

Leeds City Council

Decision Statement – Pool-in-Wharfedale Neighbourhood Development Plan Planning & Compulsory Purchase Act 2004 and The Neighbourhood Planning (General) Regulations 2012

Regulation 18 Decision Statement

1. Summary

- 1.1 Following an independent examination, Leeds City Council now confirms that it is making modifications to the Pool-in-Wharfedale Neighbourhood Plan as set out in Table 1 below. The Plan will then proceed to a Neighbourhood Planning Referendum.
- 1.2 In accordance with the independent examiner's recommendations, the Pool-in-Wharfedale Neighbourhood Plan will proceed to referendum based on the Pool-in-Wharfedale Neighbourhood Area as designated by Leeds City Council on 17th December 2013
- 1.3 This Decision Statement, the examiner's report and the draft Pool-in-Wharfedale Neighbourhood Plan and supporting documentation are available on the Council's website: [Pool-in-Wharfedale Neighbourhood Plan | Leeds.gov.uk](http://www.leeds.gov.uk/pool-in-wharfedale-neighbourhood-plan)
- 1.4 They are also on the Pool in Wharfedale Parish Council website <https://www.poolparishcouncil.gov.uk/>

2. Decisions and Reasons

- 2.1 The examiner has concluded that subject to the specified modifications being made to the Plan, the Pool-in-Wharfedale Neighbourhood Plan meets the Basic Conditions stated and other relevant legal requirements.
- 2.2 The Council accepts all of the modifications and the reasons put forward by the examiner for them. The examiner's reasons and Recommendations are set out in Table 1, followed by the Council's decisions.
- 2.3 The Council is satisfied that subject to the modifications specified in Table 1 below the Plan meets the relevant Basic Conditions mentioned in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with the Convention Rights and complies with the provision made by or under s38A and s.38B of the Planning & Compulsory Purchase Act 2004.
- 2.4 To meet the requirements of the Localism Act 2011, a referendum which poses the question "Do you want Leeds City Council to use the Neighbourhood Plan for Pool-in-Wharfedale to help it decide planning applications in the neighbourhood area?" will be held in the Pool-in-

Wharfedale Neighbourhood Area. It is anticipated that the referendum will take place in October 2025

This Decision Statement is dated 30 July 2025

TABLE 1 Schedule of Modifications Recommended in the Examiner's Report

Modification Number	Page/Part of the Plan	Examiner's recommended changes	Examiner's reason	Leeds City Council's decision
General				
N/A	General Comment		Various references in the Plan are made to the pre-submission plan. Consideration should be given as to whether for the final version of the Plan these add anything or indeed may create confusion. I consider this can be regarded as an editing matter	Agree to modify the text as indicated to comply with the examiner's recommendations.
Green Environment				
1	Policy GE1 and supporting text	Include the Neighbourhood Plan Map submitted and consulted upon in January/February 2025 in the Plan	Firstly, the policy referred to a Neighbourhood Plan Map (NPM) to show the extent of the SLAs, but this unfortunately had not been submitted with other documentation. It has now been submitted and was one of the items further consultation was held upon in January/February 2025.	Agree to include the map as indicated to comply with the examiner's recommendations.
2	Policy GE1	Change the title of Policy GE1 to <i>"POLICY GE1: OTLEY CHEVIN AND WHARFE VALLEY SOUTHERN SLOPES AREA OF LOCAL LANDSCAPE SENSITIVITY"</i>	Secondly, I suggested that the proposed designation was changed to a local landscape designation rather than rolling forward the SLA designation usually found in local plans. This means that if the policy context alters at LCC level, the designation in the Plan would be separate and stand on its own two feet. It is important to recognise that this would be a local landscape designation made through this Plan. I am aware that similar designations have been made through other neighbourhood plans including in Suffolk. This suggestion was accepted and an amended policy and supporting text also formed part of the January/February 2025 consultation.	Agree to modify the text as indicated to comply with the examiner's recommendations

