

**REPORT OF THE DEVELOPMENT DEPARTMENT  
REPORT TO: DEVELOPMENT PLAN PANEL  
DATE: 7 FEBRUARY 2006**

**SUBJECT: LEEDS UDP REVIEW – RESPONSE TO INSPECTOR’S REPORT ON  
CHAPTER 6 (TRANSPORT) – CLARIFICATION OF POLICY T2D & T24A**

**Electoral Wards Affected:**  
**ALL**

**Specific Implications for:**

Ethnic Minorities   
Women   
Disabled People

Key Decision  Major Decision  Eligible for call in  Not Eligible for call in   
Significant Operational Decision  Administrative Decision  (details contained in the report)

**1.0 PURPOSE OF REPORT**

- 1.1 On 24<sup>th</sup> January 2006 Development Plans Panel considered the Inspector’s recommendations for Chapter 6 (Transport) in order to determine the appropriate response to his recommendations. In considering the Council’s response to Policy T2D (Public Transport Contributions) and Policy T24A (Free Standing Longstay Car Parking) the Panel requested that further information be provided of the context for the proposed new policies. This further information is provided below.

**POLICY T2D: PUBLIC TRANSPORT CONTRIBUTIONS**

**2.0 BACKGROUND**

- 2.1 The new policy and the supporting text was presented to and agreed by Development Plan Panel on 23rd October 2003 for public consultation via the Revised Deposit stage (3 February 2004 – 17 March 2004). Outlined below is the relevant text which was published for public consultation:

**... POLICY T2D: WHERE PUBLIC TRANSPORT ACCESSIBILITY IS UNACCEPTABLE THE COUNCIL WILL EXPECT/REQUIRE DEVELOPER CONTRIBUTIONS OR ACTION TO MAKE ENHANCEMENTS: ...**

- 2.2 The reason for making the change from the original wording from the First Deposit in this alteration, was as a direct result of the Government Office considering the use of the word “Expect” and the reference to Supplementary Planning Guidance (SPG) in the Policy, on the basis that this did not set out a clear policy intention at the First Deposit stage. Consequently, it was suggested that the word “seek” for “expect” should be used and that reference to SPG should be in the justification text. This was accepted by the Panel.

### **3.0 THE INSPECTOR'S REASONS & RECOMMENDATIONS**

- 3.1 Despite the Government Office withdrawing their objection following the replacement of "require" in place of "expect", the Inspector considers the use of the word "seek" to be more appropriate and therefore recommends it accordingly. The Inspector feels that in "requiring" a developer contribution, the Policy goes further than Planning Policy Guidance Note13: Transport (PPG13) which refers to such contributions being "sought", and to planning obligations being "negotiated" [paras. 83 and 81 respectively]; this latter emphasis reflects the advice in Circular 1/97. The Inspector felt that no cogent evidence has been advanced as to why the Policy should be more prescriptive than national guidance.
- 3.2 The Inspector rejected the more relaxed wording advocated by representors (Turley Associates) which would replace the clear list of areas where public transport accessibility could be improved with a "context" of other costs associated with a development proposal, within which the terms of the contribution would be "considered". The Inspector considered that other development costs, and their effects on the overall viability of a proposal, are all matters to be weighed in the balance when determining what it would be reasonable to seek by way of contributions to improving public transport accessibility. Such an assessment will be done on a case-by-case basis, in the light of this and other policies in the Plan, and in the context of national advice.
- 3.3 For the avoidance of doubt the Inspector recommended a modification to the text that would make clear that the Policy was not aimed at dealing with existing access shortcomings, and that the need for action must arise from the proposal concerned.

### **4.0 POLICY CLARIFICATION**

- 4.1 Concern was raised during Panel meeting on 24<sup>th</sup> January 2006, that the Policy wording as now proposed with the word "seek" is not as strong as "require" and that this may, in some instances, lead to development proposals to be considered acceptable despite their being fundamental issues around public transport accessibility.
- 4.2 Following further discussion with colleagues in the Development Department including colleagues from Planning Services regarding the technical application of the Policy, it is still the view of officers that where important issues relating to public transport accessibility cannot be resolved to an acceptable standard, this policy will not hinder a "refusal" being recommended. This policy along with other policies in the UDP, SPG's and national planning guidance, for example;
- PPG13: Transport,
  - SP3: New Developments and Public Transport,
  - GP5: Development Proposals & Detailed Planning Considerations,
  - T2: New Development,
  - T5: Safe & Secure Access for Pedestrians & Cyclists, etc.

will be effective in refusing applications which are inherently unsustainable and cannot be resolved by whatever public transport improvements that may be forthcoming.

- 4.3 On a related but separate matter, the need for public transport contributions cannot be seen in isolation but must be considered in the overall context of Transport

Assessments and Travel Plans. Proposals will need to demonstrate accessibility to the site by all modes of transport in addition to the likely modal split. Details should also be provided of necessary measures to improve access by walking, cycling and public transport, and the mitigation of transport impacts, to achieve the best practicable and sustainable balance of travel mode. A strategy for managing multi-modal access to a site or development, focussing on encouraging and promoting access by sustainable modes would also need to be developed.

