

City Development

Policies and Plans
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Leeds City Council Response to the Pool-in-Wharfedale Pre-Submission Consultation (Regulation 14)

Thank you for consulting the Council on the Pre-Submission Draft Pool-in-Wharfedale Neighbourhood Plan. The Plan is clear in its aims and positive in content and this is to be welcomed. There are no fundamental issues with the draft plan, although it is recommended that Policy H1 is deleted (see below). As for the rest of the NP these comments highlight a number of opportunities to improve the plan, mainly improvements to policy wording and other opportunities that the parish council may wish to explore.

I hope that these formal comments on the Pre-Submission Plan will help the Steering Group and the Parish Council in making changes to the document prior to formal submission for independent examination. Although these are formal comments, you will be aware that there is no obligation to take them on board. We are happy to work with the Parish Council to consider all of the representations more generally and any changes prior to submission for examination.

1. Local Strategic Policies

- 1.1. The Core Strategy and the recently adopted the Site Allocations Plan set out the local strategic policies for the Pool-inWharfedale Neighbourhood Area. The neighbourhood plan will help to deliver these through a comprehensive set of locally-specific policies and this is to be welcomed.

2. Basic Conditions

- 2.1. At examination, a neighbourhood plan will be judged on whether it complies with the Basic Conditions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990. These are:

- a) **Having regard to national policies and advice contained in guidance issued by the Secretary of State**
- b) **The making of the order (or neighbourhood plan) contributes to the achievement of sustainable development**
- c) **That making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority.**
- d) **The making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.**

2.2. It is considered that the draft Pool Neighbourhood Plan meets the Basic Conditions.

General and topic-specific comments on the Plan

2.3. When the plan is Made, neighbourhood planning will be 8 years old, so perhaps best not to refer to a neighbourhood the plan as a “new type” of plan?

Vision/objectives

Welcome the vision statement and the focus on sustainability, traffic congestion and the climate emergency – *‘The community will be one where all residents can live in a safer and more sustainable manner, where longstanding problems of traffic blight, safety and pollution will have been noticeably alleviated’*. However, there is little reference in the plan to how this can be achieved. This is a golden opportunity to include projects to improve health and wellbeing through streetscape design and giving priority wherever possible to the cyclist and pedestrian. The draft Cycling and Walking Infrastructure Plan may be helpful and can be found here: <https://www.yourvoice.westyorks-ca.gov.uk/LCWIPLeeds>

Good to see heritage embedded in the vision statement. Recommend considering including a definition of the term ‘cultural heritage’ as this may not be understood in the same way by all readers – see for example the UNESCO glossary which distinguishes between ‘Immovable’ and ‘Moveable’ cultural heritage. Elsewhere UNESCO also distinguish between ‘tangible’ and ‘intangible’ cultural heritage. A definition would clarify what exactly is meant by the term here.

Other plans have found it useful to pair ‘heritage’ with ‘local character’ – see Holbeck’s Vision for example - ‘a place where the heritage and local character of the area is respected’. This phrase also broadens the vision compared to the existing Pool text which only talks about respecting heritage in terms of impact of new development. The NP also provides the opportunity to express the desire to respect and enhance heritage on its own terms not just in relation to additional development. So the vision could go further.

Objectives – there is an opportunity to include more inclusive heritage objectives. At the moment the heritage objectives are limited to preserving and enhancing 18th-20th century buildings (8) and achieving architectural design in new development that is

reflective of the area, including the use of traditional materials. I'd recommend considering more inclusive heritage objectives. For example the heritage value of the area is not solely about the built environment and not all 20th century buildings have necessarily been sympathetic to the distinctive local character of the area which may cause issues implementing objective 8. See for example the Holbeck's suite of objectives for respecting heritage and local character – not all will be relevant here but it may be of use to explore that approach.

