

Subject: Site in the plan

Site: MX2-39 - Parlington Estate, Aberford

Agree with proposed use? No

Soundness

Consider the plan sound? No

Test of soundness addressed: Positively prepared Effective Justified Consistent with NPPF

Changes required to make sound:

n/a

Issues

Issue: Other - Flooding

Flood Control

The management of rainwater in and from the site is recognised as a significant issue by Leeds City Council and M & G.

1.Flooding is a fear for villagers in Aberford; the mitigation plans have not been presented to the public other than referred to in previous documents such as Leeds's SAP 60469705 dated March 2016. Therein references are made to the use of Cock Beck and River Crow as well as to the use of living rooves, basins, ponds, filter strips and swales, soakaways, permeable surfaces and tanked systems. All of these techniques will have a detrimental effect on the Ancient Woodland and surrounding land and I believe are, therefore, not valid.

2.In addition, I believe that the peak load of run-off water will put Aberford at risk;

3.The 9th principle sets out that plans should "recognise that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);

This cannot be considered to be the case in relation to flood risk mitigation for the local area and beyond;

1.The area of the Parlington Estate is vital as part of the local ecology and flood protection creating natural protection and regulation of water run-off into the local Cock Beck and River Crow thereby protecting the local villages of Aberford and Stutton from flood risk. Flooding has already occurred in recent years in 2000, 2008 and 2014. The attached photograph indicates some of the flooding on the Estate in the winter of 2015/16 (despite it being designated in Flood zone 1);

2.Both the River Crow and Cock Beck are tributaries to the River Wharfe, with their confluence occurring at Tadcaster. Tadcaster was the scene of severe flooding and the destruction of the historic road bridge in the winter of 2015/16. Whilst the area itself is within flood zone 1 and therefore designated as a low probability of flooding it is the protection provided and the additional water run off that will have a significant impact on the surrounding area. I believe that this is clearly in contravention of the 9th planning principle;

3.The construction of such a significant development as proposed on the Parlington Estate will fundamentally alter both the flood mitigation provided by woodland, arable land and flood plains but also have a clear impact on the water table in the area severely heightening the flood risks that have already been seen. The plans themselves include the building on land that was utilised by the Parlington Estate as an area for flood mitigation that will be lost as part of this development;

4.The increase in hard standing roadways and housing water run-off will significantly affect the way in which water is deflecting to watercourses flowing into the local water systems and make the project too dangerous for Leeds City Council to proceed with MX2-39;

5.This is acknowledged in the proposal (paragraph 5.6.15) which states that, "Rainwater that does not infiltrate would need to be discharged via attenuation facilities to Cock Beck, which runs along the western and northern boundary, with flow restricted to greenfield runoff values. This means that balancing, detention or retention ponds should direct their outlets to the Cock Beck". It is also recognised within the proposal that, "The proposed development will introduce some impermeable areas, reducing the greenfield areas that currently permit rainwater to infiltrate into the ground. This will increase rainfall runoff from the site." As noted above this will have a considerable impact both on the flood risk to the villages of Aberford and Sutton as well as into the river Wharfe at Tadcaster. There are insufficient measures indicated in the proposal that would mitigate this increased risk for areas that are already susceptible to flooding – such as those areas identified as zone 2 and 3 flood zones in the centre of Aberford as determined by the environment agency;

6.I have calculated that the hard-standing areas for car parking alone will exceed 11 ha. This is an approximation based on government figures for the space that should be provided for every car. My calculation clearly shows that the Council is aware of the huge problem but is understating the magnitude of the problem in order to get the MX2-39 project past the Inspector;

7.Paragraphs 99 to 104 of the NPPF are clear in their consideration of flood risks and the building on areas that are of use in the mitigation of flood risks. I do not believe that either the sequential or exception tests have been adequately applied in relation to the 'downstream' impacts as other brown field sites such as Thorpe Arch (EG1 – 9-64) would not have these related issues due to the topography of the land and its current use;

8.The occupants of the houses will create a level of pollution that is detrimental and unmanageable and will destroy not only Parlington's Ancient Woodland but the Ancient Woodland of the surrounding areas. M & G's proposal does not mitigate these problems. M & G's proposal does not sufficiently manage the sewerage nor the rainwater issues from the 10,000 to 15,000 people proposed to be living MX2-39. I cannot understand why Leeds City Council is proosing and supporting a population density of over 9,000 per sq.km.

