

It is important to note that, whilst a small proportion of the land can be defined as brownfield, a significant part of the site is greenfield in nature. Some of the greenfield land has historically never been developed. Other parts of the site have formerly been built upon but reverted back to greenfield following the demolition of former structures and the coalescence of the land back into the landscape during the process of time.

Based on the previous and existing uses of the application site, our objection to the proposal is five-fold. We propose to cover each of our objection points in turn to demonstrate that the site is neither suitable nor appropriate to accommodate this type or scale of development. The five points include:

1. Sustainability
2. Viability/Deliverability
3. Availability
4. Accessibility
5. Principle of Development/Premature Development

We have explored these points in greater detail below.

1. Sustainability

Location

The site lies approximately 4km/just over 2 miles east of the A1. Boston Spa and Wetherby are the nearest 'serviced' settlements at about 4km/2 miles and 5.6km/3.5 miles distance respectively. The site is therefore some considerable distance from a range of local services or facilities. If the site was to be compared to the more 'principal' settlements in the surrounding area, it lies 18.4km/11.5 miles from Harrogate, 20km/12.4 miles from York and 24.3km/15.1 miles from Leeds. Additionally, Tadcaster is 6.7km/4.2 miles away via Wighill Lane.

As the site is located a significant distance from a range of services and facilities, the proposed scheme will lead to a significant increase in the level of vehicular movements in the local area. It is therefore considered that development of this type and scale of development as proposed in the outline planning application is unsustainable.

It is important to note that the development of this site does not make the site less remote; it only places new households in a remote location. It creates large-scale unsustainable development, isolating households from modern-day needs and facilities and is wholly in conflict with policy guidance on this matter.

The development is being promoted on the hypothesis that there will be significant numbers of people both living and working on the development site. This assertion is completely unjustified and is certainly not a given. As set out below, the same hypothesis was put forward to the Planning Inspector during the Inquiry into the UDP (2006) review where it was rejected outright. The Inspector concluded that the site was not sustainable and was unlikely to be ever become sustainable due to its location, accessibility and the ability to sustain sufficient local services and facilities.

In addition to the Inspector's conclusions in 2006, we suggest that the development would create a car-based dormitory community leading to a significant and detrimental increase in unsustainable, isolated development which will overwhelm the existing traditional rural villages in the locality.

It is also worthy of note that the economic justifications which the applicant proposes - in terms of employment generated by the construction work - will apply wherever Leeds grants planning permission to build. It has no particular relevance to this site. If the necessary houses are built, then this economic activity will occur, wherever the development takes place, preferably in a more sustainable location.

We therefore **object** to the application based on its unsustainable location.

Settlement Hierarchy

Due to the site's setting in a rural, isolated location, the land does not fall within Leeds City Council Settlement Hierarchy. The site is located outside the main urban area, being over 4 km from the nearest identified settlement, Boston Spa (see above for further details). Whilst Boston Spa is the closest settlement to the proposed development site, this settlement in itself is very much a smaller settlement within Leeds City jurisdiction, being a considerable distance from the Leeds urban edge. It cannot, therefore, be viewed as an extension to the main urban form.

It is therefore considered that this site is contrary to policy set out in the UDP and emerging Core Strategy. This is set out in greater detail below.

We therefore **object** to the application as it does not conform to the Settlement Hierarchy set out in the Local Plan.

Brownfield vs Greenfield

We strongly disagree with the applicant's and Council's assertions that the whole of the site is brownfield due to the fact that it sits within the Estate's curtilage.

As set out in the introduction, it is accepted that some of the land within the red line boundary is brownfield development/previously developed land (including the previous defence buildings which are still standing, existing employment buildings and retail units); however, a considerable proportion of the site has never been intensively developed and comprises of wooded areas and open land. It is considered that this proportion of the development site - particularly the north western area - is greenfield land.

Furthermore, a large proportion of land was previously developed but now the remains of the permanent structure or fixed structure have blended into the landscape in the process of time. According to the NPPF Glossary (2012), this is no longer previously developed land and has reverted back to greenfield land. This is also confirmed in Case Law - *Dodd and Hands V SoS for the Environment Transport and The Regions* [2002].

