

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 11th April 2013

Subject: PRE APPLICATION PRESENTATION - Pre-Application Presentation - Proposed residential development comprising circa. 375 houses with associated access, parking, public open space and landscaping at land at Spofforth Hill, Wetherby. (PREAPP/12/01073)

Electoral Wards Affected:

Wetherby

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: This report is brought to Panel for information. The developer's representative will be asked to present the emerging scheme to allow Members to consider and comment on the proposals.

1.0 INTRODUCTION

1.1 The purpose of this report is to appraise Members of forthcoming proposals for the development of a Greenfield site in Wetherby which is a site designated as a 'Protected Area of Search' (PAS) in the UDP, and to inform Members of a short presentation that forms part of the on-going pre-submission consultation regarding this proposal.

2.0 SITE AND SURROUNDINGS

2.1 The site relates to a Greenfield site that is located towards the western edge of Wetherby. The site measures 15 hectares and is in agricultural use. Part of the site abuts Spofforth Hill which is the road which links the towns of Harrogate and Wetherby. Along the Spofforth Hill frontage is a line of mature trees and hedges, which helps screen the site from public views. The site itself slopes gently down towards the open countryside and is bounded to the west with mature hedgerows and trees.

2.2 In terms of surrounding land uses, the land to the east comprises two storey residential housing, bounded by trees and hedges along the boundary with the site. To the south is housing, partly along the north side of Spofforth Hill and entirely on

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

3.0 PROPOSALS

- 3.1 Proposals involve the development of this site for approximately 375 houses, split into two potential development parcels. These include a parcel of 4.07ha to the west which would provide a total of 88 dwellings (based on a density of 22 dwellings per hectare) and a larger parcel of 19.05ha to the east which would provide 287 dwellings (based on a density of 32 dwellings per hectare). One vehicular access point is proposed off Spofforth Hill via a small four arm roundabout with Wentworth Gate, plus one emergency vehicle access point proposed from the existing residential estate to the east. Green pedestrian routes are proposed to link into the existing housing development to the east and to the Harland Way to the north. A number of formal green squares and a village green area are included on the indicative site plan.
- 3.2 In order to facilitate vehicular access to the site and associated sightlines, a number of mature trees along the Spofforth Hill frontage would need to be removed. A mix of new homes are proposed, the architectural style of which could fit with the local character. The proposals also involve the potential to introduce existing bus services into the new development.
- 3.3 The applicant, Bellway Homes, also proposes a different approach to the provision of affordable housing. Early discussions suggest that an element of affordable housing can be provided on site, with a financial sum being provided as an off-site contribution. Bellway has suggested that of the 35% required under policy, 15% should be provided onsite and 20% off site, anticipating that this would equate to a sum of £7million to be transferred. This could be used on 4 remaining EASEL sites (plus one stalled site) through equity share to support to purchasers. This would create an affordable ownership product as opposed to affordable rent.
- 3.4 Bellway has suggested that payments to the Council will be made on an instalment basis over the development period (6-7years) and should be paid into an account which will provide funding to support equity loans on the EASEL sites, which would then be developed on a similar programme to Spofforth Hill, based on cash flow for the loans.

4.0 HISTORY OF NEGOTIATIONS AND PLANNING HISTORY

- 4.1 This particular site, along with many others within Leeds, is allocated as a 'Protected Area of Search' under Policy N34 of the UDP. The developer (Bellway Homes) is aware of Leeds' position with regard to the 5 year housing supply issue and has

hence put forward proposals for residential development on this particular PAS site. Discussions have been on-going with Officers since November 2012 and consultation has taken place with Ward Members.

4.2 The developers have also organised two public consultation events which took place on 22 November 2012 and 2 February 2013. Some residents who attended the exhibitions have provided comments direct to the local planning authority setting out their concerns over a number of issues, namely traffic and access.

4.3 31/333/99/FU & 31/334/99/FU – 82 dwelling houses: Disposed of in April 2002.

31/338/98/OT – Outline application to layout access and erect residential development: Disposed of in February 2002.

H31/94/81 – Outline application to lay out access roads and erect residential development, sports centre and clubhouse: Refused in July 1981 and appeal dismissed in August 1982.

5.0 RELEVANT PLANNING POLICIES

5.1 National Planning Policy Framework (NPPF)

The NPPF advocates a presumption in favour of sustainable development. In particular, paragraph 49 of the NPPF requires that housing applications be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.

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5.2 Development Plan

Leeds Unitary Development Plan Review 2006 (UDPR)

The site is allocated within the UDP as a 'Protected Area of Search' (PAS). Policy N34 is specifically relevant which restricts development to that which is necessary for the operation of existing uses together with such temporary uses as would not prejudice the possibility of long term development. The site also abuts a Leeds Nature Area (LNA 109 – Wetherby Railway Triangle). Other policies which are relevant are as follows:

SA1: Secure the highest possible quality of environment.