Highways

- 1.MX2-39 site is surrounded by roads that are B category or less; these roads and villages cannot support the volume of traffic expected from MX2-39;
- 2.The highway infrastructure comprises only the B1217 (Collier Lane) – a narrow road that carries traffic from Sherburn, Lotherton, Tadcaster, Aberford and Barwick to and from the M1 – this road does not provide any suitable infrastructure for MX2-39;
- 3.Promoters of MX2-39 estimate 97% of users will utilise the access proposed to M1 motorway junction. There is no evidence of this and census data for Barwick and Aberford reveal a proportion of the residents' commute to areas not directly accessible from junction 47 motorway including, but not restricted to, Otley, Wakefield and Doncaster;
- 4.Detailed and properly structured traffic studies and subsequent forecasting would yield different data;
- 5.Traffic from MX2-39 will create car and bus traffic emanating from and travelling to the site that will use any available alternative routes to Leeds. This means a daily increase of many hundreds of car travelling through Barwick via Aberford and through Garforth; roads impacted by this huge increase in car traffic will be the A642, Cattle Lane and Bunkers Hill;
- 6.MX2-39's existing infrastructure can't accommodate the new traffic. LCC recognises this matter in its SAP yet is promoting the B1217 as the means to deliver sufficient carriageway capacity for the project.
- 7.A new and sufficiently effective junction on Collier Lane will be required to provide ingress/egress to the houses. The junction will consume and destroy the field to the south of Collier Lane and disturb unique soil at Hook Moor. Hook Moor is an SSSI and its eco-system is fragile – and is an integral part of the magnesian limestone Green Infrastructure corridor as defined by Natural England and incorporated within Leeds City Councils' Adopted Core Strategy
- 8.The SAP's proposition for road traffic is totally inadequate to accommodate an additional 5,000 to 10,000 cars and their expected ~25,000 daily vehicle movements;
- 9.The existing north bound off ramp to junction 47 fails to meet the demand of existing traffic flows alighting the motorway to the A642 (Aberford Road). Traffic queues via the hard shoulder as well as lane one of the motorways;
- 10.As well as the low, narrow rail bridge at Barwick Road Garforth and the inadequate Town End junction Garforth which is used daily by a large percentage of our residents, and has already been identified as a limiting factor in previous planning applications in both Barwick and Garforth;
- 11.RAT RUNS through the nearby towns and villages of Aberford, Garforth and Micklefield will occur as no southbound access or northbound exit between the A1/M1 link and the A1;
- 12.At the time the junction of the A1/M1 link with the A1 was designed, no new town was envisaged in this area – in other words the SAP is out of phase with the road system development;
- 13.A single site access/egress is proposed. A development of the scale proposed confined with a single access is not feasible;
- 14.MX2-39's promoter refers to a potential second site access/egress off Lady Lane. This lane is constrained at its junctions with Barwick In Elmet and Garforth. It is unsuitable;
- 15.The low and narrow rail bridge at Barwick Road, Garforth and the inadequate Town End junction in Garforth, where accidents and congestions occur frequently. Town End has already been identified as limiting factors in previous planning applications in both Barwick Parish and Garforth;
- 16.The NPPF makes reference in paragraph 162 to local planning authorities working with other authorities and providers to, "assess the quality and capacity of infrastructure for transport". There is no evidence that this has occurred;
- 17.The Hook Moor M1 junction 47 is not able to take additional capacity at peak times. At rush hour this can be found to be 'backed up' from the junction all the way down the hard shoulder and onto the motorway;
- 18.In addition, the south west corner of the proposed development is designated for employment use, thereby increasing the likelihood of commercial vehicles making use of the highway thereby causing further disruption and associated pollutants;
- 19.The current proposal indicates that the road (B1217) from the junction will require upgrading to dual carriageway. It is currently at its physical limit at rush hour and this cannot take more traffic. It is an accident blackspot and there would be difficulties in the expansion of the carriageway given the current site constraints and the existence of the SSSI at Hook Moor on the south side of the carriageway;