It is therefore considered that the site description is factually inaccurate with reference to sustainability. The scheme relies on the development of both brownfield and greenfield land.

We therefore **object** to the application due to the adverse impact the scheme would have on greenfield land in the area.

Notwithstanding this, even if the site was assumed to be previously developed land due to it being within an overall curtilage, the NPPF states that previously developed land, if within a curtilage, should not automatically lead to the whole site being developed. NPPF Glossary (2012) defined previously developed land as being "land which is or was occupied by a permanent structure, including the curtilage of the developed land (**although it should not be assumed that the whole of the curtilage should be developed**) and any associated fixed surface infrastructure..." [emphasised by us].

Highways

The existing road network in the local area is acknowledged to be poor. It is rural in nature and poorly maintained.

Existing access to the site (from the A1 and Wetherby) is via the Walton – Wetherby Road: identified as a dangerous highway with four traffic cameras located along the road for safety purposes. In the Inspector's Report from the 2006 UDP Review, paragraph 24.13, there is a statement which admits that the Council considers the road to have a poor safety record (evidenced by the cameras and warning signs).

The proposal would have a major implication on the existing road networks. The increase in traffic movements that would come with: a) the development works; b) the residential development; and c) the potential increase in employment would lead to a significant increase in activity on the roads, particularly the C78 to Wetherby and the road to Boston Spa. With the current infrastructure there would be a greater influx of vehicles on the roads and there would be longer delays at the main access to the site.

Part of the existing highways infrastructure, which would be adversely impacted on by the development, is the Packhorse Bridge to the southwest of the proposed development site, south of Thorp Arch. This bridge crosses the River Wharfe and is a single carriageway with a narrow footway. It provides the only convenient access to Boston Spa (the nearest 'serviced' settlement to the proposed development site).

In 2006, approximately 400 vehicles (2 way) used the bridge in the am peak hours, causing congestion. It is considered that the increased traffic to arise from the proposal (of 2000 new households) will only worsen the situation. Again, this would have a significant impact on the sustainability of the site and the implications of the existing highways.

We seriously therefore question the implications the proposal would have on the existing highway network within Boston Spa. The settlement itself suffers from congestion. The significant increase in residents to the area will only assist in making this worse. There is no guarantee that the proposed future residents of Thorp Arch Trading Estate will always want to travel north or west (on the proposed relief road). There will still be a significant number of car users who would need/want to travel south through Boston Spa to their desired destination; this would include the need to use Boston Spa for the local services and facilities. This access and highways issue should carry significant weight when considering the outcome of the proposal.

Whilst we acknowledge that the outline planning application proposes a new relief road/bypass to the west of the development site (north east of Thorp Arch) there are severe concerns regarding the deliverability of the infrastructure. This is addressed in greater detail below under the heading of 'Viability/Deliverability'; however, the main concern is over the practicality and costs associated with such works.

Firstly, the relief road is proposed on land which falls outside the ownership of the applicant. From discussions with the third party landowners, it is our understanding that the landowners would not want to release their land for the proposed relief road. This therefore creates great uncertainty to the delivery of the entire scheme.

Secondly, the proposed relief road/bypass would lead to the loss of agricultural land which is important for the rural economy in the area. Not only does this break up agricultural land which is in farming use, it proposes to adversely impact on Grade 2 and Grade 3a agricultural land.

Grade 2 land is very good quality agricultural land. It is land with minor limitations which affect crop yield, cultivations or harvesting. A wide range of agricultural and horticultural crops can usually be grown but on some land in the grade there may be reduced flexibility due to difficulties with the production of the more demanding crops such as winter harvested vegetables and arable root crops. According to the NPPF (Core Principle 11 'Conserving and Enhancing the Natural Environment'), lands in grade 1, 2 and 3a are the best and most versatile agricultural land and this should be protected. Paragraph 122 states "local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of higher quality".

We **object** to the scheme as we do not consider the relief road to be the most appropriate form of development of the high quality agricultural land as the proposal for 2000 new dwellings and other associated development is not sustainable. Furthermore, we consider the scheme to be undeliverable due to the viability implications associated with the site.