			This revised policy therefore now proposes to replace the SLA designation with a new designation of “Area of Local Landscape Sensitivity” (ALLS). The area is shown on the NPM which will now be included in the Plan...	
3	Policy GE1 and supporting text	<p>Revise the wording of Policy GE1 to read:</p> <p><i>“In the designated Area of Local Landscape Sensitivity, as shown on the Neighbourhood Plan Map, development will be supported, provided it would not seriously harm the character and appearance of the landscape. In terms of siting, design and materials, development or change in land use must demonstrate regard to the area’s landscape character and special features and contribute positively to landscape restoration or enhancement, paying particular attention to its:</i></p> <ul style="list-style-type: none"> <i>i. strong structure and visual unity;</i> <i>ii. interesting topography;</i> <i>iii. high scenic quality and fine views;</i> <i>iv. local rarity, e.g. in its rock formations;</i> <i>v. groups of buildings that make a positive contribution to local distinctive character;</i> <i>vi. landmarks; and</i> <i>vii. natural and semi-natural woods, trees and hedgerows</i> 	As above	Agree to modify the text as indicated to comply with the examiner’s recommendations

		<p>Add the following new paragraph of supporting text:</p> <p><i>“Recognising the importance of the two areas currently designated as Special Landscape Areas, a new Area of Local Landscape Sensitivity is designated in the Neighbourhood Plan. This area follows the same boundaries as they apply to the Neighbourhood Plan area as the Special Landscape Areas originally designated in the UDP. The designation does not preclude any development taking place in the area, but it does mean that proposals will need to be designed to be in harmony with, and respect, the landscape character and special qualities of the area.”</i></p>	<p>With the modifications recommended, the policy will meet the basic conditions by having regard to the NPPF, being in general conformity with CSSR Policy P12 in particular and helping to achieve sustainable development. Turning now to the wording of the revised policy, it does not prevent development per se, but seeks to ensure any development within this area is appropriate given the qualities of this landscape.</p>	<p>Agree to modify the text as indicated to comply with the examiner’s recommendations</p>
4	Policy GE2	<p>Reword Policy GE2 to read:</p> <p><i>“Local Green Infrastructure, as listed below and shown on the Neighbourhood Plan Map, will be maintained:</i></p> <p><i>i. Pool Bank-Arthington Lane Corridor</i></p> <p><i>ii. ii. Bramhope Wood Corridor</i></p> <p><i>Development must allow its continued operation as part of a multifunctional wildlife, amenity and recreational network, maintaining continuity of infrastructure and of the functions that infrastructure currently provides.</i></p> <p><i>Any development within or adjacent to Local Green Infrastructure must, subject to viability considerations, take every available</i></p>	<p>This approach builds on the strategic green infrastructure at LCC level and is appropriate. I consider the policy could be made more robust and encourage enhancement of these areas whenever possible. A modification is therefore made to this effect. With this modification, the policy will meet the basic conditions by having regard to national policy, being in general conformity with strategic policies and CSSR Policy P12 in particular and helping to achieve sustainable development.</p>	<p>Agree to modify the text as indicated to comply with the examiner’s recommendations</p>

