

**Walton Neighbourhood Plan Examiner's Questions**  
**Joint Response by the Qualifying Body (Walton Parish Council) and the Local**  
**Planning Authority (Leeds City Council)**  
**May 2018.**

On 19<sup>th</sup> April 2018 Rosemary Kidd, the Independent Examiner for the Walton Neighbourhood Plan, issued a set of questions and matters for clarification. This response has been prepared jointly between Walton Parish Council (WPC) and Leeds City Council (LCC).

- 1. *Would you confirm the date of the parish boundary review? Section 1.2 of the NP states 2015 whereas para 1.2 of the Basic Conditions Statement says 2014.***

WPC response: The Parish Boundary Review came into effect on 1<sup>st</sup> April 2014.

- 2. *Would the QB confirm that there are no other neighbourhood plans relating to the area?***

WPC response: There are no other neighbourhood plans relating to the designated Walton Neighbourhood Area.

- 3. *Paragraph 6.2 of the Basic Conditions Statement states that due regard has been given to Human Rights. Would the QB provide me with further information or an assessment of how the impact on human rights has been assessed? In particular would you comment on how the views of hard to reach groups have been sought?***

WPC response: We firmly believe we have satisfied Human Rights principles in all aspects of the Plan. The Consultation Statement clearly reflects our guiding principles and our subsequent actions clearly evidence our delivery.

Our aims as expressed in the Consultation Statement:

- Ensuring that the community voice was heard and that the Plan was suitably and strongly informed through a positive, open ended and effective process of direct engagement.
- Ensuring that the Plan was compliant with local and national regulations in respect of planning and other specific development proposals.
- Ensuring that the Plan best met the future needs of the population – both the current residents and those who might wish to live in this Parish.
- Ensuring that small group and sectional interests were properly considered.
- Ensuring that the village and the broader community fully understood what the Plan looked like and recognised how their views had added shape to the future of Walton.
- Ensuring complete transparency in the processes and procedures that underpinned the development of the Plan.

We met these aims by:

- Encouraging and creating face to face conversation and discussion through meetings and open village hall events.
- Delivering full and effective village coverage with supporting questionnaires and regular village mail drops.
- Constructing questions which were open ended and not simply designed to achieve a preferred option.
- Providing feedback on the results of all meetings and questionnaires – again through mail drop and web site commentaries.
- Constructing ways that ensured that small group interests were treated as important and significant.

Walton is a very small parish with the large majority of its resident population located in the village itself. At Census day 2011, there were 225 people living in the parish making up 96 individual households. The size of the village makes the direct personalised approach more feasible and achievable.

To further evidence our commitment:

- Care was taken to deliver (by hand) letters, surveys and invitations to events to all households throughout the parish.
- Every attendee to the village events was met, welcomed and encouraged to participate by a member of the Steering Group.
- Specific and focused events were put in place to engage with the business and farming communities, both groups typically difficult to engage with through normal arrangements. Three meetings were held with representatives from the Thorp Arch Estate (TAE), and a presentation was given to the TAE Business Consultative Forum. Focused and specific engagement was held with certain farming interests to gather their views for the future of our Parish.
- On the elderly and the less mobile, account was taken of their particular needs and, notably, we have responded immediately with the introduction, through LCC, of 12 dropped kerbs to improve access around the village.
- On the young, again, account of the views of children and parents has led to a project (nearing completion) to create a children's playground.
- The Steering Group also discussed the position of other small groups within the Parish (e.g. church groups, local political leaders, key landowners) – and gave careful consideration as to whether a specific and additional set of conversations were necessary.

We believe that we have properly discharged our Human Rights responsibilities and we can evidence positive outcomes from those considerations.

***4. As LGS2 is a proposed open space, it does not satisfy the requirements of NPPF para 78. Would the QB comment on the alternative of allocating the site under Policy HG2.***

WPC response: It is unclear why proposed LGS2 does not meet the requirements of NPPF paragraph 78, although it is accepted that this site could be allocated as a new green space as per Policy HG2 as it satisfies both criteria of Policy HG2 and has been subject to extensive consultation with the community.

**5. As LGS3 is agricultural land, it does not satisfy the requirements of NPPF para 78. What evidence does the QB have about the historic significance of the ridge and furrow on site LGS3? I can find no reference to it in the Walton Conservation Area Appraisal.**

WPC response: It is unclear why proposed LGS3 does not meet the requirements of NPPF paragraph 78 as a Local Green Space designation does not require there to be public access to the site, nor does its designation.