Public Transport

- 1.North East Leeds is generally poorly served by public transport – transportation between MX2-39, villages and Leeds and York requires car ownership;
- 2.Outer North East has no railway stations within its boundaries;
- 3.The nearest railway stations are in One South East ("OSE") at Garforth, East Garforth and Micklefield, where railway services are provided on the Leeds York/Selby lines;
- 4.At peak times the service through these stations operates at maximum capacity from the current population;
- 5.Access to Garforth station for ONE residents requires a car journey as there are no coordinated or reliable bus services between Aberford and Garforth, or between Barwick and Garforth;
- 6.Limited car parking is available at Garforth Station – the car park is full from 7:30am during week days;
- 7.Peak time trains into Leeds are generally packed; peak time commuters have an uncomfortable "standing room only" ride into Leeds every morning and back from Leeds every evening;
- 8.Trains from Micklefield and East Garforth into Leeds are much less frequent than trains from Garforth; travelling to the Micklefield and East Garforth stations from Aberford and Barwick is already difficult as it requires a car journey through housing estates to get to the station – where there are poor parking facilities;
- 9.It will be insufficient to run a shuttle bus to the station along the B1217 and A642 to accommodate travellers – the A642 is already overloaded every rush hour period; the traffic slow moving morning and evening;
- 10.MX2-39 cannot count these stations as supporting the proposals as the stations are in Outer South East and MX2-39 is in Outer North East;
- 11.Leeds City Council and M & G seem to be reliant on this railway link but the parties are not taking into consideration the demands that OSE's SAP will place on the rail services. The OSE demands alone will increase the load on the service far beyond its capabilities;
- 12.The rail service cannot be included in the transport service for MX2-39 which means the householders will be required to be car owners and car users;
- 13.For 5,000 houses at MX2-39, all occupiers will need to own cars; I expect this will yield an ownership level of approximately 2 cars per household equating to 10,000 cars. This alone will require a minimum space for car parking, amongst the houses, of approximately 11.5 Ha of parking space out of the 160 Ha;
- 14.Bus services to provide a viable transit system for MX2-39 will require buses to travel on the M1 exacerbating an already fully loaded motorway at peak times;
- 15.Alternative routes (avoiding the M1) will mean the journey from MX2-39 to Leeds will take longer than 45 minutes and to Wetherby will take longer than 30 minutes;
- 16.York, Doncaster and other destinations, which are not currently catered for with the current bus services;
- 17.The above problems will be exacerbated by Outer South East SAP;
- 18.The proposal references the electrification of the Trans Pennine route to provide additional capacity. However the above arguments still apply; poor access to the stations, and the stations infrastructure and inability to support car parking mean that the OSE centred rail link cannot be considered for MX2-39;
- 19.Any additional volume of people joining the services at Garforth would also prevent any additional people from being able to utilise the train from Cross Gates as the capacity of the service would be full (this already occurs on some services in the morning rush hour);
- 20.The proposal makes reference to being MX2-39 being surrounded by bus routes (paragraph 5.4.40). The current services are very basic; this description applies to the Aberford to/from Wakefield and Wetherby services, as well as the 64 and 64a services via Barwick in Elmet and the East of Leeds;
- 21.The above services would need to be considerably rerouted to enter MX2-39;
- 22.The 64/64a runs two services per hour and the 174 only one service per hour. To service an increased population of over 10,000 people it would be necessary to increase this substantially to many buses per hour – and the journeys would still take a long time;
- 23.An increase in bus services will require an increase the entry/exit points to MX2-39. This would again impact significantly on the local historic villages of Aberford and Barwick in Elmet, a key criterion in the maintenance of green belt land under paragraph 80 of the NPPF thereby calling into question the validity of the proposal;
- 24.Promoters of MX2-39 suggest that 97% of users will utilise the access proposed to M1 motorway junction. We believe this number is an arbitrary number to help support the SAP. My census data for Barwick and Aberford reveal that a good proportion of residents commute to areas not directly accessible from junction 47 motorway;

25. For example, Otley, Wakefield and Doncaster are destinations for residents of Barwick and Aberford. I reasonably extrapolate that similar proportion of inhabitants of MX2-39 would have similar destinations;

26. The traffic studies and forecasts offered are incorrect;

Issue: Schools

1. NPPF states that infrastructure must come first. There are already huge numbers of houses planned for east Leeds and Garforth which will put huge pressure on existing high schools. Although the developer makes vague references to building a new primary school, all the existing high schools – Boston Spa, Tadcaster Grammar and Garforth – are already oversubscribed and are extremely large high schools by local standards (approaching 2,000 pupils) and it is difficult to see how these could be expanded further to accommodate existing allocated sites never mind this site;
 2. The NPPF makes reference in paragraph 72 to the importance of the provision of schooling to the proposed development. It is not sustainable for this to be supported by the current school provisions in the neighbouring villages of Aberford and Barwick in Elmet or East Garforth primary (in the case of primary school places) or the secondary school provisions of John Smeaton and Garforth Community College. This would require significant planning to construct new school places. This is alluded to only in terms of a contribution within the proposal and insufficient plans have been provided by Leeds City Council as to where the additional requirements for school places would be provided. There are site constraints in the expansion of the local schools and only a contribution towards entries, rather than infrastructure costs, outlined within the proposals;
 3. Additionally, the NPPF requirements to promote the retention and development of local services would come under pressure in relation to the local school places. There has been no consideration of the impact on the local schools in terms of entrants or the viability of their schooling provision outlined either in the proposal document or the broader plan from Leeds City Council;
 4. The majority of secondary school aged children in Barwick in Elmet currently travel to Boston Spa and Tadcaster to be educated. In some years a small number gain places at Garforth Academy however latterly this has been very few, due largely to ever growing population of Garforth. It should be noted that the promoters of the MX2-39 Parlington site are not promoting the site with any secondary education provision and the site will generate a requirement for 500 secondary school places. Garforth, Boston Spa and Tadcaster (North Yorkshire) are ready at full capacity. On this basis the site is not sustainable;
 5. Regardless of new educational facilities proposed for this site we believe Garforth Academy, Boston Spa school and Wetherby Schools will still be the first choice for parents putting more pressure on existing educational facilities and increasing the motor vehicle traffic through Garforth and Aberford;
 6. There are educational facilities mentioned in the site assessment but no mention of timescale when schools will be built;
 7. This has implications for all children in the ONE region and threatens their education;
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Issue: Local services