- 4.4 Where these details are not forthcoming, or measures proposed are considered insufficient, then a number of policies in relation to highways, public transport and safety will be applied in recommending a refusal. In this scenario no one single policy would have to be relied upon in recommending a refusal.
- 4.5 To make it clear that through this policy we are not only intending to seek public transport contributions but also refuse planning applications on the grounds of poor public transport accessibility it is suggested that we add the following sentence to the end of para 6.4.4k.

*6.4.4j ... .. However, not every development can be made acceptable in public transport terms; sometimes it might just be the wrong use in the wrong location; or the proposal may need amendment in terms of design and scale.*

*6.4.4k Contributions by developers therefore need to ensure that public transport becomes a genuine alternative to the car that will significantly affect the modal split of travel to a development. Consequently, where development cannot be served adequately by public transport, planning applications may still be refused through this and other policies in the plan, and in the context of regional and national planning guidance.*

## **POLICY T24A: FREE STANDING LONGSTAY CAR PARKING**

### **5.0 BACKGROUND**

- 5.1 The new policy and the supporting text was presented to and agreed by Development Plan Panel on 19<sup>th</sup> November 2003 for public consultation via the Revised Deposit stage (3 February 2004 – 17 March 2004). Outlined below is the relevant text:

**T24A: OUTSIDE THE CITY CENTRE AND LONGSTAY FRINGE COMMUTER PARKING CONTROL AREA AND SEPARATE FROM PROPOSED PARK AND RIDE SCHEMES PROPOSED AND ALLOCATED UNDER POLICIES T16 AND T17, PROPOSALS TO DEVELOP NEW FREE-STANDING LONG STAY CAR PARKING WILL NOT BE SUPPORTED PERMITTED;**

**USE FOR COMMUTER PARKING WILL ONLY BE SUPPORTED ON A TEMPORARY BASIS. PROPOSALS (INCLUDING RENEWAL OF TEMPORARY PERMISSIONS) WILL BE JUDGED ON THEIR MERITS TAKING ACCOUNT OF:**

- a. **ACCESSIBILITY OF THE AREA BY PUBLIC TRANSPORT;**
- b. **PROBLEMS OF ON-STREET PARKING IN THE LOCALITY, AND THE RELATIONSHIP WITH ANY PARKING PERMIT SCHEMES;**
- c. **TRANSPORT STRATEGY OBJECTIVES**

- 5.2 The reason for making the change from the original wording from the First Deposit in this alteration, was as a result of Members' concern for the need to provide flexibility and to be mindful of the potential for there to be exceptional local circumstances.

- 5.3 As part of 19<sup>th</sup> November 2003 Panel report, the following policy context and the rationale behind this policy was provided for Members and was subsequently agreed. This information stated that Policy T24A:
- is in line with national, regional, sub-regional and local planning policies.
  - seeks to extend the policies operable in the City Centre more widely to the city beyond, including the Policy S2 “town” shopping centres.
  - would apply only to those proposals to provide solely long-stay car parking via a new building on or through changing the use of a parcel of land not otherwise accommodating an employment activity.
  - would not apply to proposals to provide car parks for “customers” (like shoppers, or business visitors) of premises or land use activities, whether that be in the City Centre or elsewhere in the city, but particularly in “town” centres. However, in order to be acceptable such car parks would need some form of control mechanism to ensure that it operated on a ‘short stay’ basis.
  - would not apply to proposals to build new or more parking within the curtilage of an existing employment activity (i.e. factory/office/warehouse etc.) These would be subject to the maximum parking guidelines applicable to all new offices, factories, warehouses etc.
  - does not apply to proposals for Park and Ride sites or for proposals in the city centre and the long-stay fringe commuter parking control area as there are other policies in the AUDP/RUDP that deal with these areas.

## **6.0 THE INSPECTOR’S REASONS & RECOMMENDATIONS**

- 6.1 Overall the Inspector felt that the approach of the Policy is broad-brush, but at the same time, he felt that is also pragmatic and basically sound. However, the Inspector feels that the wording of the supporting text and the policy is confusing and unhelpful as it simply lists several matters which will be taken into account, rather than setting out clear criteria for determining applications. He has, therefore, recommended a form of words to provide further clarification. Outlined below is the relevant text.

6.6.2A In line with the strategy of reducing the need to use the car, proposals to create new long-stay car parking for those travelling to and from work by car, outside the curtilage of existing or proposed employment premises, will not generally be permitted. Exceptions may be made within the City Centre and Fringe City Centre Commuter Parking Control Area, and for park and ride schemes, for consistency with other Plan policies; and also where lack of parking within employment premises is causing, or would be likely to cause, serious problems in the surrounding area. The Policy does not apply to short-term parking for which there is a demonstrable operational need such as that for visitors to employment premises.