With regard to proposed Local Green Space 3 (Ridge and Furrow Field), there is supporting evidence that demonstrates its historic significance:

- The Ridge and Furrow Field (LGS3) exists in the farm records from the late 1800s. The ridge and furrows were intended for drainage purposes which make it unique as it was designed as grassland.
- At least four generations of the owning family have retained this land, which possibly dates back to the enclosures. The land format is older than most of the current buildings in the village with the exception of the church.
- The Walton Conservation Area Appraisal does mention Ridge and Furrow as archaeological features on page 8, paragraph 1. It notes them on the fields to the north of the Church.

The land under LGS3 has been proposed as:

- It also has ridge and furrow features.
- It lies within the Conservation Area.
- It is a good and obvious example of the both the Croft and Toft layout (with Ivy House Farm) and Ridge and Furrow as it is easily visible from School Lane.
- Feedback during the consultation process was significantly in favour of this land being designated as a Local Green Space.

There was a broad village recognition of the historic importance of these sites.

**6. As worded Policy HG2 will seek new green space provision on all housing developments to address the deficits as identified in Table 1. Would the QB explain how they intend that this policy is to be interpreted by decision makers bearing in mind that the Parish Council is working to deliver a new children's play area on land adjacent to the Village Hall and a village green is proposed on the site on Springs Lane. Would they clarify whether green space should be sought on other development sites or whether CIL contributions from other housing developments will be used to deliver the proposed sites?**

WPC response: In respect of additional green space provision, the Parish Council has already agreed with the landowner of the proposed Springs Lane site to incorporate

additional green space within the development as demonstrated by the MOU between the landowner and the Parish Council.

It is, nevertheless, felt that all sites should seek to improve the green space and connectivity within the Parish. It is acknowledged that each site has differing potentials to achieve this, depending upon the constraints of the site. In cases where sufficient green space might not be achievable directly on the site, off-site contributions will be sought. The CIL payments will be used to address community identified objectives elsewhere in the village, including additional green space.

The Parish Council will continue to work with the landowners of potential development sites to incorporate green space and connectivity within their proposed developments. One of the land owners (of H4) has already committed to providing a public right of way across his land to facilitate a circular village walk.

***7. Has any background evidence been prepared to support the selection of the key viewpoints from the approach roads?***

WPC response: The initial selection of viewpoints was made by the Steering Group and agreed by the Parish Council. The Steering Group represents many generations living in the Parish, with a close and comprehensive knowledge of Walton. As part of the plan-making process, members of the Steering Group regularly walked around the village to exchange ideas and undertake surveys. This served to confirm what the Steering Group had already believed was important as gleaned from informal thoughts, experiences and discussions within the village during the plan preparation period and over previous years.

During the informal engagement on the Plan, as well as the formal pre-submission consultation, no additional views were suggested and no representations were made against those key views presented in the Plan.

Given the size of the village, the dominance of the church on the skyline, the existing walking and cycling routes and the configuration of the roads into and out of the village, the selected viewpoints were natural, logical, obvious and consistent with long-held local opinion. The views reflect and celebrate local character and geography.

On the Church, the long-range views towards and from the Church are identified in the Walton Conservation Area Appraisal on page 9. The significance of these particular views is noted on pages 8 and 10, with page 10 stating "The Parish Church remains the key landmark. Its elevated position and tower give it a high visibility within the landscape. In the immediate vicinity it is particularly noticeable from the lower land to the north and south."

Maintaining the views of the Church and from the Church has always been a very strong theme throughout the consultation process. It is absolutely central to the village heritage.

***8. Policy T1 seeks contributions towards traffic calming. Would the LPA comment on whether this policy is appropriately worded in the context of CIL. Would it more appropriate to have a generic policy on infrastructure provision and CIL?***

LCC response: Traffic calming / control measures are not on the Reg 123 list so it would not be unreasonable to request Section 106 funding of these if they were required. Alternatively, the Parish Council could propose that the specific traffic calming scheme that they would prefer is a scheme they want to fund from their own CIL monies.

The infrastructure schemes included on the Reg 123 list include public transport schemes and PROW schemes only. The Council would therefore support the specific wording as site requirements for the sites proposed.

***9. Have all potential site options been considered? How were the 7 potential housing sites selected? Was there a call for sites? How were sites that had been previously refused planning permission considered? Why were other sites closer to the village in the conservation area not considered?***

WPC response: The plan was prepared with a strategic approach that was focussed on ensuring a vibrant, sustainable and successful village long into the future. Key to this is meeting the housing needs of local people and attracting new residents who will contribute to village life. This can all be done by not only protecting but enhancing what is already special about Walton.

