



Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 5th January, 2012

Subject: Application 11/02432/FU – use of land for Grass Boarding with associated access and parking on land off Carr Lane, Thorner, Leeds LS14 3HE

APPLICANT
Mr A Walmsley

DATE VALID
4th July, 2011

TARGET DATE
29th August, 2011

Electoral Wards Affected:

Harewood

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

REFUSE permission for the following reason:

1. The Local Planning Authority considers that the proposed development would generate additional vehicular movements along the substandard Carr Lane that, would in turn increase the risk of accidents and conflicts between other motorists, pedestrians and other road users. It is further considered that the additional traffic would have an unacceptable impact on highway safety at the junction of Carr Lane with the A58. The proposal is therefore contrary to policies GP5 and T2 of the Unitary Development Plan Review (2006) and guidance in PPG 13: Transport.

1.0 INTRODUCTION:

- 1.1 This application is presented to Plans Panel (East) at the request of Councillor Rachael Procter on grounds relating to accessibility and highway safety; frequency of use in this Green Belt location; visual impact of the car park, loss of hedge and extent of excavation which would destroy the rural character of the area.

1.2 Councillor Ann Castle has also requested that the application be considered by Panel on grounds that the proposal is finely balanced in terms of acceptability and should be debated by Panel Members.

2.0 PROPOSAL:

2.1 The application seeks approval for the laying out of a Grassboarding activity to take place during months of the year when it is lighter in the evenings. The use will be for a maximum of approximately 25 boarders (at anyone time). The development includes breaking through a hedge to form vehicle access to a parking area for 20 cars.

2.2 The applicant has revised the access road to conform to highway standards: The submission includes correspondence from PROW and Yorkshire Water not objecting to the proposal.

2.3 The applicant has further stated that the proposed use would:

- Benefit local population promoting skills and self confidence
- Bring in critical revenue through farm diversification
- Boost local community and businesses
- Silent sport, inexpensive and encouraging to local children
- Supported by Thorner C of E Primary School; Thorner Scouts; Thorner Stores; West Yorkshire Sport; All Terrain Boarding Association (ATBA)

3.0 SITE AND SURROUNDINGS:

3.1 The site is situated to the north side of Carr Lane opposite the entrance road to Carr Farm. It is approx. 300 metres to the west of Thorner Village and 1200 metres to the east of the A58 Wetherby Road. The two fields measure approx. 5.4ha and bounded in the main by hedging and a bank of trees to the northern boundary. The left hand field for access and parking is relatively level although set slightly higher than the highway (Carr Lane). The right hand field rises steadily in height towards its northern boundary. There are residential properties to the south side of Carr Lane. The area is semi-rural in character and forms part of the Green Belt.

4.0 RELEVANT PLANNING HISTORY:

4.1 Application Ref: H31/543/79 – outline application for residential development. Refused 22-Oct-79.

5.0 HISTORY OF NEGOTIATIONS:

5.1 The applicant consulted Highways and PROW prior to submitting the application. PROW did not raise any fundamental objection to the proposal. Highways did not dismiss the idea but had little in terms of evidence to assess the impact of such a use. The applicant was also advised of the planning considerations which concluded that the proposal was an appropriate use in the Green Belt, but needed to consider highways issues and the impact of any physical alterations on the character and openness of the Green Belt.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The public notification process was via notices displayed adjacent to the site on 15th July, 2011. The application was also published in the Boston Spa and Wetherby News. Publicity informed that the site affects a PROW.

6.2 Objection from Councillor Rachael Procter on grounds See 1.1

6.3 In response to the original public notification process 6 letters of objection from local residents have been received, in addition 6 letters of support including a 90

signature petition have been received from local residents and organisations including the local school and scout group.

6.4 Grounds of objection:

- Highway safety – Carr Lane unsuitable, accidents.
- Loss of hedge
- Impact on PROW, horses bolting
- Lack of consultation / Parish Council
- Access drainage on highway
- Local festival thrust upon the area, this is another

6.5 Grounds of support:

- Promoting healthy exercise and outdoor sport, particularly for the younger local population
- Rare opportunity to promote a growing activity in popularity

6.6 Thorner Parish Council: No objection.

7.0 CONSULTATIONS RESPONSES:

7.1 **Statutory:**

None

Non-statutory:

7.1 Public Rights of Way

No objection subject to the byway being kept open and available for public use at all times.