1. Apart from identifying greenbelt there are no other UDP designations completed;
 2. The nearest train station is over 1km for many residents, and over 3 km from the majority of houses. The station is in OSE – there is no station in ONE;
 3. The nearest petrol station is over 1km for many residents, and over 3 km from the majority of houses. The petrol station is in OSE – there is no petrol station in ONE south of Wetherby;
 4. The nearest shopping centre to MX2-39 is Micklefield. The next nearest shopping centre is Garforth Main Street;
 5. Public transport comments are unclear but state that it fails to meet standards for MX2-39;
 6. Access comments, MX2-39 will require multiple access points which cannot be made through the western boundary into Garforth via Barwick, nor through the eastern boundary to Garforth via Aberford;
 7. The NPPF makes reference to a number of requirements in relation to local facilities/services namely in paragraph 28, “promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.” and paragraph 70 which states that, “ensure an integrated approach to considering the location of housing, economic uses and community facilities and services”;
 8. No integrated approach to this with the current development proposal; loose references to ‘contributions’ towards community facilities such as health and schooling. These are not within the control of those making the proposal and there has not been adequate consideration from Leeds City Council as to how these requirements would be met. The infrastructure in the local communities would not be sufficient to support the scale of development proposed. For example the healthcare facilities in Garforth, Aberford and Barwick in Elmet would not be sufficient to satisfy the additional demand created by this proposed development;
 9. The current plan and the associated local planning from Leeds City Council does not adequately address the needs of the local population;
 10. There are no completed assessments for:
 1. Network rail (there is no station in ONE);
 2. Yorkshire water;
 3. Environment agency;
 4. Education – we know that schools are beyond capacity and will remain so for the next 10 years;
 5. Flood risk;
 6. Gas;
 7. Electricity;
 8. Biomass energy supplies;
 9. Fire and Rescue services’ abilities to protect householders;
 10. Emergency services – the Ambulance services will have a journey time of 20 minutes to MX2-39;
 11. Telecommunication services suppliers.
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- MX2-39 is a key component of the Leeds Green Belt, serving an important function in ensuring the city and its satellite communities do not merge with consequent loss of greenfield land;
- MX2-39 is a particularly important part of the Green Belt due to it containing Grade A agricultural farm land;
- MX2-39n comprises Ancient Woodland and any change of status would damage this;
- MX2-39 is also a designated site of Special Environmental and Geological Interest (SEGI) and is an integral part of the magnesian limestone Green Infrastructure corridor as defined by Natural England and incorporated within Leeds City Councils' Adopted Core Strategy;
- Inserting MX2-39 a few hundred metres from Barwick and Aberford is a gateway for future encroachment and the vehicle for the merging of Barwick, Aberford and Garforth;
- MX2-39 cannot be substituted by land to the east of Wetherby currently locally designated as 'rural land';
- MX2-39 is unsound as any sequential test would propose brownfield, then greenfield (rural land) before Green Belt;
- The NPPF and Leeds City's own core strategy state that one purpose of Greenbelt is to stop communities from merging. The proposed arbitrary extents of MX2-39 in our view, are not defensible planning barriers and as such provide a vehicle for encroachment, coalesce and merging in the future;
- Furthermore, the governments National Planning Policy Framework (NPPF) outlines criteria that suggest special circumstances for which Greenbelt can be re-designated and subsequently be allocated for development;
- The greenbelt land containing MX2-39 should not be subject to a selective, isolated greenbelt review, and full and sequential review should be taken on all greenbelt in the HMCA area and the whole of the principle authority area.
- LCC has identified only 6% of its allocation target from brownfield land for the Outer North East Area. This is not consistent with its own register of available brownfield sites which identifies 30,000 homes as being deliverable on brownfield sites (45% of the 66,000 identified in its own core strategy).
- Section 9, paragraphs 79 to 92 of the NPPF articulate the clear importance ascribed to green belt land, the requirement for them to not be used for development with only limited 'exceptional circumstances' to this rule.
- That these 'exceptional circumstances' have not been adequately defined as part of this development proposal. The use of green belt within this proposal is attempted to be addressed by the proposal itself against the 5 purposes of the green belt, as defined in paragraph 80 of the NPPF, but I do not believe these to be correct:
- Green Belt serves the following five purposes:
- Firstly to check the unrestricted sprawl of large built-up areas – this proposal will increase the 'sprawl' of Garforth and East Garforth into the neighbouring villages (particularly when considered against the planning applications for the Garforth area) as well as a continuation of the East Leeds conurbation from say Colton and Seacroft;
- Secondly to prevent neighbouring towns merging into one another – this proposal will have the effect of merging Barwick in Elmet, Aberford, the proposed Parlington village and Garforth as well as linking more closely with Colton;
- Thirdly to assist in safeguarding the countryside from encroachment – this proposal will only exacerbate the likelihood of encroachment from the aforementioned areas in Garforth and even Colton. The proposed 'defensible buffer' is not sufficient to prevent this and will be managed by the same land holders as the proposed development with no recourse to prevent further development;
