



Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 22nd March 2012

Subject: CONSULTATION BY WAKEFIELD COUNCIL ON PLANNING APPLICATION: 12/00208/FU – Change of use from grazing land to the use of land for the siting of 10 no. residential gypsy caravan pitches, with associated hardstandings, landscaping, access and works. Erection of 10 no. associated utility/day rooms, Castle Gate, Wakefield.

APPLICANT	DATE VALID	TARGET DATE
Mr. T. Spaven	n/a	n/a

Electoral Wards Affected:
Ardley and Robin Hood/ Rothwell

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

That the following comments on the planning application be sent to Wakefield Council on behalf of Leeds City Council:

That objections be raised on the grounds that the proposal would be contrary to Green Belt policy and no compelling case has been made to justify the setting aside of this policy. Concerns be raised in respect of the matter of residential amenity due to siting very close to the M62 motorway, and the likely excessive noise intrusion and poor air quality.

1.0 INTRODUCTION:

1.1 Leeds City Council has been consulted by Wakefield Council on a major development proposal close to the Leeds and Wakefield boundary.

1.2 The application is presented to Plans Panel due to the sensitivity of the proposal and the significant amount of interest it has generated.

2.0 PROPOSAL:

- 2.1 Change of use from grazing land to the use of land for the siting of 10 no. residential gypsy caravan pitches, with associated hardstandings, landscaping, access and works. Included in the development is the erection of 10 no. associated utility/day rooms.
- 2.2 A 1.2m high hit and miss timber fence is proposed to the site frontage, with a similar height brick wall with brick piers and metal bar railings between. The hard surfacing would occupy half of the site, and would accommodate the brick structure, which includes a living room, kitchen and bathroom. The part of the site to the rear, abutting the embankment is to be grassed. The accommodation is to be set in 5 no. pairs.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site is an area of grazing land located to the north side of Castle Gate, abutting the southern embankment of the M62. The applicant's Design & Access Statement states that the site was previously a motorway holding yard and also as a market garden nursery, known as Meadowfield Nurseries. The southern embankment forms the boundary to Leeds. To the north, Castle Gate crosses the M62 and becomes Ouzlewell Green within Leeds district, with Lofthouse to the west and Carlton village to the north.
- 3.2 Land in the immediate surroundings is open and undeveloped, but the Patrick Green Industrial Estate is located to the south east of the application site.

4.0 LEEDS CITY COUNCIL CONSULTATIONS RESPONSES:

Highways.

- 4.1 The proposal is unlikely to generate sufficient traffic to be a concern to the local highway network in Leeds.

5.0 LOCAL RESPONSE:

- 5.1 Local ward members for Rothwell have been consulted on the proposal.
- 5.2 Councillor Wilson objects on the grounds that the proposal is within the Green Belt, and would be inappropriate and harmful to the Green Belt. In addition, he considers the proposal may be detrimental to highway safety and the occupiers would have a poor standard of amenity, being so close to the M62 motorway.
- 5.3 Councillor Bruce objects on the following grounds:
- The proposed development is on green belt land
 - There are no exceptional circumstances to permit development
 - Local schools are full and don't have spare places
 - Air quality on the site is blighted by traffic fumes from the motorway and an appropriate assessment has not taken place
 - The site is subject to excessive noise because it is directly next to the motorway
 - Potential for accidents or impact on the flow of motorway traffic from residential development so close to the motorway e.g. activity on the residential site distracts motorists, barbeque, bonfire or ball games on the site could send the ball or other items onto the motorway

