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Aberford Revised Submission Response 050618.docx.doc

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Dear Ms Wilson

FURTHER QUESTIONS TO THE COUNCIL IN RELATION TO THE REVISED SUBMISSION SITE ALLOCATIONS PLAN MATTERS AND ISSUES ON BEHALF OF ABERFORD AND DISTRICT PARISH COUNCIL

Thank you for the opportunity to respond to the Matters and Issues raised by the Inspector concerning the Revised Submission version of the Site Allocations Plan (SAP). Please find below our comments in relation to the various questions posed by the Inspector relevant to the original objection submitted by Aberford and District Parish Council.

Matter 3A - Green Belt

Issue – Is the Council’s approach to the Green Belt in the Revised Submission SAP robust and consistent with the CS.

Questions:

1. Is the identification of Broad Locations in the Revised Submission SAP justified in light of the need for a comprehensive review of Green Belts as set out in the CS?

We understand the broad locations have been identified in order to allocate sufficient land to meet the development requirements set out in the adopted Core Strategy under Policy SP6 and SP7. Paragraph 47 of the NPPF requires local planning authorities to allocate sufficient land for at least the first 5 years of a Plan period and either sites or broad locations for years 6 to 10, and where possible for years 11 to 15.

However, it is understood the Council intends to undertake a review of the housing requirement and the Core Strategy, and currently the initial indication is that the housing requirement is likely to be reduced below the current requirements. Consequently, the Council has flagged the possibility that not all of the land that was to be allocated to meet the adopted Core Strategy requirement will be needed. The SAP recognises this by raising the possibility that some of the broad locations may be returned to the Green Belt, if it transpires they are not required to meet the revised housing requirement.

On this basis, Paragraph 47 makes clear the Council need not allocate sites or broad locations beyond year 10, which might have been a better idea in the context of a Core Strategy review being underway. Especially

given how a Green Belt review is required if sufficient land is to be allocated to meet the adopted Core Strategy requirement, but not the emerging Core Strategy requirement. We therefore consider that the identification of broad locations is not justified at this current time.

It would have been more sensible to have undertaken a comprehensive Green Belt review and safeguarded land that could then be assessed for allocation following the review of the Core Strategy.

2. Is it necessary to determine whether exceptional circumstances exist in considering the soundness of identifying Broad Locations in the Green Belt?

Paragraph 83 makes clear that Green Belt boundaries should only be altered in exceptional circumstances: through the preparation or review of a Local Plan. Paragraph 84 then goes on to explain how the promotion of sustainable patterns of development should be taken account of when reviewing or drawing up Green Belt boundaries.

The allocation of broad locations requires Green Belt boundaries to be reviewed so that land can be removed from the Green Belt to enable it to be allocated for development.

As such, the review does not just require the determination as to whether there are exceptional circumstances for the identification of broad locations. It is also necessary to determine whether the broad locations promote sustainable patterns of development.

3. Is the approach to Broad Locations consistent with paragraph 85 of the National Planning Policy Framework (NPPF) and consistent with requirements of the criteria set out in Policy SP10 of the CS?

Paragraph 85 is intended to direct local authorities to think about the long term in order to ensure boundaries are permanent. The intention of identifying safeguarded land is therefore to provide a source of development land so that boundaries can endure beyond the Plan period. Originally, this approach was to ensure a Green Belt review was not required every time a Plan was revised. However, in this instance the broad locations are in effect draft allocations dependant on the amount of land required towards the end of the Plan period, but also dependant on the revised housing target to be determined through a review of the Core Strategy. Consequently, this approach does not help prevent the need to alter the boundaries at the end of the development plan period. This is because the broad locations may be returned to the Green Belt or else further land may be required for the following Plan period.

We believe that if any of the broad locations are returned to the Green Belt then when the Plan is reviewed in the future the sites will be pitched against safeguarded land for development or else become the next tranche of safeguarded land. It seems nonsensical therefore to create such an uncertain situation regarding the development potential of land, especially when the NPPF does not support such a fluid approach with regards to Green Belt boundaries. Instead the NPPF intends to provide certainty and stability by defining boundaries that might endure in the long term.