7.2 Highways Development Services:

It is likely that the activity will be used predominantly by children, as such the proposed use raises concerns relating to access to and from the site via Carr Lane and the A58 Wetherby Road in particular. Car borne visitors could arrive via the A58, as can those arriving by public transport utilising bus stops either side of the A58 close to the cross-roads of the A58, Carr Lane and Shadwell bridge. Carr Lane has no pedestrian footway and has several bends where vehicle visibility is impaired.

7.3 The applicant has highlighted alternative pedestrian routes to the site other than Carr Lane and will advise visitors of the potential hazards when booking and through the supporting literature for the venture. In addition, the scale of the operation will not result in significant numbers of customers at any one time through the use operating by a booking system.

7.4 Highway Officers consideration of all the issues (see Appraisal Para. 10.4) presents a finely balanced outcome, in conclusion however the proposal is not supported on grounds of being prejudicial to the interests of highway safety.

8.0 PLANNING POLICIES:

8.1 The development plan comprises the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006). The RSS was issued in May 2008 and includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development. However, the RSS is a strategic planning document, used to inform more detailed policies at a local level. Accordingly, it is not considered that there are any particular policies which are relevant to the assessment of this proposal.

8.2 The application site is within an area of designated Green Belt (N32) and a Special Landscape Area (N37) in the City Council's Unitary Development Plan Review (2006) The following policies are considered to be of relevance:

Policy N33 identifies appropriate greenbelt uses.

Policy GB19 outdoor sport and recreation permitted subject to no loss of prime agricultural land, and no hazards from e.g, highway safety

GB20 essential buildings to support sport and recreation

Policy GP5 requires development proposals to resolve detailed planning considerations including access, to avoid loss of amenity and maximise highway safety.

Policy BD5 requires a development to pay regard to its surroundings in terms of amenity, outlook and daylight.

Policy LD1 requires development to include complimentary landscaping.

Policy N23 complimentary setting of development

Policy N25 boundary treatments to reflect character of the area

Policy T2 refers to development that should be adequately served by existing or proposed highways, capable of being served by public transport and have provision for safe and secure cycle use and parking.

Policy T24 refers to car parking provision guidelines.

8.3 Supplementary Planning Document
Street Design Guide SPD

8.4 National Policy and Guidance
PPS 1: Delivering Sustainable Development
PPG 2: Green Belts
PPS 9: Biodiversity and Geological Conservation
PPG13: Transport

9.0 MAIN ISSUES

1. Principle of Development
2. Visual Amenity / Character of Green Belt
3. Highway safety
4. Representations

10.0 APPRAISAL

Principle of Development:

10.1 Under the relevant national (PPG2) and local planning policies (Policy GB19) and guidelines the use of land for outdoor recreational purposes in the Green Belt is acceptable in principle subject to the operation not resulting in harming the openness and character of the Green Belt; that the land is not required for agriculture; and that only buildings essential to the use are permitted. .

10.2 The physical alterations and additions are limited to re-sting of a hedge and laying out of a car park, with potentially the addition of toilet facilities. The use would not prevent the land being returned to agricultural use. As such it is considered that the proposed development would not result in harm to the character of the Green Belt as the land would remain open.

Visual Amenity and Character of the Green Belt.

- 10.3 The actual activity of grassboarding itself calls for little or no permanent structures. The physical impact on the site will be only affected by a new access road into the site and the parking area which will use environmentally appropriate materials designed to minimise visual impact. Part of the existing boundary hedge will be lost, with more uprooted but replaced and set back to facilitate the required visibility splay. The City Council's Nature Conservation Officer examined the hedge which was not of a quality that warranted protection.