- 5.4 Members for Ardsley & Robin Hood have been consulted on the proposal.
- 5.5 Councillor Dunn objects on the grounds that the proposal is within the Green Belt, and would be inappropriate and harmful to the Green Belt. In addition, he considers the proposal may be detrimental to highway safety and the occupiers would have a poor standard of amenity, being so close to the M62 motorway.
- 5.6 Councillor Renshaw strongly opposes this application due to intrusion onto Green Belt land which is part of the application. This proposal would be detrimental to the Green Belt policy. The location of the proposed Gypsy Traveller Site would impact on both the local highways and the Highways Agency roads. This will create unhealthy and hazardous situation by the impact on the local roads which would have a substantial increase in traffic volume (there would be more than one vehicle per caravan dwelling) and the safety of drivers on the motorway could be made hazardous by the fires, children would be at risk playing so close to a motorway and ball games and other activities which will distract drivers from their concentration on safety on motorways.
- 5.7 Councillor Renshaw considers there has been a lack of consultation with local residents and there are many within the wider community who would feel at risk and affected by this application. This area of land is what equates to adequate for two horses only! How can this be justified for the number of travellers which will be residing on this small area of land. The drainage is concerning and not incorporated into the plans very well, it mentions storm water soak away. There are already flooding issues within this location and it seems that this has not been properly considered when drawing up these plans.
- 5.8 One other letter of representation has been forwarded, stating that this development should be opposed as there is very little Green Belt left in the general area and that these fields act as the lungs of Wakefield and Leeds at this location adjacent to the M62. It is also considered that this location is inappropriate for residential living on health ground for the potential residents as this area of the M62 has loud noise pollution and exhaust pollution as the slip road to the M1 is close by ,and standing traffic regularly backs up in the westward direction of the M62.
- 5.9 Councillor Mulherin would like to record the following objections to it:
- The site is Green Belt and should only be developed in exceptional circumstances. This is not the first inappropriate application on the green belt between Leeds and Wakefield that I have objected to and I am increasingly concerned about the erosion of the green belt between the two districts.
 - The erosion of the Green Belt's is not sustainable development. It has a detrimental impact on school place planning, health provision planning and highways infrastructure amongst other things.
 - It is considered that there are no exceptional circumstances which could in any way justify the further erosion of the Green Belt on the Leeds/Wakefield border.
 - The schools in this area are already struggling to cope with existing demand. I am Chair of Governors at Robin Hood Primary School which is already oversubscribed and families within the village of Robin Hood are already having to travel further afield for their children to attend school because the school on their doorstep cannot accommodate them. If this proposal goes through it will add to those pressures on school places, and because the site is over the Wakefield border it will not contribute to the expansion of provision

through Section 106 agreements. I am aware that Rodillian High School is also already oversubscribed.

- The site is right alongside the motorway and I have concerns about the impact on road safety. The Lofthouse Millennium Green has a number of restrictions in place, which it is understood were required by the Highways Agency for road safety. These include no bonfires, no barbecues and no ball games on account of the potential danger to motorists. The Millennium Green is situated some height above the motorway. The Castle Gate site is on a level with the motorway and there is a real danger that any bonfire on site, ball games etc could create a hazard on the motorway.
- Increased traffic as the site is inaccessible through public transport. This will in turn lead to an increase in noise, disturbance and environmental pollution to what is already an extremely busy highway (Castle Gate).
- There are concerns in the local community about the Green Belt being effectively built over and the site being operated as a business. The plans as I understand it are for the plots on the site to be rented out as a residential landlord would do. A landlord would not be given planning permission to build a block of flats on the Green Belt for this purpose.
- Finally I have concerns about the air quality and noise pollution from the motorway for anyone that would end up living on this site. It is right next and on the same level as the motorway and there is no screening at all.

5.10 Councillor Milherin does not believe this application meets with planning guidance for the reasons given above and I hope that it will be refused.

5.11 A public meeting was held at Carlton W.M.C. on 7th March 2012, and attended by approximately 200 local residents, including all three Ardsley & Robin Hood members. The issues raised are as follows:

- The proposed development is on green belt land.
- There are no exceptional circumstances to permit development.
- Local schools are full and don't have spare places.
- Air quality on the site is blighted by traffic fumes from the motorway and an appropriate assessment has not taken place.
- The site is subject to excessive noise because it is directly next to the motorway.
- Potential for accidents or impact on the flow of motorway traffic from residential development so close to the motorway e.g. activity on the residential site distracts motorists, barbeque, bonfire or ball games on the site could send the ball or other items onto the motorway.
- Site is potentially contaminated.
- Perception that crime in the area could increase.
- The proposal is a commercial venture, and not designed to meet specific needs.
- Inadequate consultation has taken place.
- Inaccuracies on the submitted application.

6.0 PLANNING POLICIES:

6.1 The proposal needs to be considered against the relevant parts of the development plan for Wakefield which comprises the Wakefield Local Development Framework (LDF) including the Core Strategy and allocations from the Unitary Development Plan. The site is designated as Green Belt in the development plan.

- 6.2 The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 with the consultation period closing on 12th April 2012. Following consideration of any representations received, the Council intends to submit the draft Core Strategy for examination. The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy is in its pre submission stages only limited weight can be afforded to any relevant policies at this point in time.

National Policy and Guidance

- 6.3 PPS1 - Delivering Sustainable Development
6.4 PPG2 - Green Belts
6.5 PPG13 – Transport
6.6 Advice in Circular 01/2006 Planning for Gypsy and Traveller Caravan Sites and draft replacement guidance published for consultation by CLG in April 2011.
6.7 Draft NPPF.