		<i>opportunity to enhance or extend it, while conserving its current functions."</i>		
5	Policy GE3	Delete the western side of Tower Drive LGS12	<p>Based on the information in Appendix 2 and my site visit, in my view, all of the proposed LGSs meet the criteria in the NPPF satisfactorily subject to...</p> <ul style="list-style-type: none"> • the partial deletion of LGS12 to remove the western side of the proposed LGS as these areas consist of private gardens that housed a variety of domestic paraphernalia and although I recognise these areas do contribute to the character of the area, they are not appropriate for designation... 	Agree to include new mapping as indicated to comply with the examiner's recommendations.
6	Policy GE3	Delete the buildings and any areas of hard surfacing including access, car parking and playgrounds from LSG07 Pool-in-Wharfedale Church of England Primary School Grounds (further amendments to be carried out to the revised map consulted upon in January/February 2025)	<p>...However, further amendments are needed to LGS07 to remove the areas of access, hardstanding, car parking and playground from the proposed designation. All the other revised maps for LGSs 05, 06 and 08 are now acceptable. A representation from the Chair of the Governors of the Primary School has suggested other changes to LGSs 01 and 07. Taking LGS01 first, I am now content with the verges shown on the revised map and consider it makes sense to identify the verges along Arthington Lane on one map as one LGS regardless of maintenance responsibility.</p> <p>However, if the Parish Council feels strongly about this, there is no objection from my point of view to include these in LGS07; it is simply not a recommendation I need to make in respect of my role. In relation to LGS07, I recommend a modification to exclude areas of hardstanding, car parking and the playground. I note that the representation suggests those areas and hatches them in blue in the representation. I have no</p>	Agree to include new mapping as indicated to comply with the examiner's recommendations.

			<p>objection to these areas which are already included in the proposed designation being the ones removed from LGS07.</p> <p>However, whilst I take the point that more land could be included in LGS07, it should not be extended as this has not been consulted upon. In any case, two points arise; the first is that the LGS does not have to exactly equate to the School grounds and secondly, it seems to me that most of this area (hatched blue to the south of the tennis courts in the representation) would be excluded anyway by virtue of not being 'green'.</p>	
7	Policy GE3	Substitute the revised maps (used in the January/February 2025 consultation) for LGS01 Arthington Lane Verges; LGS05 Pool Bank Quarries; 06 Riverside Park and 08 St Wilfrid's Churchyard	<p>Based on the information in Appendix 2 and my site visit, in my view, all of the proposed LGSs meet the criteria in the NPPF satisfactorily subject to...</p> <ul style="list-style-type: none"> • ...a more accurate representation of the verges identified in LGS01. • ...amendments to the extent of four of the proposed LGSs (LGSs 05, 06, 07 and 08) to remove buildings and areas of hardstanding from the proposed designations; <p>...I asked the Parish Council to provide revised maps for LGSs 05, 06 and 08 and a revised map was also helpfully provided for LGS07. These revised maps showing the extent of the proposed LGSs were all consulted upon in the January/February 2025 consultation.</p>	Agree to include new mapping as indicated to comply with the examiner's recommendations.
	Policy GE3	Add the words <i>"and in Appendix 2"</i> after "...Neighbourhood Plan Map..." in the first sentence of Policy GE3	[Consequential amendment]	Agree to modify the text as indicated to comply with the examiner's recommendations

8	Policy GE3	Change the second sentence of Policy GE3 to read: <i>“ Development proposals within the designated local green spaces will be consistent with national policy for Green Belts.”</i>	Turning now to the wording of the policy, it designates the LGSs and indicates that development in the LGSs will not be supported except in very special circumstances. The NPPF is clear that policies for managing development within a Local Green Space should be consistent with those for Green Belts. The policy should therefore be consistent with this and a modification is made accordingly.	Agree to modify the text as indicated to comply with the examiner’s recommendations
9	Policy GE3 – Appendix	Update Appendix 2 maps as necessary	A reference to the more detailed maps in Appendix 2 is also added to the policy for clarity given the scale of the Neighbourhood Plan Map. Appendix 2 should be updated with the revised maps. With these modifications, the policy will meet the basic conditions.	Agree to include new mapping as indicated to comply with the examiner’s recommendations.
10	Policy GE3 and supporting text	Consequential amendments will be necessary	[consequential amendment]	Agree to modify the text as indicated to comply with the examiner’s recommendations
Heritage Assets				
11	Policy BH1	Delete the last sentence of Policy BH1 that reads <i>“The sympathetic enhancement of the area will be supported.”</i>	The last element of the policy supports the sympathetic enhancement of the area. It is impossible to know how to apply this and in any case, I consider the remainder of the policy does this and in a more precise way. A modification is therefore made to delete this part of the policy. Otherwise the policy has regard to the NPPF in that it promotes local character and distinctiveness, ⁶⁵ is in general conformity with CSSR Policy P11 in particular and will help to achieve sustainable development.	Agree to modify the text as indicated to comply with the examiner’s recommendations.

