



Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 24th October 2013

Subject: APPLICATION 13/03051/OT - OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 400 DWELLINGS, ACCESS AND ASSOCIATED WORKS INCLUDING OPEN SPACE AND LANDSCAPING ON LAND AT SPOFFORTH HILL, WETHERBY.

APPLICANT: Bellway Homes Limited **DATE VALID: 17/7/13**

TARGET DATE: 7/2/14

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 to provide feedback on the questions posed at section 11.0 of this report.

1.0 INTRODUCTION

1.1 This outline application proposes the redevelopment of a large Greenfield site in Wetherby which is a site designated as a 'Protected Area of Search' (PAS) in the UDP, for residential development. This application proposes up to 400 dwellings accessed via a new roundabout on Spofforth Hill. This application is reported to City Plans Panel as it is a large scale planning application and due to the planning policy context and its strategic implications relating to the proposed development of PAS sites across the city.

2.0 PROPOSAL:

- 2.1 This application proposes a residential development of up to 400 houses. Outline consent is sought for the principle of development plus the means of access and landscaping. Matters in respect of appearance, layout and scale are reserved for later consideration. One vehicular access point is proposed off Spofforth Hill via a new four arm roundabout at Wentworth Gate, plus one emergency vehicle access point proposed from the existing residential estate to the east. Green pedestrian routes are proposed to link into the existing housing development to the east and to the Harland Way to the north. A number of formal green squares and a village green area are included on the indicative masterplan.
- 2.2 In order to facilitate vehicular access to the site and associated sightlines, a number of mature trees along the Spofforth Hill frontage would need to be removed. Parcels of green space are indicated across the site. Planting currently exists on the northern boundary and further planting is proposed to provide a buffer between the proposed development and the open countryside. Planting buffers are also proposed to the existing residential development to the south.
- 2.3 A mix of new homes are proposed with the current assumptions being a range of 1 to 4 bed dwellings. The indicative masterplan splits the site into two with development parcels either side of the central village green. The indicative masterplan identifies a density of 27 dwellings per hectare on the development parcel to the west of the village green closer to Spofforth Hill with the development parcel to the east including dwellings at a density of 31 dwellings per hectare. The overall site average is 30 dwellings per hectare.
- 2.3 The interim affordable housing policy for this areas seeks an on-site provision of 35%, 140 dwellings. However, this application proposes to provide 15% affordable housing on site (60 dwellings) with a financial sum being provided in lieu of the remaining 20%. The applicant has offered an off-site contribution of £7m that could be spent on delivering affordable housing elsewhere in the city.
- 2.4 The application is supported by the following:
- Indicative masterplan
 - Design & Access Statement including design code and sustainability statement
 - Planning Statement
 - Affordable Housing Statement
 - Environmental Statement incorporating Transport Assessment, Travel Plan, Landscape Visual and Impact Assessment, Flood Risk Assessment, Ecology, Ground Conditions and Cultural Heritage.
 - Tree Report
 - Statement of Community Involvement

3.0 SITE AND SURROUNDINGS:

- 3.1 The site relates to a Greenfield site that is located towards the north-western edge of Wetherby. The site measures 15 hectares and is in agricultural use. Part of the site abuts Spofforth Hill which is the road which links the towns of Harrogate and

Wetherby. Along the Spofforth Hill frontage is a line of mature trees and hedges, which helps screen the site from public views.

