

Garforth Neighbourhood Plan – Independent Examination

Response to Independent Examiner’s Initial Matters for Clarification (20th January 2023)

The following response is provided by Leeds City Council as the Local Planning Authority and Garforth Neighbourhood Forum as the Qualifying Body.

Issues on which clarification from [Leeds City Council](#) would be helpful:

Which documents comprise the development plan for the neighbourhood area?

- Leeds Core Strategy (November 2014) (as amended by Core Strategy Selective Review, September 2019)
- Site Allocations Plan (SAP), July 2019
- Natural Resources and Waste Local Plan (NRWLP), January 2013; revised Sept 2015
- Saved Policies of the Unitary Development Plan (UDP), 2006
- Plus [Adopted Supplementary Planning Documents \(leeds.gov.uk\)](https://www.leeds.gov.uk)

Garforth urban boundary - is the urban boundary of Garforth explicitly defined in planning policy or is the only defined boundary that of the Green Belt (as shown in Map 12)?

There is no planning policy that explicitly defines the Garforth boundary; however the Neighbourhood Area boundary is logical and follows neighbouring parishes and natural boundaries. The Designation Report for Garforth states the following:

The Neighbourhood Area is largely dictated by parish boundaries. In total, five parishes border onto Garforth, including Barwick in Elmet and Scholes, Aberford, Ledston, Kippax and Swillington. Only the north eastern boundary is not defined by a parish. This follows a strong physical feature in the form of the M1.

GNPF’s application for designation states the following:

The proposed Neighbourhood Area reflects the boundaries of the former Garforth Urban District Council. LCC along with Government data and statistics recognise the designated boundary as representing the Garforth Community

Does Leeds City Council maintain a register of non-designated heritage assets having a degree of significance meriting consideration in planning decisions (as cited on its [website](#)) and does it consider the fact of a building being on the 1890 OS Map to be sufficient evidence alone to warrant its inclusion in such a register?

The Council does not have a local list as yet but will have one this year, likely late spring or early summer when the West Yorkshire Local List project concludes. This will be an interactive digital platform which will allow members of the public to nominate assets which will be assessed by the constituent local authorities and if judged to meet the threshold of the published criteria will be included in the local list as non-designated heritage assets. The Council has an existing unpublished database of NDHAs from NPs, SAP sites and the Aire Valley Area Action Plan which will be uploaded to the local list.

Regarding the second part of this question, The Council's view is that the fact that an extant building is on the 1890 OS Map is not sufficient evidence alone to warrant its inclusion in such a register. It is certainly part of the evidence base, but The Council is assessing buildings as they currently are, and they could have been changed beyond recognition and their significance thereby erased.

GNPF have commented on this query that 'The photos in the plan have all been taken in the last 2-3 years. Some of the features may have been changed since 1890, but the majority are still clearly in evidence.'

What is the planning status of Lotherton Industrial Estate (Map 7, Policy BETC1)?

The area identified in Character Area 5 as Lotherton Industrial Estate is not allocated as a whole by LCC. The area identified on Map 7 as Lotherton Industrial Estate was not allocated as it is an existing industrial and commercial estate. This area is a mix of mostly industrial and some commercial development, including a relatively recently built retail park. Also identified on Map 7, and part of character area 5, is the Newhold Estate which has 3 general employment allocations within:

E3B:4 (EG1-42)

E3B:4 (EG1-41)

E3B:4 (EG1-40)

There have been several applications within the area identified as Lotherton Industrial Estate due to the recent development of the retail park on the site of the former Miami Building. Major applications include:

Miami Building:

- Outline application for the demolition of existing building and erection of development comprising foodstore, petrol filling station, car parking, means of access and associated works. Former Miami Building Lotherton Way Garforth Leeds LS25 2GE Ref. No: 14/03109/OT | Received: Tue 27 May 2014 | Validated: Tue 27 May 2014 | Status: Application Approved
- Hybrid application for demolition of existing buildings and for full planning permission to erect food store (Use Class A1) including associated access, parking and landscaping and outline planning permission for retail development (Use Class A1) and public house (Use Class A4) Miami Building Lotherton Way Garforth Leeds LS25 2GE Ref. No: 16/00749/OT | Received: Thu 04 Feb 2016 | Validated: Wed 10 Feb 2016 | Status: Application Approved – followed by:
 - NMA 17/9/00005/MOD – Approved
 - 13 Approved Discharge of Conditions:
 1. 18/05551/COND
 2. 18/04784/COND
 3. 18/01602/COND
 4. 18/01233/COND
 5. 17/05652/COND
 6. 17/03705/COND
 7. 17/03451/COND
 8. 17/01456/COND
 9. 17/01299/COND
 10. 16/08022/COND
 11. 16/07585/COND
 12. 16/06932/COND
 13. 18/00465/COND
 - Discharge of condition 18/01293/COND – Pending consideration