Grant funding has diminished as a result of the economic downturn, therefore costs associated with infrastructure will be expected to be covered by the developers. This would have a significant impact on the viability of the scheme and it is anticipated that some of the proposed contributions/planning obligations will be proposed for removal from the suggested Section 106 agreement to ensure the scheme remains viable. This adds a further concern over the sustainability of the scheme and raises the question as to what community provision will suffer eg the proposed school, community facilities, percentage of affordable housing? It is suggested that the scheme has not been robustly or transparently assessed in terms of the implications the development will have on the local area, owing primarily to its unsustainable location. Even more concerning is the lack of clarity on how the scheme will be delivered if the applicant has no backing from developers. We discuss deliverability and viability in greater detail below.

Moreover, the proposed relief road runs through land which is identified as 'Special Landscape Area' (Policy N37) which states that the local planning authority must protect the character and appearance of the area and 'Rural Land' (Policy RL1) which states this land is to be safeguarded from development.

To stress our concerns relating to the highways implications we would like to draw attention to the objection raised by North Yorkshire County Council (NYCC) and other adjoining local planning authorities.

NYCC objected to the proposal on the basis that the site lies adjacent to the boundary between Leeds City and North Yorkshire County Council. The objection stated that "there is potential for traffic generated by this significant development to distribute on to the North Yorkshire local highway network". This was replicated in the response submitted by Selby District Council.

Selby District Council state that "there is concern over the lack of cross-boundary consideration given in the submitted application in regard to highway impact". The concern related to the travel associated with Thorp Arch Estate and Tadcaster (a Local Service Centre in the Selby District Core Strategy Local Plan) and the A64 (already subject to detailed cross-boundary scrutiny due to its existing capacity issues).

It is considered that the proposed relief road does not relieve the traffic issues envisaged, but merely moves the problem from one point on the Walton – Wetherby Road to another, only 0.7 miles west. Traffic cannot be controlled to one direction only. Traffic needs to be free to flow in both directions; however, in this instance the highways implications severely outweigh the benefit suggested by the applicant that the housing need for the area will be met on this one site.

Cross boundary migration for work and leisure takes place. Further, more detailed, work needs to be undertaken by the applicant before the scheme can be considered in respect of the issues identified above.

Finally, we request clarification on whether the effects on the A1(M) bridge and LAR roundabout where the Walton-Wetherby road crosses the A1(M) has been subject to detailed discussions with the Highways Agency. Significant amendments are proposed at the roundabout connecting the Wetherby – Walton Road to the A1. From reviewing the planning application and supporting documentation, it is considered that some of the proposed works have been suggested without approval from statutory bodies. As stated previously, there are severe concerns over where the funding for all these proposed works is going to come from.

We therefore **object** to the application based on detrimental highway grounds.

Public Transport

The development site is not located around a node of good public transport. Existing public transport services are poor with very few bus services going to and from the site (with no services during the evenings or weekends). Furthermore, the journey times of the services that do run are long.

Whilst the applicant proposes the services could be improved, there is no evidence as part of the planning application that this will be implemented, particularly if there is a reliance on such services being subsidised by the developer. However, even with an increased bus service, this does not make the site a sustainable location for large scale residential development.

Additionally, there are no railway stations located in close proximity to the site. The nearest railway stations are Ulskelf (circa 11 km/7 miles on the York/Leeds line), and Cattal (circa 13km/8 miles) on the York / Harrogate Line. However, it is considered that 7/8 miles' travel to a railway station is not sustainable or accessible. Furthermore, these services are limited, costly and take a long time to arrive at the chosen destination.

Due to the infrequent services of the above two stations, Garforth would be the more acceptable station to travel from; however, this station is 12 miles from the site and therefore very unsustainable as a form of travel.

It suggests that if the site was to come forward for development, residents would need at least one car per household to be able to undertake standard daily tasks such as travelling to work or to access services and facilities.

It therefore must be assumed that any future development in this area will rely almost solely on the private car and not public transport. As such, the location is not, and has not been shown to be, capable of being made sufficiently sustainable to justify residential development of such a scale and nature as proposed in the application.

We **object** to the scheme due to its poor public transport services and the unsustainable nature of the scheme.

