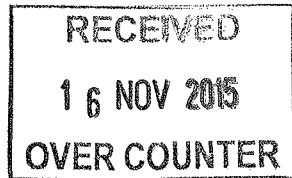


PDHO1565



Underwood Grange,  
Underwood Drive,  
Rawdon,  
Leeds, LS19 6LA  
Yorkshire

By Hand on 16<sup>th</sup> Nov 2015 and  
By email to:-sap@leeds.gov.uk

13<sup>th</sup> November 2015

Forward Planning and Implementation  
The Leonardo Building  
2 Rossington Street  
Leeds LS2 8HD

**For the attention of Planning Inspector appointed to decide on the soundness of the current Leeds Site Allocation Plan**

I, or my professional representative, would like to speak at the forthcoming Public Examination of the Plan by a Planning Inspector. Please notify me by email well in advance.

Please acknowledge receipt of this document. I request that this letter be passed to the Inspector in its entirety- not merely as a summary of points.

On advice of specialist Counsel:-

- The Inspector who conducted the Core Strategy examination found that a comprehensive Green Belt review was necessary in order to ensure that development could be directed to the most sustainable locations in accordance with the underlying objectives of the CS. The City Council accepted the Inspector's recommendations and modified the CS so that in its adopted form it requires a comprehensive Green Belt review to be undertaken.
- Despite this, the City Council has proceeded to prepare the SAP on the basis that the only purpose of the Green Belt review is to accommodate anticipated development needs during the plan period, with a small

margin of reserve land to cater for unforeseen needs. Rather than *setting out to review the Green Belt boundary having regard to its intended permanence in the long term and with the intention that it should be capable of enduring beyond the end of the plan period (as paragraph 83 of NPPF requires)* the City Council has allowed the selection of sites for development to lead the review.

- The review carried out by Leeds is not the comprehensive review *recommended by the CS Inspector: rather it is a version of the selective review that the City Council always intended. As such it fails to comply with the advice in paragraphs 83 to 85 of the NPPF and the SAP is unsound as a result.*
- Furthermore by treating the Green Belt review and the allocation of *sites for development as a single process the City Council has caused site allocation to be a strategic issue and as such excluded from the neighbourhood planning process (NP). The practical effect of the City Council's decision to proceed in this way is to deprive large parts of the City from the opportunity to participate in neighbourhood planning because the opportunity to consider site allocations and exercise a choice between alternatives are fundamental aspects of a meaningful and effective NP process.*
- The City Council's chosen course is the exact opposite of the approach *advocated by the Government through both the NPPF and the NPPG. For example paragraph 155 of NPPF describes "early and meaningful engagement and collaboration with neighbourhoods" by LPAs engaged in preparing local plans as "essential" whilst the NPPG states that LPAs intending to make site allocations in the same areas as those of neighbourhood plans should:*

*“...avoid duplicating planning processes that will apply to the neighbourhood area. It should work constructively with a qualifying body to enable a neighbourhood plan to make timely progress.” (Paragraph 043 Reference ID: 41-043-20140306)*

Much the same advice is contained in paragraph 185 of NPPF.

- The City Council has a duty to support the preparation of neighbourhood plans in its area. By adopting an approach to its own development plan documents which precludes effective neighbourhood planning the City Council is failing to comply with its obligations and with Government policy which gives the timely preparation of NPs priority where there is the potential for a plan being prepared by an LPA to duplicate NP coverage. In particular there are emerging plans for both Aireborough and Rawdon and others at various stages throughout Leeds.
- Had the City Council decided to follow the CS Inspector’s advice and conducted a genuinely comprehensive Green Belt review the question of site allocations would have followed the review rather than lead it; and so could have been delegated to the neighbourhood planning process in those parts of the City where NPs are in preparation.
- Site allocations made in this way would be far more likely to command public support and to further the proper planning of the areas in which they are situated because they would take into account a wider range of factors than those considered in the SAP process derived from evidence collected locally and tested through the local referendum process.

For all of these reasons the SAP is both unsound and obstructive to neighbourhood planning.

## The process of consultation

There is widely held view that Leeds, whether by design or accident, have made it difficult/impossible for effective consultation. The evidence is:-

-they were unwilling/unable to make available a fresh supply of Response forms- these ran out early in the process. Cost was quoted –this whole exercise is costing a fortune already and the cost of extra printing a drop in the ocean by comparison. This disenfranchises those who do not use email- a significant percentage in Leeds- and also possibly those who are older and more likely to write rather than email.

-a fresh form is required for each site- further discouraging response

-the drop in session in Guiseley had to be closed at 8pm with a packed room of residents with unanswered questions, and exhausted Council employees. A request for a further session was denied. It is clearly not acceptable to ask older people to visit other parts of Leeds as was suggested if the intention is truly to consult.

