



## Report of the Chief Planning Officer

### SOUTH AND WEST PLANS PANEL

Date: 21<sup>st</sup> February 2019

Subject: 17/06052/OT – Outline planning application to erect residential development and associated sports club on land at Pool Paper Mills, Pool Road, Otley

#### APPLICANT

Weidmann Whiteley

#### DATE VALID

14 September 2017

#### TARGET DATE

21 December 2018

#### Electoral Wards Affected:

Adel and Wharfedale

Yes

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### RECOMMENDATION:

**DEFER and DELEGATE approval to the Chief Planning Officer subject to the specified conditions and the completion of a legal agreement within 3 months from the date of resolution unless otherwise agreed in writing by the Chief Planning Officer to include the following obligations:**

- Capital receipt from the sale of the existing sports pitch to be used to provide the new sports pitch / club with the remainder reinvested in the Weidmann Whiteley business at Pool; and

- The sports pitch / club to be a permanent community facility.

**Subject also to the Secretary of State not wishing to call the application in for his own determination as a Departure from the Green Belt.**

#### Conditions

1. Time limit on outline permission
2. Development to accord with approved plans
3. External materials to be approved
4. Surfacing materials to be approved
5. Boundary treatments to be approved

6. Full details of access layout and provisions to be approved
7. Cycle parking for proposed sports club to be approved
8. Vehicle areas to be laid out
9. Landscape scheme to be approved
10. Landscape scheme to be carried out
11. Preservation of existing trees
12. Protection of existing trees
13. Revised Arboricultural Impact Assessment to be approved
14. Arboricultural Impact Statement to be approved
15. Landscape Management Plan to be approved
16. Replacement trees
17. Biodiversity enhancements to be approved
18. Lighting scheme (including hours of use) to be approved
19. Details of provision of access road over beck to be approved
20. Feasibility infiltration drainage study to be approved
21. Surface water drainage scheme to be approved
22. Maintenance scheme for existing watercourse to be approved
23. Phase 2 site investigation to be approved
24. Amended remediation statement
25. Verification reports to be approved
26. Imported soil tests to be approved
27. Limitation on size of clubhouse

## **1.0 INTRODUCTION**

- 1.1 This application proposes the relocation of an existing sports pitch to allow the development of the existing sports pitch with 9 houses. It also proposes provision of a new sports pitch and changing facilities/clubhouse to the south of the Weidmann Whiteley mills site. The site lies within the designated Green Belt and the proposals therefore raises issues relating to the principle of development which is a housing development in the Green Belt. There has also been significant interest both in support and objection to the application. It therefore falls to be determined by Plans Panel.
- 1.2 As the proposal for housing development is inappropriate development in the Green Belt, Plans Panel is advised that the principal matter to consider is the question of whether 'very special circumstances' have been demonstrated to clearly outweigh the harm as a result of inappropriateness and harm due to the loss of openness and any other harm, attaching substantial weight to this harm.

## **2.0 PROPOSAL**

- 2.1 This outline application seeks planning permission for the construction of 9 dwellings and a new sports facility with ancillary clubhouse on land at Pool Paper Mills. All matters are reserved for future consideration apart from access. It is proposed to build the 9 houses on the site of the existing sports pitch and to provide a new sports pitch with associated changing facilities and car parking on the land to the south of the main Mill buildings.

## **3.0 SITE AND SURROUNDINGS**

- 3.1 The application site comprises of 2 parcels of land which are associated with Pool Paper Mills (Weidmann Whiteley). The first comprises the existing sports pitches located to the east of the main mill buildings and the second is an area of grassland located south of the main mill buildings.

3.2 The main Weidmann Whiteley site contains an extensive range of manufacturing buildings in a variety of built forms. Pool Road runs along the site frontage and to the east of the site are detached houses fronting Pool Road and opposite is Pool Business Park, which is an adapted red brick mill site.

3.3 The whole of this area is within the designated Green Belt.

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

4.1 PREAPP/16/00497 – residential development and relocation of football pitch – advice given November 2016.

4.2 13/05550/FU – erection of 5 light industrial (B1X) and warehouse (B8) units – approved 13 November 2014.

4.3 11/00213/FU - Erection of 5 light industrial units on site of former sports and social club – application withdrawn.

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

5.1 This application was submitted in 2017 but was not actively progressed for a number of months due to the need for a tree survey to be submitted for the site. When this was submitted in February 2018 it was found to cover only the site of the proposed housing. A full report was not submitted until the end of April 2018. Since this time there have also been a number of discussions and meetings with both the agent / applicant relating to the case for very special circumstances to develop within the Green Belt. A detailed business case has been developed and refined to seek to demonstrate why the release of land for housing is required to safeguard the future of the adjacent Weidmann Whitely Paper Mills business.

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

6.1 The application has been advertised by site notice posted on the 5<sup>th</sup> of October 2017 and in the Yorkshire Evening Post on the 22<sup>nd</sup> of September 2017. To date 39 letters of representation have been received. The comments made are summarised as follows.