Local Services and Facilities

Whilst Thorp Arch Trading Estate lies in close proximity to two settlements, Walton and Thorp Ach, both of these settlements have very limited services and facilities (this includes only one public house in each settlement and one primary school in Thorp Arch). These settlements are rural in nature and this is evident by the limited number of services and facilities provided to serve both communities.

Comparatively, Thorp Arch and Walton are small rural communities with limited services and facilities. These two settlements are not of the scale to the settlement proposed on the Trading Estate (2000 households).

Boston Spa and Wetherby are the closest 'serviced' settlements in the area but cannot be considered to be accessible to the application site by foot or bicycle, especially for retail purposes. The trip to Boston Spa by foot or bike is also difficult, involving two 'climbs and descents', long stretches of narrow overgrown footpaths, and crossing the 'packhorse' single track bridge, sandwiched between the low parapets on one side and traffic only a metre away on the other. This journey is completely impractical for day-to-day domestic needs, particularly for a young family. The reasonable assumption is that the majority of residents will travel by car.

To further highlight how unsustainable the site is, for higher order goods shopping from the site new residents will have to travel to York, Harrogate or Leeds for some services and facilities.

We also have significant concerns over school provision. Whilst it is acknowledged that the proposal includes a new primary school, we would question where the new children in the area would go to secondary school. Would this lead to the possible relocation of existing pupils from the secondary schools at Boston Spa and Wetherby? If so, the development would have a severe knock-on effect for residents, not only in close proximity to the site but those who also fall within the catchment areas for the nearby schooling facilities.

The same concerns can be raised in respect of medical facilities, dentists, pharmacies, etc. It does not appear that new medical facilities are proposed on site. Lack of access to such medical facilities will make the new residents feel very isolated. This links back to how unsustainable the site is for such large scale residential development. There is no guarantee that the proposal would lead to self containment.

Finally, as the application is submitted in outline with some matters reserved (apart from access) the plans submitted as part of the application are indicative only. These plans and drawings indicated what 'could' take place; however, the green strategy, development layout, footpaths and cycle ways are ideas only. It is not guaranteed that these will form part of the final scheme. This is also true with regard to the proposed local services and facilities such as the shops, community centre and other services. The scheme could therefore become even more unsustainable to what is being suggested.

Existing Land Uses

Part of the proposed development site is currently in use for employment and retail purposes. We do have concerns relating to the proposed demolition of these existing uses.

The development of the site for housing would lead to existing businesses having to relocate and the existing buildings being demolished.

Additionally, the retail units are set within bunds. This is a unique development to the area and if the application is granted these will be destroyed, flattening the site for housing.

As set out above, the scheme will have a detrimental impact on Grade 2 and Grade 3a agricultural land which is contrary to guidance set out in the NPPF as the proposed new relief road/bypass will impact on the best and most versatile agricultural land in the area; however, it also adversely impacts the existing Route 66 National Cycle Network.

National Cycle Network was created by a charity, Sustainable Transport (Sustrans) in 1977. The first route was the Bristol and Bath Railway Path, a 17-mile traffic-free trail along a disused railway. The Network was officially created in 1995 with a grant from the National Lottery. Its length and popularity have grown enormously. It now carries over a million walking and cycling journeys daily.

The aims and objectives of Sustrans are to encourage more people to change their travel behaviour, meaning making their journeys attractive, convenient and safe. The proposed relief road will lead to the existing rural nature of the cycle path, utilising a disused railway, being lost. The ability to minimise contact with motor traffic on the existing Route 66 will therefore be adversely impacted on.

Ecology

Parts of the site are already recognised for their ecological interest and should continue to be protected. There is a reasonable likelihood that protected and priority species, important habitats and other biodiversity features, and features of geological conservation importance, will be adversely affected by the development, particularly protected and notable species such as bats, reptiles, amphibians, birds and invertebrates.

The site encompasses a Site of Ecological and Geological Importance (SEGI) and development is proposed on the SEGI. Whilst some of the SEGI is proposed to remain undeveloped, the village centre and residential development is proposed on this site of importance. It is considered that development will therefore have a significant detrimental impact on the ecological and geological importance of the area. This, again, brings back the argument that the site is not 100% brownfield.

The site, particularly the SEGI, is considered to support habitats that are worthy of protection. Over the passage of time the site now supports a diverse range of habitats. It is therefore considered that even if the site was considered to be all brownfield (which it is not) paragraph 17 of the NPPF states that local planning authorities should "encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value".