Highway Safety

- 10.4 It is difficult to precisely predict or quantify the number of trips that the proposal will generate (and therefore the impact) as the proposed use appears to be unique to the area and therefore supporting information is somewhat limited. The applicant has provided details of a site in West Sussex called Haredown Mountain Boarding Centre. This site appears to be in a similar rural location as the Thorner site and is therefore comparable in general terms. Like the Thorner site bus stops are some distance away and information indicates that approximately 95% of customers arrive by car with an average of 2.2 people per car. The applicant has been asked to source additional sites but has been unable to do so.
- 10.5 It is understood that the number of participants at any one time would be 25 at the Thorner site and that sessions would be every 2hrs, and these comments have been assessed on this basis. The applicant has also stated that the use of the site will be by booking only and they are intending to get all children under 16 to be signed in by an adult, and therefore do not envisage young children arriving by themselves. These issues would require control by planning condition.
- 10.6 On the assumption the proposed use could be controlled in this way and using the information supplied for the Haredown site, each session at Thorner would on average attract 24 customers by car and one other by public transport / walking. The number of cars per session would therefore be 11 based upon 2.2 participants per car. The proposed car park (20 spaces with additional informal areas) would be of suitable layout and size to accommodate this level of parking, including at session change over times. The car park access is proposed with suitable visibility splays that would require existing field hedges to be removed.
- 10.7 With reference to the key issues, the number of customers arriving at the site by walking are likely to be very small. Carr Lane is narrow and does not have footways for much of its length. The pedestrian route along Carr Lane from bus stops on the A58 is particularly poor due to lack of forward visibility at the 'S' bend along its length. Risks to pedestrian safety at this location is therefore an important material consideration.
- 10.8 The applicant has responded to this concern by indicating an alternative route of similar walking distance. This route passes along Stoney Lane which emerges close to bus stops on the A58. However, there are equally attractive bus stops also located on the A58 close to the Carr Lane junction. The applicant has offered that promotional material giving directions via public transport would give directions via the Stoney Lane bus stops / pedestrian route. However, notwithstanding this offer it is considered that the Carr Lane route is likely to be a more attractive inviting walking route.
- 10.9 It is likely that visitors utilising public transport will arrive from the bus stops on the A58, while any pedestrians that walk the whole of there journey are more likely to be

residents of Thorner and therefore arrive from this direction rather than the west. The walking route back towards the village has some limited footway provision, but generally is also substandard. However, the section of this route without footways is generally straight and drivers should have good forward visibility of pedestrians in the road. Pedestrians would however have to walk significant distances in the road. The applicant has also submitted details of an alternative walking route from this direction, via Main Street, Westfield Lane and public footpath No.1.

- 10.10 The remaining key issue is the traffic impact of car users along Carr Lane including the 'S' bend and the junction with the A58. The concern at the 'S' bend relates to vehicles approaching from different directions and not having sufficient forward visibility to see one another (or a pedestrian). The concern at the junction of Carr Lane with Wetherby Road (A58) relates to it being a cross road junction (towards Shadwell) with an accident record. The junction of Carr Lane and Wetherby Road (A58) had reasonable visibility sight lines in both directions at the time of the site visit. However, if the existing boundary treatment (hedges) become significantly overgrown the available visibility to the north could be affected.
- 10.11 Based upon the figures referred to above, the maximum traffic impact on Carr Lane (but averaged over an hour) would be 11 movements per hour, and a total of 88 movements per day (assuming four two hour sessions). Traffic data suggests that approximately 800 vehicles a day use Carr Lane (typically around 30 trips per hour during the daytime). Therefore, while the traffic numbers generated by the proposal are quite low they do represent a significant impact over the existing low levels of traffic on a generally substandard route with two specific areas of concern.
- 10.12 The junction of Carr Lane and Wetherby Road (A58) has had a number of traffic accidents over the last 5/6 years, 11 accidents have occurred with 2 classified as fatal, 3 classified as serious and 6 classified as slight. The causation factors are varied and include a number associated with traffic from the Shadwell side. Over the same period there have been 3 accidents at the 'S' bend on Carr Lane, although it should be noted that two of these accidents occurred in the dark, the road surface was wet on two occasions and frosty/icy on the third occasion. These are recorded 'Injury' accidents and there are likely to be a number of other incidents or near misses.
- 10.13 In summary concerns exist with this proposal due to potential safety issues for both pedestrians and vehicles, as described above. Although, the number of movements are small in number, they are regarded as significant and having a material impact given the current situation and the substandard nature of Carr Lane. Therefore, the application is not supported as submitted.
- 10.14 Highway Officer's have a made a thorough examination of the issues involved relating to the proposed use in the context of the supporting highways network. In light of their concerns relating to the significant impact on the issue of pedestrian visitors to the site the proposal raises several concerns, some that would rely upon diligent monitoring and management, that the applicant could not guarantee. As such it is considered that the use would be prejudicial to the interests of highway safety particularly for younger pedestrians.

Representations

- 10.15 Officers consider that the access and car park can be satisfactorily drained without further impairing the surface of Carr Lane.

- 10.16 Officers note the concerns of local residents in relation to the Leeds Festival but do not consider the proposed development to be a reasonable comparison to warrant a reason for refusal of the application.
- 10.17 The application was publicised in the usual manner of site notices and an advertisement in the local paper. The Local Planning Authority has no influence on the Parish Council's own consultation process.
- 10.18 On balance, whilst it is accepted that the proposal will result in promoting outdoor recreation for all and an activity beneficial to the local community in general, it is considered these are fundamentally outweighed by the concerns relating to highway safety.