- 3.2 In terms of surrounding land uses, the land to the east comprises two-storey residential housing, bounded by trees and hedges along the boundary with the site. To the south is housing, partly along the north side of Spofforth Hill and entirely on the south side. The housing along the north side of Spofforth Hill comprises mainly large detached and some semi-detached houses with long rear gardens which feature mature planting along their rear boundaries. On the south side of Spofforth Hill, the houses are similar, albeit with smaller rear gardens than the houses to the north side. Beyond these houses to the south is a large suburban housing estate, comprising mainly two-storey detached dwellings with moderate gardens. Access to this housing area is taken off Spofforth Hill from Chatsworth Drive and from Wentworth Gate. To the north is open countryside that falls within the district of Harrogate. This is unallocated within Harrogate's Local Plan, although the land to the south western side of Spofforth Hill within Harrogate district is allocated as Green Belt. The north eastern boundary to the site is formed by the Harland Way (set within a dismantled railway cutting), which is a popular walking and cycling route between Wetherby and Spofforth.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 31/333/99/FU & 31/334/99/FU – 82 dwelling houses: Disposed of in April 2002.
- 4.2 31/338/98/OT – Outline application to layout access and erect residential development: Disposed of in February 2002.
- 4.3 H31/94/81 – Outline application to lay out access roads and erect residential development, sports centre and clubhouse: Refused in July 1981 and appeal dismissed in August 1982.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Pre-application discussions commenced in November 2012 and a pre-application presentation was made to the 11th April City Panel. A copy of the minutes of this meeting are provided at Appendix 1.
- 5.2 Officers have consulted with Ward Members both pre and post submission. Ward Members have raised concerns regarding the proposed access on Spofforth Hill and traffic impact on Wetherby and have requested the access be moved further up Spofforth Hill into Harrogate District.
- 5.3 The applicant held two public consultation events at Wetherby Town Hall in November 2012 and February 2013. These events were drop-in sessions and were publicised by leafleting local residents and interested parties/groups, displaying notices in buildings throughout Wetherby and press releases to newspapers and community radio. The statement of community involvement (SCI) submitted with the application provides full details of the events and feedback received. The applicant's SCI states the events were well attended and highlights the traffic implications being the key issue raised.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application has been advertised as a departure that does not accord with the provisions of the UDPR, affects a right of way and is accompanied by an environmental statement. Site notices were posted 26/7/13 and an advert was placed in the Boston Spa and Wetherby News 9/8/13.
- 6.2 210 representations have been received with the majority objecting to the proposals with the main reason being the adverse highways impact.
- 6.3 Alec Shelbrooke MP raises concerns on behalf of his constituents. Housing requirements are based on out of date figures as the recession and the increased controls on immigration have reduced housing demand. This would be an unnecessary expansion of Wetherby and would put pressure of local traffic and services.
- 6.4 Residents working on the Linton Neighbourhood Plan are concerned the proposals will increase the rat-running through Linton.
- 6.4 Linton Village Society are concerned regarding the impact of extra traffic through Linton that does not have the necessary highway and footway capacity.
- 6.5 The Council for the Protection of Rural England object to the proposals stating the development is unnecessarily large and would have a detrimental visual impact. The alternative location for the roundabout would not be supported. The site does not meet accessibility standards and could increase rat running through Linton.
- 6.6 Many local residents strongly object to the proposals and raise the following concerns:
- Highways impact including access to existing properties, sightlines, impact on Wetherby, Linton, pedestrians on Spofforth Hill, the need for new crossings on Spofforth Hill and an additional access point.
 - The loss of agricultural land.
 - Brownfield site should be developed first.
 - Impact on local services including drainage, doctors, schools, shops.
 - Loss of trees and ecological habitat.
 - The house designs appear boring and inappropriate for the area.
 - The public consultation was poor.
 - A new road should be built to access the development from Kirk Deighton.
 - Previous undertaking stated such a development would not be considered until 2016.
 - Construction traffic should be banned from the Glebefield Estate.
 - The emergency access point from the Glebefield Estate should be locked to prevent unauthorised use.
 - Appropriate landscaping is required to screen the development.
 - Adverse impact on the Wetherby Conservation Area.
 - This would lead to a significant increase in the population of Wetherby.
 - Footpaths should be preserved.
 - Extra traffic in Wetherby could deter tourists.
 - Loss of amenity.
 - Lack of information re house locations etc.

- The proposals should be read in conjunction with the housing proposals in Boston Spa and Thorp Arch and the cumulative impact.

7.0 CONSULTATIONS RESPONSES:

7.1 Statutory:

7.2 Yorkshire Water: There is limited capacity in the existing network therefore on site storage will be required. Conditions are recommended.

7.3 Environment Agency: No objection.

7.4 Non-statutory:

7.5 Highways: Additional information including a Stage 1 Road Safety Audit is required. A single vehicle access point is acceptable in principle in this instance subject to confirmation of the detailed design. The TA examines affected junctions and concludes that the majority of movements affected (49/81) will experience a less than 10% increase, 18/81 movements will experience a 10-15% increase, 10/81 between 15-20% and 4 movements will increase by over 20%. Daily and seasonal fluctuations would mask the effect of the increases of 10% or less. It is difficult to quantify the effect of the proposed mitigation works.

7.6 Transport Policy: Revisions to the Travel Plan are required. The TP should be appended to a S106 and the review fee of £4,000 and MetroCard provision should be required by the S106.

7.7 Public Transport Contribution Officer: Based on 400 houses, a contribution of £490,485 would be required (£1,226 per dwelling).

7.8 Police Architectural Liaison Officer: Guidance provided on safety and security measures.

7.9 Contaminated Land: No objection.

7.10 West Yorkshire Archaeological Advisory Service: The site lies within an area of archaeological significance. A valuation should be carried out before determination and if not, a suitable condition added.

7.11 Flood Risk Management: No objection.

7.12 Public Rights of Way: Footpath minimum dimensions should be retained and signage erected where necessary.

7.13 Metro: The site does not meet accessibility criteria to Leeds City Centre but consideration should be given to the proximity of Wetherby and Harrogate. New bus

stops with real time information are required and the MetroCard contribution and public transport contribution are welcomed.

- 7.14 Education Leeds: The development would generate around 100 primary aged pupils which equates to a nearly half a form of entry. A contribution of £1,118,929 would be sought as there is not sufficient capacity in Wetherby. The development would generate around 40 secondary pupils but there is sufficient capacity in Wetherby therefore a contribution is not necessary.
- 7.15 Harrogate District Council: An alternative location for the roundabout within Harrogate District would have significant adverse visual impacts and would not be supported.
- 7.16 North Yorkshire County Council: Further analysis of junctions within North Yorkshire should be carried out.
- 7.17 Affordable Housing Team: LCC has low affordable housing stock in Wetherby and a low turnover of social housing, any additional social rented and submarket stock would assist in meeting current demand, including a percentage of housing to meet the needs of older people. Given high house prices in the proposed area, low turnover and affordability, there is a need for more affordable housing stock in this area as well as the inner areas.