**T24A: PLANNING PERMISSION WILL NOT BE GRANTED FOR NEW LONG-STAY CAR PARKING OUTSIDE THE CURTILAGE OF EXISTING OR PROPOSED EMPLOYMENT PREMISES EXCEPT:**

- a. WITHIN THE CITY CENTRE AND FRINGE CITY CENTRE COMMUTER PARKING CONTROL AREA, IN ACCORDANCE WITH POLICY CCP2;**
- b. FOR PARK AND RIDE SCHEMES IN ACCORDANCE WITH POLICIES T16 AND T17;**
- c. WHERE LACK OF PARKING WITHIN EMPLOYMENT PREMISES WOULD CAUSE SERIOUS TRAFFIC, SAFETY OR ENVIRONMENTAL PROBLEMS IN THE SURROUNDING AREA.**

**PROPOSALS UNDER c. MUST BE SUPPORTED BY A TRAFFIC ASSESSMENT, INCLUDING APPRAISAL OF OTHER MEANS OF ACCESSIBILITY TO THE SITE, INCLUDING PUBLIC TRANSPORT. WHERE PLANNING PERMISSION IS GRANTED THE EXTENT OF PARKING ALLOWED WILL NOT EXCEED THAT WHICH WOULD OTHERWISE BE PERMISSIBLE UNDER THE CAR PARKING GUIDELINES, RELATED TO THE SCALE OF THE EMPLOYMENT USE.**

- 6.2 On the basis that the Inspector’s conclusions fully endorses the Council’s approach officers are minded to accept the Inspector’s recommendation. Overall the tenor of his conclusions is a reflection of national planning policy guidance and his suggestion to re-cast the Policy and the supporting text will assist in having clear criteria for

determining planning applications and remove any wording that may lead to confusion.

## **7.0 POLICY CLARIFICATION**

- 7.1 Concern was raised during Panel meeting on 24<sup>th</sup> January 2006 that the Policy wording as now proposed may inhibit the long-term regeneration of areas within the city and continued development of the outer townships.
- 7.2 Officers are of the view that the policy as now proposed provides scope for flexibility, where necessary, for the long term regeneration of areas within the city and for maintaining the vitality and viability of our town centres. The key features of this policy (as listed in para. 5.3) are still valid and indicate how the intent of the policy may be delivered.
- 7.3 If the Inspectors recommendation was not accepted, the only other alternative would be to revert back to the original Revised Deposit wording. However, the use of the Revised Deposit policy wording would result in the same policy intent and desired outcome as the wording now proposed by the Inspector, but would not be helpful to the Council in considering applications for such developments.

## **8.0 RECOMMENDATION**

- 8.1 Members are asked to agree the conclusions of this report.
- 8.2 Members are asked to agree this report as the City Council's response to the Inspector's recommendation in respect of Chapter 6 - Policy T2D as outlined in para 4.5 and the clarification of Policy T24A, and to recommend its approval to the Executive Board in due course.

<p><b>Prop. Alt. 6/005</b></p> <p><b>6/005/RD</b></p>	<p><b><u>PA 6/005</u></b> PUBLIC TRANSPORT CONTRIBUTIONS</p> <p><b><u>Inspector's recommendation</u></b></p> <p>Para. 6.32 - I recommend that the UDP be modified in accordance with RD Alteration 6/005, amended by IC/006 and IC/007, and subject to amending the first sentence of the Policy as follows:</p> <p>WHERE PUBLIC TRANSPORT ACCESSIBILITY TO A PROPOSAL WOULD OTHERWISE BE UNACCEPTABLE, THE COUNCIL WILL SEEK DEVELOPER CONTRIBUTIONS OR ACTION TO MAKE ENHANCEMENTS, THE NEED FOR WHICH ARISES FROM THE PROPOSAL.</p>	<p><b><u>Leeds City Council Decision and Reasons</u></b></p> <p>The Council accepts the Inspector's conclusions in Para's 6.20 to 6.31 of the Report and consequently accepts the Inspector's recommendation to modify the Plan.</p> <p>As discussed under proposed alteration 6/003 and 6/004 that it would be appropriate to make an amendment here in the interest of avoiding repetition of the same explanation for how 'significant' in terms of Policy has been derived under Policies T2B, T2C &amp; T2D. The proposed modification has been made by adding a new para after para 6.4.4m.</p> <p>The proposed modification indicates why 250 trips has been used to define 'significant' trip generating uses in draft SPG5A. However, as part of the LDF process draft SPG5A will be reviewed and replaced by a Supplementary Planning Document on Public Transport Improvements and Developer Contributions. The Inspector's recommendation together with the issues raised during the consultation stage will be taken into account to ensure that the threshold is robust and is fully explained in this forthcoming SPD. The Council clearly accepts the Inspector's recommendations in relation to the Proposed Alteration. However, it is considered that his additional suggestion would be better addressed through the planned Supplementary Planning Document rather than in this Review, in order to ensure that its scope is not unduly inhibited and that it fully reflects local circumstances.</p> <p>Also at the national level, policy guidance is evolving regarding how best to secure these contributions (including the potential for a tariff system) - notably the Treasury's consultation paper on planning gain issued in December 2005. As a result, it is considered that the SPD is the most appropriate vehicle to address this issue as this would allow City Council policy to reflect up to date best practice and be able to react to changes introduced as a result of emerging alterations in national guidance.</p> <p><b><u>Proposed Modification</u></b></p> <p>Modify the Leeds UDP Review (Revised Deposit) by:</p> <ul style="list-style-type: none"> <li>• adding a new para. 6.4.4n, "In relation to the threshold of what is considered to be 'significant' in terms of Policy, the Adopted SPG5 fully acknowledges that in order to take account of the cumulative impact of new development, it could be argued that all new schemes should be liable to contributions to the necessary public transport infrastructure enhancements. However, it was considered to be inappropriate to seek contributions from small scale developments that did not generate or attract significant numbers of trips. Nor was it considered that this should apply to 'major' developments only. It is considered that the threshold of 250 trips per day is a level of trips which would, if catered for solely by the private car, aggravate existing problems of congestion and pollution in the City including accounting for the potential cumulative impact of such developments on the network. The review of draft SPG5A will assess whether it is still appropriate to use 250 trips as a determinant for what is considered to be 'significant' and how it will be applied in practice as far as Transport Assessments, Travel Plans, and seeking public transport contributions is concerned."</li> <li>• amending the first sentence of the Policy as follows;</li> </ul>
---	--	--

