

**From:**  
**To:**  
**Cc:** [Anderson, Cllr Barry](#)  
**Subject:** PDE02924\_Leeds Site Allocations Plan - COMMENTS  
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**Importance:** High

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Mr Manu Chopra

16 Dunstarn Lane, Adel, Leeds LS16 8EL

Dear Sirs

**SITE ALLOCATION IN ADEL – SITE REFS:**

- HG2-38/1178a and 1178B – DUNSTARN LANE
- HG1-74/687 – DUNSTARN LANE
- HG1-72/1033 – GOVERNMENT BUILDINGS
- 1079, 1243 and 1246 – LONG CAUSEWAY
- 1299A and 1299B – BODINGTON HALL
- 2052 – TILE LANE
- HG2-18/2130 – CHURCH LANE

I write, as part of the public consultation in respect of the Site Allocations Plan (“SAP”), to inform you of my views of the Council’s designation of certain sites in Adel. Whilst **I primarily write to object to the designation of site HG2-38/1178a at Dunstarn Lane as eligible for development** (ie the site, which is a greenfield site within existing Green Belt land, should NOT in ANY way be regarded as suitable for development), I wish to inform you of my views regarding all of these sites and refer below to the relevant provisions of the Leeds Development Framework’s “Core Strategy” (“CS”) and the National Planning Policy Framework (“NPPF”) as necessary.

**1. GREEN BELT**

**NPPF paras 87-89 “A local planning authority should regard the construction of new buildings as inappropriate in Green Belt... inappropriate development is, by definition, harmful to the Green Belt and should not be approved except 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”**

**NPPF para 89 “...the construction of new buildings is inappropriate in the Green Belt. Exceptions to this are... limited infilling of previously developed sites... which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development”**

Allowing development of HG2-38/1178a would be inappropriate and therefore the NPPF would

be directly contravened by LCC unless “**very special circumstances**” exist.

**These “very special circumstances” have not been shown to exist.**

Development of HG2-38/1178a cannot be unquestionably regarded as “limited infilling” given that the adjoining sites are predominantly landscaped as opposed to developed. The existing housing at Dunstarn Lane does not impact the openness of the Green Belt and the purposes of the Green Belt. Developing HG2-38/1178a would destroy the openness of the Green Belt at that site and would have a negative impact on the following purposes of the Green Belt as set out at **NPPF para 80 “Green Belt serves... to check the unrestricted sprawl of large built-up areas... to assist in safeguarding the countryside from encroachment... to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”** As set out in LCC’s own site survey, development here would mean “**high potential to lead to unrestricted sprawl**” and it would cease to assist in safeguarding against encroachment as it would put at risk the neighbouring site 1178B, a site which “**performs an important role safeguarding the countryside from encroachment**”. Furthermore, developing HG2-38/1178a would in no way assist in urban regeneration – not building on the site would encourage the recycling of derelict and other urban land.

Additionally, the harm to the Green Belt, the biodiversity of the area and residents’ amenity is in no way clearly outweighed by other considerations. Only large homes would be in keeping with the existing development on the adjoining area and, given that Leeds already has a large supply of such homes (as is irrefutably acknowledged by LCC in CS Policy H4), there clearly are no very special circumstances to justify the construction of new buildings on this Green Belt site. Even if building of smaller capacity homes was somehow decided as being in keeping with the adjoining area, this would still not be a reason to build on a Green Belt site whilst there are other sites with planning permission that have not commenced building and whilst Leeds continues to have such a high number of homes standing empty and boarded up (approximately 15,500 homes according to recent reports).

**CS’s Spatial Development Strategy declaration that “the delivery of the strategy will entail the use of brownfield and greenfield land and in exceptional circumstances (which cannot be met elsewhere), the selective use of green belt land where this offers the most sustainable option” and the definition of “sustainable development” in the CS as having “...minimal detrimental impact on the environment whilst maximising environmental, economic and social gains...”**

Allowing development of HG2-38/1178a would clearly be a direct contravention by LCC of this provision as there are **no exceptional circumstances** which cannot be met elsewhere and development on this site is not the most sustainable option given its environmental and social amenity (and the only economic gain will be for the landowner(s) and developer(s), not the wider society).

**CS’s Spatial Development Strategy declaration that “the Green Belt boundary should remain in place over a long period and should only be changed in exceptional circumstances” and NPPF para 83 “...Green Belt boundaries should only be altered in exceptional circumstances”**

Allowing development of HG2-38/1178a would be a de facto alteration of the Green Belt

boundary by LCC which would directly contravene both the CS and NPPF given that there are **no exceptional circumstances** that justify such alteration.