6.2 19 letters of representation (from 16 Households) have been received from interested parties who object to the application. The issues raised are summarised as follows.

- It is in the Green Belt and very special circumstances have not been demonstrated.
- A covenant states the land is to be retained as a facility for the village.
- Braime House is owned by the applicant - they should sell this.
- It is stated that the proposal is to keep the business going. Same argument used a few years ago. If previous revenue not sufficient to sustain the business then highly unlikely this proposal will either.
- Company has sustained years of losses and has a huge negative net worth. How will raising this money make a difference?
- When applying for the business units Weidmann Whiteley promised to protect the playing field.
- New sports site does not compensate for loss of existing - further from village and isolated.

- More housing will compound pressures from excessive traffic and inadequate transport infrastructure, schools, shopping and medical facilities.
- Increased traffic is a road safety concern.
- Existing wildlife habitats must be protected.
- It will increase pollution.
- The site floods regularly.
- Existing drainage to the adjacent business units is inadequate.
- It will be visually intrusive.
- It will result in a loss of privacy and increased noise to nearby residents and future occupiers of the development.
- The existing site generates significant noise, light pollution and smells. An increase in production will increase this.
- The plans submitted infringe onto the Pool Enterprise Park Estate.
- Loss of trees and hedges will have a negative effect on the character of the area.

6.3 Councillors Barry and Caroline Anderson have objected to the application on the following grounds.

- It is in the Green Belt and very special circumstances have not been demonstrated.
- The same argument about the need for capital to keep the business going was used for the adjacent site. This is a concern in terms of the sustainability of the business.
- This area is liable to flooding and concreting over the land will not help.
- The area is important for wildlife and needs to be protected.
- Pool suffers from major traffic flows and high levels of air pollution and increased cars will not help this.
- There are no nearby schools accessible by foot or public transport (all full) and no medical facilities either. Car journeys are therefore required which add to congestion and pollution.
- Pool has poor public transport.
- It would be better to wait for the Pool Neighbourhood Plan to guide development.

6.4 Pool-in-Wharfedale Parish Council raise objections to the application on the following grounds.

- It is an infringement of the Green Belt.
- It is incremental development.
- Pool already has major transport, congestion and road network issues and this would make matters worse.
- Pool has a lack of amenities to support current housing without adding to it.
- Environmental and wildlife issues within the site have not been adequately addressed.
- Access to the relocated recreation ground will be more difficult for users.
- Flooding is a problem in the area and building on the site may make matters worse or push the flood water elsewhere.

6.5 18 letters of representation (from 17 households) have been received from interested parties who support the application. The issues raised are summarised as follows.

- Weidmann Whitely are a leading / major local employer and re-investment will ensure the business can flourish for generations to come, protecting existing jobs.
- Investment back into the business could create more jobs.

- Relocation of the sports facilities will ensure children of all ages can enjoy sport for many years.
- The sports facilities will be improved.
- It will provide much needed housing.

## 7.0 CONSULTATION RESPONSES:

### Highway Authority

7.1 Highways initially commented that they cannot support the application as submitted, advising that the proposal does not comply with accessibility standards set out in the Core Strategy for development of 5 dwellings or more (in relation to the frequency of bus services and destinations and distances from services) and that the application needs to demonstrate an acceptable access to the proposed sports facility. Additional plans were sought to demonstrate pedestrian provision, passing bays and surfacing arrangements from Pool Road to the car parking area.

7.2 Following these comments, a Highway Consultant was appointed by the applicant to address the issues raised. Highways were consulted on the submitted response and have confirmed that they now have no objections subject to a condition requiring details of the access to the proposed sports ground, and reiterating the site does not meet all of the accessibility criteria set out in the Core Strategy.

### Flood Risk Management

7.3 Flood Risk Management (FRM) has no objections subject to conditions relating to the submission of a feasibility study relating to infiltration drainage, the submission of a drainage scheme and the preservation of the drainage ditch along the western boundary of the playing field area. Due to concerns expressed by some local residents about flooding further advice was sought from FRM who advised that they are aware of flooding problems on Pool Road in the vicinity of the 'low points' along the main road. However, these flooded area are at levels that are lower than the existing levels of the northern / housing area section of the development site. Even if pre-development there could possibly be some surface water runoff from the site towards Pool Road this situation should be improved post-development with the onsite drainage system which should collect and channel the surface water runoff from the site to a known or recognised approved point of discharge.

### Sport England

7.4 Sport England have advised that they support the principle of the application but have submitted a holding objection as they require further information and clarification to ensure the replacement site is fit for purpose and details of what mechanism will be used to ensure the replacement playing field and clubhouse are constructed and made available before the existing playing field is lost.