**“WHERE PUBLIC TRANSPORT ACCESSIBILITY TO A PROPOSAL WOULD OTHERWISE BE UNACCEPTABLE, THE COUNCIL WILL SEEK DEVELOPER CONTRIBUTIONS OR ACTION TO MAKE ENHANCEMENTS, THE NEED FOR WHICH ARISES FROM THE PROPOSAL....”**

Outlined below is the change proposed (IC/006 and IC/007) during the Public Inquiry that has been considered and recommended for insertion by the Inspector.

Amend para. 6.4.4m of the Revised Deposit as follows (IC/006):

- It is essential ... in the Transport Assessment. A SPG/SPD will be produced to provide guidance and further details.

Amend Policy T2D of the Revised Deposit as follows (IC/007):

- **... TO SUPPORT SERVICE IMPROVEMENTS WHERE REQUIRED TO ACHIEVE APPROPRIATE LEVELS OF ACCESSIBILITY.**

*WHEREVER POSSIBLE ...*

Modify the Leeds UDP Review (Revised Deposit) by adding the following sentence to the end of para 6.4.4k.

***6.4.4j ... .. However, not every development can be made acceptable in public transport terms; sometimes it might just be the wrong use in the wrong location; or the proposal may need amendment in terms of design and scale.***

***6.4.4k Contributions by developers therefore need to ensure that public transport becomes a genuine alternative to the car that will significantly affect the modal split of travel to a development. Consequently, where development cannot be served adequately by public transport, planning applications may still be refused through this and other policies in the plan, and in the context of regional and national planning guidance.***



0AGENDA  
ITEM NO.:

Originator: Alan Taylor

Tel No.: 2478135

**REPORT OF THE DEVELOPMENT DEPARTMENT  
REPORT TO: DEVELOPMENT PLANS PANEL  
DATE: 7 FEBRUARY 2006**

**SUBJECT: LEEDS UDP REVIEW – RESPONSE TO INSPECTOR’S REPORT ON  
CHAPTER 13 (CITY CENTRE)**

**Electoral Wards Affected:**  
**ALL**

**Specific Implications for:**

Ethnic Minorities   
Women   
Disabled People

Key Decision  Major Decision  Eligible for call in  Not Eligible for call in   
Significant Operational Decision  Administrative Decision  (details contained in the report)

**1.0 PURPOSE OF REPORT**

1.1 The purpose of the report is to consider the Inspector’s recommendations for Chapter 13 (City Centre) and to determine the appropriate response to his recommendations. One of the Proposed Alterations, although having a Chapter 7 (Housing) reference, Alteration 7/003 (land at Kidacre Street), concerns a site within the city centre. Consequently it seems appropriate to report the matter under the city centre chapter.

**2.0 BACKGROUND**

2.1 The city centre was not the main focus of the UDP Review and only small parts of the city centre chapter 13 text were updated or subject to partial alterations to reflect essential changing policy areas. The Inspector’s report deals with three Proposed Alteration in the city centre;

- ALTERATION 13/017 (PARAGRAPHS 13.7.62A-B. LEEDS WATERFRONT)-which concerns a Proposed Alteration to add some explanatory text to the Waterfront section of the city centre chapter to update the situation on the Waterfront Strategy.
- ALTERATION 13/019/RD (HOLBECK URBAN VILLAGE STRATEGIC HOUSING SITE)-one of the few major text changes proposed to the city centre Proposals Area Statement definitions to reflect the changes that have occurred in the promotion and aspirations in Holbeck Urban Village.
- ALTERATION 7/003 (LAND AT KIDACRE STREET)-was an inquiry hearing into an area of land within the largely unallocated part of the



city centre that a developer was promoting for residential development. The land in question was not subject to a UDP Review Proposed Alteration.

- 2.2 An abstract of the Inspector's conclusions are summarised below and the attached table highlights the proposed modifications in light of the Inspector's recommendations.