**NPPF Core Planning Principle 5 “...protecting the Green Belts... recognising the intrinsic character and beauty of the countryside”, NPPF para 79 “...the essential characteristics of Green Belts are their openness and their permanence...”, NPPF para 81 “...local planning authorities should plan positively to enhance the beneficial use of the Green Belt... to retain and enhance landscapes, visual amenity and biodiversity”, NPPF para 109 “the planning system should contribute to and enhance the natural and local environment by... protecting and enhancing valued landscapes... minimising impacts on biodiversity” and CS Section 2 acknowledgement that “...Green Belt... is very important in its own right for aspects such as biodiversity and urban cooling. The quality of the environment... is important to improve physical and mental health as it provides a sense of wellbeing... the district’s distinctive landscape character needs to be respected, conserved and enriched”**

Clearly, allowing the development of HG2-38/1178a – which would lead to the destruction of a beautiful landscape whose openness and biodiversity is much valued by local residents - would be a direct contravention by LCC of these provisions. It is also relevant to bear in mind the case of *Britton v SOS*, the courts concluded that the protection of the countryside falls within the interests of Article 8 (2) of the European Convention on Human Rights (as incorporated into English law under the Human Rights Act 1998).

Furthermore, I would invite LCC to give proper weight and consideration to:

- A) **Green Belt against other green spaces** - for example, despite having a score of 15 and 13 respectively out of 15 from the Highways review, together with greater scope for affordable housing (an LCC priority) and no biodiversity impacts, sites 2058 (Allerton Grange High) and 1299B (Bodington Hall) have been classed as “RED” due to their historical designation from the existing UDP of N6 – Protected Playing Pitch
- B) **site HG2-38/1178a against other Green Belt sites** – for example, despite having comparable or lesser potential Green Belt negative impacts, together with higher Highways review scores, than site HG2-38/1178a (ie site HG2-38/1178a objectively appears to be less appropriate for building allocation), other sites have been classed as Amber (1172 Yorkshire Bank Sports Ground, 2035B Alwoodley Lane, 3315 Elmete Lane) or Red (1310 Outwood Lane, 3327 Layton Road, 3330 West End Lane, 3381 Brownberrie Farm)) despite their being objectively more appropriate for building allocation

I am **deeply troubled** by the fact that there is **no clear, defensible reason** why LCC regards Green Belt site HG2-38/1178a as suitable for development.

## **2. SPATIAL STRATEGY AND POLICY**

**CS’s Spatial Policy 1(ii) “...identification of land for development with priority given in the following order: (A) previously developed land and buildings within the settlement, (B) other suitable locations within the relevant settlement, (C) key locations identified as sustainable extensions to the relevant settlement” and the definition of “sustainable**

development” in the CS as having “...minimal detrimental impact on the environment whilst maximising environmental, economic and social gains...”

CS’s Spatial Policy 6 “(ii) preference for brownfield and regeneration sites”, (iii) the least impact on Green Belt purposes, (iv) opportunities to enhance the distinctiveness of existing neighbourhoods and quality of life of local communities... (vi) the least negative and most positive impacts on green infrastructure, green corridors, greenspace and nature conservation”

CS Policy H1: “sites which best address the following criteria (i) location in regeneration areas, (ii) locations which have the best public transport accessibility, (iii) locations with the best accessibility to local services, (iv) locations with the least impact on Green Belt objectives, (v) sites with least negative and most positive impacts on green infrastructure, green corridors, green space and nature conservation”

NPPF Core Planning Principle 6 “...encourage the reuse of existing resources...”, NPPF Core Planning Principle 7 “contribute to conserving and enhancing the natural environment and reducing pollution. Allocation of land for development should prefer land of lesser environmental value...”, NPPF Core Planning Principle 8 “encourage the effective use of land by reusing land that has been previously developed”, NPPF para 38 “...key facilities such as primary schools and local shops should be located within walking distance of most properties”, NPPF para 51 “local planning authorities should identify and bring back into residential use empty housing and buildings” and NPPF para 111 “planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed”

Allowing the development of HG2-38/1178a would be a direct contravention of the these policies and principles by LCC as:

- it is **not a brownfield or regeneration site**
- it will **not encourage the reuse of existing land or buildings**
- **key facilities such as primary schools and local shops are not located within walking distance** and, furthermore, the capacity in nearby schools is insufficient to meet the needs of existing children in Adel and those moving into the area as a result of proposed housing development. This lack of existing suitable facilities is acknowledged by the fact that Site HG2-18 CHURCH LANE is recommended by LCC to also include provision for a school (and development of such site and/or such provision of a school is by no means guaranteed to occur)
- as set out in LCC’s own site survey, **transport and services are poor** with the site getting 2 out of 5 for Accessibility (“**poor public transport access**”), 1 out of 5 for Access and 3 out of 5 for the congestion impact on the local network – tellingly, **LCC’s Highways team has refused to give its support to development on the site**
- **destruction of the landscape is not conserving and enhancing the natural environment and green space**
- **it will destroy the distinctiveness of the neighbourhood by virtue of the destruction of a beautiful landscape whose openness and biodiversity is much valued by local residents**
- destruction of the landscape will have a **significant negative impact on the amenity of local residents**