- Variation of conditions 33 (sales of convenience goods) and 34 (minimum unit size) of approval 16/00749/OT to remove restriction on convenience goods sales and to sub - divide unit 2 into 2 separate units. Miami Building Lotherton Way Garforth Leeds LS25 2GE Ref. No: 18/00250/OT | Received: Thu 11 Jan 2018 | Validated: Mon 15 Jan 2018 | Status: Application Approved – followed by 2 DOC applications - Split Decision 21/07216/COND & Pending Consideration 21/07216/COND
- Veterinary surgery (D1) including landscaping and car parking spaces Miami Building Lotherton Way Garforth Leeds LS25 2GE Ref. No: 17/00543/FU | Received: Fri 27 Jan 2017 | Validated: Fri 27 Jan 2017 | Status: Application Approved – followed by approved DOC 18/06523/COND & 18/01106/COND
- Reserved Matters application for retail development (A1) and public house (A4) Miami Building Lotherton Way Garforth Leeds LS25 2GE Ref. No: 17/00357/RM | Received: Thu 19 Jan 2017 | Validated: Thu 19 Jan 2017 | Status: Application Approved – followed by approved NMA 18/9/00099/MOD

Other

15 applications plus associated discharge of conditions from October 2005 onwards for industrial and storage uses, 3 of which were withdrawn and 2 of which were refused, plus 1 application for change of use to children's activity centre (06/06272/FU, refused)

Does Leeds City Council consider the identification of Green Spaces in the Site Allocations Plan 2019 and shown in Map 13 as consistent with these sites being designated as "Local Green Space" for the purposes of national planning policy?

The Council believes the additional layer of protection afforded by Local Green Space designation to be appropriate. The designation of Green Spaces within the SAP took place based on surpluses and deficiencies. The NPPF (2021) Paragraph 99 states that such spaces should not be built on unless:

- a) *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) *the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*

The NPPF goes on to state in paragraph 101 that 'The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them.'. The reasoning for the additional designation has been provided on page 56 within the Plan

The 24 green space sites designated in the SAP within the Garforth Neighbourhood Plan area have been identified by Leeds City Council on Map13. These sites, whilst offered some protection through the SAP are still vulnerable to speculative development proposals and development can be justified if a satisfactory alternative is provided. These sites G1226, G1487, one section of HG2-124 and other SAP designated green space sites do not benefit from a Local Green Space designation. This would make it more difficult to develop them in a way that is inconsistent with their greenspace function and would safeguard their green space use in the future. Due to Garforth's green space deficiencies and vulnerability to development these sites have been proposed as Local Green Spaces.

Did Leeds City Council consider any of the additional sites identified in Policy GSRE1 during preparation of its Site Allocations Plan and are details of any assessment available?

In May 2017 an update of Green Space in Leeds was undertaken which was formalised in a Background Paper. As a result, the existing Green Spaces in Leeds were predominantly kept and designated. The Background Paper is available here: [CD1-32 Greenspace Background Paper Submission Draft, May 2017.pdf \(leeds.gov.uk\)](#)

Is it Leeds City Council's intention to include site specific policies from the neighbourhood plan on its Policies Map, including online?

It is not Leeds City Council's intention to include site specific policies from the Garforth Neighbourhood Plan on the Policies Map. This is consistent with the approach taken for other made Neighbourhood Plans and is due to the complexity of including Neighbourhood designations alongside a large number of Local Plan site specific policies that apply across Leeds district. However we are working to develop a dedicated and publicly available Neighbourhood Planning mapping resource that should allow site specific Neighbourhood Plans policies to be viewed alongside the Local Plan Policies Map. When available this would include any site-specific policies in the Garforth Neighbourhood Plan

Questions for GNPf

There are a number of points on which further clarification from [Garforth Neighbourhood Forum](#) would be helpful (and any additional comments from Leeds City Council would also be welcome)

1. Policy HBE1 - Is further clarification as to the intent of the second sentence available - for example would the development of 23 dwellings with six 2-bedroom and six 4-bedroom satisfy the intention?