The allocation of some of site MX2-39 is a clear example as to how the identification of broad locations is not consistent with the requirements of the criteria set out in Policy SP10 of the Core Strategy. Policy SP10 sets out the strategy for undertaking a review of the Green Belt, and how the review will focus on the settlement hierarchy in the first instance and only exceptionally look at sites that are unrelated to the Settlement Hierarchy. In the case of MX2-39, it does not relate to the Main Urban Area, Major Settlements and Smaller Settlements due to its scale and location away from established settlements.

Policy SP10 goes on to explain how exception sites are expected to be in sustainable locations and able to provide a full range of local facilities and services. Whilst MX2-39 is expected to include 5ha of land and local facilities, the Council's own Sustainability Appraisal of the site from September 2016 concluded that it is not in a sustainable location and has poor accessibility

Additionally, SP10 sets out how exception sites are expected to be more appropriate in meeting the spatial objectives of the Plan than the alternatives in the Settlement Hierarchy. Yet there is an alternative to MX2-39 that is considered to be more appropriate and sustainable than the allocation of MX2-39.

5. Is the approach to Green Belt site selection in the Revised Submission SAP consistent with the overall site selection process?

We consider that the sites selected for allocation do not meet with the criteria set out in the Core Strategy, and neither are the sites consistent with the approach expected in the NPPF towards the release of land from the Green Belt. This is particularly clear in the case of MX2-39 Parlington.

Policy SP1 makes clear how "the majority of new development within and adjacent to urban areas, taking advantage of existing services, high levels of accessibility, priorities for urban regeneration and an appropriate balance of brownfield and greenfield land." However, the allocation of site MX2-39 is clearly contrary to this approach. Not least, because the site will not take advantage of existing services and it has very poor accessibility, which is stated in the Council's Sustainability Appraisal (September 2016) for the site. Policy SP1 then goes on to state how development is expected to be on land within the Main Urban Areas or create suitable infill development or else form a sustainable extension. Clearly a new settlement does not fall into any of these categories.

Policy SP6 of the Core Strategy sets out further criteria for the selection of sites, which includes sites that are within sustainable locations and that meet the standards of public transport accessibility. As set out above, the Council have themselves identified how the site has poor accessibility, so the site is not consistent with the Policy SP6 of the Core Strategy.

Another criterion of Policy SP6 set out how sites should have the least impact on Green Belt purposes. In relation to the purposes of Green Belt, as set out in paragraph 80 of the NPPF, we believe the allocation of site MX2-39 fails to uphold these purposes. This is because the proposed new settlement is located in close proximity to Barwick in Elmet and Aberford. Historically, planning policy required at least two miles to be maintained between settlements surrounded by Green Belt in order to prevent settlements merging. However, in this instance there will be less than two miles between Parlington, and the existing settlements of Barwick in Elmet and Aberford. In some places there will be less than 500m of separation between settlements. Physically, this may mean there could be pressure in the future to see the settlements merge. However, visually, the proximity of Parlington to Aberford and Barwick in Elmet means any physical separation will be difficult to discern. Consequently, their merger will appear to have already taken place thereby undermining the purposes of Green Belt in respect of merging of towns.

Development of Parlington will also lead to the encroachment of the countryside, which Leeds City Council has already established through their Green Belt review process. The LCC DPP Report 19/7/15 states how "development of the site would create a significant incursion within the Green Belt and the site currently performs an important role in safeguarding the countryside from encroachment." Furthermore, the report goes on to state how development at Parlington "would reduce the Green Belt gap between [the] settlements [of Aberford, Barwick in Elmet and Garforth]."

The sheer scale of development proposed during and beyond the Plan period, plus the proximity of the proposed new town to Aberford and Barwick in Elmet, means that a large tranche of open countryside will be lost in the North East of Leeds. This is an important area of open countryside within the district because it has the function of separating Leeds district from Selby district. To propose a large scale new settlement within this area of open countryside therefore undermines the strategic role of the open land in providing a buffer between the urban extent of Leeds and Selby. In turn, this could lead to further erosion of the Green Belt in the future and increase the likelihood of the two urban conurbations merging.

6. Is the identification of Broad Locations consistent with paragraph 83 of the NPPF in the context that the Green Belt boundaries contained in the Revised Submission SAP will almost certainly not endure beyond the plan period by virtue of Policy BL1?