12	Policy BH5	<p>Change the wording of the first sentence of Policy BH5 to read:</p> <p><i>“The particular significance of any Non-Designated Heritage Asset, as designated and listed below and identified on the Neighbourhood Plan Map, will be taken into account when considering the impact of any development proposal on or adjacent to such an asset.”</i></p>	I consider the wording of the policy needs to be clearer in that it designates the assets referred to as non-designated heritage assets.	Agree to modify the text as indicated to comply with the examiner’s recommendations
13	Policy BH5	Delete the word “sympathetic” from the last sentence of Policy BH5	The policy has regard to the NPPF insofar as how any development will be judged, but the phrase “sympathetic enhancement” is used. Again, in line with earlier recommendations, a modification to delete the word “sympathetic” is made. With the modification, Policy BH5 will have regard to the NPPF as it sets out a positive strategy for the conservation of the historic environment and seeks to conserve those buildings of local historic interest in a manner appropriate to their significance. ⁷⁰ It is in general conformity with CSSR Policy P11 in particular and will help to achieve sustainable development.	Agree to modify the text as indicated to comply with the examiner’s recommendations
Community Facilities and Services				
14	Policy CFS1	Delete “x. Half Moon Public House (CF02)” from Policy CFS1 with any necessary consequential amendments	The Parish Council has advised that the Half Moon Public House should be removed from the policy as this is now a private dwelling. A modification is duly made in the interests of accuracy.	Agree to modify the text as indicated to comply with the examiner’s recommendations

15	Policy CFS3	Delete Policy CFS3 and its supporting text from the Plan	The Parish Council has advised that the site is not deliverable and should be removed from the Plan. A modification is made accordingly.	Agree to modify the text as indicated to comply with the examiner's recommendations
16	Policy CFS4	Add the words “ (up to 372 square metres) ” after “...small-scale food store...” in the first sentence of Policy CFS4	Some modification is needed to this policy in the interests of clarity to specify the meaning of small-scale which takes its lead from CSSR Policies SP8 and P4 which supports stand alone or small scale food stores.	Agree to modify the text as indicated to comply with the examiner's recommendations
17	Policy CFS4	Add the words “ or/and ” at the end of criteria i. and ii. of the second part of Policy CFS4	The second element needs the inclusion of the words “or/and” to make sure that development is resisted if one, rather than all, of the identified issues is demonstrated. With these modifications, Policy CFS4 will meet the basic conditions by having regard to national policy, being a local expression of, and in general conformity with, CSSR Policies SP8 and P4 in particular and helping to achieve sustainable development.	Agree to modify the text as indicated to comply with the examiner's recommendations
Transport and Traffic				
18	Policy TT1 (policy TT3 to be deleted)	Amalgamate Policies TT1 and TT3 into a new single policy that reads: <i>POLICY TT1: SUSTAINABLE TRANSPORT MODES: IMPROVED WALKING, CYCLING, WHEELING AND RIDING PROVISION AND LONG TERM RAILWAY REINSTATEMENT</i> <i>Development directly affecting the Pool-in-Wharfedale footpath, bridleway and cycleway network, as</i>	There are four policies in this section. I will deal with Policies TT1: Improved Walking and Cycling Provision and TT3: Pool-in-Wharfedale Rail Link Reinstatement first as it is proposed to amalgamate these two policies into a single policy. The revised wording for the policy was consulted upon in January/February 2025. ...	Agree to modify the text as indicated to comply with the examiner's recommendations