- is **in no way a sustainable development** that has “minimal detrimental impact on the environment whilst maximising environmental, economic and social gain” – it will involve destruction of Green Belt and increased congestion and pollution from the vehicles of new residents and the only economic benefits will be for the landowner(s) and developer(s)

**NPPF para 76 and 77 “Local communities through local and neighbourhood plans should be able to identify for protection special green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances... The designation should only be used: (i) where the green space is in reasonably close proximity to the community it serves (ii) where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty... tranquillity or richness of its wildlife; and where the green area concerned is local in character and is not an extensive tract of land”**

I would like to take this opportunity to **formally notify** LCC that I wish to have sites HG2-38/1178a and 1178B designated as Local Green Space and wish for this to be considered for when the Leeds Development Framework is either implemented or reviewed.

### **3. TRANSPORT**

**CS Policy H1: “sites which best address the following criteria... locations which have the best public transport accessibility”**

**CS Policy Statement T2 re Transport “New developments should be located in accessible locations that are adequately served by existing or programmed highways... which will not create or materially add to problems of efficiency on the highway network”**

**NPPF para 38 “...key facilities such as primary schools and local shops should be located within walking distance of most properties”**

Allowing development on HG2-38/1178a would, without question, constitute a direct contravention of the provisions by LCC. As set out in LCC’s own site survey, **transport and services are poor** with the site getting 2 out of 5 for Accessibility (“**poor public transport access**”), 1 out of 5 for Access and 3 out of 5 for the congestion impact on the local network – tellingly, **LCC’s Highways team has refused to give its support to development on the site** and this is on the basis that the development of HG1-74/687 DUNSTARN LANE has not yet taken place (and thus the analysis will be even more severe as and when such development does occur)! The existing congestion on Long Causeway, Adel Lane when joining the Ring Road (and vice versa when coming from the Ring Road) would be materially worsened if such development were allowed.

**NPPF para 30 “encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion”**

Allowing development on HG2-38/1178a would constitute a direct contravention of the provision by LCC. Only large homes would be in keeping with the existing developments on the

adjoining areas and thus it is likely there will be in excess of an average of one car per household. The combination of an increased number of cars and poor public transport access **will lead to a significant negative trend in respect of congestion and greenhouse gas emissions.**

#### **4. ENVIRONMENT AND BIODIVERSITY**

**CS's Section 1 objective of "maintaining and protecting and enhancing environmental quality for the people of Leeds" and NPPF para 30 "encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion"**

**CS's Section 2 acknowledgement that "...Green Belt... is very important in its own right for aspects such as biodiversity and urban cooling. The quality of the environment... is important to improve physical and mental health as it provides a sense of wellbeing... the district's distinctive landscape character needs to be respected, conserved and enriched"**

**CS's Spatial Vision's Objective 21: "protect and enhance green infrastructure, strategic green corridors, green space, and areas of important landscape character..." and CS's Spatial Development Strategy declaration that "...Green Infrastructure... is integral to the health and quality of life of sustainable communities. A key function of Green Infrastructure is to help maintain and enhance the character and distinctiveness of local communities and the wider setting of places"**

**NPPF para 123 "planning policies and decisions should aim to... identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their amenity value for this reason"**

Allowing the development of HG2-38/1178a would be a direct contravention of the these policies and provisions by LCC as:

- destruction of a Green Belt site **does not in any way constitute the respect, conservation or enrichment of landscape character or green infrastructure**
- destruction of such green infrastructure **does not in any way maintain, protect or enhance the environmental quality, benefit physical and mental health or have a positive effect on quality of life of the community**
- only large homes would be in keeping with the adjoining area and thus it is likely there will be in excess of an average of one car per household. The combination of an increased number of cars and poor public transport access will lead to a **significant negative trend in respect of congestion and greenhouse gas emissions**

**CS Policy P12 Landscape "The character, quality and biodiversity of Leeds' townscapes and landscapes... will be conserved and enhanced to protect their distinctiveness...", CS's natural habitat and biodiversity aim to "protect and enhance the natural environment of the district", NPPF para 109 "the planning system should contribute to and enhance the natural and local environment by... protecting and enhancing valued landscapes... minimising impacts on biodiversity", CS Policy G8 Biodiversity Improvements "Development will be required to demonstrate... that there will be an overall net gain for biodiversity and NPPF para 118 "local**