**ALTERATION 13/017 (PARAGRAPHS 13.7.62A-B. LEEDS WATERFRONT)**

- 2.3 Three objections were received to a Proposed Alteration, which involved the addition of text to the Waterfront section of the city centre chapter. The text alteration gives a brief summary of the scope and intent of the Leeds Waterfront Strategy, which had been approved as Supplementary Planning Guidance since the adoption of the UDP.
- 2.4 Arla Foods sought the encouragement of a diversity of uses, which the Inspector concluded was one of the Waterfront Strategy's strategic themes as well as an approach that was explicitly recognised in the SPG and informs the Quarters approach in Chapter 13 of the Adopted UDP. English Heritage were seeking more emphasis to be given to the heritage of the Waterfront, which the Inspector thought was already adequately covered in the Strategy and in the AUDP. Bracken/Chartford Developments objection concerns land outside the city centre, on land between Kirkstall Road and the canal. The Inspector considered that it would be invidious to single out this one part of the Waterfront Strategy area for special mention.
- 2.5 Overall the Inspector considered that the main aspects of the Waterfront Strategy were adequately covered, in the Proposed Alteration, and that it would be inappropriate to single out matters for special mention raised by objectors as to do so would, in his opinion, downgrade the status of other equally important matters. He was of the view that "...the Council is alive to the importance of the matters raised by the objectors."
- 2.6 In the light of this the Inspector proposes no modification to the UDP other than that identified under PA 13/017 which is advanced without any further changes.

**Conclusion**

- 2.7 Overall the Inspectors conclusions and consideration of the objections are welcomed.

**ALTERATION 13/019/RD (HOLBECK URBAN VILLAGE STRATEGIC HOUSING SITE)**

- 2.8 Alteration 13/019/RD proposed that three Proposal Area Statements, 22 Canal Basin, 23 Tower Works and 31 Holbeck in Chapter 13 of the AUDP were to be deleted and replaced with one new Proposal Area that best reflected the boundary and ambitions of the emerging Holbeck Urban Village. The replacement Proposal Area Statement was to be called 31A Holbeck Urban Village Strategic Housing Site. A list of criteria were included within the text

changes that provided a list of matters that would need to be addressed by developments proposed in Holbeck Urban Village.

- 2.9 There were six objectors to the Revised Draft Proposed Alterations, Isis Waterside Regen, Royal Mail Group, SJS Property Management Services, British Waterways, Petros Textiles and Simons Estates.
- 2.10 The Inspector identified a number of issues and the Inspectors conclusions are reported below under those identified issues;

**Is the Alteration consistent with the outcome of negotiations between the Council and developers, and generally reasonable in its approach?**

- 2.11 The Inspector observes that reporting on development plans is inevitably sometimes overtaken by events. He offers that it is for the Council to decide whether what he says is still valid in the light of such changes.
- 2.12 The underlying concern of the objectors appears to be that what is said about preparing a framework and development briefs, and undertaking a flood risk assessment, would impose unreasonable and unnecessary constraints on development. However, the Inspector is of the view that in general the Alteration seems to set out reasonable planning requirements for the regeneration of an important and complex area. He considers that much will depend on all parties adopting a realistic and pragmatic attitude in not seeking to go over again ground that has already been covered in previous negotiations. He believes that there is nothing in the Alteration to imply that all its requirements for the whole area would have to be met before development could take place on any site.
- 2.13 So far as the first Holbeck Urban Village Framework was concerned, the Inspector thought the Alteration appears to reflect the thrust of SPG12 of May 1999. He advised that if the revised document is published before the modifications stage on the RUDP, para.13.7.73e of the supporting text should be updated accordingly. The revised document has been adopted and that will be reflected in the text.

**Should the Canal Basin and Tower Works be separately identified within the Holbeck Urban Village [HUV] Strategic Housing Site [SHS]?**

- 2.14 The Inspector commented that both Isis and British Waterways seek specific recognition of the unique character of the Canal Basin. Isis suggest a statement, along the lines of that on Proposal Area 22, defining the Basin's role within the SHS. British Waterways want such a statement but for the Canal Basin to be excluded from the SHS. Petros Textiles request similar special mention of Tower Works, based on the statement on Proposal Area 23 in the AUDP.
- 2.15 The City Council had pointed out that most of the matters to which objectors draw attention in these two areas are already referred to in the Alteration, including mixed uses, pedestrian links and improvements to the public realm; and that both areas are specifically mentioned in para. 13.7.73h. The Inspector appeared to agree with the Council and seemed to endorse the view

that it would not be helpful to single out the Canal Basin for special mention in a way that might detract from the importance of its role as part of HUV as a whole. That said, the Inspector has proposed the addition of supporting text, which he feels, could be usefully amplified to highlight the special character of the Basin, and its potential importance in linking Holbeck to the City Centre, the latter acknowledged by both objectors and the Council. He recommended a form of words as follows inserting the following after the first sentence of para. 13.7.73h:

*“The Canal Basin offers opportunities to create a high quality mixed-use development in a key waterfront location, and to link Holbeck to the City Centre in a way that will benefit both areas and assist regeneration within the Urban Village. Developers will be encouraged to create and enhance pedestrian routes through the area.”*

- 2.16 The additional text is not controversial in its intent and it does not appear to add any significant change to the original wording within the Proposed Alteration advanced by the Council. It does not detract from the approach advocated for development within the Canal Basin advanced by the Council nor taken forward in the Revised Planning Framework, but does what the Inspector cautioned against and seemed reluctant to do, which is afford the Canal Basin special recognition over and above the other locations within the Holbeck Urban Village.
- 2.17 Overall it seems appropriate to accept the Inspector’s proposed additional wording.
- 2.18 The Inspector was less convinced that Tower Works should be specifically mentioned beyond the proposed reference in para. 13.7.73h. The Inspector concluded that there is thus no good reason to exclude either Tower Works or the Canal Basin from the Strategic Housing Site (SHS) on the grounds that to include them would not unreasonably constrain the breadth of development acceptable in either location.