GP5 all relevant planning considerations

GP7 planning obligations

GP11 sustainability

GP12 sustainability

H4: Residential development.

H11-H13: Affordable Housing.

N2: Greenspace

N4: Greenspace

N12: Relates to urban design and layout.

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

N23: Relates to incidental open space around new developments.

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

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

N26: Relates to landscaping around new development.
 N37A: Development within the countryside should have regard to the existing landscape character.
 N38B: Relates to requirements for Flood Risk Assessments.
 N39A: Relates to sustainable drainage systems.
 N50: Seeks to protect, amongst other assets, Leeds Nature Areas.
 N51: New development should wherever possible enhance existing wildlife habitats.
 T2: Development should not create new, or exacerbate existing, highway problems.
 T2C: Requires major schemes to be accompanied by a Travel Plan.
 T2D: Relates to developer contributions towards public transport accessibility.
 T5: Relates to pedestrian and cycle provision.
 T24: Parking guidelines.
 BD2: The design of new buildings should enhance views, vistas and skylines.
 BD5: The design of new buildings should give regard to both their own amenity and that of their surroundings.
 LD1: Relates to detailed guidance on landscape schemes.

5.3 Draft Core Strategy

The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 and the consultation period closed on 12th April 2012. The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 14th November 2012 Full Council resolved to approve the Publication Draft Core Strategy and the sustainability report for the purpose of submission to the Secretary of State for independent examination pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004. Full Council also resolved on 14th November 2012 that a further period for representation be provided on pre-submission changes and any further representations received be submitted to the Secretary of State at the time the Publication Draft Core Strategy is submitted for independent examination.

5.4 As the Council have resolved to move the Publication Draft Core Strategy to the next stage of independent examination some weight can now be attached to the document and its contents recognising that the weight to be attached may be limited by outstanding representations which have been made which will be considered at the future examination.

5.5 Supplementary Planning Documents & Guidance

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

5.6 Other Planning Policy – Leeds Executive Board

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

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

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

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

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

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

6.0 MAIN ISSUES

- 6.1 Officers have held discussions with the applicant over the proposed development and have principally focussed on the principle of development on this PAS site in light of the recent introduction of the interim policy. Matters relating to the design and layout will clearly need to be discussed in more detail should the substantive

issues become more clearer. Members are asked to consider the following matters in particular:

6.2 Principle of Residential Development on PAS Site

The site has been the subject of previous proposals for residential development in the 1980s and 1990s, which proved to be unsuccessful. The designation of the site as a PAS site and proposals for residential development clearly represents an opportunity to provide additional housing in Wetherby. However, the timing of such proposals are in advance of the Council's Site Allocations DPD and could therefore be regarded as premature. That said, the introduction of the new interim policy (at paragraph 5.6 of this report) is aimed at the consideration of such proposals. Therefore, in terms of the assessing the proposals in light of this policy, the proposed scheme is considered to meet criteria i, as the site is within Wetherby which is classed as a Major Settlement. It does however, exceed the limit of 10ha in size (mentioned in criteria ii), and in terms of criteria iii, officers are not aware that the land is needed or potentially needed for alternative uses. As such, the proposal does meet criteria i and iii, and consequently needs to be judged against points iv and v in the policy.

6.3 It is the view of Officers that Wetherby is in an area where housing land development opportunity is demonstrably lacking. This is evident in the absence of any allocated housing sites within Wetherby itself. The only housing development that does take place relates to small infill sites that produce only single dwellings or sites for several houses in recent years. However, it would be for the applicant to demonstrate this point and produce clear and compelling evidence.

6.4 In terms of point v, the proposed development needs to include or facilitate significant planning benefits. This could be a clear and binding linkage to the redevelopment of a significant brownfield site in a regeneration area or proposals to address a significant infrastructure deficit in the locality. In this instance, the applicants have put forward a commitment to provide a commuted sum of approximately £7million directed towards affordable housing within the EASEL area in order to stimulate housing growth and regeneration. This would provide a significant investment towards affordable housing and specifically for the affordable ownership product, as well as providing a number of affordable houses on site.

6.5 In light of the above, Members views are sought on the following issues:

- **The acceptability of the principle of residential development on this particular PAS site in light on the recent interim policy agreed by Executive Board on 13th March 2013.**
- **The applicant's approach to affordable housing which seeks to provide a mix on site and a proportion off-site aimed at brownfield sites within a regeneration area such as EASEL.**

6.6 Highways Issues

The proposed scheme includes the provision of one new vehicular access point from Spofforth Hill to serve the entire site. This takes the form of a new four arm roundabout at the junction with Spofforth Hill and Wentworth Gate. An additional emergency vehicular access proposed through the existing housing estate to the

east. From a technical highway perspective the principle of this access is considered to be acceptable (subject to the internal layout being acceptable) and will also serve to reduce the speed of traffic traveling along Spofforth Hill. However, Members should note that as a consequence of the location of the proposed access, a number of protected mature trees would need to be removed. Such removal would be at the expense to the visual character and amenity of the area.