- Fourthly to preserve the setting and special character of historic towns – as discussed above the limited impact on the historic neighbouring villages is predicated on flawed assessments of traffic flows using modelling techniques that do not reflect reality and also based upon a single entry/exit point which the highways agency has assessed as being inadequate;
- Fifthly to assist in urban regeneration, by encouraging the recycling of derelict and other urban land – the use of this green belt land runs contrary to this principle as there are alternative sites such as the brownfield sites at Thorpe Arch that could take a significant proportion of house building without recourse to destroying existing green belt land;
- These 'exceptional circumstances' have been established when other brown field sites such as those at Thorpe Arch have been overlooked in preference of using green belt land;
- If any greenbelt land is to be considered for allocation, it should be at an appropriate percentage and on an infill basis immediate adjoined to existing settlements and NOT a country estate containing grade II* and II listed buildings of national heritage value;
- MX2-39 is 99.88% green belt;
- It includes Ancient Woodland;
- It contains ancient monuments;
- It will not assist urban regeneration as it is actively farmed arable land; it seems Leeds City Council is trying to frame a tenuous argument that the lack of suitable land to deliver Leeds's self-imposed housing target is, a "special circumstance" thus the greenbelt at Parlington should be given an allocation;
- Barwick should be protected in perpetuity, by the greenbelt, from encroachment by new and existing settlements;
- All land in the ONE HMCA area should be sequentially tested in order to establish the most suitable land for development;
- LCC has identified only 6% of its allocation target from brownfield land for the Outer North East Area. This is not consistent with its own register of available brownfield sites which identifies 30,000 homes as being deliverable on brownfield sites (45% of the 66,000 identified in its own core strategy);
- The inclusion of this site is inconsistent with National Planning Policy Framework:
- **PRIORITISATION OF GREENBELT OVER BROWN FIELD:** NPPF states that brown field sites are to be prioritised over the development of green field and greenbelt. The July 2016 Plans Panel meeting had the option of taking forward a brown-field site at Thorpe Arch but rejected this in favour of this greenbelt site.
- **LOSS OF COMMUNITY IDENTITY:** NPPF states that merging of communities is to be prevented, yet development of this greenbelt site will threaten the individual identities currently held between the areas in which they are located. This development of 5,000 houses will only be separated from Garforth by the motorway junction, particularly once the planned development in East Garforth near junction 47 takes place. Although the developers call this development a "village" and the council call it a "garden city" this is clearly an extension of Garforth and represents urban sprawl. The size of this development dwarfs the two villages of Barwick-in-Elmet and Aberford and by extending to within 500m of each village threatens the separate community identity of both villages. The urban sprawl represented by this development will knit the areas of Garforth, Aberford and Barwick together resulting in a loss of individual community identity. There are no defensible features that would prevent the engulfing of Barwick and Aberford by this development;
- **INADEQUATE ENVIRONMENTAL CONSTRAINT:** NPPF now states that the target level of housing development within the plans should be capped in line with the capacity of brown field sites to accommodate it, to protect and enhance greenbelt. The current plans significantly exceed this capacity; resulting in the permanent destruction of greenbelt;
- **NON-EXCEPTIONAL CIRCUMSTANCE:** NPPF states that greenbelt is to be protected and requires exceptional circumstances to be built on. There is nothing exceptional about the council's plans to build on unspoilt land to meet their current housing target. The council's adoption of the self-imposed Core Housing Strategy cannot be considered to be an exceptional set of circumstances, but is merely part of their scheduled housing building policy plan;
- **DAMAGE TO ANCIENT WOODLANDS:** Parlington Hollins is classified as ancient woodland. NPPF states that "planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland" (http://planningguidance.communities.gov.uk/blog/policy/achieving-sustainable-development/delivering-sustainable-development/11-conserving-and-enhancing-the-natural-environment/#paragraph_118). This includes land, including parkland next to ancient woodland. The development would threaten this ancient woodland according to the following criteria which are set out by the government to provide guidance for local authorities for developments close to ancient woodland (http://planningguidance.communities.gov.uk/blog/policy/achieving-sustainable-development/delivering-sustainable-development/11-conserving-and-enhancing-the-natural-environment/#paragraph_118):
- breaking up or destroying connections between woodland and other habitat;
- reducing the amount of semi-natural habitats (like parks) next to this ancient woodland;
- changing the water table or drainage;
- increasing the amount of pollution, including dust;
- increasing disturbance to wildlife from additional traffic and visitors;
- increasing light pollution;
- increasing damaging activities like flytipping and the impact of domestic pets;
- MX2-39 will result in damage to ancient woodland according to nearly all the criteria that Planners have to consider and it is impossible to see how a developer can mitigate the effect of most of these criteria. Therefore, the costs of damaging this irreplaceable national asset do NOT clearly outweigh the benefits of this development, given that the benefit appears to be ONLY that LCC meets its ONE self-imposed housing target.