Either way, the site should not be supported for large scale residential development due to the adverse impact it will have on the local flora and fauna. We therefore strongly **object** to the application on these grounds.

In addition, West Yorkshire Ecology has objected to the proposal as it does not include sufficient up to date information of the biodiversity of the site. We support their assertions in their objection, particularly in that the application does not meet the requirements set out in Policies SA1, N49, N50, N51 or N52 of the UDP or Policies G7 and G8 of the emerging Local Plan/Local Development Framework.

Heritage

The remains of the ROFF are of national significance and the site as a whole is a non-designated heritage asset containing important Areas of Archaeological Importance as well as including, or being adjacent to, a number of associated listed structures/buildings. The Listed Structures/Buildings include:

- Railway Bridge approximately 940 metres southeast of Walton Gates, Wood Lane (Grade II);
- Railway Bridge approximately 525 metres southeast of Walton Gates (Grade II);
- Light Anti-Aircraft gun emplacement for the former Thorp Arch Royal Ordnance Factory (Grade II);
- Engine Shed at Thorp Arch Station (Grade II);
- Thorp Arch Station House (Grade II);
- Five different structures at All Saints Church (all Grade II); and
- 24 buildings and structures in and around the village of Thorp Arch (Grade II* and Grade II).

Development can help in conserving designated and non-designated historical assets; however, the site has been well preserved since 1958 under past policy regimes which have limited its development potential. It is considered that continued limited development potential on the site will not have a detrimental impact on the heritage assets. The site, as an employment site to the south, works well, utilising existing buildings and existing infrastructure. It is considered that the large-scale residential development on this site will adversely impact on the historical aspect of the site and its preservation.

In addition, the proposed relief road is considered to adversely impact on the majority of the listed buildings identified above.

As set out in paragraph 129 of the NPPF, "local planning authorities should identify and assess the particular significance of any heritage assets that may be affected by a proposal (including by development affecting the setting of a heritage asset)...". Paragraph 132 goes on to say "great weight should be given to the asset's conservation".

The impact on the heritage buildings and structures (designated or not) is considered to outweigh any benefit the residential scheme may have on the area/site. The application should therefore be **refused**.

Moreover, the application site lies in an area rich with archaeological remains. Newton Kyme Roman Fort lies to the south of the River Wharfe and the route of a Roman road (Rudgate) runs through the eastern part of the ROFF. There are possible Roman remains located around Rudgate and next to the river crossing at Newton Kyme. It is therefore considered that there is strong potential for regionally significant archaeological remains to be affected by development of the application site, particularly the undeveloped areas. We therefore **object** to the scheme as the proposed development has the potential to uncover and destroy archaeological remains.

2. Viability / Deliverability

Highways (Continued)

As set out above, the costs associated with the proposed relief road pose questions over deliverability. However, it is not only the proposed relief road which leads to questions over viability and deliverability, so too does the proposed off-site highways works required to Privas Way/Walton Road junction including road widening to the bridge over the A1(M).

In addition to the costs associated with the proposed relief road/bypass, it is considered that due to the number of neighbouring landowners needed to support the release of agricultural land for such development it is possible for the land to not actually be available for the proposed development (please see below for further information on 'availability'). We therefore have serious concerns over the delivery of the site. Have access rights been secured to ensure the road can and will be delivered? We feel that this information in respect of third party ownership/support is key before any decision can be made in respect of the outcome of the application and this has not been demonstrated as part of the submitted application.

Although the Council does have Compulsory Purchase Order (CPO) powers, this can lead to a costly process to ensure that all third party land is available for development. As this application is considered to be premature (please see below for further information on this) there are several other sites which could be brought forward which are less contentious and financially more feasible and deliverable (please see the sites currently being assessed for allocation in the Outer North East Leeds Area – Leeds City Council consultation document, June 2013) .

The Council must be confident that the proposal is feasible and deliverable. If it proves to be undeliverable, the Council runs the risk of other unsuitable sites coming forward on appeal.

Contamination

Thorp Arch Trading Estate is part of a former Royal Ordnance Filling Factory; contamination is therefore a major factor to consider if the site was to be brought forward for future development.

