement from older people who may well be interested in downsizing to 2 or 3 bedroom properties. It is concluded that a mix of 2, 3, 4 and 5 bed housing will be required to cater for demand within Leeds and from incoming households, families seeking to trade up, and young ‘family builders’, as highlighted in the Leeds SHMA and draft Core Strategy. As a result the applicant is currently proposing a housing mix for the development as follows:

<b>Proposed Housing Mix Type</b>	<b>Size</b>	<b>Mix</b>
2 bed terrace	650	20%
3 bed semi	900	25%
3 bed detached	950	25%
4 bed detached	1,250	20%
4/5 bed detached	1,600	10%

10.33 The council’s information sources on housing demand in Wetherby includes:

- Social housing demand taken from the Leeds Homes Register (LHR)
- Demand analysis as part of the Older People’s Housing and Care Project

Information on social housing need and demand has been taken from the Leeds Homes Performance Management Summary, which analyses information from the LHR providing a ‘snapshot’ on a quarterly and yearly basis. In considering the information available from the LHR, a mix of 1, 2 and 3 bed accommodation would reflect housing need and housing demand in Wetherby (for social rented units) as well as meet predicted demand across the city as a result of Welfare Reform. A degree of housing for older people (in particular extra care) as part of the affordable housing requirement would assist in meeting a known demand for this type of housing in the Wetherby area.

10.34 At the present time there appears some discrepancy between the mix of housing proposed and the council’s current assessment of housing need and demand. This is a matter that is the subject of ongoing discussions the outcome of which may have a bearing on the mix and size of units to be provided as part of the affordable offer.

10.35 The applicant also proposes to relocate existing businesses affected by the redevelopment proposals, upgrade and refurbish retained buildings and provide new buildings to meet tenant's needs, carry out landscaping works to improve the setting of the retained employment area and develop a Health and Innovation Park. There is agreement between officers and the applicant to the principle of some of the revenue resulting from the residential development being channeled towards realizing the enhancement of the infrastructure of the retained employment estate. What this actually involves and the way this is to be delivered is still under discussion. A further issue that needs to be considered is development of a strategy to aid the retention of those businesses affected by the development on the site.

**Questions:**

*(8)(a) In the circumstances where the applicant demonstrates that the development is not viable do Members have any concerns about the principle of offsetting the cost of the Relief Road against a proportion of the affordable housing requirement?*

*(b) Do If Members consider it appropriate to accept a commuted sum in lieu of some affordable housing what proportion should be delivered on site?*

*(9) Do Members have any comment to make in respect of the mix and size of the units to be delivered as part of the development?*

*(10) Do Members consider it appropriate that clauses should be built into the Section 106 Agreement that facilitate the enhancement and upgrading of the infrastructure on the retained employment area as a result of this development?*

## **11.0 CONCLUSION**

11.1 Members are asked to note the contents of the report and the presentation, and are invited to provide feedback on:

**(1) Does the masterplan represent the comprehensive and sustainable form of development that Members desired?**

**(2) Do Members consider that a high quality indicative layout has been achieved and that the appearance of the housing should reflect the guidelines set out in the Design and Access Statement?**

**(3) Do Members consider that the applicant's landscaping strategy is appropriate?**

**(4) Do Members consider that the proposed route of the Relief Road is acceptable (subject to the amenities of local residents being protected)?**

**(5) Do Members consider that the Relief Road should be delivered prior to the commencement of the construction of the housing development?**



**(6) Do Members have a preference for the use of a bus gate or a suitably designed staggered junction to limit the use of Church Causeway by traffic generated by the development?**

**(7) Do Members consider the approach taken by the applicant to address the ecological impact of the development to be appropriate and proportionate in the context of trying to deliver a sustainable form of housing development on the site?**

**(8)(a) In the circumstances where the applicant demonstrates that the development is not viable do Members have any concerns about the principle of offsetting the cost of the Relief Road against a proportion of the affordable housing requirement?**

**(b) Do Members consider it appropriate to accept a commuted sum in lieu of some affordable housing what proportion should be delivered on site?**

**(9) Do Members have any comment to make in respect of the mix and size of the units to be delivered as part of the development?**

**(10) Do Members consider it appropriate that clauses should be included in the Section 106 Agreement that facilitate the enhancement and upgrading of the infrastructure on the retained employment area as a result of this development?**