8.0 PLANNING POLICIES:

8.1 Development Plan

- 8.2 The development plan includes the adopted Leeds Unitary Development Plan Review 2006 (UDPR) which is supplemented by relevant supplementary planning guidance and documents. The site is allocated within the UDP as a 'Protected Area of Search' (PAS). Policy N34 is specifically relevant which restricts development to that which is necessary for the operation of existing uses together with such temporary uses as would not prejudice the possibility of long term development. The site also abuts a Leeds Nature Area (LNA 109 – Wetherby Railway Triangle). Other policies which are relevant are as follows:

SA1: Secure the highest possible quality of environment.

GP5 all relevant planning considerations

GP7 planning obligations

GP11 sustainability

GP12 sustainability

H4: Residential development.

H11-H13: Affordable Housing.

N2: Greenspace

N4: Greenspace

N12: Relates to urban design and layout.

N13: New buildings should be of a high quality design and have regard to the character and appearance of their surroundings.

N23: Relates to incidental open space around new developments.

N24: Seeks the provision of landscape schemes where proposed development abuts the Green Belt or other open land.

N25: Seeks to ensure boundary treatment around sites is designed in a positive manner.

N26: Relates to landscaping around new development.

N37A: Development within the countryside should have regard to the existing landscape character.

N38B: Relates to requirements for Flood Risk Assessments.

N39A: Relates to sustainable drainage systems.

N50: Seeks to protect, amongst other assets, Leeds Nature Areas.

N51: New development should wherever possible enhance existing wildlife habitats.

T2: Development should not create new, or exacerbate existing, highway problems.

T2C: Requires major schemes to be accompanied by a Travel Plan.

T2D: Relates to developer contributions towards public transport accessibility.

T5: Relates to pedestrian and cycle provision.

T24: Parking guidelines.

BD2: The design of new buildings should enhance views, vistas and skylines.

BD5: The design of new buildings should give regard to both their own amenity and that of their surroundings.

LD1: Relates to detailed guidance on landscape schemes.

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

8.4 Relevant Supplementary Planning Guidance

8.5 Supplementary Planning Document: "Street Design Guide".
 Supplementary Planning Document: Public Transport Improvements and Developer Contributions.
 Supplementary Planning Document: Travel Plans.
 Supplementary Planning Document: Designing for Community Safety – A Residential Guide
 Supplementary Planning Guidance "Neighbourhoods for Living".
 Supplementary Planning Guidance "Affordable Housing" – Target of 35% affordable housing requirement.
 Supplementary Planning Document – Sustainable Design and Construction "Building for Tomorrow, Today"
 Supplementary Planning Guidance 4 – Greenspace Relating to New Housing Development
 Supplementary Planning Guidance 11 – Section 106 Contributions for School Provision
 Supplementary Planning Guidance 25 – Greening the Built Edge

8.6 National Planning Guidance

8.7 The National Planning Policy Framework (NPPF) came into force on 27th March 2012. The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF.

The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.

8.8 Emerging Policy

8.9 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 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State for examination. An Inspector has been appointed and the draft plan is currently being examined.

8.10 As the Publication Draft Core Strategy is currently being examined some weight can 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 examination.

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

8.12 **Other Planning Policy – Leeds Executive Board**

8.13 To support regeneration, economic growth and to help meet housing needs, the Council has been proactive in facilitating a range of actions to help stimulate the housing market. This has included the release of Phase 2 & 3 housing sites; the introduction of an interim affordable housing policy; initiatives to bring forward City Council brownfield sites; an ambitious Core Strategy target; positive action to support Neighbourhood Planning and on-going dialogue with major housebuilders. An Executive Board report on 13th March set out additional recommendations to add to the range of these initiatives to support growth in suitable and sustainable locations. As such, an interim policy has been introduced to assist in strengthening the supply of achievable housing land, pending the adoption of the Site Allocations DPD. As such, the new interim policy is as follows:

In advance of the Site Allocations DPD, development for housing on Protected Area of Search (PAS) land will only be supported if the following criteria are met:

- i) locations must be well related to the Main Urban Area or Major Settlements in the Settlement Hierarchy as defined in the Core Strategy Publication Draft.*
- ii) sites must not exceed 10ha in size ('sites' in this context meaning the areas of land identified in the Unitary Development Plan), and there should be no sub-division of larger sites to bring them below the 10ha threshold; and*
- iii) the land is not needed, or potentially needed, for alternative uses.*

In cases that meet criteria (i) and (iii) above, development for housing on further PAS land may be supported if:

- iv) it is in an area where housing land development opportunity is demonstrably lacking; and*
- v) the development proposed includes or facilitates significant planning benefits such as, but not limited to:*
 - a) a clear and binding linkage to the redevelopment of a significant brownfield site in a regeneration area;*
 - b) proposals to address a significant infrastructure deficit in the locality of the site.*

In all cases development proposals should satisfactorily address all other planning policies, including those in the Core Strategy and it should be noted that there may be other material planning considerations which justify a refusal of planning. Permissions should also be conditioned to be commenced within 2 years of the date of permission.