Conservation

- 1.The SAP does not comply with Principles 5 and 10 of the NPPF, which state that plans should “take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
- 2.Likewise MX2-39 does not “conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations”;
- 3.Barwick-in-Elmet and Aberford are both ancient villages both with conservation status and long histories. The size of this development dwarfs the two villages of Barwick-in-Elmet and Aberford and by extending to within 500m of each village threatens the separate identity, traditions and heritage of both villages. There are no defensible features that would prevent the engulfing of Barwick and Aberford and conserving the village life and village identities by this development;
- 4.Parlington Hollins is classified as ancient woodland. NPPF states that “planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland” (http://planningguidance.communities.gov.uk/blog/policy/achieving-sustainable-development/delivering-sustainable-development/11-conserving-and-enhancing-the-natural-environment/#paragraph_118). This includes land, including parkland next to ancient woodland.
- 5.The development would threaten this ancient woodland according to the following criteria which are set out by the government to provide guidance for local authorities for developments close to ancient woodland (http://planningguidance.communities.gov.uk/blog/policy/achieving-sustainable-development/delivering-sustainable-development/11-conserving-and-enhancing-the-natural-environment/#paragraph_118):
- 6.MX2-39 will “break up or destroying connections between woodland and other habitats”;
- 7.MX2-39 will “reduce the amount of semi-natural habitats next to this ancient woodland”;
- 8.MX2-39 will change the water table and drainage;
- 9.MX2-39 will “increase the amount of pollution, including dust”;
- 10.MX2-39 will “increase disturbance to wildlife from additional traffic and visitors”;
- 11.MX2-39 will “increasing light pollution”;
- 12.MX2-39 will “increase damaging activities such as flytipping and the impact of domestic pets.”
- 13.MX2-39 will result in damage according to nearly all the criteria that Planners have to consider and it is impossible to see how a developer can mitigate the effect of most of these criteria. The costs of damaging this irreplaceable national asset do NOT clearly outweigh the benefits of this development;
- 14.M & G intends to change the woodland’s nature as reported by Leeds City Council in its SAP Consultation for ONE. This extract highlights M & G’s intent for the woodland ...” The promoters also state there is the potential to provide an on-site renewable energy facility to make use of the extensive woodland, which is managed across the estate.”;
- 15.This advises that current tree stock will be consumed and replaced by fast growing trees and be used for biomass based heating.

Local Heritage

- 1.The heritage of local villages of Barwick in Elmet and Aberford, as well as MX2-39 itself, can be traced to earlier than the 1300s;
- 2.According to author Edmund Bogg “The first residents at Parlington with whom we are acquainted assumed the name of the place, and are known as Dr Parlyngton, occupying the mansion at the time Falkes de Brecaute was at Harewood. They were succeeded by the Despensers”;
- 3.“In 1336 Philip, son of Philip, son of Hugh le Despenser, le pere, shows that Hugh was in possession of Parlington. Philip, the son, married Margaret, daughter and heiress of Ralph de Gowskill; holding the manor of Parlington, of the King, as the crown by the fourth part of a knight’s fee – (a tenure of lands held by the knights on condition of military service). In 1404 a Philip Despenser held the manor by the seizing of half a knight’s fee”
- 4.In 1442 Roger Wentworth, Esqr. And Margaret his late wife, held the manor of Parlington.”
- 5.The Gascoignes’ bought the estate from the Wentworths’ – whole of the Deer Park forms ancient woodland and deer grazing and is traced back to before the 1400s;
- 6.The above heritage confirms the classification of MX2-39 as Ancient Woodland, and despite the buildings and the extent of woods diminishing over the centuries, the woodland has been tended, managed and cultivated since the formation of the MX2-39 Estate;
- 7.The local area, including the region around and within the MX2-39 have been of historical and archaeological significance. Finds have been made in the local area including an Anglo Saxon ring, from the ninth century. This artefact is currently housed in the British Museum inscribed with the name of Æthelwith the sister of King Alfred the Great;
- 8.In more recent times the ‘West Yorkshire hoard’ comprising numerous Anglo Saxon gold artefacts and described as, “a jewel in the crown of the museum’s collection” was found in Aberford a few hundred metres from the MX2-39 boundary;
- 9.With these and historic events such as the battles of Towton and Bramham Moor in the vicinity it would be appropriate for a full archaeological evaluation to be performed of any proposed site prior to any development proposal approval;
- 10.The construction of MX2-39 and its accommodation of over 10,000 residents will create encroachments to the historic village of Barwick in Elmet, situated at the heart of the historic kingdom of Elmete;
- 11.Both villages also contain historically significant local architecture that is subject to heritage protection;
- 12.Aberford and Barwick In Elmet are villages with long histories and their own unique identities, along with their traditions of friendly village rivalries that will be destroyed by MX2-39’s encroachment;
- 13.Barwick’s heritage includes the second tallest Maypole in Britain, an iron age fort and subsequent motte and bailey site of Norman construction;
- 14.Aberford has significant cultural heritage including the Aberford Almshouses built in 1843 by the accomplished architect George Fowler Jones at the request of the Gascoigne sisters;
- 15.The MX2-39 project affects these villages do not fall under the area that forms part of the proposal they will be affected by significant disruption from construction traffic for more than 20 years;
- 16.This is acknowledged in the proposal documentation but is proposed to be mitigated (as per figure 5.3 of the proposal document – incorrectly reference in the document) by the fact that only 1% of the traffic flow generated by the development would go through the local villages;
- 17.This is patently untrue and predicated on a number of falsehoods not least the fact that there would be a single entry and exit point (with a limited use 2nd entry point) to the site. This is acknowledged by the highways agency as not being feasible and would likely result in multiple access points (as indicated by the 6 access points referred to in the appendices to the proposal). The true flow of the traffic allied to the requirement for additional access points would significantly impact the historic local villages.