The intention, based on the evidence and responses, is to support an increase in the number of smaller and larger house types in new developments. Currently, the majority house type in Garforth is the 3-bedroom semi. The need in the future is for more 2 bedroomed houses and more larger houses. The policy aims to address this need. An alternative approach would be to remove the second sentence entirely, relying on the last phrase of the first sentence.

2. Policy HBE9 - What is the rationale for selectively referencing some Local Green Spaces and non-designated heritage assets and what is the justification for identifying those selected and not others?

The intention was to bring out the key features of each Character Area. However, on reflection, it is clear that naming some greenspaces and NDHAs and not others does appear inconsistent. Any suggestions you had would be welcome. For example, it might be simplest to remove any specific references to NDHAs and Local Green Spaces as these are covered in other policies.

3. Policy HBE12 - Are any further details of the assessment based on Historic England advice referenced on page 29 available in addition to Appendix 2 to justify the identification of the non-designated heritage assets

Page 29 states:

These candidate NDHAs were assessed using Historic England's guidance on Local Heritage Listing and guidance provided by the LCC Conservation Team. The assessment was based on

local knowledge, historical maps, a visual appraisal and photographic evidence. Those assets considered to have sufficient heritage value (in accordance with Historic England's criteria) have therefore been identified as NDHAs in the Neighbourhood Plan.

Historic England's guidance, consultation with the Conservation team of Leeds City Council and local knowledge were used in establishing the case for having the list accepted as NDHAs.

4. Policy HBE13 - Is there a definition of infill site for the purpose of this Policy?

The definition comes from Paragraph A5.4.5 of UDP review Vol 2 appendices: 'Such development is defined as the filling of a small gap within an existing small group of buildings.' The definition will be added to the Glossary.

5. Policy HBE13 - Are there any greenfield sites without an extant planning consent within the Garforth neighbourhood area that are not within the designated Green Belt?

Not at present. However, two recent planning applications, both of which were rejected by LCC may fit this category. Garforth Cricket Field – 19/0248 and East Garforth School – 21/09667. The LCC Core strategy policy G6 permits development on all green space sites providing the stated criteria are met.

6. Policy BETC1 - The Policy identifies four sites and Map 7 identifies two sites - what is the location of the remaining two sites and is the Lotherton Industrial Estate considered to already be allocated?

The Industrial Estate is allocated in the SAP.

The Map only shows Newhold as one block. However, in the SAP, the 3 references EG1 40, 41 and 42 refer to 3 Plots within the Newhold Estate, viz Plots 17, Plot 9 and Plots 3-5 respectively.

7. Map 8 - What is the rationale and evidence supporting the Town Centre Boundary depicted?

The boundary is consistent with the SAP designated Town Centre. On P.432 of the SAP there is the map of Garforth Town Centre which was used.

8. Policy BETC4 - What is the evidence supporting a restrictive approach to Hot Food Takeaways beyond the consultation feedback provided at the Green Lane Workshop in 2015?

LCC produced a Hot Food Takeaway Supplementary Planning Document (April 2019) the guidelines in which have been followed. In addition, the Leeds Observatory health profile for the Ward confirms that the incidence of obesity is one of the highest within the city. 30% of Y6 pupils are overweight.

9. Policy BETC8 - What is the rationale and evidence supporting this approach to Town End given it is not referenced in the supporting text? Is Town End considered to be part of the "Town Centre"? Does Town End relate to the public realm or does it include the buildings within the area shown in Map 9?

Town End Terrace is a cul-de-sac off Barrowby lane. However, most Garforth residents refer to the area around the junction as Town End. Town End is considered part of the Town Centre, though it

does not appear so on LCC's SAP map of the same. The development of Town End relates to the public realm. The justification comes from the need to make Main Street a "destination" to ensure its survival. There is evidence in the 2020 Main Street Topic Paper (available under Evidence tab on GNPF website) produced by LCC's Neighbourhood Planning and Engagement Team which includes reference to improved signage and the opportunity for public realm improvements. SWOT analysis of comments from residents at the 2018 Garforth Gala listed the lack of destination as a weakness. Also mention was made of the need to make Main Street more attractive.

10. Policy BETC9 - What is the rationale for only a part of the proposed car park being included within the Town End boundary? What is the evidence for a lack of capacity in existing car parking provision justifying support for a new public car park?