### Economic Development

7.5 Leeds City Council's Economic Development Service supports the application and considers there to be significant benefits arising from the proposal for both the local economy and the long-term future of the business. The key reasons for this are summarised as follows.

- Weidmann Whiteley is a major employer within the LS21 area - the company is the fifth largest employer by headcount and the third largest by turnover (£20.6 million).
- The 400 largest employers in the area have a combined workforce of 2,880, of which 4% are directly employed by Weidmann Whiteley.

- In comparison, Leeds City Council, the largest employer in the Leeds metropolitan district, accounts for 2.8% of total employment in the district.
- 65% of the company's employees live in Otley and Pool in Wharfedale, further underlining the importance of Weidmann Whiteley to the local economy.
- Its current workforce includes four papermaking apprentices and one engineering apprentice. A further four apprentices have been approved for 2019.
- Paper-making is a worldwide industry and the company faces fierce competition in markets it operates in.
- Competition likely to intensify as a result of threats to exports posed by Brexit, rising energy and raw material costs. The only safeguard against these is to invest in new and more efficient plant and machinery, in new product development and in new markets.
- Within the paper manufacturing sector, Pool Paper Mill represents a unique asset for both the regional and wider UK economy.
- It is one of only two paper mills within West Yorkshire.
- It is the only paper mill in the UK producing electrical grade papers.
- It is one of only three paper mills in the UK equipped with machinery that allows the manufacture of heavy duty, industrial grade papers.
- The combination of skills, knowledge and experience of the workforce, together with the specialist machinery and plant, is not something that is readily available or that can be replicated either here in the region or elsewhere in the UK. If the company were to go out of business due to lack of investment, the manufacturing capability and knowledge would be lost to the UK.
- The added value of the proposal in terms of improved facilities and amenity for the local community.

## **8.0 PLANNING POLICIES:**

### Development Plan

8.1 Section 38 of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Leeds comprises the Adopted Core Strategy (November 2014), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013) the Aire Valley Leeds AAP and any made neighbourhood plan.

8.2 The following Core Strategy policies are considered most relevant:

- Spatial Policy 1 – location of development.
- Spatial Policy 8 – economic development priorities.
- Spatial Policy 10 – Green Belt
- H2 – new housing on unallocated sites.
- H3 – housing density.
- H4 – housing mix.
- P10 – design.
- P12 – landscape.
- T2 – accessibility and highway safety.
- G8 – protection of species and habitats.
- G9 – biodiversity improvements.
- EN2 – sustainable design and construction.
- ID2 – planning obligations and developer contributions.

8.3 The following saved policies within the UDP are considered most relevant to the determination of this application:

- GP5 - development proposals should resolve detailed planning considerations.
- GP11 – sustainable design principles.
- N6 – protected playing pitches.
- N24 – development to be assimilated into the landscape.
- N25 – boundaries to be positively designed.
- N32 – Green Belt
- N33 – Green Belt
- N37A – protection of landscape character.
- N49 – protection of wildlife, habitats, geological features or landforms.
- E1 – retention of existing firms.
- BD5 – new development and protection of amenity.
- LD1 – protection of vegetation.

8.4 The following Natural Resources and Waste Development Plan policy is considered relevant:

- Land 2 relates to development and trees and requires development to conserve trees wherever possible and introduce new tree planting. Where tree removal is agreed in order to facilitate development, suitable tree replacement should be provided on a minimum three for one replacement to loss.

8.5 The following Supplementary Planning Policy documents are relevant:

- Neighbourhoods for Living.
- Street Design Guide.
- Guideline Distances from Development to Trees.
- Building for Tomorrow Today: Sustainable Design and Construction.

#### Neighbourhood Plan

8.6 The Pool-in-Wharfedale Neighbourhood Plan is currently in preparation and at this stage is considered to carry very limited weight

#### National Planning Policy

8.7 The National Planning Policy Framework (NPPF) sets out the Governments Planning Policies and contains policies on a range of issues including housing, sustainable development, green belt, conservation, the local economy and design.

8.8 The NPPF constitutes guidance for Local Planning Authorities and its introduction 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.

### **9.0 MAIN ISSUES**

- Impact on the Green Belt
- Visual impact
- Car parking / highway safety
- Flood Risk and Drainage