**(11) Do Members consider that the approach adopted by the applicant is moving towards the delivery of a comprehensive and sustainable form of development and are there any other matters that Members consider the applicant should undertake to help deliver such a development?**

**Background Papers:**

Application file 13/03061/OT

Notice served on:

Susanna Albenia Ewart

Chaytor c/o Ringleys Solicitors LLP 19 Cookridge Street Leeds

Wrigley c/o Ringleys Solicitors LLP 19 Cookridge Street Leeds

Ashwin c/o Ringleys Solicitors LLP 19 Cookridge Street Leeds

John Thomas Kilby & Christine Denise Kilby

Mary Genevieve Kilby

Thomas Matthew Kilby

David Wilson & Martin Wilson

Marie Nanette Simpson

Edward James Simpson

Sustrans Ltd

Leeds City Council

Keyland Developments Ltd

DFS Furniture Company Ltd

The British Library Board

Northern Power Grid National Grid National Grid

Highways Agency

### EXTRACT FROM MINUTE OF:

#### CITY PLANS PANEL

THURSDAY, 27TH SEPTEMBER, 2012

#### PRESENT:

Councillor N Taggart in the Chair, Councillors S Hamilton, G Latty, T Leadley, J McKenna, E Nash, N Walshaw, J Hardy, T Murray, Campbell and Procter

#### **Pre - Application - Preapp/11/00459 - Pre Application Presentation for the Laying Out of Access and Erection of Circa 1150 Houses at Thorp Arch Estate, Wetherby, Leeds 22**

The report of the Chief Planning Officer introduced a pre-application presentation in relation to the laying out of access and erection of circa 1150 houses at Thorp Arch Estate, Wetherby, Leeds 22.

The following representatives attended and addressed the meeting:-

- Sue Ansbro – WYG Planning Consultants (Applicants Representative)
- Colin Pool – Clerk to Walton and Thorp Arch Parish Council's

Members were shown detailed plans and photographs of the scheme and had previously visited the site prior to the meeting.

The applicants representative addressed the meeting and highlighted the following issues:-

- The proposed application is a Policy Compliant scheme
- The application supports Thorp Arch as an employment area
- The sustainability of the Thorp Arch Trading Estate was a key issue for the developers
- A previous Planning Inspector's report concluded that there were no employment land supply issues
- Thorp Arch was the only major brown field site in East Leeds
- A substantial amount of public consultation had already been carried out (i.e. meetings with Ward Councillors, Local Parish Council's, the leafletting of properties in the Thorp Arch, Walton and Boston Spa areas and a dedicated website)
- Affordable housing 35%
- Introduce alternative highway arrangements
- Proposed new public transport arrangements
- Proposed new community facilities (New school)
- New cycleway and pedestrian routes
- Sustainability proposals
- The undertaking of an environmental impact assessment

In conclusion Ms Ansbro suggested that if the application was to be approved it would create employment opportunities in the area, deliver housing growth and lead to sustainable development

The Chair then invited questions and comments from Members on the specific proposals of the pre-application.

In summary, specific reference was made to the following issues:-

- Had meaningful consultation taken place with the neighbouring Parish Council's and local residents?
- The intention of the developers to "press ahead" with a full application without addressing concerns raised by the public
- A suggestion that family housing (2, 3 & 4 bedroom properties) be included within the housing proposals
- The integration of the neighbouring villages; Walton and Thorp Arch into the proposal was an important factor
- Seek to deliver the aspirations of Walton Parish Council in linking the proposals to the village
- Proposed community facilities
- Not convinced about the sustainability of the development, in particular the existing retail park required substantial investment
- Concerns about transport network, in view of the amount of proposed new housing
- Proposals around public transport
- The suggestion that the application was being pushed through prior to the implementation of the Localism Bill

The Chair then invited Mr Colin Pool Clerk to Walton and Thorp Arch Parish Council's to comment on the proposals and highlighted the following issues:-

- The Thorp Arch site was requisitioned by the military in 1942 to build a munitions factory. The site was chosen because it was in an isolated area, the road network was poor, all movements to and from the site were by rail
  - To this day the road network remains poor
  - The proposal to build a substantial number of houses in the area would create havoc on the local road network
  - Local Parish Council's were made aware of the proposals in May 2012, they were not consulted, "they were told what was going to happen"
  - Developers appeared to be confident that the application would be granted on appeal
  - Concerns about the sustainability of the site
  - Proper highway solutions required
  - The proposed development appears to have not being properly thought through (Disjointed)
  - Concerns that failure to address major issues would have adverse implications for the two neighbouring communities
  - Not opposed to development in the area but major issues require addressing
- At this point in the meeting the Chair, Councillor Taggart left the meeting, Councillor J McKenna assumed the Chair.