In developing this site, vast quantities of contaminated land will need to be excavated. The extent of the contamination is currently not quantified, but the land is known to contain asbestos. Due to its former use as a munition filling factory it is also likely to contain explosive residues, unknown chemical contamination from the 'burning ground' and possible rumoured chemical weapons residue.

The applicant proposes a 3 metres 'scrape' over many hectares of the site. Even one hectare scraped to 3 metres creates over 50,000 tons of material. This contaminated material will have to be transported for unknown distances to unspecified sites (probably landfill). This will all be extremely damaging to the environment and costly to the development.

The majority of the contaminated land, following demolition, is on the greenfield land. It is considered that, as this land has significant biodiversity and needs to be protected from adverse development, the best current practice for the site, provided that no contamination is affecting surrounding areas or water resource, is to leave the contaminated area undisturbed.

Whilst mitigation work could be undertaken to safely secure the site for future development, this is a costly procedure and, on a site this size with this much associated contamination, there are serious concerns over the viability and therefore deliverability of the site.

We therefore **object** to the application on contamination grounds, the viability and deliverability issues associated with the proposed 'clean up' and the adverse impact the remediation works would have on the existing wildlife in the site.

Phasing

We remain in an economic downturn and the build out rate remains slow. House builders are currently building out at rates of 30 - 50 units per annum per site (with the former figure being more realistic).

Phase 1 of the proposed scheme proposes to build out 1,100 new homes over a ten year period. Whilst this would help address housing need in the longer term, it would not address the housing number required in the area in the short term, as set out in the Core Strategy. The local planning authority would still need to identify adequate land to ensure they have a five year housing land supply. As this site would lead to development taking place post-plan period, the Council would still need to allocate other land in the area to meet housing needs and demand, particularly in the short - medium term.

The remaining 900 units would therefore be very much longer term development.

1,100 units over a ten year period also suggests that the build-out rate will increase by more than 100%. It is unlikely that all of phase 1 will be completed in the ten years suggested by the applicant.

It is also difficult to assess whether the site has any significant developer interest. It is assumed not, as the application is submitted by the landowner and no supporting documentation has been submitted by a housebuilder or the applicant to guarantee delivery rates, costs etc. Please see below for further information on this.

Should there be some developer interest it is anticipated that, if planning permission were granted and, following the preparation and submission of a Reserved Matters application setting out all the details, the more realistic development rate will not be in-line with the housing need for the Outer North East Leeds Area and the scheme would continue to be built out post the plan period. The Council would need to therefore look to allocate several other sites to meet the housing need and demand in the area, especially in the early stages of the plan period to meet the targets set out in the Local Plan.

It is therefore considered that there are too many questions and 'gaps' relating to the actual delivery of the site for the Council to approve the application. We therefore urge the application to be **refused**.

Affordable Housing

We note that the Affordable Housing Proforma proposes 35% affordable housing on site with 50% being social rented units and 50% being intermediate units. Whilst this complies with existing local policy, it is questioned as to whether this would actually be delivered due to the financial constraints associated with the scheme such as contamination remediation, highways improvements, demolition costs etc.

Whilst the intended provision of affordable housing would assist in addressing the current need, the site is not sustainable and therefore is not considered to be a suitable location for affordable housing without some significant improvement to public transport, highways networks and a greater provision of onsite local services and facilities. It is considered that due to the unsustainable nature of the site, the scheme would lead to secluding communities from existing services and facilities and established communities, creating isolated and excluded communities particularly if the new households do not own and are not in a position to buy a private car.

There are also concerns relating to the viability of the site due to the works necessary to ensure the site can be delivered (contamination remediation, improvements to highways, demolition and clearance costs etc). There is therefore a strong possibility that the actual figures proposed in respect of affordable housing may reduce by the time a reserved matters application was to be submitted. This is something for the Council to bear in mind when determining the application.

Drainage

The Ainsty (2008) Internal Drainage Board maintains a number of watercourses which accept surface water from the various settlements and agricultural land in the area. These watercourses are operating at capacity and therefore are unable to accept any additional surface water discharge without increasing the risk of flooding elsewhere. This is confirmed in the objection submitted by the Board.