- Ecology
- Residential / neighbouring amenity
- The planning balance

## 10.0 APPRAISAL

### Principle of Development and Impact on the Green Belt

- 10.1 The application site for the proposed housing is a field, currently used as a sports pitch, which is situated to the east side of the Pool Paper Mills complex. It has no allocation within the adopted UDP or Core Strategy and is also not allocated within the emerging Site Allocations Plan. Policy H2 of Leeds Core Strategy relates to residential development on unallocated sites. This policy contains 3 criteria:
1. the number of dwellings should not exceed the capacity of local infrastructure,
  2. (for 5+ dwellings) the location should accord with accessibility standards, and
  3. Green Belt policy is satisfied.
- 10.2 Given the proposal is for 9 dwellings it is considered that point 1 is met. The site does not however strictly accord with accessibility standards due to the location of Pool within the wider Leeds area, and the site is within the Green Belt, which raises a number of issues.
- 10.3 The National Planning Policy Framework makes clear at section 9 that the fundamental aim of green belt policy is to prevent urban sprawl by keeping land permanently open (paragraph 133). Paragraphs 143 and 144 of the NPPF relate to inappropriate development within the Green Belt and advise that inappropriate development should only be approved in very special circumstances. Very special circumstances 'will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.' Paragraph 145 and 146 of the Framework specify the types of development that are 'not inappropriate' in the Green Belt. All other development is inappropriate and, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 10.4 The housing element of the application does not fall within any of the exceptions within paragraphs 145 or 146. It therefore constitutes inappropriate development for the purposes of paragraph 144 of the Framework and by definition causes harm to the Green Belt which must be given substantial weight. Also the development of 9 houses will clearly not preserve the openness of the Green Belt, by virtue of the enclosure of land, and the visual impact in the locality. Paragraph 143 sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 10.5 Paragraph 145 of the NPPF establishes that new buildings are by definition inappropriate in the Green Belt. However, it does identify a number of exceptions to this rule, one of which is:
- “the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it”.*
- 10.6 The proposed sports pitch / clubhouse and car park to the south of the main site would take access from the existing Weidmann Whiteley entrance to the west of the main complex, with an upgraded track then giving access to the parking area,

changing rooms/ clubhouse (200 sq. m) and sports pitch behind a large factory building.

- 10.7 The clubhouse building will enclose land and have some visual impact, and so will not strictly preserve the openness of the Green Belt. It must therefore be considered to be inappropriate development which does not fall into one of the exceptions of paragraph 145. The access and 46 space car park would also reduce openness and so constitute inappropriate development. It is considered that, due to their nature and siting, the topography of the land, existing landscaping and that much of the access to serve the new sports facility is already in place (albeit in need of an upgrade), the impact on openness would be limited.
- 10.8 When considering planning applications local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm is clearly outweighed by other considerations. Whether there are such other considerations, amounting to very special circumstances, is assessed at paragraphs 10.25 to 10.45 below.

#### Visual Impact

- 10.9 The proposed residential development comprises 9 dwellings on a new cul-de-sac, taking access from Pool Road. The access would be just to the east of Whiteley Court business units and to the west of dwelling known as Braime House. The site is bounded by the rear of the business units and residential dwellings fronting Pool road to the north, tress along the edge of Pool Road to the east, and the Weidmann Whiteley complex to the west. To the south are a number of trees and a small group of residential properties. The indicative sketch plans show two storey dwellings. It is considered that the existing sports pitch is of size and shape which could accommodate 9 dwellings as proposed.
- 10.10 However given the location of the site behind properties fronting Pool Road, and industrial buildings to the west and the existing tree cover along other boundaries, the visual impact of the development would be limited. From the road, the existing development screens views of the Chevin to the rear. As such the proposed houses will not be prominent in views from the public domain and it is not considered that this development will be harmful to the character of the locality. Whilst full details of the scheme have not been submitted as the application is for outline permission, it is considered that a housing development could be well integrated with its surroundings through not only the design and layout of the houses but also with a suitable landscaping scheme to enhance the existing and provide an appropriate buffer zone to the sites boundaries.
- 10.11 The proposed sports pitch / clubhouse would sit comfortably in its surroundings; there are a number of trees within and adjacent to the site that the final schemes would need to carefully consider but the development could take place be possible without any significant or adverse impact on these. A condition would be attached to any permission granted to limit the size of the clubhouse building to that applied for and considered in making this assessment of the impact.

#### Highway and Pedestrian Safety

- 10.12 A new access road and footpath to serve the proposed dwellings would be provided, with appropriate sight lines along Pool Road. There is sufficient space for each of the dwellings to have at least 2 off street parking spaces. An existing access track will

be upgraded and extended to provide access to the proposed sports pitch / club. Pedestrian provision, passing bays and surfacing arrangements from Pool Road to the car parking area have been included to address issues raised by Highway colleagues. The car park with space for approximately 46 cars is considered to be sufficient to meet the needs of the facility

- 10.13 Notwithstanding the comments made by third parties regarding additional traffic it is not considered that the development would significantly add to the traffic or congestion along Pool Road, or lead to an unacceptable reduction in highway safety locally.

#### Residential / neighbouring amenity

- 10.14 It is considered that the development of both the proposed dwellings and the proposed sports club will have no significant or adverse impact on the amenity of neighbouring properties in terms of overlooking, over dominance or disturbance given the degree of spatial separation to existing properties. Existing vegetation between the housing site and existing properties would further mitigate any impact. Although located relatively close to the existing factory site, the proposed dwellings should be afforded an appropriate level of amenity given they will be located in generous plots, with sufficient the separation between them and the existing factory.