**Should a figure be given for the number of dwellings to be provided on the SHS?**

- 2.19 The Inspector referred to his conclusions, noted elsewhere, under Alteration 15/041 on Hunslet Riverside and in para. 7.39 of Chapter 7, that the term “Strategic **Housing** Site” is misleading, in the Inspector’s view, given the range of uses envisaged in Holbeck Urban Village. He recommends in Chapter 7 that for the avoidance of doubt HUV, along with the other SHSs, be designated “Strategic Housing and Mixed Use Site”.
- 2.20 His recommendation in Chapter 7 that indicative yields be given for all housing sites would address the objections from Isis and Simons Estates that no such figure is given for HUV SHS. He was of the view that there seems no reason why such a figure should be taken as a fixed target rather than an estimate of housing capacity as the Council appear to fear but to avoid such misinterpretation he recommends that the purpose of the figures be included in the explanatory text. The Inspector’s conclusions have been responded to elsewhere within the consideration of Chapter 7 (Housing).

**Is the requirement in criterion (ii) for development briefs reasonable?**

- 2.21 Preparation of development briefs for key sites is common practice and the Inspector saw no particular reason to suppose that any prepared for the Urban Village would be unduly prescriptive. He noted that the Council acknowledged that such briefs would need to be consistent with SPG for the area. Provided all parties, the Inspector cautions, take a reasonable and pragmatic approach, it may well be that in those cases the outcome of work already undertaken would suffice. He thought it would detract from the ability to respond to changing circumstances over time to prescribe which sites would or would not be subject to development briefs in the future and thought that should be best handled by the SPG. The Council agrees with this position.

**Is the approach to existing businesses in the area under criterion (iii) appropriate?**

- 2.22 The Inspector did not read what the Alteration says about employment in the area as either insufficiently sensitive to the needs of existing businesses, as Royal Mail argued, or tantamount to a requirement to retain such businesses, as SJS Property Management contend. The approach advocated in the Proposed Alteration Policy seemed to the Inspector to be an appropriate balance to strike in an area where significant change is clearly envisaged.

**Should criterion (iv) of the Policy refer to provision of retail facilities?**

- 2.23 The Inspector commented that the Council were of the view that provision of retail facilities will be included in the framework to be prepared for HUV and noted that reference to “service facilities” in criterion (iv) of the Policy covers the matter adequately. In any case he further comments that Policy CC21 of the AUDP permits ancillary shopping development that would contribute to the planning objectives set out in a Proposal Area Statement. The Inspector thought it would be unwise to imply, however, indirectly, that something more than this might be acceptable in HUV. In this respect the Council concurs with the Inspector’s view.

**Is it reasonable to require a flood risk assessment for the whole area [criterion (viii)]?**

- 2.24 As HUV lies within the 100 year floodplain the Inspector considers that the requirement for a flood risk assessment is reasonable in principle. Given the scale of regeneration proposed in the area he thought a coordinated approach would be sensible. He did not think that there is a good reason to single out the Canal Basin for a separate assessment, as one objector suggested, even if this were practicable. Provided all parties were willing to exercise some flexibility and not re-visit matters already resolved, the Inspector thought that the requirement should not inhibit or delay development. In this respect the council agrees with the Inspectors conclusions.

**Should land south of Sweet Street be included in the SHS?**

- 2.25 Land south of Sweet Street is included in Proposal Area 31, Holbeck, in the AUDP but would be excluded from the proposed SHS because, the Council consider that the Alteration would be more orientated towards housing provision than previous policy, and such an approach would not be

appropriate in an area of modern employment buildings. Likewise it would not be reasonable and realistic to include an area intrinsically unsuited to the introduction of housing and which is clearly in productive and potentially long-term employment use. The Inspector confirms that Sweet Street would be a logical boundary and considered that opportunities for housing development would come within the SHS, to alter the boundary would only confuse and complicate the Plan. However, the objectors, SJS Property Management are currently progressing a very large housing scheme on land south of Sweet Street.

### **Conclusion**

- 2.26 Overall the Inspectors conclusions and consideration of the objections are welcomed. His recommendation is included in the accompanying table.