Paragraph 47 of the NPPF refers to how local planning authorities should identify either developable sites or broad locations for growth for years 6 to 10, and where possible for years 11 to 15. On this basis, the SAP identifies broad locations for release towards the end of the Plan period, but until the land is clearly required for development then it is to remain as Green Belt. As such, the broad locations policy means that Green belt boundaries are to remain fluid and dependent on development needs. So, for the foreseeable future, there is a question as to whether the openness of the broad locations is to be permanent or not. On this basis, the broad locations are not consistent with paragraph 83 because the Green Belt boundaries are not being altered in exceptional circumstances. Instead the Green Belt boundaries are to be altered on the basis of development requirements.

7. Will the principle of Broad Locations ensure the permanence of Green Belt boundaries?

The simple answer to this question is 'no'. At this moment in time, there is no clear indication as to whether all or part of the sites identified as broad locations will be released for development or will remain in the Green Belt. In addition, there is as yet no understanding as to whether the broad locations will be sufficient to meet development needs given they are only to be called upon following a review of the housing target as set out in the Core Strategy. As such, the Green Belt boundaries cannot be considered to be permanent given there is an ongoing question as to how much land will be required for development for the foreseeable future.

In addition, the idea that a review of the Core Strategy may result in less land being required to meet development needs than currently planned for in the SAP suggests that the Council will need to decide what to do with safeguarded land and broad locations through the Core Strategy review process. Again, this brings into question the permanence of the Green Belt boundaries.

The Council's current approach is simply not compliant with the NPPF.

9. Some suggest that the BLs should in fact be safeguarded land. To do this, would it be necessary to release the areas identified from the Green Belt?

Broad locations are intended to be developed within the current Plan period, subject to a review of the Core Strategy. Safeguarded land is intended to be identified for longer-term development needs stretching well beyond the Plan period. As such, there is a clear distinction as to the function of the two different types of designation.

11. Where existing safeguarded land has not been selected for development, is it appropriate for such sites to be retained as safeguarded land?

Paragraph 85 of the NPPF encourages the safeguarding of land beyond the Plan period in order to provide a pool of land for allocation in the future. As such, there is no need for the Local Plan to develop all land not within development limits or Green Belt. Safeguarded land provides a buffer between the two that also provides a potential source of land for development.

The current UDP includes a pool of safeguarded land and so the current SAP intends to maintain the previous established approach that is also supported by paragraph 85 of the NPPF.

Through the assessment of Green Belt boundaries, safeguarded land has been found not to fulfil the purposes of Green Belt policy. It is therefore appropriate for safeguarded land to remain safeguarded irrespective of whether it is required to meet development needs.

Matter 5A – Revised Submission SAP Infrastructure

Issue: Whether the necessary infrastructure will be in place to support the planned development

Questions:

2. Is it necessary to be satisfied that the critical infrastructure is likely to be provided in a timely manner for development in Broad Locations given Policy BL1 confirms they will contribute to the CS housing requirement?

In order to be satisfied that the Plan is sound then it is necessary to test the viability and deliverability of the draft allocations. This means being satisfied the critical infrastructure can be delivered in a timely manner in order to support the development of the broad locations.

Matter 7A - Selection of sites allocated for development

Main Issue 1: For each Housing Market Characteristic Area, are the individual sites selected sound?

Questions:

Outer North East

1. BL1-4 (formerly HG2-24) and BL1-5 (formerly HG2-25). Is the identification of these sites as Broad Locations justified and consistent with the approach taken elsewhere?

Both BL1-4 and BL1-5 are relatively small-scale sites given their limited capacity of 10 dwellings and 14 dwellings respectively. We cannot see how either can be described as 'broad' given their boundaries are defined to allow for such a limited number of dwellings. Furthermore, they are both 'sites' rather than 'locations'. Given the NPPF and Planning Practice Guidance make a distinction between 'broad locations' and 'sites' then we believe the Council are attempting to shoehorn these sites into a general approach of identifying the next tranche of allocations, but outside of any defined strategy, which is simply unsound.