#### Impact on Existing Trees and Landscaping

- 10.15 The revised plan shows that the large protected sycamore tree adjacent to the proposed new entrance would be retained, with adequate distance from the canopy spread and root zone to ensure it is not adversely affected by the development. Two smaller and less significant trees and hedging behind a low brick wall would be removed, causing some harm to the character of this part of Pool Road. The scheme has been amended with realignment of the access road to the sports club to avoid the root zone of a mature tree.
- 10.16 Although there is some loss of trees to facilitate the proposed development many of those identified for removal are suffering from decay. A number of the trees to the front of the site proposed for removal are also considered to be poor quality, insignificant specimens in terms of the contribution they make to visual amenity. With regard to the trees in the vicinity of the access to the new sports facility most of those proposed for removal are also decayed. However, 2 are category B trees that only require removal to facilitate the development. Whilst such removal is never ideal, in this case it is considered acceptable given the benefits of the new sports provision to the community and as there is sufficient space in the surrounding areas to provide appropriate replacement planting.
- 10.17 The red line site area has now been enlarged to include areas of existing planting on the boundaries of the site. This is to ensure that these can be appropriately protected and maintained during development and also to ensure that additional tree and hedge planting is carried out in order to enhance the boundaries of the site and provide appropriate screen planting in accordance with policies N24 and N25 of the UDP.

#### Impact on Ecology

- 10.18 The preliminary ecological survey undertaken found that the development sites were of ecological value. Some small parts of the site are within the Leeds Wildlife Habitat Network (sensibly along the track to be upgraded to serve the sports facility).

The submitted ecological report was carried out in summer and recommended that the trees be inspected for bat roosting potential in winter so any roosting features could be seen. This is especially important given the tree removal proposed. The results of this survey are awaited. The proposal presents opportunities to enhance habitat features with the planting of new boundary hedgerow along site boundaries and installation of bird and bat boxes on boundary trees.

### Drainage and Flooding

- 10.19 In response to the concerns raised by objectors the Flood Risk Team has confirmed that flooding does occur at low points along Pool Road, but at the point of the proposed housing site. The development would be expected to ensure that it accounted for and reduced any surface run off from the site. For the sports pitch and pavilion, surface water could discharge to the watercourse over which the access road crosses, but the flow would be restricted to agricultural rates through appropriate attenuation. With the imposition of suitable conditions there is no evidence to suggest that the development of either element of the proposal would lead to additional drainage or flooding problems on or adjacent to the sites.

### Relocation of Sports Facilities

- 10.20 The existing sports pitch (former cricket pitch for Weidmann Whiteley employees) was provided for use by Pool Juniors FC as part of the permission for five light industrial units in 2014. The agreement to allow use of the pitch by the football club formed part of the case for very special circumstances to justify the industrial development in the green belt. The relocation of these facilities would now free up the pitch for residential development. The applicant contends that the facilities would be enhanced with a purpose built facility, better quality playing pitch, new club house for changing and functions, dedicated off street parking and a more secure environment for users.
- 10.21 The location of the proposed pitch and facilities to the south of the mills complex is significantly further from Pool Road than the existing pitch. However the provision is not an informal recreational space and user will be making specific trips to the site as with the existing pitch. The catchment area is such that the difference in travel distance for the large majority users would be insignificant.
- 10.22 Sport England supports the principle but requires more details of the club house, pitch standard and size, maintenance of facilities and the mechanisms to ensure delivery of the new facilities before loss of the current pitch. As such it has placed a holding objection on the application pending submission of these details. In respect of these comments it should be noted that the application is for outline permission and that the intention is to sell the land to a developer with a contractual agreement that the new pitch and facility be constructed prior to the housing. The applicant has confirmed acceptance, should permission be granted, of a planning obligation secured by a S106 Agreement requiring provision of the facilities in compliance with Sport England's specifications.
- 10.23 Officers view is that the re-provision does provide for enhanced facilities in terms of the playing surface, access and parking and in the facilities to be provided for changing and other functions at the clubhouse. Subject to Sport England being satisfied with the details requested this aspect of the scheme is considered to be acceptable.

### Local impact on infrastructure and education provision

- 10.24 Concerns have been raised with regard to the additional demand the development would place upon local infrastructure and education provision. The development of 9 dwellings is not considered to have a significant effect on local provision. The community infrastructure levy payment is estimated at over £125,000 and could contribute to education provision. The proposal would be subject to the Community Infrastructure Levy (CIL). This is for the decision takers' information is material as a matter of fact, on local financial considerations for this application.