The application form states that surface water is proposed to be disposed of by SuDs and existing watercourse. It is therefore proposed that further research/supporting documentation is needed to be undertaken to ensure that the development is provided with satisfactory means of drainage and to reduce the risk of flooding. It is not considered acceptable to include generic conditions to a planning permission of this size without certainty that the delivery of the site is capable in respect of drainage and flooding implications.

Furthermore, Yorkshire Water (YW) expressed concerns with regard to the proposals in that the application proposes the erection of a large number of dwellings on a site that currently drains to a rural wastewater treatment works that has not been included in YW's business planning considerations to date. YW therefore objects to the application on the basis that they have serious concerns regarding the application because of the risks associated with the foul drainage strategy and consequent effects on the environment. We agree with these assertions and suggest that the application be **refused**.

Developer Interest

Viability and deliverability are key principles within the NPPF. As stated previously, we strongly question the deliverability of the site for residential development. Due to the number of issues set out above, especially costs associated with infrastructure, contamination mitigation, affordable housing and provision of local services and facilities proposed (including an increase in public transport) it is difficult to see where a level of market interest will come from.

There are several other sites within the area which could be brought forward for development either now or through the Site Allocations process. The alternative sites are likely to be far more desirable, sustainable and deliverable.

This raises serious doubt as to whether the site would ever come forward, even if consent was granted. On this basis, it is therefore considered that the application should be **refused** planning permission.

3. Availability

Drainage / Foul Sewage

As set out above, YW objects to the application on the basis that they have serious concerns because of the risks associated with the foul drainage strategy and consequent effects on the environment. We agree with these assertions and ask for the application to be **refused**.

Third Party Land / Interest

According to Certificate B of the planning application form, 19 individuals have been served notice in respect of the application. As stated above, we remain concerned over the ability to deliver the site and this includes the need to deliver part of the scheme on third party land. It is our understanding that the local landowners do not support the scheme and would therefore resist releasing their land for such development.

As the site is not considered available for development, the application should be **refused**.

4. Accessibility

Isolated Development

Since the development is not linked to any existing settlement or community, the scheme must be defined as a truly 'new settlement'. Such settlements have to be internally largely self-sufficient to meet sustainability criteria. There is no likelihood of this being achievable even when fully built-out due to it being so isolated from any other existing 'serviced' settlement. The Inspector during the UDP Inquiry had the same conclusions and the site was discarded as an allocation on such grounds. The application should be **refused** on the same grounds as raised by the Inspector in 2006.

Commuter Hub

As the site is in close proximity to the A1, the site is ideally placed to attract the car user as there is convenient access to the motorway network. It could become a commuter hub with a significant number of residents commuting to nearby cities such as Leeds and York, rather than creating a self-contained settlement. This would create a significant increase in traffic on the existing highway network and support unsustainable living. The approach contradicts the principles of the NPPF. The application should therefore be **refused**.

5. Principle of Development / Premature Development

The application site is not identified as an allocation for future development in adopted policy and, whilst some of the site may be identified as brownfield, the land remains within open countryside and contains important greenfield land within the site boundary.

The site is therefore in conflict, in principle, with both current national and local planning policy.

National Planning Policy Framework (NPPF)

Whilst the NPPF does promote the boost of housing supply to help meet the need and demand in areas, the NPPF also requires sites to be sustainable socially, environmentally and economically.

As set out above, we have acute concerns over the sustainability of the site, particularly in respect of its location and proximity to existing services and facilities (including public transport).

The proposal involves much more than a limited amount of housing and is not infill development or peripheral expansion of an existing settlement. In fact, the site can be described as a 'new settlement' with limited proposed services and facilities associated with it.

Although there is existing employment on the site, there are no existing or established residential uses on the site. The proposal is considered to constitute a new settlement and its viability and sustainability should be examined as such.

This site is not considered to be located adjacent to the main urban area and therefore considered to be rural in nature and located in open countryside. On this basis, the development of the site for residential development does not comply with any of the criteria set out in paragraph 55 of the NPPF.

Further comments relating to the Core Principles of the NPPF have been set out above and demonstrate that the application does not comply with the NPPF.