I consider the plan to be unsound. These are my supporting comments.

MX2-39 site is recognised as an historically rich, bio-diverse and Ancient Woodland space that was first managed by the Gascoigne family from 1545 AD. The definition of 'Ancient Woodland', classes any wooded area that has been wooded continuously since at least 1600 AD. as Ancient Woodland. The definition further includes 'ancient semi-natural woodland' mainly made up of trees and shrubs native to the site, usually arising from natural regeneration and 'plantations on ancient woodland sites' → areas of ancient woodland where the former native tree cover has been felled and replaced by planted trees, usually of species not native to the site MX2-39 woodland complies with this definition and the site can be further described as below.

- 1.MX2-39 Estate is one of the best intact examples locally of a country estate, incorporating recreation areas for family use;
- 2.The estate is Greenbelt and is considered to be of exceptional historic interest;
- 3.Leeds City Council recognises MX2-39 is an important site with a long heritage for East Leeds's history;
- 4.MX2-39 has proven to be a rich source of archaeological interest, Medieval, Roman and Bronze Age finds have been discovered on parts of the site – and the remainder of the site it anticipated to yield further artefacts;
- 5.MX2-39 Gardens House, Home Farm, Gamekeeper's Cottage and many estate lodges are all fully operational;
- 6.MX2-39 in its current format affords the only location on the East side of Leeds that provides recreational usage to the public via footpaths and bridleways in such a historic setting;
- 7.MX2-39's Ancient Woodland is an irreplaceable habitat;
- 8.Ancient woodland comprises 2% of the woodland in UK and is rigorously protected – the same protection should apply to MX2-39;
- 9.Protecting Ancient Woodland also requires care and protection of the areas around and neighbouring onto the woodland too so that the eco-system remains intact and that current habitats remain untouched;
- 10.The eco-system will be damaged by building permanent structures in, adjacent to or nearby the Ancient Woodland, and the construction, the buildings and human interference will result in a significant decline;
- 11.MX2-39's land should be considered to be a special conservation area as well as greenbelt or, if not, a special class of greenbelt and should not be considered for development at all;
- 12.As MX2-39 includes Ancient Woodlands the entire site requires special consideration and its use cannot be changed or affected by any planning application other than protection of the ancient Woodland and associated eco-systems;
- 13.The National Planning Policy Framework published in 2012 is the government policy document relating to planning decisions affecting ancient woodland. The importance of ancient woodlands as an irreplaceable habitat is set out in paragraph 1181 of the NPPF, which states: 'planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.';
- 14.The National Planning Policy Framework (NPPF) sets out the "Government's planning policies for England and how these are expected to be applied" (National Planning Framework 2012 p.1) These comments are framed in relation to the 12 core planning principles contained therein. The 7th principle sets out that plans should "contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework". MX2-39 is of key environmental value;
- 15.Ancient woodland indicator species, such as bluebells, yellow rattle, lesser celandine, wood anemone, and primrose are found throughout MX2-39;
- 16.Ancient Woodland is an irreplaceable resource of great importance for its wildlife, soils, recreation, cultural value, history and the contribution it makes to our diverse landscapes. It is a scarce resource, covering only 2% of England's land area. Local authorities have a vital role in ensuring the protection and conservation of ancient woodland and veteran trees, in particular through the planning system." (<https://www.woodlandtrust.org.uk/blogs/woodland-trust/2014/04/outstanding-advice/>);
- 17.Yorkshire's and the UK's Ancient Woodlands cannot be reduced or damaged by any development MX2-39;
- 18.An ancient woodland ecosystem cannot be moved. Standing Advice for Ancient Woodland applies to all planning authorities in England "The irreplaceable nature of Ancient Woodland and veteran trees means that loss or damage cannot simply be rectified by mitigation and compensation measures. Therefore, where measures seek to address issues of loss or deterioration of ancient woodland or veteran trees, through for instance, attempting to minimise the area of ancient woodland affected (mitigation), or through the provision of replacement habitat (compensation), our advice is that these should be issues for consideration only after it has been judged that the wider benefits of a proposed development clearly outweigh the loss or damage of ancient woodland."
