



28 July 2020

Planning Application 17/02594/OT – Land off Racecourse Approach

All members of the Planning Panel have previously commented at the many Panel meetings at which this application has been presented that the site is poorly suited for residential development due to its isolation from Wetherby, lack of sustainability, and the negative effects that it will have on Wetherby.

However, at a Panel meeting on the 29th August, 2019, they concluded that despite their doubts, it had to be accepted because it was in the approved Leeds Site Allocation Plan (SAP), which a Government Inspector had concluded was “sound” and which was approved by Leeds City Council. Accordingly *“the Panel resolved to defer and delegate to the Chief Planning Officer for approval subject to the submission of an amended Masterplan and Access Parameter Plan and following the delivery of a vehicular access into the site from York Road to meet the SAP Site Requirements.”* At the Panel meeting on 30th January the Panel unanimously confirmed that these conditions stand.

The developer now claims that he is prevented from meeting the access requirements because the holder of the land over which the developer wishes to build the access to the York Road is not willing to sell at the price which the developer has offered. We are reliably informed that the agent of the owners of this land have written to Leeds Planners in July 2020 informing them that their clients are still interested in selling their land and that they are discussing offers from other interested parties. Clearly this condition can be met if the developer is willing to pay the price. It is ludicrous to suggest that this development should be further isolated from Wetherby town centre by its entrances being as far as possible from Wetherby in order to maximise the developer’s profits

The SAP also stated that *“A pedestrian and cycle link to York Road shall be provided to the south-west of the site, providing **safe, practical** all year round links to Wetherby town centre from the new housing.”* As has been demonstrated at previous Panels, there are no proposals as to how cyclists and pedestrians are to safely cross the York Road from Carr Lane in order to cycle into Wetherby nor for children to walk to the High School or St James Primary School.

The developer has understood all these conditions in the SAP from its very creation and has never argued against them until recently. Both conditions can be met.

The developer is now threatening to appeal on the grounds of non determination, even though all the delays since 29 August 2019 are of his own making. If the Panel should allow outline planning permission with the SAP conditions removed it will set a precedent for every developer to argue against their SAP conditions, and indeed provide grounds for rejecting sites in SAP since, if the conditions can be removed, then surely sites can also be removed. In addition, approval would also open the Council to legal objections since it will have failed to enforce conditions approved by the Government Inspector.

WE THEREFORE URGE THE PANEL TO REJECT THIS APPLICATION on the grounds that it fails to meet the conditions set in the “sound” SAP. The rider should be that he (or others if he wishes to withdraw) may submit a fresh application once he can demonstrate that he can meet the SAP requirements.

We are convinced that Leeds City Council would win any subsequent appeal on this basis.