7.0 MAIN ISSUES

Green Belt and Policy considerations
Residential amenity

8.0 APPRAISAL

Green Belt and Policy considerations

- 8.1 The site lies within the designated Green Belt and guidance within PPG2 provides that the fundamental aim of the Green Belt policy is to prevent urban sprawl by keeping land permanently open. It is considered that the use of land for the siting of mobile homes for residential occupation and associated infrastructure is inappropriate development within this Green Belt location as it fails to satisfy the criteria set out in paragraph 3.4 of PPG2. The proposed use and associated domestic activity causes significant harm to the open character of the area and represents an encroachment of development into the countryside. The mobile homes introduce further buildings that by reason of their size and siting serve to erode the open character of the area and appear as alien features within this rural setting. The siting and design of the mobile homes has little or no regard to the open and rural surrounds and as such appear out of place and harmful to the character and visual amenities of the area. The associated trappings of, and activity associated with, the domestic occupation also serves to adversely affect the open character of the area. The extent of built development, its form and visual appearance and associated activity, is incongruous in this open rural setting.

Very Special Circumstances

- 8.2 Having regard to the advice given in PPG2 and the development plan, siting of 10 no. residential gypsy caravan pitches, with associated hardstandings, is inappropriate development within the Green Belt. It should not be permitted unless very special circumstances exist and the harm to the purposes of Green Belt has to be significantly outweighed by other considerations. The onus rests with the applicant to demonstrate that such circumstances exist.
- 8.3 The applicant has submitted that the unmet needs for sites in Wakefield and the previously developed nature of land and proximity to settlements are considerations that constitute very special circumstances. The applicant argues that substantial

weight should therefore be given to these considerations in determining whether the harm to Green Belt is outweighed.

- 8.4 The proposed development would also represent inappropriate development in the Green Belt according to the guidance contained in the draft NPPF and the draft NPPF maintains the requirement to demonstrate very special circumstances justifying inappropriate development in the Green Belt.
- 8.5 Circular 01/2006 (Planning for Gypsy and Traveller Caravan Sites) paragraph 49 provides that new Gypsy and Traveller sites in the Green Belt are normally inappropriate development, as defined in Planning Policy Guidance 2: Green Belts (PPG2). National planning policy on Green Belts applies equally to applications for planning permission from gypsies and travellers, as well as the settled population. Alternatives should be explored before Green Belt locations are considered.
- 8.6 CLG published a consultation document on planning for Gypsy and Traveller sites in April 2011. The document reaffirms many of the principles set out in the current national guidance including not locating sites in high risk flood areas, locating sites where there is ready access to local services/facilities and promoting good relations between Gypsies and Travellers and the settled community. The document suggests that, to date, the perception across the country has been that planning applications for Gypsy and Traveller sites located on Green Belt land have been treated more favourably than those for other forms of housing. In future, the government wants to see a re-balancing of this position whereby all housing related planning applications on Green Belt are treated the same way. The consultation document confirms that Gypsy and Traveller sites should ideally be located on brownfield sites. In this case, the applicant has not demonstrated that there are no other sites outside of the Green Belt, that are suitable or available.
- 8.7 There is evidence of an unmet need for Gypsy and Traveller sites, both in Leeds and Wakefield. Work is in progress on Wakefield's Site Allocations Development Plan Document (DPD). Essentially the situation is that there is a clear unmet need for sites and the identification of such sites through the DPD is some years away.
- 8.8 Whilst it is accepted that there is an 'unmet need' for alternative Traveller sites, no evidence has been submitted that justifies setting aside the presumption against inappropriate development in the Green Belt at this location. Although in this location, on the south side of the M62 motorway, it would be difficult to substantiate a visual intrusion argument as it relates to Leeds District, the development is still inappropriate, and the openness would be impacted upon by the hardstanding, vehicles, buildings and domestic paraphernalia. . Crucially, no reason is given as to why other suitable sites which are not in Green Belt could not be utilised for this purpose.
- 8.9 Although there have been previous uses on the site, in recent times it has been used for grazing, and although the quality of the land is not to the same standard as the undisturbed adjoining sites, the site is regenerating such it can reasonably be argued that the site is now greenfield. On balance, it is considered that there are insufficient considerations to constitute very special circumstances that would outweigh the harm of the impact on the Green Belt.