### **ALTERATION 7/003 (LAND AT KIDACRE STREET)-**

- 2.27 The objection concerns an area of land that is unallocated but is within the city centre, part of the site is within a Prestige Development Area (PDA) where Policy CC31 supports prestige development for offices, recreational and cultural uses, conference and exhibition facilities and hotels. Being within the city centre boundary the land is subject to the policies and objectives for Chapter 13 even though it is substantially unallocated. The Review does not propose any changes to this land. Although the original objection refers to the suitability of the site for housing as part of a mixed-use development, it was confirmed at the Inquiry that a wholly residential allocation under Policy H3.1 is sought. The inspector identified four main issues and the considerations of his conclusions are ordered under the respective issues.

### **Is it reasonably certain that the site will become available during the Plan period?**

- 2.28 At the Inquiry the objector accepted that at no time has any indication been given of the likely availability of the gasholders, on part of the site, and Transco go no further than to say that there is "a strong possibility" that the site as a whole will be available for development by 2016.
- 2.29 From what the Inspector had seen of the scale and extent of the gas storage and transmission plant on the site, he was not convinced on the evidence submitted that there is a reasonable certainty that the site as a whole would become available for redevelopment within the Plan period.

### **Would it provide an acceptable environment for housing, in terms of accessibility to facilities and services, and living conditions for residents?**

- 2.30 The Inspector expressed the view that housing is in principle an appropriate use within the city centre, and that PPG3 guidance applies there as elsewhere. He thought that the emphasis on commerce as the driver for the city centre need not necessarily preclude "pure" housing development in moderation but clearly considered that other uses must necessarily be accommodated and other policies brought to bear. The debate on the range and split between various uses within the city centre is now taking place as

part of the consultation and expression of Options for the City Centre Area Action Plan, the proper place for such a debate.

**Would development for housing have an unacceptable effect on the stock of land with potential for office use?**

- 2.31 In the Inspector's view housing development on this site in isolation, in an otherwise wholly commercial area and bounded to the west and south by major roads, would produce a poor quality living environment, remote from services and facilities. In his opinion there would be no real possibility of building a community in the terms envisaged by PPG3. It is also concluded that as matters stand today, the site would not provide an acceptable environment for housing on any scale, in terms of accessibility to facilities and services, and living conditions for residents.

**Would allocation of the site for housing prejudice the proper planning of the City Centre?**

- 2.31 The Inspector made reference to Council's description of the stock of office floorspace in the City Centre, estimated in the Statement of Common Ground at around 12 years supply, as adequate but not excessive. The Inspector appears to generally agree with these findings. However, further work has been commissioned as part of the City Centre Area Action Plan, an Employment Land Review, that will provide a more considered view on the availability of office development within the city centre.
- 2.32 The recent redevelopment within the PDA might constrain this possibility in the short-term, according to the Inspector's, but he does not rule it out for all time and for all schemes. The Review has only a limited bearing on the City Centre but the Council intend to prepare an Area Action Plan for it as part of the LDF. The Inspector considers that it would not be good planning for that Plan to have to adapt to accommodate a predetermined housing use on the site, as advocated by the objector.

**Conclusion**

The Inspector's recommendation not to modify the UDP is accepted. The general conclusion that, the future consideration of this site would be best considered as part of the City Centre Area Action Plan. This approach is considered to be an appropriate outcome of the Inspector's consideration of this objection.

**3.0 RECOMMENDATION**

- 3.1 Members are asked to:
- i) agree this report as the City Council's response to the Inspector's recommendations in respect of Chapter 13 (Alteration 13/017, 13/019 and 7/003),
  - ii) to accept the Inspectors recommendations in respect of Alteration 13/017, 13/019 and 7/003,
  - iii) to recommend approval of these recommendations to Executive Board in due course.