No specific rationale. The whole car park area can be included. Lots of evidence of parking as a key issue in numerous surveys outlined in section 3.2.3.

11. GSRE1 What is the rationale for excluding site 1321 as identified in the SAP and shown on map 13 from map 16 and policy GSRE1

Site 1321 is the disused railway line (identified in the SAP listed green spaces) This was not included in the list as it is part of a larger area the majority of which is within the Kippax plan. It was deemed to be unlikely to be developed so would not necessarily need the additional Local Green Space protection.

12. GSRE1 Are there any additional areas of green space that were considered for inclusion in the policy and rejected.

In the pre submission plan it was suggested that all the SAP designated green space sites be included within our plan as Local Green spaces. Site G1229 was proposed as a Local Green space as it was given a natural typology designation by LCC in the SAP. However it was taken out at a relatively early stage at the landowner's request. At the 2018 AGM workshop to discuss possible green spaces to be protected many suggestions were made by Forum members. Following a further request to members several more were suggested. The first 19 sites listed in GSRE1 were proposed for designation as Local Green Spaces.

The details of the workshop can be found under the Evidence tab on the first page of the GNPF website.

A change will be made in the first sentence of the policy to clarify that sites 1-19 are to be "proposed for designation as local green spaces".

13. GSRE2 What is the evidence supporting the identified 'order of need' ?

The order of need was based on the deficiencies identified in the SAP Green space background paper for the Outer South East HMCA which was adapted for accessibility for Garforth residents as many of the typologies were only accessible using private or public transport (which was not always possible). These deficiencies are listed on page 120 of the plan in Appendix 3.

14. GSRE3 What is the justification and evidence supporting the locations for new play facilities identified?

The justification for additional play facilities is based on the deficiencies identified on page 120 Appendix 3. Further justification is based on the Leeds Observatory Health profiles for the Garforth and Swillington ward which stated that by year 6 30% of children are overweight. It was considered

that additional play facilities particularly near parts of some large housing estates would help to encourage children to participate in additional exercise.

15.GSRE1-4 Policy GSRE4 includes 2 policies identified as G1232- Goosefield and Long Meadows Shaw Close and GSRE3 also identifies G1232 with a different name Goosefield / Westbourne Avenue. There are other differences in the names used in different policies for sites with the same identification. Is there an agreed list of names for each location? What is the rationale for including Long Meadows/Shaw Close in policy GSRE4 as the only location not also proposed as a Local green space in policy GSRE1?

Two of the sites in policy GRSE4 were identified by the same site number, this was an error. In GSRE4 Goosefield is site G1232, and Long Meadows is site G1231. GSRE3 identifies Site 1232 as Goosefield. The Westbourne Avenue was included to pinpoint the location for many Garforth residents living in another area of Garforth who would be reading plan and who may not have been aware of its location. The Long Meadows green space site is not actually on Long Meadows but on the opposite side of Ninelands Lane just off Shaw Close and is not visible from Long Meadows. These additional names could be removed. In GSRE1 there are also 2 errors. Kennet Lane Meadows should have been removed and Long Meadows G 1231 retained.

16.GSRE5 What is the evidence supporting the location of the Green Corridors in Map 17?

The location of the green corridors was based on the LCC PROW map of the area (map 11). This map was amended to remove the hard surfaced footpaths situated within the housing estates. It also includes a possible extension to the Lines Way based on the original track of the railway line.

17.GSRE6 What is the evidence supporting the location of the ‘Green infrastructure opportunities’ in map 18?

In discussion with LCC’s Neighbourhood Planning and Engagement Team it was suggested that there was an opportunity to include such a policy in order to link up the different green space typologies (identified in GSRE1) within Garforth. Protecting and providing additional tree and hedge planting would produce more nesting sites for birds and habitats for pollinating insects. LCC has a scheme to plant several million trees and addition trees planted along these roads could provide mitigation for vehicle pollution. Most of these routes are taken by children walking to schools within Garforth. Such routes would provide a safer and healthier option for pupils going to and from school.

18.GSRE7 Where is the Green Infrastructure Network mentioned in this policy?

The Green Infrastructure Network is not actually identified in the plan and refers to The Leeds Habitat Network and all the Local Green Spaces within and around Garforth. The wording Green Infrastructure Network will be removed.

19.GSRE8 Where is the existing Lines Way shown on map 17?