Residential amenity

- 8.10 The application site is abutting the embankment of the M62 motorway, close to the slip road onto the M1 motorway. No information has been submitted in respect of

noise intrusion or air quality, therefore an assessment of the environmental conditions is not possible. However, given the very close proximity of the application site to the motorway, it is considered that it would be very likely that the standard of amenity would be harmed by excessive noise intrusion and poor air quality.

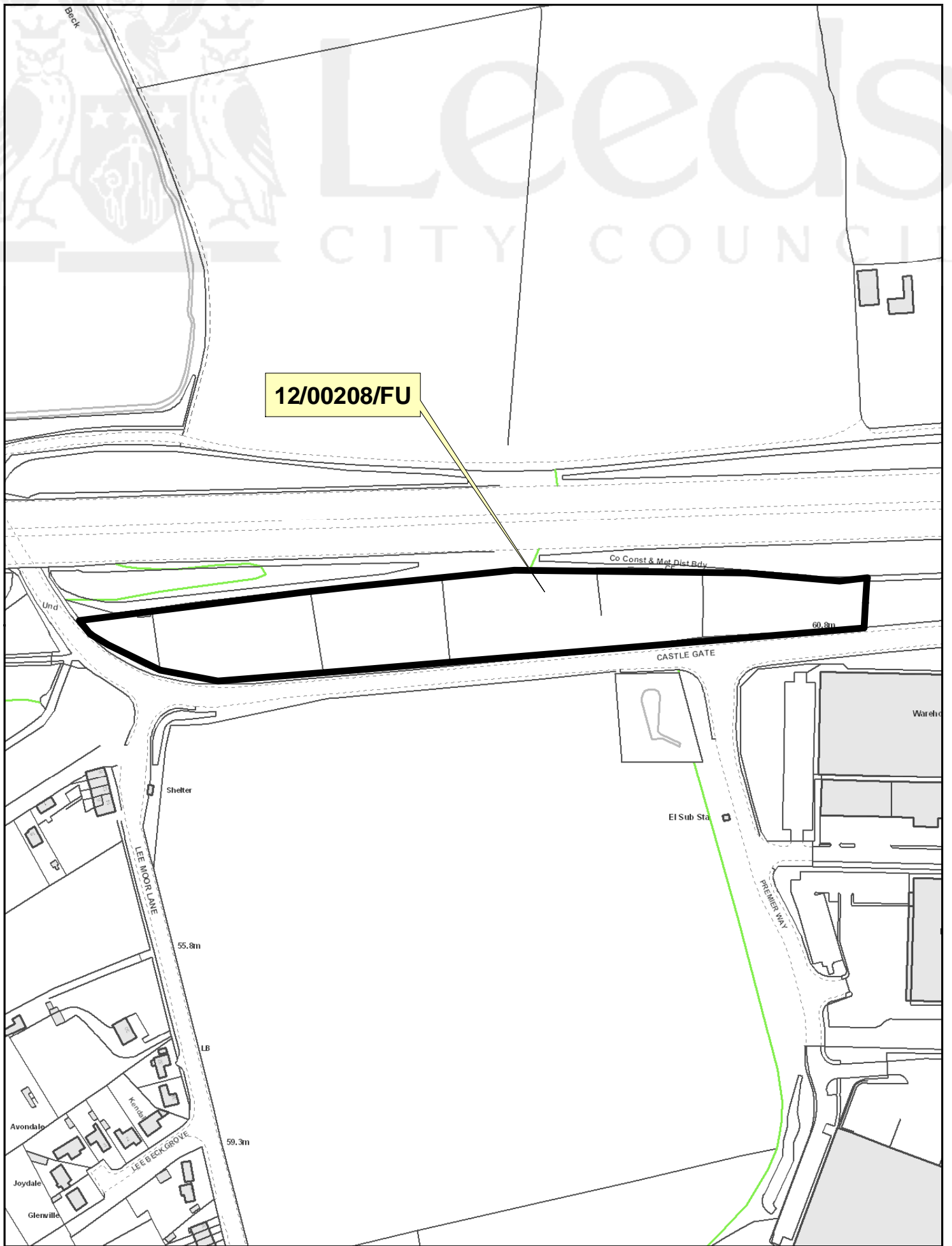
9.0 CONCLUSION

- 9.1 That objections be raised on the grounds that the proposal would be contrary to Green belt policy and no compelling case has been made to justify the setting aside of this policy. Concerns be raised in respect of residential amenity due to siting very close to the M62 motorway, due to likely excessive noise intrusion and poor air quality.

Background papers:

Planning application Wakefield Ref. No. 12/00205

12/00208/FU



EAST PLANS PANEL