Greenspace

Objective 6 – Greenspace. Scientific research from Natural England has shown that people need accessible natural greenspace on their doorstep in order to contribute to their Health and Wellbeing. The Accessible Natural Greenspace Standard (ANGSt) that has been developed based on the scientific research is as follows:

ANGSt recommends that everyone, wherever they live, should have accessible natural greenspace:

- of at least 2 hectares in size, no more than 300 metres (5 minutes walk) from home;
- at least one accessible 20 hectare site within two kilometre of home;
- one accessible 100 hectare site within five kilometres of home; and
- one accessible 500 hectare site within ten kilometres of home; plus
- a minimum of one hectare of statutory Local Nature Reserves per thousand population.

A future action could be an audit of accessible natural greenspace in Pool Parish to see how the different thresholds above measure up. Where there are deficiencies these could be used to concentrate future priorities – it would be the first threshold that would be most relevant in Pool as the latter ones will be met by Chevin Forest Park. The Parish would need to define “Accessible” (i.e. not private land) and “Natural” (i.e. not sports pitches or formal greenspace). The Council can advise further if this is something the parish council wish to take forward.

Nature conservation/biodiversity

Nature conservation/Biodiversity is not well represented in the Plan – Map 5 might be trying to show designated sites and the Leeds Habitat Network but this is not clear. The Leeds Habitat Network should be used as a starting point to map Local Extensions to the Leeds Habitat Network. The Leeds Habitat Network only maps features at the District level of importance and Neighbourhood Plans are the ideal mechanism for the local community to recognise this and add other habitat features that are locally important but have not been mapped i.e. any woodland areas that were not included, smaller water courses/becks, species-rich hedgerows or significant lines of trees, groups of ponds etc.

Actions could also include enhancing the links that form parts of the Leeds Habitat Network and Local Extensions – recent tree removal along the side of Old Pool Bank has weakened this linear feature for commuting/foraging bats, and the Wharfedale Greenway route has significant sections with very little tree cover (woodland creation alongside the new cycling route would be beneficial for commuting/foraging bats).

River Wharfe – this is the most important nature conservation feature and it is important that one bank stays undisturbed (i.e. only encourage public access on one side for any section) to benefit wildlife such as Otters which are very susceptible to disturbance from walkers and dogs.

Lighting – it would be good to acknowledge the negative impacts from light pollution on wildlife – especially onto the River Wharfe and trees etc used by commuting/foraging bats. The Avenue des Hirundelles is important for bats that are sensitive to external lighting and it is clear that some of the larger houses have external security lighting that spills onto this mature tree line and deters bats. Some houses at the end of Cabin Road (northern end) have external lighting that also causes disturbance to bats in the adjacent quarry woodland area. It might be a good exercise to map those parts of the parish that should be kept unlit or lit to a very low level to benefit commuting/foraging bats – this could be based on the Leeds Habitat Network and Local Extensions.

Achieving a Net Gain for Biodiversity of 10% for all planning applications is a new aspiration of Central Government but has not been implemented yet. At NP level this could be supported and all applications encouraged to use the Defra Version 2.0 Biodiversity Metric to calculate current biodiversity value of sites to be developed and measures put forward to achieve increases of 10% (which may have to be delivered off-site). The Plan could state how it sees any off-site compensation to be used for biodiversity enhancements i.e. compensation to stay with the parish and contribute to achieving the Natural England ANGSt thresholds and strengthening the Leeds Habitat Network and Local Extensions.

Council guidance currently seeks 50% of new buildings should have integral bat roosting features or bird nesting features and the Plan could state this will be an expected level of provision.

Design

Objective 12: architectural design. The character areas contain a comprehensive description of existing built form and there is a strong policy on design, but not much content for **new** development guidance other than keeping to the materiality of existing. Exemplar examples of architectural detailing and historic features could be illustrated and the importance of conserving historic buildings outside the Conservation Area (a list of ‘positive buildings’ is usually an effective way of showing these although you may decide to add these to your list of ‘Non-Designated Heritage Assets?’).

LCC Design Team undertook a Leeds District Character Area Assessment which included Pool-in-Wharfedale. Pics from this and other information could be used in the plan. We are happy to advise further on this.

Appendices – the photos are distracted by the long shadows in all the photos, mostly taken in Autumn/Winter. A more seasonal mix taken with better lighting would work better.