9.0 MAIN ISSUES

- Principle of development.
- Affordable housing
- Highways.
- Tree loss/Landscaping.
- Indicative layout.
- Section 106
- Letters of representation

10.0 APPRAISAL

10.1 Principle of Development

- 10.2 The application site is designated as a “Protected Area of Search “(PAS) in the adopted UDP. Such sites are designated under Policy N34 which specifies that PAS sites are to be retained for long term development and any intermediate development should be resisted that would prejudice development for long term needs. The supporting text to Policy N34 states that, “The suitability of the protected sites for development will be comprehensively reviewed as part of the preparation of the Local Development Framework...” By not waiting for the comprehensive review (currently underway in preparation of Leeds’ Site Allocations Plan), a decision to approve this application must be regarded as a departure from the Development Plan. However, the introduction of the Interim policy authorised by the Executive Board provides a policy basis for considering the release of PAS sites in the interim.
- 10.3 Whilst the city council considers it has demonstrated that it has an appropriate housing supply to meet the requirements of planning policy this will ultimately be subject to forensic examination (in all probability at public inquiry).Consequently a further buffer of supply is required to provide additional security and this is the

reason for introducing the Interim Policy that facilitates the release of some PAS sites subject to the terms of the policy being met.

- 10.4 The criteria of the interim policy are intended to ensure that PAS sites of relative significance in terms of size and locational impact will only be, identified as housing sites, through the development plan process, namely the Site Allocations Plan. However the interim policy envisages that other PAS sites, notably smaller sites (below 10ha) that are well related to either the Main Urban Area or the Major Settlements defined in the Core Strategy are capable of being developed for housing, can be brought forward ahead of the Site Allocations Plan process providing that there are no other material considerations indicating otherwise.
- 10.5 The NPPF requires that local planning authorities should identify and update annually a supply of specific deliverable sites to provide five years worth of housing against their housing requirements with an additional buffer of 5% to ensure choice and competition in the market for land. Deliverable sites should be available now; be in a suitable location; and be achievable with a realistic prospect that housing will be delivered on the site within 5 years. Sites with planning permission should be considered deliverable until permission expires subject to confidence that it will be delivered. Housing applications should be considered in the context of the presumption in favour of sustainable development.
- 10.6 Paragraph 49 of the NPPF requires that housing applications be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites.
- 10.7 It is acknowledged that Leeds has a five year land supply and that an element of that supply is expected to come from land which has been identified as to be determined through the Site Allocations DPD. The application site is located on the edge of a 'Major Settlement' and the site appears to be both accessible and sustainable.
- 10.8 Paragraph 85 of the NPPF provides that "Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan Review which proposes development.
- 10.9 In advance of the Site Allocations DPD Executive Board have approved an interim policy which releases some Protected Area of Search (PAS) land for housing development. The interim policy only supports housing development on PAS sites subject to the following criteria.

Criteria (i) *Locations must be well related to the Main Urban Area or Major Settlements in the Settlement Hierarchy as defined in the Core Strategy Publication Draft.*

Criteria (ii) *Sites must not exceed 10ha in size and there should be no sub division of larger sites to bring them below the 10ha threshold.*

Criteria (iii) *Land is not needed, or potentially needed for alternative uses.* The application site is not needed for alternative uses and therefore satisfies this criterion.

Whereas the site is greater than 10ha (it is 15ha) and therefore fails criteria ii, the site relates well to the 'Major Settlement' of Wetherby and it is not envisaged that the site is required for any alternative use therefore the site meets criteria i and iii.

- 10.10 As stated in the interim policy, *'in cases that meet criteria (i) and (iii) above, development for housing on further PAS land may be supported if:*
- vi) it is in an area where housing land development opportunity is demonstrably lacking; and*
 - vii) the development proposed includes or facilitates significant planning benefits such as, but not limited to:*
 - a) a clear and binding linkage to the redevelopment of a significant brownfield site in a regeneration area;*
 - b) proposals to address a significant infrastructure deficit in the locality of the site.*
- 10.11 With regard to point vi), it is the view of Officers that Wetherby is in an area where housing land development opportunity is demonstrably lacking. This is evident in the absence of any allocated housing sites within Wetherby itself. In recent years, the only housing development that does take place relates to small infill sites that produce only single dwellings or sites for several houses.
- 10.12 With regard to vii), the applicant has made an offer to provide some of the required affordable housing provision by way of a financial contribution that could be used on other sites across the city to deliver affordable housing on brownfield sites. Further consideration of this offer is taking place.
- 10.13 Subject to agreeing an appropriate approach to criteria vii) above, it is considered that the site could meet the criteria of the Interim Policy for release as a new housing site and the principle of housing development would therefore be acceptable subject to the other material considerations examined below.
- 10.14 Subject to detailed consideration of the affordable housing offer below, do Members agree to the principle of the release of this PAS site for up to 400 houses?**
- 10.15 Affordable Housing
- 10.16 As highlighted above, the applicant has offered to provide the 35% affordable housing requirement by providing 15% on site and 20% by way of a commuted sum that could be used to deliver affordable housing on other sites across the city.
- 10.17 The application is an outline application for 'up to 400 houses' therefore the final number of dwellings is not being set at this time. However, if 400 houses are provided the offer from the applicant would equate to 60 houses on site. The applicant has indicated the 60 dwelling could be made up of the following split; 18 one bed, 27 two bed, 12 three bed and 3 four bed dwellings. Officers are broadly supportive of this indicative mix. Full details of the mix and phasing of delivery will be discussed further with clauses included within the S106.