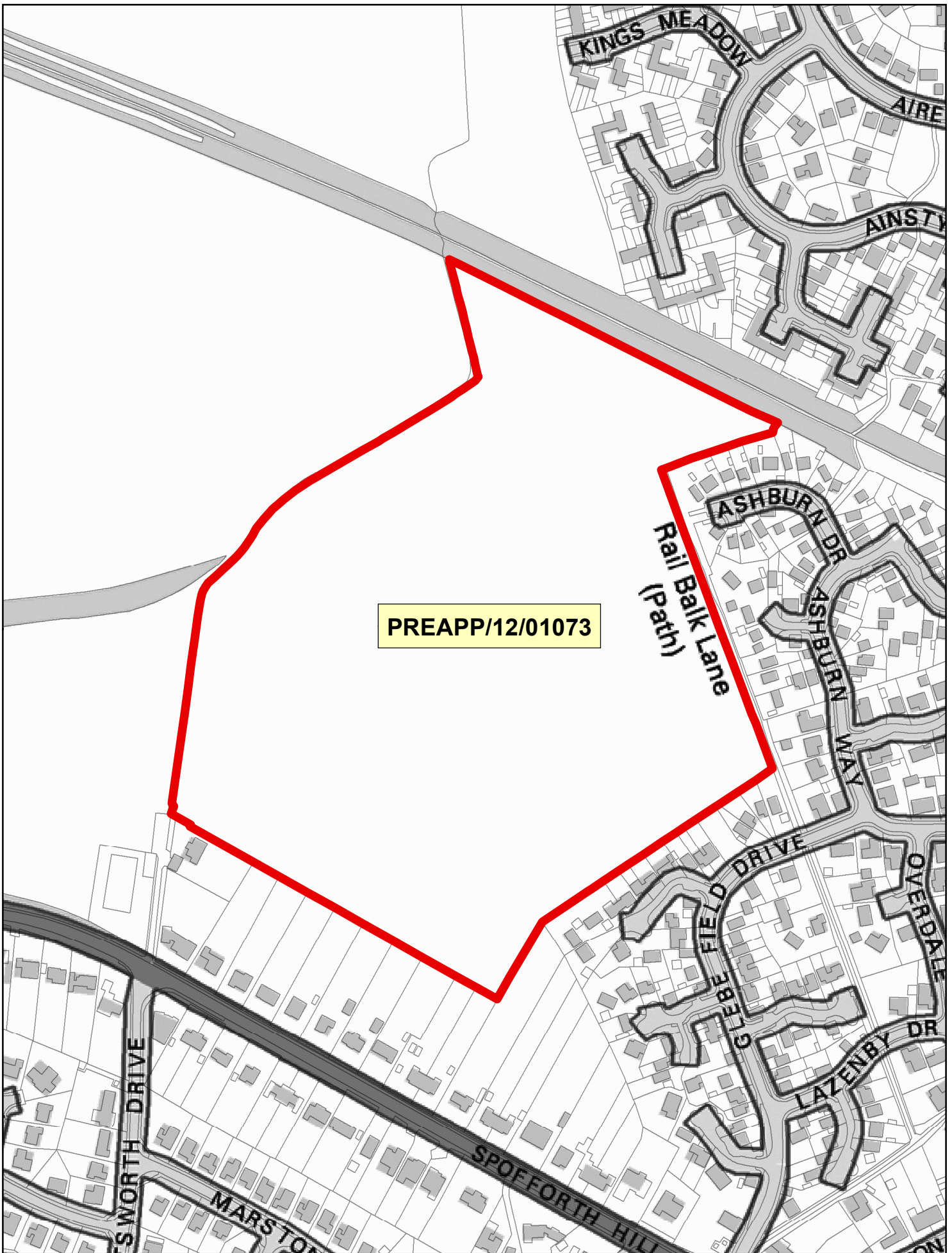
6.7 Within the existing housing estate to the east, there are several potential vehicular access points into the development site. However, consideration needs to be given as to the feasibility of these in terms of the capacity on the existing access road which already serves 245 houses, and the impact upon the living conditions of existing residents and upon trees and hedging. Members views are therefore sought on the following:

- **The vehicular access arrangements and the consequential impact on trees. Members are also advised to consider whether any alternative access would be a better solution than the applicant proposes.**

7.0 CONCLUSION

7.1 Members are asked to note the contents of the report and the presentation, and are invited to provide feedback on the issues outlined below:

- **The acceptability of the principle of residential development on this particular PAS site in light on the recent interim policy agreed by Executive Board on 13th March 2013.**
- **The applicant's approach to affordable housing which seeks to provide a mix on site and a proportion off-site aimed at brownfield sites within a regeneration area such as EASEL.**
- **The vehicular access arrangements and the consequential impact on trees. Members are also advised to consider whether any alternative access would be a better solution than the applicant proposes.**



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