Heritage

It is recommended that this section is broadened to more than just '*built*' heritage. The text is not limited to standing buildings so there should be no problem is considering the renaming of this section. It has been useful in other Plans to make section headings active to tie back into the Aims and Objectives being proposed to deliver the Vision – for example others have used 'Respecting Heritage and Local Character'.

Recommend stating what the heritage significance of the area is. This could be by referring to other documents but recommend at minimum a brief summary is provided here to show why the policies are important. Opportunity to undertake a brief review of heritage assets – definitions and distinctions between 'designated' and 'non-designated assets' as well as a section on the Listed Buildings in the area – this is currently covered in the 'Non-designated heritage asset' section but Listed Buildings are Designated Assets.

Photographs and illustrations and their captions can help reinforce key messages about character and significance.

Consider firming up the proposal to pursue conservation area extensions / satellites to cover the identified Local Heritage Areas – eg in the Holbeck NP similar proposals were formally identified within the heritage objectives and also in the list of 'Projects' designed to deliver the objectives. (see this has been covered in the actions / projects list so may already be sufficiently covered).

Non-designated heritage assets – recommend relocating listed buildings text to its own section as these are designated heritage assets – see above.

Is an additional evidence base element needed to provide characterisation information to inform future development etc for areas not included within the conservation area or proposed local heritage areas?

Are there any other heritage issues that the plan could usefully tackle? For example guidance on how to adapt historic buildings sympathetically and improve environmental performance of historic building stock – particularly important in light of the declared Climate Emergency. There is a lot of guidance available on this – eg low carbon heritage buildings: a user guide and case studies [here](#), Energy Efficiency and

Historic Buildings - [here](#), and [here](#) etc. It would be useful to develop the objective about new development being reflective of the area.

Public realm items – scope for enhancements or protection for example the distinctive Yorkshire West Riding sign, historic stocks – are worth a mention as they are poorly protected and vulnerable items.

Are there any other heritage actions or projects that would be useful to include – for example any aspirations for a heritage trail to improve access and celebrate the area? Any scope for blue plaques? Interpretation boards etc.

3. Specific Policy Comments

Policy GE1 OTLEY CHEVIN AND WHARFE VALLEY SOUTHERN SLOPES SPECIAL LANDSCAPE AREAS

The SLA's don't appear to be shown on the Neighbourhood Plan map as stated. The policy wording is clear and within the scope of the neighbourhood plan.

3.1. **Policy GE2: LOCAL GREEN INFRASTRUCTURE**

There appears to be a potentially lost opportunity here with the wording which may be worthy of further consideration.

Suggest add the following to the end of the third line - Development should have regard to its operation as part of a multifunctional wildlife, amenity and recreational network **and will be required to protect and enhance these functions.**

It is recognised that the next line states 'development within LGI should include measures to enhance it as appropriate'. However, this does not necessarily protect these multi-functions. It could, for example, lead to a scenario where one of the functions is lost at the expense of an improvement of another function leading to an overall compliance with the policy where an overall enhancement is made. This may not be the wider thinking behind the policy if multi-functions is important to the community?

The thrust of local policy (Core Strategy Spatial Policy 13, G1, G9) is seeking enhancements through development proposals in relation to green infrastructure (which performs many functions as is acknowledged by the NP). The NPPF at para 170, 174, 175 etc. has the same thrust towards enhancements/ net gains. The NP policy has an opportunity to build on this and protect **all** functions.

3.2. **Policy GE3: PROTECTION OF LOCAL GREEN SPACE**

Previous examinations have highlighted the importance of consultation with landowners, the importance of a clear plan identifying each site and the importance of demonstrating the additional benefit of designation as a local green space where there is already protection.

3.3. Policy GE4: LOCAL GREENSPACE ENHANCEMENT

The wording is unclear in terms of how this should be interpreted.

The supporting text is referring to a policy (Core Strategy G4) which is shortly to be superseded (by CSSR G4). The new G4 is structured differently and the NP and should be updated to reflect this.