- 10.18 The remaining 20% (equivalent to 80 dwellings) is offered as a commuted sum. The Council would have the opportunity to use this sum to deliver affordable housing elsewhere in the city. Due to the high cost of housing in Wetherby, the commuted sum could potential deliver significantly more than the 80 affordable units on site in an area where house prices are much lower and where the affordable housing may be more sought after (subject to their being suitable available and deliverable sites).
- 10.19 Criteria vii) a) of the interim PAS policy states the delivery of PAS sites could be accepted if the proposed development has '*a clear and binding linkage to the redevelopment of a significant brownfield site in a regeneration area*'. Officers believe the provision of an off-site contribution to deliver a significant number of affordable units elsewhere in the city could be considered to meet this criteria and comply with the PAS policy. However, it must be noted that this offer is not over and above what would be required in normal instances if a commuted sum was being sought in lieu of some or all of the on-site provision.
- 10.20 To give Members an idea of what the contribution may be, the applicant and officers have calculated what the approximate contribution would be based on 400 dwellings. As the application is in outline and does not have a defined number of dwellings, the level of the commuted sum would be set by the Council's standard formula that would be included within the S106 agreement. To obtain the final sum, the formula requires inputs including number of dwellings, average dwelling size, open market value plus the defined social rented price and intermediate housing values. The level of the contribution would therefore be determined by the inputs into that formula at the time of calculation, ie how many houses are being built and house prices at that time.
- 10.21 Using the Council's formula for calculating commuted sums, the applicant has calculated this indicative sum to be £7m. However, officers believe the inputs regarding average house sizes and open market values are too low. Officers have calculated the sum would be more in the region of £10.5m. Officers will continue to discuss the inputs used in the formula with the applicant.
- 10.22 The commuted sums highlighted above are indicative and would change over the course of the build out of the development following changes in the housing market and inflation.
- 10.23 Do Members agree that a 15% on site affordable housing provision and 20% off-site provision is acceptable for this application?**
- 10.24 Do Members consider the principle of a 20% off-site contribution (in accordance with the Council's standard formula) sufficiently meets criteria vii) a) of the interim PAS policy?**
- 10.25 Highways
- 10.26 As with any development of this scale, the impact on the local highway network would be significant. Surveys show that 85% of development traffic will head east along Spofforth Hill in the morning peak. The applicant has proposed a variety of

measures to attempt to reduce the impact of this traffic including public realm works in Wetherby Town Centre and a 20 MPH zone on Crossley Street outside the primary school. However, the proposed mitigation cannot be quantified in terms of what, if any, reduction in traffic impact would occur therefore, highways officers cannot confirm the proposed mitigation would result in a nil detriment position.

- 10.27 The Transport Assessment examined 7 key junctions in Wetherby using survey data from a Thursday (which is Market Day and busier than typical weekdays), a Saturday (given proximity to Wetherby centre) and a typical Tuesday. The junction assessments looked at various scenarios for traffic flows for today and future years as this development is built out.
- 10.28 The findings show that Saturdays are largely unaffected and most junctions currently and would continue to operate within capacity. The Tuesday and Thursday assessments show that the traffic on market day is higher than other weekdays and this currently impacts the operation of the highway network. There are three key junctions that are currently affected and would continue to be affected with development traffic. These are the three mini-roundabouts in Wetherby centre. Direct mitigation at these locations is likely to be difficult given the limited land availability and proximity to the listed bridge.
- 10.29 The submitted TA examined the possibility of the new roundabout increasing rat-running from Wentworth Gate through to Linton Lane. However, this was discounted due to the convoluted route that must be taken. To further understand the potential impact highways officers have asked the applicant to further examine this.
- 10.30 Ordinarily two access points would be preferred for a development greater than 300 houses to maximise accessibility. However, in this instance the principle of the single access point via a roundabout with Wentworth Gate is, on balance, acceptable for a number of reasons. If two access points were sought they would be within close proximity of each other on Spofforth Hill and evidence shows 85% of traffic from the development would travel to/from Wetherby and not use the second access nearer Harrogate District. In addition a second access would require the removal of additional trees. A second access via the Glebefields development would not be suitable as this development of approximately 250 dwellings is already served off a single access. However, an emergency access link to the Glebefield estate is provided to help with accessibility. The creation of what is essentially a large cul-de-sac off the single access point can be accepted provided the internal road network forms a loop, which is the case in this instance. The detailed design of the new roundabout is still being considered by highways officers.
- 10.31 The location of the site and proximity of bus stops does not meet the Accessibility Standards in the Core Strategy as the frequency of public services to Leeds (the nearest defined major public transport interchange) are less than 4 per hour. Similarly, the site is located outside the recommended distance to local facilities. These issues must be considered on balance with other issues such as housing need. In addition weight must be given to the accessibility of the site to Wetherby and Harrogate and not just the difficulty in accessing Leeds City Centre. The retention and enhancement of existing pedestrian connections on Spofforth Hill and via the Harland Way will assist with connectivity.