		<p><i>shown on the Neighbourhood Plan Map, will be expected to be compatible with it and contribute to improvements of it.</i></p> <p><i>Development likely to increase pedestrian footfall and/or cycle usage within the network will be expected to contribute to improvements or new desired provision in their immediate vicinity and to provide connections to the existing network.</i></p> <p><i>Otherwise acceptable development which would add to and/or improve the cycleway, bridleway, and footpath network, while maintaining the historic railway line, will be supported.</i></p> <p><i>Development which would prevent or harm the development of:</i></p> <ol style="list-style-type: none"> <i>1. the Wharfedale Greenway along the identified route, as shown on the Neighbourhood Plan Map; or</i> <i>2. designated access routes to the Greenway; or;</i> <i>3. the historic railway line and its potential future reinstatement; will not be supported.</i> <p><i>Development which supports the long term aspiration to reinstate the historic Railway line as a train or tram route without prejudicing the</i></p>		
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		<i>active travel function of the route will be supported."</i>		
	Policy TT1 (policy TT3 to be deleted)	Consequential revision to the supporting text will be needed for this new Policy	[Consequential amendment]	Agree to modify the text as indicated to comply with the examiner's recommendations
19	Page 43	Make Map 6 on page 43 of the Plan more legible	Map 6 on page 43 of the Plan shows the footpath and cycleway network, but I did not find it very clear. A modification is made to ensure Map 6 is made more legible.	Agree to include new mapping as indicated to comply with the examiner's recommendations.
20	Policy TT4	Add at the end of Policy TT4 <i>"including as set out in Core Strategy Policy EN8 or any successor document."</i>	References to the relevant building regulation and more particularly CS Policy EN8 which sets out the minimum standards can be added to the text and a reference to the CS policy is recommended within Policy TT4.	Agree to modify the text as indicated to comply with the examiner's recommendations
21	Policy TT4	Add a reference to CS Policy EN8 and any other relevant document in relation to the requirements for electric vehicle charging points in the supporting text for Policy TT4	Such provision has regard to the NPPF which supports plug-in and other ultra low emission vehicles in safe and accessible locations and CSSR Policy EN8 which supports the provision of electric charging points and will help to achieve sustainable development.	Agree to modify the text as indicated to comply with the examiner's recommendations
Housing				
22	Policy H1	Amend Policy H1 to read: <i>"New housing development on non-allocated land will only be acceptable if the provision of infrastructure required to support the</i>	The policy seeks to ensure that new housing development can be accommodated by existing infrastructure or provide the requisite infrastructure. However, the policy accepts development in principle if infrastructure capacity is	Agree to modify the text as indicated to comply with the

		<p><i>development proposed will be provided in a timely manner and no later than the appropriate phase of development for which it is required. In particular, the capacity and availability of all the following infrastructure is locally important:</i></p> <ul style="list-style-type: none"> <i>i. the local highway network, including highway safety;</i> <i>ii. the local public transport network;</i> <i>iii. primary and secondary school places in the local area;</i> <i>iv. patient places at local GP and dental practices; and</i> <i>v. other local services.</i> <p><i>Proposals will need to demonstrate that they will not result in a worsening of air quality within the Pool Main Street AQMA. New development should also be accessible from the existing highway network, avoiding Main Street wherever feasible."</i></p>	<p>available and I am concerned that this might lead to otherwise unacceptable development coming forward. Additionally, the policy could be worded positively to help provide for sustainable development. For this reason, modifications to the policy are recommended.</p> <p>With these modifications, the policy will have regard to the NPPF, is a local expression of CSSR Policy H2 and is in general conformity with the CSSR and help to achieve sustainable development.</p>	<p>examiner's recommendations</p>
23	Policy H2	<p>Amend Policy H2 to read:</p> <p><i>"New housing development should address and seek to achieve the following key guiding principles:</i></p> <ul style="list-style-type: none"> <i>i. Conserve and, where possible, enhance the landscape, nature conservation, open space assets and other special features of the Neighbourhood Plan area;</i> <i>ii. Integrate and connect with any surrounding Strategic or Local Green Infrastructure, as shown on the Neighbourhood Plan Map, and</i> 	<p>The policy and supporting text refers to "approved housing sites"; it is not clear to me what these might be and in any case the policy could and should apply widely.</p> <p>Modifications are therefore made to remove these references.</p> <p>With these modifications, the policy will meet the basic conditions by having regard to national policy, being in general conformity with the development plan and helping to achieve sustainable development.</p>	<p>Agree to modify the text as indicated to comply with the examiner's recommendations</p>