### The Planning Balance

- 10.25 The applicant has highlighted a number of matters that it contends provide a case of very special circumstances to clearly outweigh the harm to the green belt by reason of inappropriateness and any other harm identified. The considerations are:-
- Opportunity to secure long term future for major employer
  - Indirect economic benefits arising from retention of business and new development
  - Significant health and social public benefits from new permanent sports facilities
  - Limited actual harm to the green belt

### Sustaining Existing Employment and Economy

- 10.26 Weidmann Whiteley is a privately owned manufacturing company with its business split into 2 distinct divisions, paper production and component manufacturing. The company states that over the past 15 years the company has benefitted from financial support from its parent company based in Switzerland but that this financial support ceased in 2017, and the company now has to look at disposal of its surplus assets as a means of generating funds. At this stage the bank is also unwilling to provide additional loans. It is stated that the company already has loans totaling £4.3m that require repayment.
- 10.27 It has been questioned how sustainable the business is in the long term, especially given that planning permission was granted in 2014 for the 5 business units on the front of the site.
- 10.28 Whilst the business is again seeking to raise money to invest, it is considered that the circumstances now are very different. Prior to 2012, the core business of the company was the manufacture of specialist insulation paper for use in electrical transformers, with a large market in the USA. In 2010 the Swiss parent company announced plans to transfer a large proportion of the UK production to new facilities in the USA in 2012, in order to reduce costs. When this American mill opened Weidmann Whiteley suffered hugely and lost 60% of its paper business overnight. The 2013 application was therefore submitted to provide financial aid to support the business in developing new business contracts to replace those lost and also to support the development of new products. This, together with a strong marketing have helped replace this lost business. However there has been no return to profit since 2012. This is largely because the technology has advanced since this time and to be able to improve efficiency there is now a need to invest in new, modern machinery.

- 10.29 This current application has therefore been submitted to raise the capital required to invest in this new machinery, as well as to invest in research and development in association with it. It is anticipated that this will return the business to profit and that it will then become self-sustaining, as in previous times, also allowing for the employment of additional staff and the continuance of the existing apprenticeship programme. Without this investment the business cannot compete with modern paper mills.
- 10.30 During the life of this application it was initially stated that the proposed works were required to gain much needed funding for their staff and business investment programme to ensure that the company could continue in a sustainable and profitable way. However, since discussions first took place on this proposal in October 2016 (PREAPP/16/00497) and since this application was first submitted, the reasons for the proposal / the company's circumstances have been clarified.
- 10.31 Over the last year the company has been doing relatively well and it is now stated that the capital raised by the application will be used to invest in new more efficient machinery and products. An updated business case states that £1.5m has been identified as a required injection in the short to medium term, to ensure that the business returns to profitability.
- 10.32 It is stated that Weidmann Whiteley has reached a turning point, wherein the company will either decline through inactivity or reinvest so as to diversify and grow. Section 6 of the NPPF relates to building a strong, competitive economy and paragraph 80 specifically highlights the need to support economic growth and productivity:
- “Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.”*
- 10.33 In order to remain competitive, the company is now developing industrial papers for the European market. In order to develop in this area, in the next 24 months the company requires:
- £500, 000 to invest in equipment;
  - £700,000 to develop and trial products; and
  - £300,000 for labour and technical support.
- 10.34 It is stated that thereafter there will be sufficient working capital to maintain funding to take the business forward.
- 10.35 In order to raise the capital required this planning application has been submitted.
- It is estimated that the sale of the existing sports pitch for residential development will provide a capital receipt of £2m.
  - It is estimated that the new sports facility will cost £487,500.

- 10.36 It is stated that the site for the development of 9 houses is the final piece of undeveloped land in the ownership of the company, and there will be no more opportunities like this to release a capital return to invest into the business. The application specifically proposes 9 dwellings to generate a return of £2m; this being no more than is necessary to fund the £1.5m business investment and meet the cost of providing new, improved sports facilities.
- 10.37 The applicant states the particular site circumstances are considered to be unique to this company, and the proposal would allow the company to maintain its market position and take a lead in the creation of new products, which in turn will develop the business and protect existing jobs as well as enabling the creation of new jobs and allowing the company to continue with its training and apprenticeship schemes, all of which are of benefit to the local area. The business has a highly skilled workforce of 120 people, many of who live locally in Pool or Otley. It also sponsors Pool Juniors AFC, supports a local school in hosting GCSE classes and currently has 3 apprentices. In 2017 it spent over £100,000 with local companies in Pool and Otley.
- 10.38 The paper mill has been present on this site for over 100 years, with the first record of it dating to 1790. A large part of the reason for this siting is the location near to the river. To operate the business needs to be near a river and a river that is reasonably pure. The possibility of relocating the business to seek to improve efficiency is therefore restricted, particularly given the significant additional costs that would be incurred in seeking to obtain a water abstract licence. It should also be noted that the water used at this site is treated before it goes back into the river, a process that also removes agricultural nitrates to leave the water cleaner than when it comes out. Furthermore the existing large machinery is not easily moveable; the main machine is 80m long and it would cost in the region of £2 million to relocate it.
- 10.39 No other paper mill in the UK produces the same paper and products as Weidmann Whiteley. The predominantly local skilled workforce, together with the site's requirements for water and to house large pieces of machinery, provide are compelling reasons for the business to claim its current location cannot be relocated to improve competitiveness.
- 10.40 From the information supplied, officers are satisfied that if additional funds are not generated to invest back into this business then there is a serious threat of closure within the next 3 to 5 years. The business needs an investment in capital in the short term as it is reliant on new machinery to be able to get contracts. These contracts will then generate revenue that can be invested back into the business. It is more difficult to predict the future with regard to the paper side of the business but the company already has component orders up to 2021.
- 10.41 The investment strategy for the next 5 years has identified capital investment projects totalling £2.5million. The delivery of this planning application will provide a good proportion of this (£1.5million) with the remainder funded through a combination of reserves, future profits and external finance. Whilst as with any business there can be no guarantee of long term continuation, the applicant is confident through the business case that the short to medium term uncertainty over the future of the business can be resolved through the investment facilitated through the sale of the land for housing.
- 10.42 The Council's Economic Development unit has set out the economic importance of the business for the area and in general and the specific circumstances which