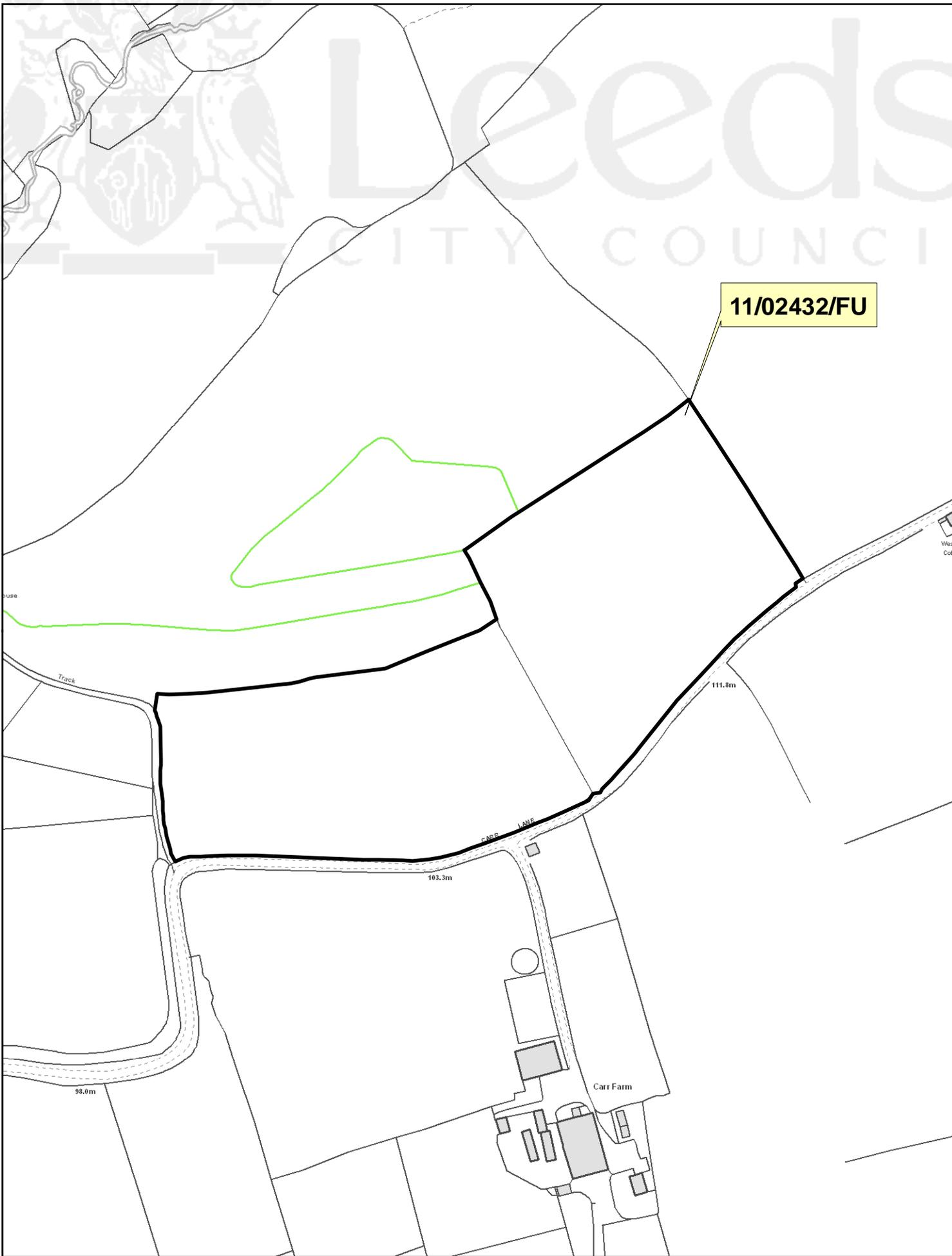
11.0 CONCLUSION

- 11.1 Officers consider that the revised proposal is acceptable in principle and in terms of its impact on the character of the Green Belt, and would not result in prejudicing the amenity of local residents. The development however is unacceptable on highway grounds which on balance is of such concern to warrant refusal of the proposed use. As a consequence, the application is recommended for refusal for the stated reason.

Background Papers:

Application file: 11/02432/FU.

Certificate of Ownership B completed. Notice served on 10th May, 2011 to the Estate Office to Viscount Pollington's 1964 Settlement, Hawnby, North Yorkshire.



11/02432/FU

EAST PLANS PANEL