This is an error, and the existing Lines Way could have been identified in a different colour. If the proposed Lines Way extension is followed southwest it crosses under the main road A63 and continues south identified in green as a green corridor. Map 17 will need to be amended to identify the existing Lines Way in a different colour and on the accompanying legend.

20.Lines Way extension- How is this proposed extension of the Lines Way shown in maps 17 and 18 addressed by the plan?

This is an error. The proposed extension to the Lines Way whilst not directly addressed within the current plan could be renamed as a potential extension linking up a hard surfaced footpath bordered on both sides with green corridor vegetation which runs through the Long Meadows estate north to Green Lane and the East Garforth station. It will be addressed in the plan as a project.

21.Map 18 – the supporting text on page 74 cites map 18 as showing local landscape features to be protected- where are these to be depicted on map 18?

This is an error. The plan proposes to protect all the sites and networks shown on map 18 but the text should actually refer to map 21.

22.GSRE 13 What is the evidence supporting the location on the 'key Views' shown on map 21. Given a number of these are dynamic views which can be experienced in more than one location how has the site for the views been selected? Is there any further information on what is significant in each view that should not be significantly altered or harmed?

The intention of this policy is to give added protection to the green belt and encroachment from other settlements. The open land around Garforth as shown in these views helps to give Garforth its identity as a separate community. Local people use footpaths surrounding and through these areas, which are valuable for health and wellbeing. Garforth is almost totally developed within its boundaries, two of which are the A63 to the south and A642 to the northwest.

Given that Garforth has been densely developed there are few remaining views or areas of trees which provide a respite from brick buildings and tarmac.

The selection of these sites was taken by the Steering group and reflects the views expressed by Garforth residents throughout the public consultations.

23.GSRE 13 where are the 'trees edging Garforth cliff' shown on map 21 ?

Thank you for highlighting this error on Map 21. Garforth Cliff is located on the southeast section of map 21. The green line identification should be amended to run along the perimeter of the arable and open farmland. The blank / white area to the east reflects the long gardens of the properties along Severn and Acaster drive. The trees are to the east of these gardens forming a boundary line. Map 21 will be amended to show the location exactly.

24.In appendix 3 is the full Green Space and Land Character Assessment available on the Forum website? Please may I be sent a link?

Yes, it is there under the evidence tab, but titled only "Green Space analysis" (title does not include the Land Character Assessment). We will endeavour to send a link.

25.GSRE14 What is the evidence supporting the location of the 'Tree Planting opportunities'?

The sites chosen were the largest green space sites left within Garforth, most of which are the SAP designated green spaces. The opening sentence of the Policy should read, "Leeds Landscape Guidelines."

26. Policy CL1 - How has the list of venues identified in this Policy been identified?

The 2017 Community Facilities and Groups survey (See Appendix 8) was undertaken to establish where all the different groups in Garforth met. Additionally, a review was undertaken in 2022 (See Appendix 7 Community and Leisure) to ensure the accuracy of the list.

27. Policy CL2 - How does Map 10 show "areas of identified parking stress" as indicated in section c)?

The reference to Map 10 will be removed.

28. Policy CL3 - Is it the intention for this Policy in Section 3.5 to apply also to leisure facilities?

Yes, it is. The title will be changed to "New Community and Leisure Facilities". The reference in (b) to Map 10 will also be removed.

29. Appendix 3 - Is the full Green Space and Land Character Assessment available on the neighbourhood forum's website? Please may I be sent a copy or link.

It is on the website under the EVIDENCE Tab. However, the document is Called "Green Space Analysis". We will endeavour to send you a link.

30. Are larger scale maps and/or different base maps available which define the boundary/location where this is necessary to provide necessary certainty in the Plan's policies - e.g. non-designated heritage assets, industrial estates, Garforth Town Centre, Town End, existing designated Green Spaces, Children's Play Areas, Rights of Way Network, Green Corridors, Lines Way, Green Infrastructure opportunities, Tree Planting opportunities, Community facilities

On the first page of the website there is a link to a full set of maps of at least A4 size. If these are not sufficient, please let us know.

31. The Plan includes multiple references identified by a superscript number - does Appendix 7 provide details of all of these and what, for example, is the reference to a Leeds City Council paper on Main Street referenced in the fifth paragraph on page 43?

Yes, Appendix 7 does provide details. The paper on Main Street was accidentally omitted and will now be included. Thank you for highlighting this.