The Chair then invited questions and comments from Members on the specific issues raised by Mr Pool.

In summary, specific reference was made to the following issues:-

- Parish Council's not opposed to development but concerns around infrastructure and sustainability of the site
- No meaningful consultation carried out
- Original housing proposal was 250 houses now 1100
- Neighbourhood Plan suggest development but highlights major concerns of the highway network

In concluding discussions, the Chair put forward the following specific matters for Members consideration:-

**- Do Members have any comments to make about the principle and scale of residential development in this location?**

No objections were raised to the principle of residential development so long as it was supported with the appropriate infrastructure to serve the needs of its residents and offset the impact of the development on the local communities. The nature of the development appeared disjointed and concerns were raised in respect of residential development on the 'Wighill Lane' site as this was not well related to the rest of the proposed development or Walton village

**- What are Members thoughts on the approach to the indicative masterplan for the site?**

Require a comprehensive plan for the whole of the site that sets out the vision for the development of the Trading Estate as a whole.

Further details required around a number of matters including proposed public transport, possible Primary School and Community Centre and investment in the industrial estate

**- What are Members views on the nature, mix and type of housing provision (including affordable housing) on this site?**

It would be premature to comment in any detail at this stage.

However, the mix and type of housing was too vague and required local housing needs assessment. Affordable housing should be 35%

**- Do Members have any particular concerns, beyond those identified in the report, around the issue of sustainability, traffic impact and accessibility?**

Yes. Concerns were raised that the site was not sustainable and that significant measures should be proposed to make the development so. These included appropriate highway and public transport provision, environmental measures and appropriate facilities for the residents of the proposed development and details of what measures that would be put in place to help integrate this development with existing communities

**- What are Members thoughts on the nature and location of greenspaces on site and how these link into the wider strategic green areas?**

Premature at this stage in the absence of the information requested above

**- In the context set by the appropriate planning regulations do Members consider that the proposed heads of terms cover the appropriate obligations?**

Premature to consider at this stage in light of previous comments made

**- Are there any other issues Members would like to raise?**

That proper and meaningful public consultation should take place, including a Consultation Committee to be established

**RESOLVED** – That the report and pre- application presentation be noted.

## APPENDIX 2

### EXTRACT FROM THE MINUTE OF:

#### **CITY PLANS PANEL THURSDAY, 14TH MARCH, 2013**

##### **PRESENT:**

Councillor N Taggart in the Chair, Councillors P Gruen, D Blackburn, M Hamilton, S Hamilton, G Latty, T Leadley, J McKenna, E Nash, N Walshaw, J Hardy, T Murray and J Procter

#### **Preapp/11/00459 - Proposals for laying out of access and erection of circa 1700 houses - Thorp Arch Estate, Wetherby, LS22**

The Chair stated that although the Press and Public had been excluded, he would on this occasion use his discretion to enable a community representative, Parish Councillor Brown, Chair of Walton Parish Council, to address the Panel and to remain in the room to hear the discussions on the understanding that the confidential nature of the discussions was respected

Further to minute 10 of the City Plans Panel meeting held on 27<sup>th</sup> September 2012, where Panel considered a pre-application presentation on proposals for the redevelopment of part of the site up to 1150 residential dwellings, with new primary school, access, landscaping and public open space, Panel considered a report of the Chief Planning Officer and further pre-application presentation providing details of discussions on the proposals at the newly-established community forum

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

The Chief Planning Officer presented the report and Panel then received a presentation on behalf of the proposed developers. Members were informed that the developers had listened to the views expressed at Panel and had taken on board the wish for an integrated masterplan for the whole estate and the setting up of a consultative forum

A revised scheme had been presented to the forum where it became clear that the main priority was the provision of a relief road, with the Parish Councils indicating their support for housing, including the possibility of increased levels of housing, if the relief road could be delivered

A heart was also required within the scheme, comprising community shopping centre, playing fields and a separate sports centre