UDP (2006)

The application site was comprehensively assessed during Public Inquiry as part of the review of the Unitary Development Plan in 2006. The site, after much deliberation, was dismissed outright for residential development by the Planning Inspector.

The Planning Inspector at the UDP Review in 2006 concluded that the site was not sustainable and was unlikely to be ever become sustainable due to its location, accessibility and the ability to sustain sufficient local services and facilities. Although the policy framework has changed somewhat since this time, the principles of sustainable development remain valid.

The Inspector's conclusions still stand and this site should not be considered suitable or sustainable for large scale residential development. We **strongly object** to the application on the reasons set out above. The application should therefore be **refused**.

Core Strategy

The proposal conflicts with the emerging Core Strategy. It fails to deliver housing development in a sustainable location in association with the settlement hierarchy; an objective set out in the Core Strategy (objective 8).

Furthermore, objective 16 requires the Council to "Ensure new development takes place in locations that are or will be accessible by a choice of means of transport, including walking, cycling, and public transport"

The Core Strategy states that it would only support a new settlement in a rural area if it "functionally requires a rural location" (paragraph 4.1.15). The application therefore fully conflicts with the objectives and vision of the Core Strategy.

It also conflicts with policies in the Core Strategy such as Spatial Policy 1, Spatial Policy 6, Spatial Policy 8 and Spatial Policy 13. The application site is also diametrically conflicting to the Spatial Vision set out in chapter 3.

Site Allocations DPD

There are 32 sites identified in the Site Allocations document (within the Outer North East Leeds Area) considered to be 'green' or 'amber'. Of these 32 sites, Thorp Arch Trading Estate is identified as being the 6th worst site for development in the Sustainability Appraisal. We further consider the site to be worse than determined as part of the Sustainability Appraisal. Please see our comments above for further details.

Furthermore, West Yorkshire Ecology also objected to this site being allocated for future residential development due to the adverse impact the development would have on the existing biodiversity. West Yorkshire Ecology went on to say that "granting this outline permission pre-empts the LDF process and in our view is premature".

As this site is contrary to existing policy and is not currently identified as a site allocation, it is considered that this application is both premature and should be **refused** planning consent.

Conclusion

According to the NPPF, paragraph 196, "the planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan". It is considered that this planning application does not comply with existing national or local planning policies and should therefore be **refused** permission.

In addition to the 'principle of development', it is considered that the application site is not a suitable, sustainable or deliverable site to accommodate the scale and type of development which is being proposed. There are serious concerns relating to the viability and deliverability of the proposal, as set out above.

The applicant is not a developer and does not profess to be one. Therefore, if consent is granted, the applicant will, more than likely, look to sell plots to the house builders. At this stage, the estate will lose control over the scheme and that what has been proposed on all the indicative plans submitted as part of the application will significantly change.

We therefore urge the above application to be **refused** based on all the issues and concerns raised in this objection letter. It is considered that if this application is approved the Council would be setting a precedent for this type of development which would encourage adding large scale housing to remote employment sites across the rest of the City and within other jurisdictions.

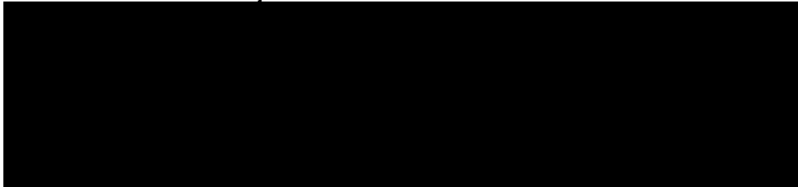
Whilst Thorp Arch Trading Estate Action Group **object** to the proposal submitted, it is accepted that Thorp Arch and Walton should take a reasonable share of housing through the planning process, reasonable share being around 20-30 house for Thorp Arch, if suitable, available, achievable and deliverable sites can be identified.

Furthermore Thorp Arch Trading Estate Action Group is not opposed to Thorp Arch Trading Estate continuing as a trading estate. It remains essential to deliver employment uses.

We would be grateful if you could take these material considerations into account when considering the application and, on the reasons set out above, we seek application **13/03061/OT** be **refused**.

If you have any queries regarding the content of this letter of objection, or wish to discuss anything further, please do not hesitate to contact me.

Yours faithfully



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