**planning authorities should aim to conserve and enhance biodiversity... if significant harm resulting from a development cannot be avoided... then planning permission should be refused”**

Allowing the development of HG2-38/1178a would be a direct contravention of the these policies and provisions by LCC as:

- whilst there is **no evidence** provided by LCC of a biodiversity assessment having been carried out, **it is well known by residents that the site attracts a variety of birds and animals throughout the year, as well as bats**
- **the biodiversity of the landscape will be destroyed, not conserved and enhanced and thus significant harm will be suffered**
- **on the basis that the biodiversity of the area will be impacted, it is unclear how it can be argued, and evidenced , that development of the site would result in an overall net gain for diversity**

In conclusion, for the reasons set out above, **SITE HG2-38/1178A SHOULD BE REDESIGNATED AS A SITE NOT SUITABLE FOR DEVELOPMENT.**

Similarly, due to the reasons set out above in respect of site HG2-38/1178a applying pretty much equally, **the following sites should continue to be designated as sites not suitable for development:**

- 1178B – DUNSTARN LANE
- 1079, 1243 and 1246 – LONG CAUSEWAY
- 2052 – TILE LANE

As regards the following sites:

- 2130 – CHURCH LANE: **this green field site should not be designated as not suitable for development.** Whilst any development here would suffer from the aforementioned issues of poor schooling capacity and local services, transport issues (development of this site would materially worsen the congestion on the Long Causeway and Adel Lane when going to and from the Ring Road and/or Otley Road), the site warrants particular attention in terms of protecting the setting of the Grade 1 Listed Parish Church of St John the Baptist. The church has history dating back to 1150 and has national and international significance. Building development opposite will indelibly change the characteristic nature of the landscape. This was acknowledged by the UDP Inspector’s report in 1999 in which it was said in referring to Adel St John’s Church that **‘the preservation of its setting is of unchallenged importance’**. In addition, I understand that some of the land at this site is currently Green Belt and **the “very special circumstances” required to take a site out of the Green Belt have not been shown to exist.**
- HG1-72/1033 – GOVERNMENT BUILDINGS and HG1-73/1299A – BODINGTON HALL: I would suggest that only residences are built on the former site (ie no hotel or car showroom etc)

and access from both should be from Otley Road so as to prevent traffic pressure on Adel Lane and Long Causeway and also encourage use of Otley Road bus services. Furthermore, accepting these sites together with HG1-60 TILE LANE, HG1-74/687 DUNSTARN LANE and the previous development at Centurion Fields, Adel has taken its fair share of housing development totalling nearly 400 units.

- 1299B – BODINGTON HALL: preservation of Protected Playing Pitch (N6) and greenspace should neither be prioritised over **legitimate preservation of Green Belt land in line with LCC's legal obligations** nor be of paramount concern for this site which adjoins Weetwood Police Station given that there is plenty of the same at the retained site to the east of it (facing Ring Road), on the opposite of Otley Road (next to Crematorium), Bedquilts, Lawnswood School and the sites off each of Weetwood Lane and Weetwood Avenue. Access should be from Otley Road so as to prevent traffic pressure on Adel Lane and Long Causeway and also encourage use of Otley Road bus services. **More importantly, sites such as this should be considered as more suitable for housebuilding than Green Belt protected sites.**

Furthermore, LCC has asked for views on the soundness of the SAP. In respect of the 4 tests of soundness set out in the NPPF:

- POSITIVELY PREPARED – the SAP does not adequately take account of infrastructure issues as required by the NPPF.
- JUSTIFIED – the SAP does not constitute the most appropriate strategy in all the circumstances. **The strategic aim should be the reuse of brownfield sites before green field is considered. Only when all green field sites have been exhausted should Green Belt sites be considered (so long as the “very special circumstances” exist).**
- EFFECTIVE - many of the sites up for consideration in the SAP are not suitable particularly because the infrastructure is not in place and cannot be delivered, e.g. insufficient capacity in local schools and health services; roads already congested etc. **For the SAP to be deliverable, proper consideration needs to be given to infrastructure need before any site is approved.** This is simply not the case in some places – for example, LCC's own Highways team has refused to give its support to development on site HG2-38/1178a DUNSTARN LANE but LCC is still considering it for development!
- CONSISTENT WITH NATIONAL POLICY – the SAP does not enable the delivery of sustainable development in accordance with all the policies in the NPPF.

I would be grateful if LCC would take these representations into account when progressing the Site Allocations Plan and would welcome the opportunity to meet, together with many fellow Adel residents who I know share my views, a representative of LCC to discuss our concerns further.

Yours faithfully

Manu Chopra