largely accord with the points set out in the submitted detailed Business Plan. In light of NPPF guidance as set out above, it is considered that the particular site circumstances and the positive local economic impact of the proposal, both directly and indirectly, must be taken into account in assessing the merits of the proposal against the identified harm to the Green Belt. It is clear that the continuance of the company in this location will benefit the private needs of the company, however, there will also be a public benefit in that it will retain existing jobs and create new ones as well as ensure the continuance of the apprenticeship programme.

#### Permanent New Community Sports Facilities

- 10.43 The provision of sporting facilities accords with local and national planning policy aims to promote facilities that support the health and well-being of communities. Notwithstanding the inappropriateness of the changing facilities building, car park and access due to its impact on the openness of the Green Belt as identified above, the relocation of the sports pitch is considered to have benefits for the local community over and above those offered by the existing facilities. By relocating the pitch to the new site there will be an additional benefit to the public by providing an improved sports pitch (e.g. better drained) with improved facilities (e.g. improved changing facilities, provision of car parking). It is also considered that health and safety will be enhanced as the new sports pitch will not be as closely located to production areas and areas of car parking, which are not ideally compatible with people, especially children, accessing the pitch. The relocation will separate the uses and provide safer and improved access arrangements.
- 10.44 In 2013 a Legal Agreement was completed which allowed use of the existing sports pitch by the community for a period of 15 years. As part of this application it is proposed that the sports pitch and associated facilities be made available to the community permanently. The facilities would be available to book by community groups when not in use by the Football club, helping to generate funds required for the maintenance of the pitch and clubhouse pavilion whilst maximising the availability to the public, this will be a significant benefit to the local community, which is currently not available. The facilities would be provided in a location that has a limited impact on the openness of the Green Belt being set adjacent to a large factory building and bounded by a tree belt to the south of the proposed pitch.

#### Limited Harm to the Green Belt

- 10.45 As set out previously, the proposed residential development is by definition harmful to the Green Belt and the protection of the Green Belt must be afforded substantial weight. Whilst the houses will also impact on the openness of the Green Belt, that impact is mitigated to some extent by virtue of the location of the proposed houses being bounded by built development to the west, north and south as well as existing substantial vegetation. The sports clubhouse and car park/ access development will affect openness by the fact that a building will be developed on the land, and open land will be hard surfaced for vehicle use. This development must therefore also be considered inappropriate and harmful to the Green Belt. However it is acknowledged that this part of the site is not part of an open field and is largely bounded by mature trees with the backdrop of the factory complex, such that it would not detract from significant views of the Green Belt adjacent to the Weidmann Whiteley site.

#### Assessment of Case Very Special Circumstances

- 10.46 The strong economic case for supporting retention of the applicant's business at the existing premises, together with the absence of suitable alternative sites that could accommodate the particular needs of the applicant's business, are compelling arguments in favour of the proposals. The additional investment in the business would help to retain existing and create new jobs, and secure retention of the apprenticeship programme. The business is a significant employer and economic driver within this area. These economic factors represent public benefits that will be realised if the business remains at the existing premises. Together with the public benefits arising from the provision of new permanent and enhanced sports facilities for the community, and the relatively limited harm to the openness of the green belt and the purposes of including the land within it, it is considered that cumulatively these considerations amount to very special circumstances that clearly outweigh the identified harm to the Green Belt and the loss of vegetation and new entrance along Pool Road (any other harm).

#### Green Belt Departure Procedural Matters

- 10.47 Certain categories of Green Belt development must be referred to the Secretary of State by local planning authorities (where approval is proposed) by virtue of the Town and Country Planning (Consultation) (England) Direction 2009. This includes where

(a) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more.