Sites were selected with the following considerations in mind:

**Early engagement** - There is a strong community appetite for a measured level of housing development to meet the needs of younger people and older people seeking to downsize. There was no appetite for any significant infill development or intrusion into the Conservation Area (the Coal Yard site being an exception as its development provides the opportunity to enhance the village from an amenity and architectural perspective).

**Vision and objectives** – all sites were assessed against sustainability objectives that had been developed throughout the early plan preparation process and endorsed by the local community. The proposed 3 sites together support the vision by enabling existing residents to remain in the village and welcoming new residents to the village.

The Springs Lane site, (mix of housing, village green, accessibility to nearby facilities cricket pitch, connectivity / footpath)

The Coal Yard site, (reducing HGV traffic in village centre, providing downsizing opportunities, regeneration of a brownfield site)

The Hall Park Road site, (accessibility, footpath, downsizing opportunities)

**Conservation Area** - to ensure that new development does not detract from the Conservation Area or the character of the village more generally. Importantly, any new development in the Conservation Area should enhance it.

**Previous planning refusals** - where planning permission had been refused in the past and it was not felt that there had been a change in circumstances these sites were not considered (with one (Hall Park Road) exception, where the specification had altered

significantly from the original application). To do anything different would put the plan at risk of not being in general conformity with local strategic policies.

**Openness of the process** - The selection of sites for consideration was an entirely open process from the early stages of plan preparation right through to Pre-Submission Consultation. Thus, the emerging Plan did not only rely on the selection of sites by the Steering Group (in consultation with the City Council) but on a process that allowed new sites to be added.

**Sustainability** - to deliver the new housing to meet local housing needs over the plan period and to protect the historic character of Walton it was felt that a mix of sites would be the right balance for the overall sustainability of the village. In particular, to seek to deliver a similar number of units as proposed in the draft plan on a series of infill plots would have a negative and irreversible impact on the village and its historic character and feel.

**Viability and deliverability** - Sites closer to the village centre were considered but these were not progressed because they failed to satisfy aspects of the key criteria: an adverse impact on the village (local character and important sightlines of the church); too small for a village green to be incorporated; failure to capture the cricket ground and to bring it more centrally into the village and in certain cases, the greater challenge to deliverability.

**So, these carefully selected sites**, in combination, will successfully deliver a manageable population increase; will create the opportunity for a mix of housing types and most importantly, will support the development and access to key community facilities in positive, creative and assured ways. In short,

- The cricket ground becomes more included into the village.
- The potential for a circular village path can now be realised.
- The balance and distribution of new houses will guarantee sustainability without overwhelming the village.
- Further green space and a village pond will become a reality.
- The central brown field site will provide an outstanding opportunity to enhance a 'conservation design' and so the heritage value and the conservation aspects of the village will be improved.

So, the housing policies directly, substantially and strongly support the Vision and Objectives of the Plan

***10. The representation from Deborah Casey refers to an infill plot which they have put forward. Would the QB supply me with a map of the site and explain why it was not included in the sites assessment.***

WPC response: The correspondence (including a small sitemap) with Deborah Casey is provided in the Evidence Base to the Consultation Statement: <http://www.walton-pc.gov.uk/new/wp-content/uploads/2018/02/46-Note-from-DC-Plot-Proposal-25-09-2017.pdf>.

As a reminder of context, the planning process was based on a strategy of balancing

the need to secure the ongoing sustainability of the Parish whilst maintaining the distinctive legacy and heritage of Walton. The supporting objectives and policies were partly about re-orientating the village around the most-used and highly valued facilities (the village hall and the cricket ground). They also aimed to provide opportunities for developing community benefits across a range of potential facilities. The housing sites were carefully chosen deliberately and consciously to meet these requirements.

The Steering Group was aware that Deborah's site had been presented to the village by the landowner some years ago, with a view to seeking support for a planning application. The Group was equally aware that no further action had appeared to have been taken in progressing a planning application.

As the Neighbourhood Plan developed, Deborah's site was not included in the site assessment simply because it was not offered up as a site option over the many months during which the community considered potential sites. Deborah was present at some of the village events but it was only latterly (Regulation 14 Pre-Submission Consultation) that her request for inclusion of the site was received.

It was put to Deborah that the inclusion of the site at such a late stage would unfairly shortcut the comprehensive consultation approach that had been taken with the site assessment process. The Steering Group believed that any such retrospective decision would have been unfair and unreasonable.

Whilst it remains unclear whether the offer would have been acceptable to the community, the infill nature of the proposal within the Conservation Area will have been contentious, given the clear heritage preservation wishes of the village. On the face of it, it was not an option that fitted directly with the forward plan for the village.