- The advertising of the drop in sessions was woefully inadequate. Attendance was largely generated by the interest groups through posters, using their own funds- something Leeds did not do.

-during the process it was not possible to view comments already made both by the public and also by land owners/agents/housebuilders. Other authorities (York and Wakefield) made this available so there is no technical problem. During a planning application comments by others are visible so as to better inform those who may wish to comment. In that case it is a statutory obligation. This undermines and invalidates the consultation as it is not effective.

-PAS sites. The implication from the Council website is that these will be untouched until 2028. Unless you carry out a forensic examination of published information you would not realise that such sites are safe only if Leeds continues to have a 5 year land supply. If this falls short then these PAS sites can be advanced. The effect of this inadequate disclosure will have again limited the quantity and quality of responses related to these sites.

-The council propose to put out to consultation consideration of alternatives for the airport Link Road, soon after this consultation closes. The effect of this timing, whether an accident or not, restricts the ability respondents to make an informed representation

-The council have used the words greenfield and greenbelt interchangeably in a variety of documents further undermining effective consultation

-The council, whether by accident or design, changed the site numbering system eg 4095 became HG3-2 during the process. This resulted in confusing those who were being consulted and restricting valid responses.

For the above reasons the consultation has been unsound and is unrepresentative of the public's views. This is likely to be confirmed at any judicial review.

### **Use of Brownfield Sites**

I leave it to the Inspector to obtain satisfaction from the Council that they have used these throughout Leeds to their maximum extent- thus minimising any incursion into the Greenbelt. Developers usually claim that many are uneconomic. Evidence is available of such rejected sites showing that they are economic- but not necessarily by those developers who the Council prefer to talk to.

### **The housing target of 70,000**

Following the general dissatisfaction of the adoption of this high number the Council have agreed to review this target within 3 years, at which stage the actual data used will be available to compare with the original assumptions and the target revised, up or down. It is highly likely that the 3 years will have elapsed by the time the Inspector's report has been finalised and any judicial review and appeal completed but it would seem prudent to advance this review in the interim so that the SAP is not subject to an overall challenge of unsoundness.

### **Site specific comments**

#### **HG2-12**

This is greenbelt and requires very special circumstances (NPPF). Omission of a comprehensive greenbelt review precludes this site until it has been completed

The only access is from Knott Lane and Southlands Avenue. Southlands Avenue is too narrow for access to 130 houses. No access is possible from New York Lane as this is private and not for sale. No access is possible from Woodlands Drive as this is private and the owner will not sell. Access from Knott Lane to the A65 is hazardous and slow in the extreme, partially as a result of the existing Crematorium traffic. It is stated that the exit

from Knott Lane will be realigned using protected sites HG3-2 and HG3-3. Chronologically this will fail as these two sites are unavailable until 2028- or is this designed to mislead?

Furthermore HG3-2 will not become available at all as the owners have no intention of selling as they are connected with the adjacent Airedale factory.

The site suffers from surface water flooding

The site is a UK Biodiversity Priority Habitat.

The site scores -7 on sustainability scores, the worst of the sites in the locality.

There are numerous errors in the Green Belt assessment. The preparer of the assessment had clearly not bothered to visit the site. Eg it states 'it is surrounded on 3 sides by development when in fact it is 1 1/2 sides at most.

The site is contiguous with CraggWood Conservation Area. Housing abutting this is inappropriate.

There was no consultation prior to it being allocated in the SAP.

The site was not included in Issues and Options consultation in June

The site is adjacent to Leeds Country Way and its selection will restrict enjoyment of the route for walking. It is part of LCC's own designated 'Strategic Green Infrastructure Area'

### **HG3-3**

This is greenbelt and requires very special circumstances (NPPF). Omission of a comprehensive greenbelt review precludes this site until it has been completed

Access from Knott Lane to the A65 is hazardous and slow in the extreme, partially as a result of the existing Crematorium traffic. It is stated that the exit from Knott Lane will be realigned using protected sites HG3-2 and this site. Chronologically this will fail as these two sites are unavailable until 2028- or is this designed to mislead?

Furthermore HG3-2 will not become available at all as the owners have no intention of selling as they are connected with the adjacent Airedale factory.

The site is adjacent to the Crematorium and in particular the portion where ashes have been scattered in the past.

This site is in the Conservation Area for good reason. Visitors frequently come to pay respects and sit in the adjacent garden of rest. Immediately adjacent houses with the attendant noise are inappropriate. No amount of screening can prevent this.

### HG3-2

This is greenbelt and requires very special circumstances (NPPF). Omission of a comprehensive greenbelt review precludes this site until it has been completed.

However this site is not for sale. The owners were not consulted and is therefore not deliverable. Furthermore HG3-2 will not become available at all as the owners have no intention of selling as they are connected with the adjacent Airedale factory.