		<p><i>incorporate existing and new landscape/habitat features and greenspace;</i></p> <p><i>iii. Conserve or enhance the Conservation Area, local heritage areas and individual heritage assets;</i></p> <p><i>iv. Have an acceptable impact on the local highway network;</i></p> <p><i>v. Avoid through routes via residential streets linking 'A' roads (A658 and A659) through Pool -in-Wharfedale village or via Old Pool Bank;</i></p> <p><i>vi. Deliver essential highways improvements at an appropriate time;</i></p> <p><i>vii. Provide appropriate electric vehicle charging infrastructure;</i></p> <p><i>viii. Provide quick and easy access to bus services including integration of services with rail services from Weeton and Menston Stations where possible, and contributing to the improvement of local bus infrastructure;</i></p> <p><i>ix. Protect Public Rights of Way and the route of the Wharfedale Greenway, as shown on the Neighbourhood Plan Map;</i></p> <p><i>x. Create new walking, bridleway and cycling routes and the bridging of gaps in and making of improvements to existing routes in order to encourage people to walk, horse-ride and cycle;</i></p> <p><i>xi. Provide good accessibility to local community facilities; and</i></p>		
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		<p><i>xii. Provide in-curtilage, off-street parking and/or communal parking at a level which does not add to any existing, evidenced, local parking problems in the immediate vicinity of the development site. Promoters of major development proposals should prepare, as appropriate, the following documents in order for an approach to new housing development to be agreed with the local planning authority and the local community:</i></p> <p><i>a) A comprehensive development brief and concept masterplan</i></p> <p><i>b) A comprehensive transport study</i></p> <p><i>c) An infrastructure delivery plan."</i></p>		
24	Policy H3	<p>Amend Policy H3 to read:</p> <p><i>"Housing development proposals of five or more dwellings should provide an appropriate mix of dwelling types based on the latest available local housing needs information. Particular support will be given to smaller dwellings (1 – 2 bedrooms) and the provision of housing suitable for the independent living needs of older people."</i></p>	<p>The policy also sets a relatively low threshold for the mix. However, this reflects the nature of the Plan area and is not unusual in neighbourhood plans in rural areas where there are no strategic sites. It therefore complements CSSR Policy H4 at a local level as this higher tier policy focuses on larger schemes and CSSR Policy H8 which supports housing for independent living.</p> <p>On balance, with some modification, to future proof the policy, it will meet the basic conditions by having regard to the NPPF, is in general conformity with CSSR Policies H4 and H8 in particular and will help to achieve sustainable development.</p>	<p>Agree to modify the text as indicated to comply with the examiner's recommendations</p>
Appendices				

25	Appendix 7 - Page 126	Update the definition of the NPPF on page 126 of the Plan	The definition of the NPPF should be updated and the definition of public right of way (PROW) amended in the interests of accuracy.	Agree to modify the text as indicated to comply with the examiner's recommendations
26	Appendix 7 - Page 127	<p>Amend the definition of PROW on page 127 to read:</p> <p><i>“A route over which the public have a right to pass, whether or not the land that it crosses is privately-owned. The rights have been legally recorded on the Definitive Map and Statement. There are four categories; footpath, bridleway, restricted byway and byways open to all traffic. There are also permissive footpaths and bridleways.”</i></p>	As above	Agree to modify the text as indicated to comply with the examiner's recommendations