3.4. Policy GE5: PROVISION OF NEW GREENSPACE

Suggest add 'where appropriate' to the first part of the policy. This is suggested as there could be a scenario where a development generates a specific need for a different type of greenspace which is related to the development. It would be helpful for the policy to have some more flexibility to assist with this.

Avoiding the substitution of commuted sum payments in lieu of on-site provision appears to be contrary to GE4?

The first part of the policy recognises (in stating 'or contribute to') that commuted sum payments in lieu are generally an acceptable approach in accordance with wider local policies? This second line means GE4 and GE5 (and GE5 internally) appear to be pulling in two different directions. The intention behind this is unclear. As an approach (or whether identifying priorities) this should be clearer – is the priority on-site versus off-site? Against one type of green space (regardless of on-site vs off-site) over another etc?

Perhaps if this line isn't removed entirely, it may be helpful to consider the type/scale of developments that could be inappropriate for commuted sums. For example, it is common for large housing developments (albeit recognising that opportunities for these in Pool are limited) to require on-site greenspace to meet the specific need of those developments and so one suggestion would be to amend the final line (if it is retained) to something akin to:

The substitution of commuted sum payments in lieu of on-site provision for major housing developments should be avoided.

3.5. Policy GE6: DEVELOPMENT AFFECTING THE MAIN STREET AQMA

Reference to AQMA on page 20 could reference the recently declared LCC Climate Emergency.

The focus on sustainable transport and awareness raising for energy efficiency and recycling initiatives is welcomed.

Traffic calming schemes could be suggested at proposed locations involving wide pedestrian crossing points which could also serve as opportunities for greenery the road corridors with tree planting (in suitable tree pits) where appropriate.

3.6. Policy GE7: RIVER WHARFE LOCAL RENEWABLE ENERGY SCHEME

This policy is positive and welcomed. The supporting text refers to acceptable impacts but the policy itself does not. It might be better to make reference to these acceptable impacts in the policy itself.

3.7. Policy BH1: POOL-IN-WHARFE DALE CONSERVATION AREA

Suggest add 'or adjacent to'.

Defining what is adjacent to a CA is usually easier than defining what falls within in its 'setting' and therefore this may be easier to interpret for the purpose of planning decisions. This would also bring the wording in line with saved UDP policy N19.

Where sandstone is referenced in the policy you may wish to refer to this as 'natural sandstone' (if this is the intention/ preference) to prevent artificial stone being proposed – although ultimately if the appearance is similar the latter may be difficult to resist.

3.8. Policy BH2: LOCAL HERITAGE AREAS

Appendix 4 is fairly comprehensive but does it go far enough to justify the proposed policy? Perhaps it could focus more on the architectural merits of the buildings and say more about how these assets are special to local people.

What is the difference between Local Heritage Areas and Non-Designated Heritage Assets and the status of the policy controls attached to each?

3.9. Policy BH3: POOL MILLS LOCAL HERITAGE AREA

See above re. setting.

3.10. Policy BH4: CALEY LOCAL HERITAGE AREA

See above re. setting.

3.11. Policy BH3: POOL MILLS LOCAL HERITAGE AREA

See above re. setting.

3.12. Policy BH5: PROTECTION AND ENHANCEMENT OF NON-DESIGNATED HERITAGE ASSETS

See above re. setting

3.13. Policy CFS1: PROTECTION AND ENHANCEMENT OF COMMUNITY FACILITIES

It is worth being aware that there have been examples in Leeds where the above clarification has not been applied and properties have been marketed at prices which are completely unrealistic and then, to little surprise, there is no interest shown which can be argued to be meeting the policy test.

3.14. Policy CFS3: LAND EAST OF MAIN STREET

This does not appear to be shown on map.

3.15. Policy CFS4: RETAIL AND HOT FOOD TAKEAWAY DEVELOPMENT

It may be helpful to add to the second part of the policy:

Proposals for hot food takeaways will be resisted, particularly where:

- i. evening opening **and any associated delivery service** would adversely affect residential amenity (in terms of parking, noise levels and unpleasant odours)
- ii. there is insufficient car parking
- iii. traffic movements are likely to create a traffic hazard

Delivery services within take-away uses are usually ancillary but can be a major source of residential amenity problems – it would be helpful to specifically reference this in the policy.