Parlington (MX2-39 and BL1-42)

3. Would the site allocation constitute a strategic site as envisaged in CS Policy SP10?

The allocation of MX2-39 requires the release of the land from the Green Belt. Policy SP10 sets out the strategy for undertaking a review of the Green Belt, and how the review will focus on the settlement hierarchy in the first instance and only exceptionally look at sites that are unrelated to the Main Urban Area, Major Settlements and Smaller Settlement. In the case of MX2-39 does not relate to the Main Urban Area, Major Settlements and Smaller Settlements due to its scale and location away from established settlements.

Policy SP10 goes on to explain how exception sites are expected to be in sustainable locations and able to provide a full range of local facilities and services. Whilst MX2-39 is expected to include 5ha of land and local facilities, the Council's own Sustainability Appraisal of the site from September 2016 concluded that it is not in a sustainable location and has poor accessibility

Additionally, SP10 sets out how exception sites are expected to be more appropriate in meeting the spatial objectives of the Plan than the alternatives in the Settlement Hierarchy. However, within the Outer North East area there are a number of areas of safeguarded land, which includes:

- HG3-7 Linton 100
- HG3-8 Clifford 100
- HG3-9 Boston Spa 110
- HG3-10 Boston Spa 103
- HG3-11 Clifford 36
- HG3-12 Scholes 60
- HG3-13 Scholes 850

Collectively, these sites have the capacity to accommodate 1359 new dwellings in locations that form extensions to existing settlements. Allocation of these sites for residential development would have been consistent with the Core Strategy and Policies SP1, SP6 and SP7. This is because the sites are located adjacent to existing settlements that are named within the Settlement Hierarchy, as set out in the Core Strategy as having capacity to support growth. Also, new development would help support existing services and communities, which would contribute to promoting sustainable patterns of development consistent with the NPPF.

We are therefore of the opinion that the allocation of MX2-39 for 792 dwellings does not represent a more appropriate alternative to the allocation of individual sites on the edge of established settlements. Especially given the significant detriment impact the development of MX2-39 will have on the highways network and the designated heritage asset.

Given the short comings of MX2-39 then we do not believe Policy SP10 envisaged for sites such as Parlington Estate to be identified as an exceptions site to meet strategic development needs. This understanding is confirmed when Policy SP10 is read in conjunction with SP6 and SP7. SP7 does not make an allowance for dwellings coming forward from new settlements. Whilst MX2-39 does not sit comfortably within the considerations listed under Policy SP6 that are supposed to inform the selection of sites for allocation.

4. Will a development of the scale envisaged (MX2-39), including services and facilities and necessary infrastructure remain deliverable and viable in the absence of the Broad Location coming forward?

We believe the question is not one of deliverability or viability, but whether MX2-39 in isolation would still be an appropriate allocation without the wider site coming forward. 792 dwellings and 5ha of employment land could easily be accommodated elsewhere within the HMCA with less detrimental impact than will result from the development of MX2-39.

5. Is the continued allocation of MX2-39 (Parlington) justified given the recent Historic Park and Garden (Grade II) registration of the wider Parlington Estate? What further assessments have been carried out to assess the likelihood that an appropriate development of the capacity expected and

including local services and facilities could be achieved that would not harm the setting of the heritage asset?

Having trawled through the Council's website we have been unable to find any updates of any assessments to appraise the potential harm of the allocation on the setting of the heritage asset. This is of grave concern given the scale of the heritage asset (with it being a parkland as opposed to just a building) and the size of the allocation. Clearly the scale of both means the allocation is of national significance given Historic England would be statutory consultees of a planning application and they would have the powers to direct the Secretary of State to call an application in for determination.

Given the lack of assessment to justify the allocation then we do not consider Parlington Estate should continue to be allocated. Especially as there are alternative sites that are sequentially preferable and sustainable that would not impact on any heritage assets.

In Summary

Aberford and District Parish Council remain concerned by the inclusion of Parlington Estate as a strategic allocation. The site was introduced at an advanced stage in the process and only because another site was withdrawn. The fact it was not selected at the outset is testament to the site's unsustainable credentials. The potential harm of developing the site has become more significant through the SAP Examination process due to the Listing of the Parks and Gardens by Historic England. The national significance of the historic asset should outweigh the SAP given there are alternative sites available that would deliver the Core Strategy, but without the potential harm. We therefore believe the allocation is unsound and an alternative means of addressing development needs within the Outer North East area.

We look forward to the opportunity of discussing the matters at the forthcoming Hearing.

Yours faithfully

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Director