- 19.For MX2-39 Standing Advice states emphatically that "An ancient woodland ecosystem cannot be moved" and "Whilst the translocation of ancient woodland soil to a new site is sometimes proposed as a compensation measure for the loss of ancient woodland, it is not possible to replicate the same conditions at another site. In that circumstance it will no longer be ancient woodland."
- 20.Not only does the advice now cover veteran trees and wood pasture, it credits the Woodland Trust's Ancient Tree Hunt dataset as "currently the only record of the locations of some veteran trees";
- 21.The proposal relies on an ecological survey performed by M & G and/or M & G's agents and Leeds City Council which is well out of date (1998). It is unsound that any final decision to interfere in any way with this land should occur prior to a new survey being undertaken by an independent party. Leeds City Council's SAP is unsound without an independent survey. A new survey is required so that any decision can be based on accurate, up to date information;
- 22.The hedgerow between the former Deer Park and the adjacent field, which runs roughly north south from Parlington Lane beyond the bank of beech trees by the east end of the Dark Arch towards Hook Moor shows evidence of being an ancient roadway;
- 23.The MX2-39 construction project's build phase infrastructure would be centred also on or next to Ancient Woodland. The landscape and ecology of the surrounding villages, the roadways and pathways would be damaged and even put out of action for prolonged periods;
- 24.MX2-39 has not been compared in any meaningful way with other locations or development strategies in terms of matters such as sustainability and landscape impact;
- 25.The ecology of Parlington means that it cannot be proposed for 5,000 houses for the reasons above;
- 26.The Council's SAP on page 9 informs "The promoters also state there is the potential to provide an on-site renewable energy facility to make use of the extensive woodland, which is managed across the estate". This indicates that trees outside the planned area for house building will be cut down and replanted with fast growing biomass forest and fauna and thereby change the ecology, landscape and trees in the greater Parlington Estate;
- 27.The need for significantly enhanced and mass-transit transport infrastructure will additionally damage the Ancient Woodland, and destroy the remaining land (currently greenbelt);
- 28.The Ancient Woodland will also be damaged by the effects of persistent light – e.g. street lights after sunset. The new sources of will have a serious effect on all wildlife. (Light pollution will affect the wildlife in the wider surroundings);
- 29.The eco-system and habitats be destroyed by the buildings, and there will be added destruction from domestic/household pets;
- 30.Hook Moor is a site of special scientific interest (
- 31.Hook Moor is a Site of Special Scientific Interest (SSSI) due to the presence of "Orobanche Reticulate" which is a protected species and is found only in Yorkshire within Britain, is nationally scarce and, because of its localised distribution, is additionally classified as 'near threatened'. It is largely restricted to the narrow band of Magnesian limestone within Yorkshire and is subject to legal protection under Schedule 8 of the Wildlife and Countryside Act 1981 (as amended). Given that the proposed development is less than 50m from the perimeter of Hook Moor and has a Magnesian limestone ridge as part of its topography there is a high chance that the Orabanche Reticulate could be found to be a native species within the development area.
- 32.The area of MX2-39 is vital as part of the local ecology and flood protection creating natural protection and regulation of water run-off into the local Cock Beck and River Crow thereby protecting the local villages of Aberford and Stutton from flood risk;
- 33.Flooding has already occurred in recent years in 2000, 2008 and 2014 and is a fear for villagers in Aberford. The mitigation plans have not been presented to the public other than referred to in previous documents such as Leeds's SAP 60469705 dated March 2016. References are made to the use of Cock Beck and River Crow as well as using living rooves, basins, ponds, filter strips, swales, soakaways, permeable surfaces and tanked systems. All of these techniques will have a detrimental effect on the Ancient Woodland and surrounding land are, therefore, not valid.

Consider the plan legally compliant? Don't know

Legal compliance issues addressed:

Local Development. Scheme Statement of community involvement Duty to co-operate Consultation of statutory bodies

Planning and Compulsory Purchase Act Sustainability appraisal Town and Country Planning Regs

Comments on legal compliance:

n/a

Future updates

Take part in public examination? Be informed of submission to examination? Be informed of adoption of the plan?

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