The more evidence that can be provided to support the second part of the policy the better.

POLICY TT1: IMPROVED WALKING AND CYCLING PROVISION

Add, 'contribute to improvements of it'

Development likely to increase pedestrian footfall and/or cycle usage within the network will be expected to contribute to **highlighted improvements** or new desired provision in their immediate vicinity and to provide connections to the network, in line with indicated priorities.

If the intention is to seek improvements then there needs to be a list of improvements somewhere that contributions can be made towards – otherwise the policy would be likely to be toothless.

3.16. POLICY TT2: IMPROVED PUBLIC TRANSPORT

Ok.

3.17. POLICY TT3: POOL-IN-WHARFEDALE RAIL LINK REINSTATEMENT

Reference to possible or likely development pressures on the line would be helpful as would any additional supporting information.

Has consideration been given to the likely development pressures resulting in a new rail line/station in this location?

3.18. Policy TT4: NEW PUBLIC CAR PARKING IN POOL-IN-WHARFEDALE VILLAGE

The idea of providing a central Pool car park may seem a good one but in reality if a new convenience store were to open, to limit its parking to 10 spaces and expect some form of a contribution to a central car park may lead to problems around the store. The policy is vague on where a central car park could be sited. It is recommended that the restriction of 10 spaces per individual car park is omitted. There has been an example in another part of Leeds where a car park has been provided for a similar purpose but the car park operator charged high prices for parking and this did not go down well with the local community, unsurprisingly.

Concerns re the use of the term 'public car parking' – a publicly owned car park is different from a private car park with parking made available to the public – the latter would be much more likely than the former to be provided – particularly given the likely associated ownership/ adoption issues. It may be worthwhile amending this to the following:

Development acceptable in principle which would provide for additional centrally-located public car parking capacity **for members of the public** in Pool-in-Wharfedale village will be encouraged.

3.19. POLICY H1: SAFEGUARDED LAND AT OLD POOL BANK – DEVELOPMENT REQUIREMENTS AND ASPIRATIONS

The references to the safeguarded site don't reflect the adopted SAP. It is suggested that the policy and supporting text are deleted as there is no current prospect that it will come forward as an allocation. The policy is premature to a future review of the SAP.

In relation to H1 and the supporting text this is not specific to the development at Pool Road granted on appeal and therefore could be read as applicable to the whole safeguarded site. It is potentially opening a door to development that has been closed by the SAP at the wider safeguarded site.

If the policy is retained (in order to guide future development on the appeal site) it needs to be specific to this site (not the wider site) and this planning permission. If of course it is specific to the site and not the PP then if the PP lapses (unlikely but possible) then this would lead to similar problems as identified above.

Even if the policy is revised (as above) then it is likely to come too late to be given full weight as part of the detailed development proposals given the site is currently the subject of a live reserved matters application.

3.20. Policy H2: DEVELOPMENT ON NON-ALLOCATED SITES

This policy could encourage housing proposals on non-allocated land to come forward.

3.21. POLICY H3: HOUSING MIX

The objectives behind this policy are clear. However using terms such as the 'older community' which aren't defined can lead to difficulties.

Either the policy or supported text needs to be revised to be precise on this term and what it means:

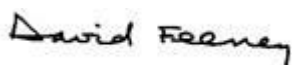
- Is it an age range?
- Does it include specific requirements for adaptability/disabilities etc? (See CSSR policy H10 – could there be overlap?)

3.22 POLICY E1: PROTECTION OF EXISTING EMPLOYMENT SITES

Suggest moving 'Development for alternative uses will normally not be permitted' to the end of the policy. What would happen if the continued use of these sites for these purposes became unviable in the future? It would be helpful to include further text in the policy to address this scenario.

I hope these comments are useful and help the neighbourhood planning group to review the pre-submission draft Pool-in-Wharfedale Neighbourhood Plan before it progresses to examination. We are happy to advise further on these and any other representations made to assist the Parish Council in preparing the submission draft neighbourhood plan.

Yours sincerely,



David Feeney
Chief Planning Officer