Following on from this a further scheme was devised which was more favourable to the Parish Councils, however one particular issue was the location for the possible additional housing, which currently was part of an industrial estate. Funding and deliverability of the relief road was also an issue which would need to be addressed by the developer working in conjunction with the Council. In terms of the route of a relief road, two options had been drawn up with the Parish Councils being unanimous that the route should be along the western route. Whilst the delivery of

the relief road would ideally be at the start of the scheme, the funding issues alluded to needed to be taken into account and work currently was being done on this. In answer to a point raised by Panel, no specific costings for a relief road had been drawn up

The Panel then heard from Councillor Brown, Chair of Walton Parish Council who was speaking on behalf of Walton, Boston Spa and Thorp Arch Parish Councils

Councillor Brown stated there was local support for in the region of 1700 properties and the provision of a relief road on the western route and that the proposals would bring a brownfield site back into use; provide a new, self-contained and sustainable community; would segregate industrial use from residential use and encourage the evolution of local retail facilities and create employment

Of the two routes proposed for a relief road, the route over the Ministry of Justice land was not acceptable as it would cut through and sever the community of Woodlands and Walton and would sever the Grange Park/Rudgate Park community. It would also not relieve traffic problems in respect to of Thorp Arch and Boston Spa nor address the issues with HGV traffic. The western route for the relief road would however provide a total solution for Boston Spa and Thorp Arch and had total support in the community

The timing of the road was crucial in the scheme as currently at peak times the local road network was heavily congested and that erecting further housing before the implementation of the new road was not acceptable

Concerns were also expressed about construction traffic and the need for some land remediation works, and that traffic and materials from this should not be passing through existing communities

Councillor Brown urged Panel to encourage all parties to work together to devise a scheme whereby the relief road could be delivered upfront and also highlighted the need for Yorkshire Water, which owned land in the area, to be brought into the discussions to ensure that any planning application submitted was a complete one, for Members' consideration

The Parish Councils were also keen to be involved in discussions on the planning obligations package and there was a need for the consultative forum to be retained after the planning process and be continued until the forum itself felt it was no longer needed

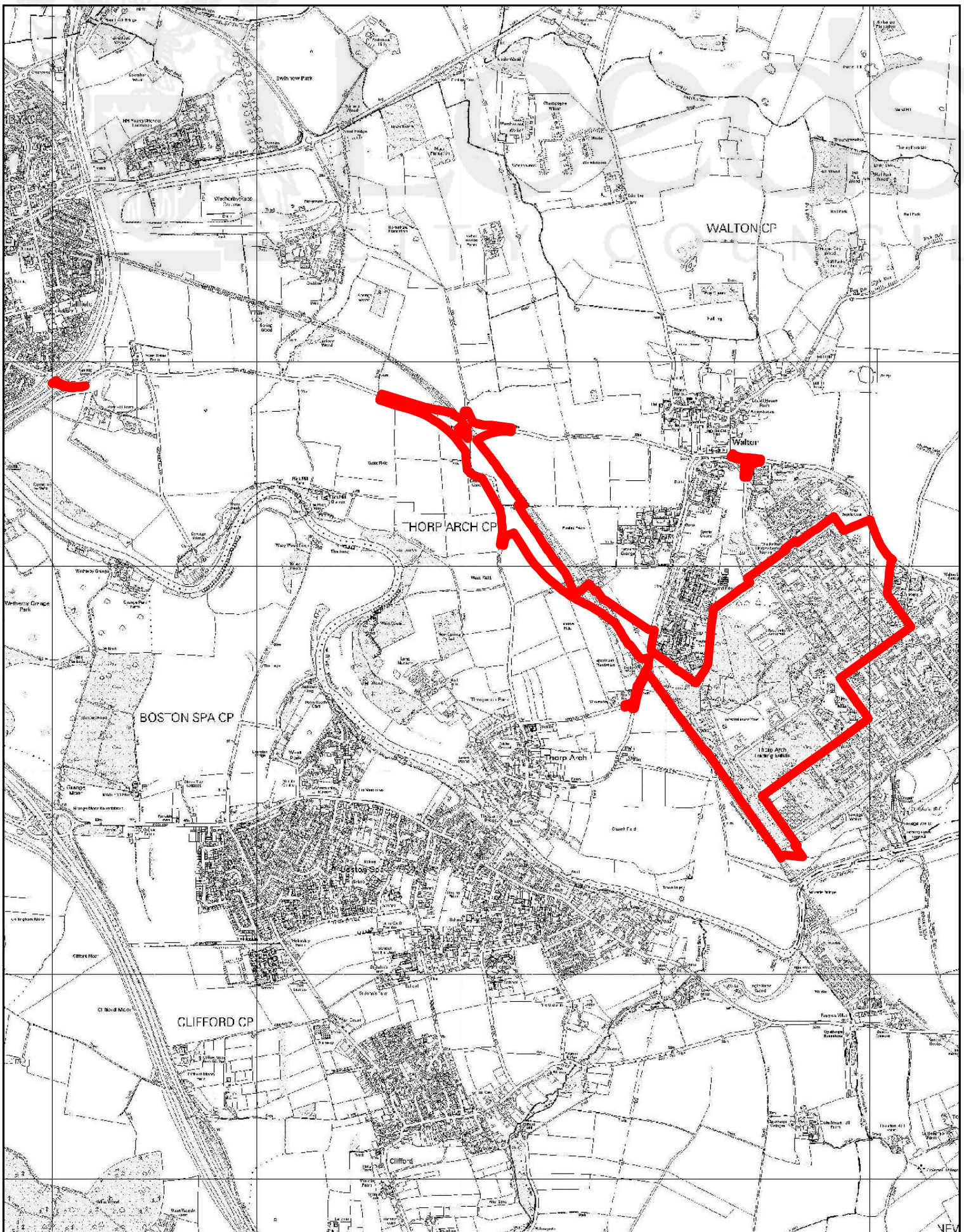
Members discussed the proposals and commented on the following matters:-