- 10.32 The applicant's highways consultant and LCC officers continue to investigate the highways impact in response to queries raised by officers and local residents.
- 10.33 As highlighted above, Members and local residents have requested the applicant considers an alternative location for the roundabout further up Spofforth Hill within Harrogate District. Officers have contacted Harrogate and received comments stating Harrogate consider such a roundabout would be contrary to policy and would not be supported. Whereas the applicant is willing to consider an alternative location for the access they preferred option is the one submitted and the Council are tasked with determining the application as proposed.
- 10.34 Subject to further examination of the impacts and potential mitigation measures, are Members supportive of the principle of a new roundabout at Spofforth Hill/Wentworth Gate providing access to the proposed development?**
- 10.35 Tree Loss/Landscaping
- 10.36 The new vehicular access would require the removal of a number of mature trees fronting Spofforth Hill. Since the pre-application presentation the applicant has attempted to reduce the number of trees that would be removed amending the position of footpaths adjacent to the roundabout including relocating a footpath serving the new dwellings within the site behind the trees rather than on Spofforth Hill. At the time of the pre-application presentation the number of trees definitely being removed was 33.
- 10.37 The applicant has submitted a drawing that show 16 trees are within the area of works and therefore would be definitely need to be removed. These 16 trees are classed as the lower category B and C trees, albeit guidance states they should still be retained if possible. The root zones of a number of additional trees would also be affected and therefore may need removal. The total number of trees either directly removed or with their root zones affected is 31. The applicant has been asked to further examine this issue and explore which root zones and affected to such an extent that the tree would still need to be removed and which trees could be retained with further tweaking to the alignment, provision of 'hand dig' methodology around the trees etc.
- 10.38 Even if only 16 trees were removed, the impact on the existing character of Spofforth Hill would be significant. This impact would need to be balanced with the other planning merits of the scheme when reaching a conclusion on the acceptability of the proposals.
- 10.39 The application site is a greenfield site with open countryside beyond its northwest boundary. Along this boundary there is some existing mature planting that would screen the development and the applicant proposes to introduce further planting to provide an appropriate buffer to the development. Officers have requested a 20m wide landscape buffer along this boundary to ensure an appropriate transition between the development and the open countryside and to enhance ecological habitats.

- 10.40 Landscape buffers are also proposed along the site boundaries with the existing dwellings on Spofforth Hill and within the Glebefield estate.
- 10.41 Subject to the number of trees to be removed being limited to as few as possible, do Members accept the loss of some trees on Spofforth Hill to accommodate the new access?**
- 10.42 Are Members supportive of the principle of a 20m buffer to the open countryside plus additional landscape buffer to the existing residential properties?**
- 10.43 Indicative Layout
- 10.44 An indicative masterplan has been submitted that identifies the landscape buffers referenced above whilst identifying approximate development zones, a village green and other areas of public open space totalling 1.04 hectares and public rights of way. A design code is contained within the Design and Access Statement that outlines the future design aspirations for the site.
- 10.45 A development with only a single access point is not necessarily ideal. However, the general layout appears well connected and subject to detailed consideration at reserved matters stage to assess space between dwellings, garden sizes etc the indicative layout can be accepted.
- 10.46 Are Members supportive of the general principles identified on the indicative layout?**
- 10.47 Section 106
- 10.48 The heads of terms for the S106 agreement would be as follows:
- Affordable housing at 35%, detailed provision to be agreed.
 - Public transport contribution of £490,485 based on 400 houses (£1,226 per dwelling).
 - Education contribution of £1,118,929 based on 400 houses (2797.32 per dwelling).
 - Greenspace contribution of £382,829.49 plus a maintenance contribution of £230,279.65. Plus either a further 0.56ha to be provided on site or an equivalent contribution.
 - Access to public open space.
 - Travel plan plus monitoring fee of £4,000.
 - Necessary off-site highways works.
 - Bus stops with real time information.
 - Provision of a local employment agreement.
- 10.49 Subject to the detailed consideration of the affordable housing provision, do Members agree with the Heads of Terms outlined above?**
- 10.50 Letters of representation

10.51 The majority of the issues raised in the letters of representation have been considered above and will continue to be assessed as detailed. Officers will continue to examine the representations in detail and detailed responses will be provided in future panel reports.