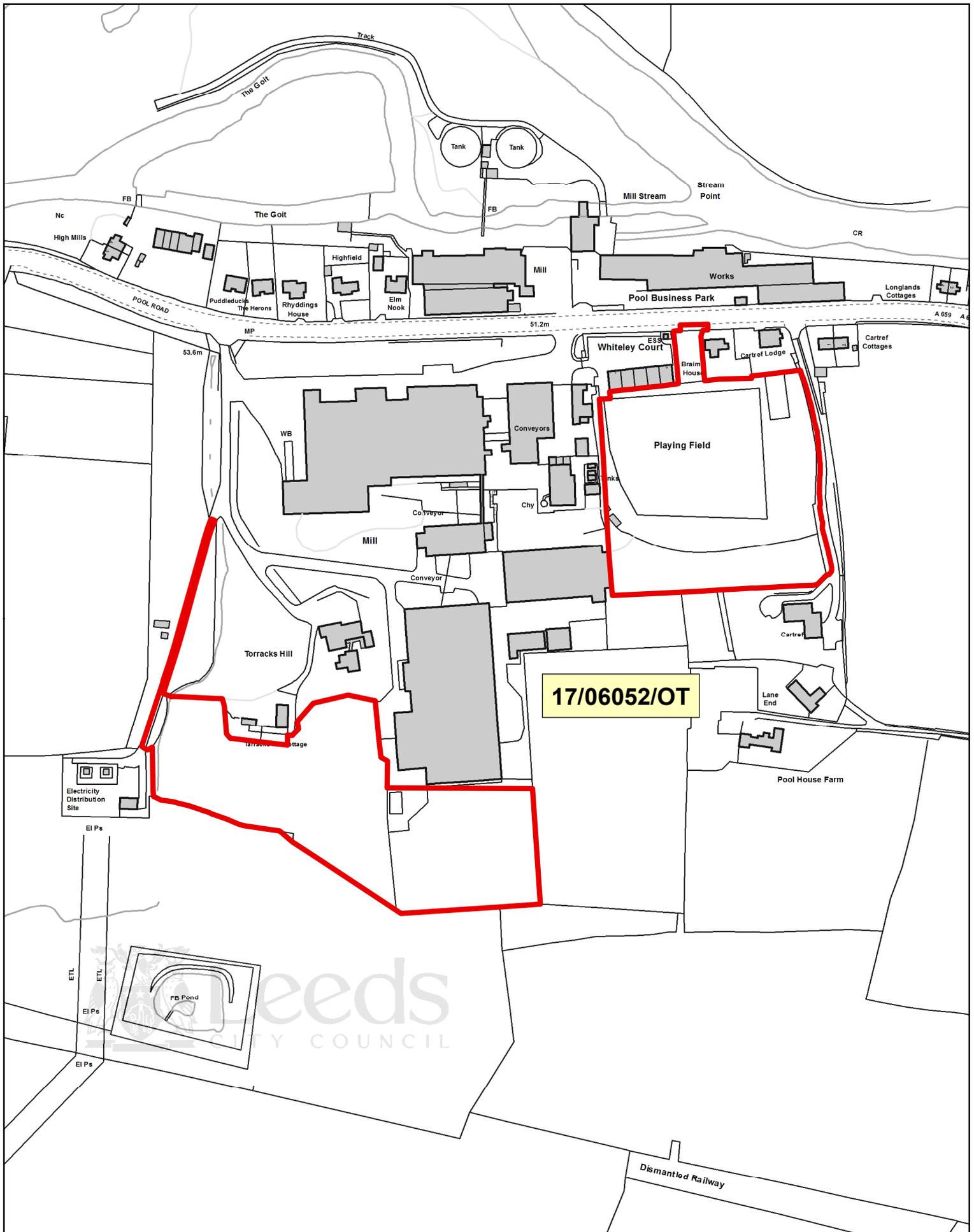
- 10.48 The total proposed floor space is unknown as the application is outline with all matters reserved except access. However, the application forms state that the proposed club house will have a floor area of 200sqm. As the proposal also involves the development of 9 houses, it is therefore likely that the total floor space will exceed 1000sqm and as such the application will need to be referred to the Secretary of State should the Panel resolve to approve the application.

### **11.0 CONCLUSION**

- 11.1 The development of the sports pitch is considered acceptable in the Green Belt. With regards to the other elements of the application, it is considered that cumulatively the significant social and economic benefits arising from the development with the potential for job retention and creation, and the provision of a permanent community sports facility, as well as the limited harm identified can amount to very special circumstances to clearly outweigh the harm to the green belt arising from the residential development, club house and associated parking and access, and other harm identified within the report.
- 11.2 Provided that the receipt from the sale of the existing pitch is used to provide the sports club pavilion a new pitch and associated parking and infrastructure works, with the remainder invested in the business in accordance with the submitted business case, the application can be supported. Approval of the application is therefore recommended subject to Secretary of State call-in.

#### **Background Papers:**

Certificate of ownership: signed by applicant.  
Planning application file.



# SOUTH AND WEST PLANS PANEL

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