### HG 2-12, HG3-3, HG3-2 effect on infrastructure

Each house gives rise to a minimum of 6 journeys per day( minimum). All these journeys would then have to access the A65 as there is no other access to a public main road. The A65 is already heavily congested and polluted between 7am and 10am and between 4pm and 7pm. Highways recognise that it is over the limit of capacity, in particular at the Horsforth roundabout. This in conjunction with the cumulative effect of other proposed sites in Aireborough will cause an additional burden. No specific plans to provide capacity have been made public ( if they have been prepared). There is no evidence of whether this increase in traffic can be mitigated eg a modal switch and no evidence that this has been considered, is possible and what it would take to bring it to fruition. The plan is therefore unsound and has not been positively prepared.

No allowance has been made for the three alternative link roads to the airport which the Council has decided to seek consultation on separately, after November 16<sup>th</sup> therefore the plan cannot be said to be effective.

The Council did not make available traffic studies as part of the consultation and these had to be obtained under FOI. They reveal that a public study was based on 2008 data and had not been refreshed in the light of the increase in traffic from completed new developments in Aireborough. In 2011 a private study reported on the A65 as being:

**“..... simply unfit for the volume of traffic now using it, whether on weekdays or at weekends, and any further increase in capacity will see further reductions in traffic flow speeds, higher levels of congestion and a continuation of the practice of trying to make more rapid progress by “rat running” onto even less suitable roads through residential areas.”** Para 4.11 Met Engineers A65/A658 (Leeds to Burley-in-Wharfedale) Transport Study for Wharfedale and Airedale Review Development (WARD) Revision C, December 2011

Unless the council carry out a study based on current movements and congestion to which is then factored in the extra car movements above then the SAP is unsound and subject to legal challenge.

#### **HG3-4**

Ghyll Beck is the dividing line between Rawdon and Horsforth. Inclusion of this site exacerbates urban sprawl and merging of settlements.

West Yorkshire Ecology are designating this as a local wildlife site.

The trees along Ghyll Beck are ancient woodland.

The traffic issues are the same as stated previously but are repeated here as assessment of this site may be considered separately.

Each house gives rise to a minimum of 6 journeys per day (minimum). All these journeys would then have to access the A65 as there is no other access to a public main road. The A65 is already heavily congested and polluted between 7am and 10am and between 4pm and 7pm. Highways recognise that it is over the limit of capacity, in particular at the Horsforth roundabout. This in conjunction with the cumulative effect of other proposed sites in Aireborough will cause an additional burden. No specific plans to provide capacity have been made public ( if they have been prepared ). There is no evidence of whether this increase in traffic can be mitigated eg a modal switch and no evidence that this has been considered, is possible and what it would take to bring it to fruition. The plan is therefore unsound and has not been positively prepared.

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Unless the council carry out a study based on current movements and congestion to which is then factored in the extra car movements above then the SAP is unsound and subject to legal challenge.

## **HG2-41**

The inclusion of this creates Urban Sprawl by merging Horsforth and Rawdon.

Development of this site would destroy the open landscape and long-distance views

The traffic issues are the same as stated previously but are repeated here as assessment of this site may be considered separately.

Each house gives rise to a minimum of 6 journeys per day (minimum). All these journeys would then have to access the A65 as there is no other access to a public main road. The A65 is already heavily congested and polluted between 7am and 10am and between 4pm and 7pm. Highways recognise that it is over the limit of capacity, in particular at the Horsforth roundabout. This in conjunction with the cumulative effect of other proposed sites in Aireborough will cause an additional burden. No specific plans to provide capacity have been made public (if they have been prepared ). There is no evidence of whether this increase in traffic can be mitigated eg a modal switch and no evidence that this has been considered, is possible and what it would take to bring it to fruition. The plan is therefore unsound and has not been positively prepared.

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Wharfedale and Airedale Review Development (WARD) Revision C,  
December 2011

Unless the council carry out a study based on current movements and congestion to which is then factored in the extra car movements above then the SAP is unsound and subject to legal challenge.

I object to in the inclusion of site HG2 41 in the Site Allocations Plan as the site is green belt. Removing the site from the green belt is contrary to National Planning Policy Framework (NPPF) Section 9, paragraph 80 because including the site for development fails the 5 tests of green belt purpose. The inclusion of the site to achieve housing number target is not an exceptional circumstance as per paragraph 83 of NPPF.

Lest all the above be considered as negative I believe there is a way forward for Leeds to achieve the building of more houses ( but not the aspirational 70,000), of the type that is required ( a significant number of starter homes) and in the North West of Leeds.

But not in the way that it is currently being addressed by Leeds Council.

I am more than happy to explain these options and explore acceptable alternatives to ensure Leeds continues to be a vibrant city with flourishing communities.

Yours sincerely

RICHARD M TAYLOR