11.0 CONCLUSION

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

- i. **Subject to detailed consideration of the affordable housing offer below, do Members agree to the principle of the release of this PAS site for up to 400 houses?**
- ii. **Do Members agree that a 15% on site affordable housing provision and 20% off-site provision is acceptable for this application?**
- iii. **Do Members consider the principle of a 20% off-site contribution (in accordance with the Council's standard formula) sufficiently meets criteria vii) a) of the interim PAS policy?**
- iv. **Subject to further examination of the impacts and potential mitigation measures, are Members supportive of the principle of a new roundabout at Spofforth Hill/Wentworth Gate providing access to the proposed development?**
- v. **Subject to the number of trees to be removed being limited to as few as possible, do Members accept the loss of some trees on Spofforth Hill to accommodate the new access?**
- vi. **Are Members supportive of the principle of a 20m buffer to the open countryside plus additional landscape buffer to the existing residential properties?**
- vii. **Are Members supportive of the general principles identified on the indicative layout?**
- viii. **Subject to the detailed consideration of the affordable housing provision, do Members agree with the Heads of Terms outlined above?**

12.0 BACKGROUND PAPERS

12.1 Application file 13/03051/OT.

12.2 Notice has been served on five landowners.

APPENDIX 1 – Minutes of the 11th April City Plans Panel relating to Spofforth Hill, Preapp/12/01073

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

Officers presented a report of the Chief Planning Officer on pre-application proposals for a residential development on land at Spofforth Hill Wetherby LS22, which bordered North Yorkshire and which was designated PAS land and met criteria i) and iii) of the Council's recently implemented policy on housing development on PAS land. Members also received a presentation on behalf of the applicant who provided the following information:

- that although the proposals were for around 350-375 dwellings on this site, in total the proposals could realise 700 dwellings in total, with the proposed off-site affordable housing contribution providing an additional 350 properties on Easel sites
- that the application would be in outline
- that the site had relatively good access to Wetherby Town Centre, pedestrian and cycle ways and benefitted from a regular bus service
- that several options had been drawn up for vehicular access into the site. Of these, option 2 had attracted concerns from local residents regarding impact on their amenities; option 3 relied upon a roundabout being constructed which would be on land in the Harrogate district, with the preferred option being option 4 which was presented at the consultation process and provided good traffic calming measures
- that two, three, four and five bed properties were proposed together with some single bed dwellings
- that just 1% of people on the housing waiting list were in the Wetherby area, therefore the proposal was to reduce the affordable housing provision on the Wetherby site, which current policy required at 35% of the total units, to 15% provision on site and then provide a financial contribution in lieu of the rest of the affordable housing requirement to be spent on affordable housing provision on Easel sites
- that to provide the 35% affordable housing on the Spofforth Hill site would result in 126 affordable homes; at 15% this would provide 54 affordable homes but the off-site contribution would provide up to 334 affordable homes in East Leeds
- that the proposals were estimated to create 100 construction jobs and around 200 indirect jobs as well as a £5m New Homes Bonus for the Council

Members commented on the following matters:

- the appropriateness of allowing discussions about Easel sites, particularly as what was suggested in the submitted report was the provision of a commuted sum for the provision of off-site housing
- that little information had been provided in the presentation about the outline application
- the need to ensure that if this proposal was accepted, that it would not tie the Council's hands in any way
- the proposed access options with concerns at the seeming reluctance to consider the third option which would require Harrogate Council to be approached about the siting of the roundabout which appeared to Members to be the better option
- the consultation and level of attendance to events
- land ownership

- a lack of information in the submitted report about the traffic impact of the development on the surrounding network, particularly as the junction at Bridgefoot was at capacity
- that a roundabout would be needed to serve any development
- the need for any S106 financial contributions to be spent locally
- the extent of the tree loss which would be necessary for a development on this site, with concerns that this had not been properly explained and that 33 trees were likely to be affected and that urgent work was needed on the TPO trees
- the Council's policy on housing development on PAS sites; as set out in the submitted report, the criteria for this and the relevance of criteria ii)
- the likely house prices of a property in the Wetherby and East Leeds areas and whether these would be considered to be affordable to the average family
- whether it was important to retain some non-urban land between the Leeds and Harrogate boundaries in this location
- that the site had broad support for housing development from Ward Members and Town Councillors but there were many detailed issues associated with the proposals, particularly highways; that it was not clear why Harrogate Council should not be approached regarding the roundabout; that the presentation to Wetherby Town Council did not fully explain the options presented to Panel and that there were concerns locally about rat running
- that the report referred to a commuted sum and that the Council should be unencumbered by this and should be able to spend the money how it wished in terms of providing affordable housing, with details needing to be provided to Panel if this was pursued as part of a formal application
- that the site coming forward for development at this time was premature
- the need for Plans Panel Members to be made aware of the implications of the new policy relating to PAS sites

The following responses were provided:

- that Highways Officers had not considered option 3 but they were concerned about this in terms of adequate visibility being able to be achieved due to the presence of a lodge opposite the site
- that two consultation events on the proposals had been held, with 400 people attending the second event with highways issues being the main concern together with car parking facilities in Wetherby Town Centre and vehicle speeds on Spofforth Road
- that pedestrian access out of the site could be considered further to see if a lesser footway could be accepted which would lead to greater retention of trees
- that criteria ii) of the policy relating to housing development on PAS sites related to relatively small sites which could not offer anything else but were well allied to other sites and in these circumstances development could be considered acceptable
- that the average selling price for a 3/4 bed property on Easel was around £135,000 whereas for Wetherby this would be around £180,000