The Steering Group also recognised that if any planning issues associated with the request were not entirely straightforward, it would be better, in the first instance, to test the site through the formal planning application process. We saw no justification in simply adding it to the Neighbourhood Plan.

We believe that we have taken the correct approach on this matter.

***11. The Housing Sites Assessment included only one parcel of land that is large enough to accommodate the open space being sought and a good mix of housing; however, this is at some distance from the existing built up area and community facilities. Would the QB and LPA explain whether other similar sized parcels of land closer to the village were considered in the initial review of potential sites and the reasons for not including them in the full sites assessment?***

Joint LCC and WPC response: Other parcels of land were considered but found to be of smaller size, less suitable, less acceptable, less viable and contrary or unresponsive of the Vision and Objectives agreed by the community. On the closer sites, there were invariably concerns over the views to and from the Church and the concern to maintain its prominent and highly visible position overlooking the village. Reasons are detailed within the Housing Sites Assessment document.

A major benefit of the preferred Springs Lane site is the impact of consequential village realignment, with the cricket ground becoming more centrally positioned. This together with some important and associated path connections will create a coherence and an impact in bringing together a new circular village walk, a ready access to a new green space and pond, a direct connectivity with the village hall and the incorporation and ready availability of a new children's playground. The Springs Lane site brings an absolute coherence to the shape of Walton's Vision, Objectives and Policies. It represents a critical link.

On the question of distance from the village, the Springs Lane site is less than 250 paces from its closest neighbour and the site itself faces immediately and directly onto the cricket ground with an existing connecting path to the Church and to the village centre. There has been no suggestion that any of this is unreasonable – indeed there has consistently been an expressed strong community wish to 'join up' these various village facilities, not least for the benefit of the heathy walking opportunities signaled by such developments.

On connectivity and safety, the Parish Council has been working with LCC to seek agreement on a more direct pedestrian path adjacent to Springs Lane into the village. Such a development is important given the growth of the cricket club and the increase in its young members.

***12. Policy H2 and Policy T2 – development at Springs Lane - has an assessment of the deliverability of the site and the proposed form of development been undertaken? Has the QB sought the views of potential developers as to whether the requirements for highway improvements, footpaths, landscaping and the village green make the scheme viable and deliverable?***

WPC response: The Parish Council and the Steering Group have worked with the landowner of the Springs Lane site on all aspects of the proposal. The landowner has scoped and scaled the work and a number of key principles regarding this are set out in the MOU with the Parish Council.

Given the high value market in the area and the MoU with a local landowner who is passionate about the long term sustainability of Walton it is not considered that a detailed viability assessment has been needed. The landowner is committed to overseeing the development and to the delivery of a project that fully accords with the Vision of the village.

Leeds City Council has been fully consulted and, on their advice, the development will incorporate a separate connecting road off Springs Lane.

***13. Policy BE2 gives the example of live-work units as a means of the diversification of land based businesses. Is it intended that this policy applies throughout the parish outside Thorp Arch Estate? In which case the provision of new dwellings in the form of live-work units would have to be carefully justified under NPPF paragraph 55.***

WPC response: It is the Parish Council's intention for Policy BE2 to support the appropriate diversification of businesses in the Parish (both land-based and those conducted from home).

With regard to the specific live-work aspect of the Policy, it is intended to show support for those in the village who work or run a business from home and may need ancillary office accommodation, for example, above a garage, which would require a change of use. It is intended that the Policy refers to existing properties only and not the development of new live/work units.

It is not the intention of the Policy to support the development of isolated live-work units in the countryside.

***14. Has it been agreed to progress with a design code for the Thorp Arch Estate? Do the LPA have any views on the implementation of the final part of Policy BE3?***

LCC response: There have been previous planning applications for the Thorp Arch Estate, and these were to develop the site comprehensively for large scale housing. As part of a previous application the Applicants were asked to produce and did produce a 'Design Code' for the site in relation to determining Character Areas and the like in a comprehensive meaningful manner. There was a Design Code submitted as part of the 2013 application for the redevelopment of a large part of the Thorp Arch Estate as a new village. However, that application was ultimately withdrawn and accordingly that Design Code has no status.

Application 16/05226/OT, which is now the subject of an Appeal, did not contain a Design Code as submitted. However, the Applicants did submit an Additional Design and Access Statement Addendum, entitled 'Design Code Principles', dated 25<sup>th</sup> November 2016.

The Council would support the implementation of the final part of Policy BE3.