- the western route, with mixed views about the suitability of using the railway cutting to site the relief road. Members were generally concerned about impact on listed structures and ecology and questioned the suitability of this route
- that no detailed transport assessment had taken place and that this should be commenced as soon as possible and should include an assessment for the relief road to the Wetherby Bypass
- that the provision of a relief road was a crucial factor in the proposals

Councillor Gruen declared a significant interest as he felt it was in the public interest to do so, in view of the meetings he had attended with Officers and the developers about these proposals

- the benefit of consultative forums and the hard work done by Ward Members in informing the community about the scheme and its wider, strategic interests
  - that the proposals could make a significant contribution to the Council's Core Strategy and that community benefits could flow from the scheme and that, whilst accepting there were some major issues to be resolved, this could be a scheme which could be supported, particularly in view of the public support it had, dependent upon the delivery of the relief road and other planning matters
  - affordable housing, that in this location the requirement was 35% and that an open-minded approach might be adopted in view of progressing the proposals in terms of the costs associated with the scheme and the wider benefits it would bring to the city
- The Panel's highways representative stated that there were two major issues when considering siting a development of this size in this location; that the traffic access to Boston Spa would be managed and the existing roundabout at the Wetherby Bypass would need to be improved. These matters will need to be looked at in detail
- In response to the specific questions posed in the report, Panel provided the following responses:-
- that subject to the provision of a relief road, the revised scheme represented the comprehensive and sustainable form of development which Members were looking for
  - that a relief road was essential and that more work was needed on this, including costings, with there being mixed views on the suitability of the site of the old railway line; to note the views of the Parish Councils that only route B could be supported locally and the need for the assessment to include from the relief road to the Wetherby Bypass
  - that Members were satisfied with the quantum of development but a set of proposals and options were needed and consideration had to be given to the timing of the delivery of the relief road
  - that it could be appropriate in this case to apply a 'roof tax' to contribute to the funding of the relief road
  - mixed views on the principle of the use of a proportion of monies that would have otherwise been used to deliver affordable housing to be used to finance a relief road and the need for further information and options to be provided
  - That a co-operative approach was supported and that this should include the Yorkshire Water site, with it to be designated for housing development
  - Members were of the view that an explanation of how the co-operative scheme for the whole of the estate will be delivered should form part of the planning application
- Members encouraged Officers to address the issues of design, house types, cycle ways etc at an early stage and the need to link this with the sense of place discussions at the consultative forum, together with issues relating to Keyland Development's extant permission for industrial use on a nearby site

**RESOLVED** – To note the report, the presentations and the comments now made



# CITY PLANS PANEL