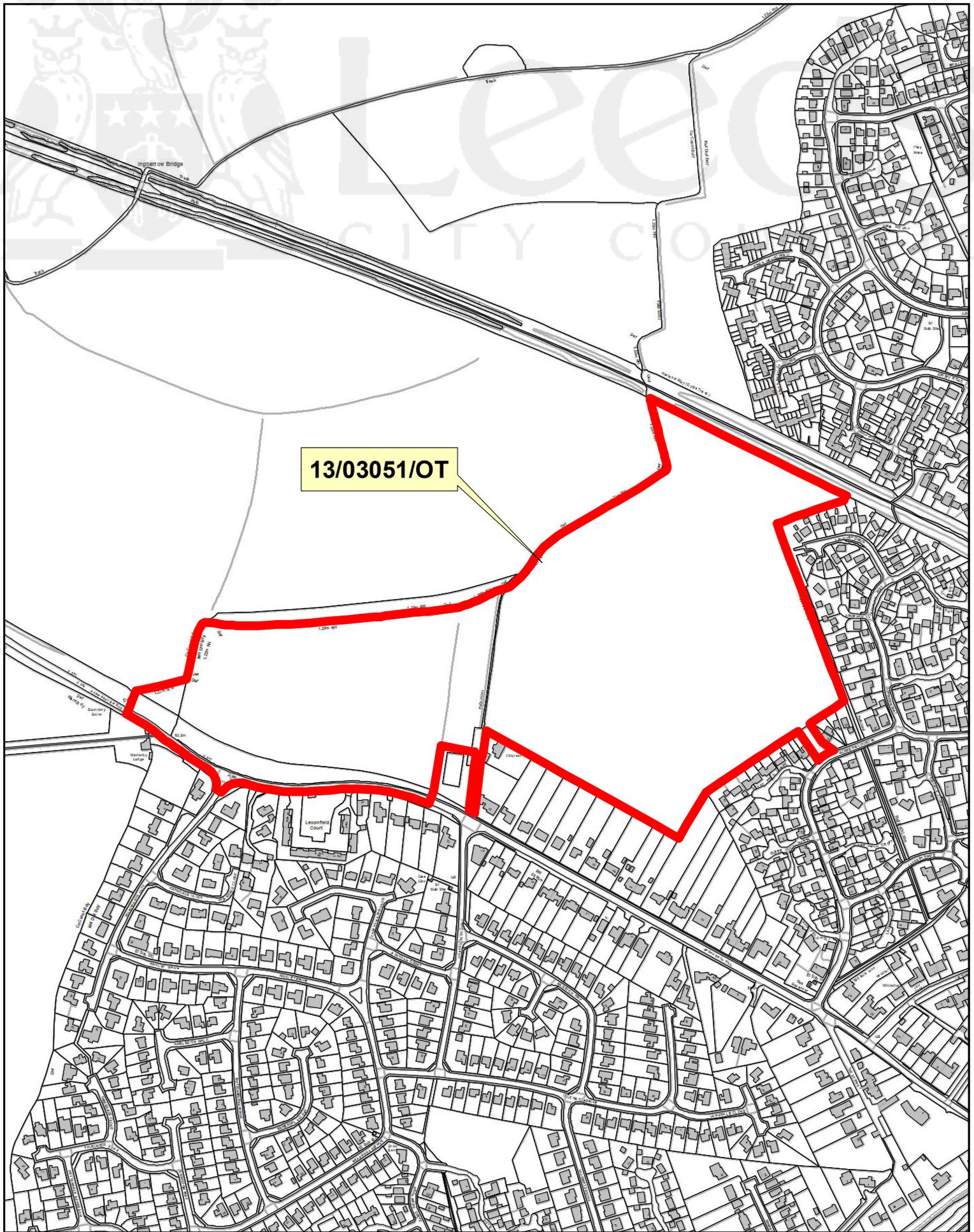
- that if 15% affordable housing was accepted on the Wetherby site this would include a range of houses in various tenures
- that there would be some planting required against the district boundary
- that the new PAS land policy could be reported to a future meeting of Joint Plans Panel

In respect of the particular issues raised in the report, the following responses were provided by the Panel:

- concerning the acceptability of the principle of residential development on this particular PAS site in light of the recent interim policy agreed by Executive Board on 13th March 2013, that Development Plan Panel would be considering housing allocation sites and account should be taken of the deliberations on these issues by Development Plan Panel and Executive Board
- in relation to the applicant's approach to affordable housing which sought to provide a mix on site and a proportion off-site aimed at brownfield sites within a regeneration area such as Easel, that further information on this was required in terms of what would be delivered, how this would be done and financial information to evidence what was being proposed
- concerning the vehicular access arrangements and the consequential impact on trees, that as many trees as possible should be saved, that the option for a roundabout on land within Harrogate should be pursued along with an evaluation of other alternative options. On this point the Chief Planning Officer stated that the options would be considered in detail

RESOLVED - To note the report, the information provided and the comments now made

During consideration of this matter, Councillor Gruen and Councillor Latty left the meeting



13/03051/OT

CITY PLANS PANEL