## CHAPTER 13 – CITY CENTRE

<p><b>Prop. Alt. 13/017</b></p>	<p><b>PA 13/017</b> WATERFRONT STRATEGY (Para. 13.7.62A-B)</p> <p><b>Inspector's recommendation</b> Para 13.7-I recommend that the UDP be modified in accordance with FD Alteration 13/017.</p>	<p><b>Leeds City Council Decision and Reasons</b> The Council accepts the Inspector's conclusions in Para's 13.5 to 13.6 of the Report and consequently accepts the Inspector's recommendation to modify the Plan by accepting the FD Alteration.</p> <p><b>Proposed Modification</b> None</p> <p><b>Related Alterations</b> 11/001 (Policies R1, R2 R3, R4); 13/018 (13.7.64); 22/003; 22/005.</p>
<p><b>Prop. Alt. 13/019 RD</b></p>	<p><b>PA 13/019 RD</b> RIVERSIDE AREA STATEMENTS 22 &amp; 23 AND OTHER AREAS: Proposal Statement 31(Holbeck Urban Village Strategic Housing Site)</p> <p><b>Inspector's recommendation</b> Para 13.22-I recommend that the UDP be modified in accordance with RD Alteration 13/019, subject to inserting the following after the first sentence of para. 13.7.73h:</p> <p>"The Canal Basin offers opportunities to create a high quality mixed-use development in a key waterfront location, and to link Holbeck to the City Centre in a way that will benefit both areas and assist regeneration within the Urban Village. Developers will be encouraged to create and enhance pedestrian routes through the area."</p>	<p><b>Leeds City Council Decision and Reasons</b> The Council accepts the Inspector's conclusions in Para's 13.9 to 13.21 of the Report and the Inspector's recommendation to modify the UDP in accordance with the Proposed Alteration in the Revised Draft. In addition the Inspector's proposed insertion of additional text after para 13.7.73h is accepted and will result in a modification to the Revised Draft Alteration.</p> <p>Furthermore, the Inspector recognised within para. 13.11 of his conclusions the need to change the wording of para 13.7.73e to reflect the Holbeck Urban Village Revised Planning Framework, This will require a subsequent modification to the Revised Draft Alteration text.</p> <p>In addition there are consequential changes to the RD Alteration text arising from the rejection of the term 'Strategic Housing Site' by the Inspector and its replacement by the term 'Strategic Housing and Mixed Use Site' from within Chapter 7 and the consequent changes to Policy H3-1B:6 by Policy H3-1A.43 that will require modification to the RD Alteration text.</p> <p><b>Proposed Modification</b> Modify the Leeds UDP Review (First &amp; Revised Deposit) by:</p> <ul style="list-style-type: none"> <li>• Deletion "31A HOLBECK URBAN VILLAGE STRATEGIC HOUSING SITE (H3-1B:6)" and replace with "31 A HOLBECK URBAN VILLAGE STRATEGIC HOUSING AND MIXED USE SITE (H3-1A.43)"</li> <li>• Delete from para. 13.7.73e of the RD supporting text "A Planning Framework for the Holbeck Urban Village area was adopted in May 1999, and is currently under review." and replace with " A Revised Planning Framework was adopted in December 2005."</li> <li>• Delete references to Policy H3-1B:6 within the RD Alteration paragraphs and substitute with Policy H3.1A.43</li> <li>• Add the following text after the first sentence of para 13.7.73h: "The Canal Basin offers opportunities to create a high quality mixed-use development in a key waterfront location, and to link Holbeck to the City Centre in a way that will benefit both areas and assist regeneration within the Urban Village. Developers will be</li> </ul>

		<p>encouraged to create and enhance pedestrian routes through the area.”</p> <p><u>Related Alterations</u> 7/003, 22/006.</p>
<p><b>Prop. Alt. 7/003</b></p>	<p><b>PA 7/003</b> LAND AT KIDACRE STREET</p> <p><u>Inspector's recommendation</u> Para 13.39 I recommend that no modification be made to the UDP.</p>	<p><b>Leeds City Council Decision and Reasons</b> The Council accepts the Inspector's conclusions in Para's 13.5 to13.6 of the Report and consequently accepts the Inspector's recommendation to not modify the Plan</p> <p><b>Proposed Modification</b> None</p>



**REPORT OF THE DEVELOPMENT DEPARTMENT**  
**REPORT TO: DEVELOPMENT PLAN PANEL**  
**DATE: 7th FEBRUARY 2006**

**SUBJECT: LEEDS UDP REVIEW – RESPONSE TO THE INSPECTOR’S REPORT ON CHAPTER 15 (EAST LEEDS)**

**Electoral Wards Affected:**

**Chapel Allerton, Gipton & Harehills, Killingbeck & Seacroft, Cross Gates & Whinmoor, Temple Newsam, Burmantofts & Richmond Hill, Garforth & Swillington**

**Specific Implications for:**

Ethnic Minorities   
Women   
Disabled People

Key Decision  Major Decision  Eligible for call in  Not Eligible for call in   
Significant Operational Decision  Administrative Decision  (details contained in the report)

**1.0 PURPOSE OF REPORT**

1.1 The purpose of the report is to consider the Inspector’s recommendations for Chapter 15 – East Leeds, and to determine the appropriate response to his recommendations.

**2.0 BACKGROUND**

2.1 There were 36 Proposed Alterations in the East Leeds Chapter, but only 11 Alterations were the subject of an objection to the Plan and these were considered at the Inquiry by the Inspector. These related to the Area Statement and the East Leeds Extension (ELE) and its inclusion of UDP housing allocations at Red Hall Lane (H4:6) and Grimes Dyke (H4:8). In addition, objections related to four PAS sites at Manston Lane, Manston; West of Wetherby Road, Red Hall; Red Hall Lane/Skelton Lane, South of A64; and Scholes Park Farm (falls within Chapter 16).

2.2 Other objections related to the Aire Valley Leeds Neighbourhood Renewal Area; the Hunslet Riverside Strategic Housing site (H3-1A); and the inclusion of the Seacroft Hospital housing allocation site (H3-3.24) within Phase 3 of the UDP Review.

**3.0 AREA STATEMENT**

3.1 The East Leeds Area Statement was expanded to include reference to several action areas identified for regeneration activity under policy R1.

3.2 The Inspector recommends that the Area Statement should be amended to reflect the introduction of Special Policy Areas and the preparation of Area Action Plans in accordance with his recommendations relating to Policy R1 in Chapter 11. In addition the Area Statement should be amended to reflect his recommendations in Chapter 7

renaming the Hunslet Riverside Strategic housing site and phasing of the East Leeds Extension.

3.3 The Council accepts the Inspector's conclusions and his recommendation to modify the Area Statement.

#### **4.0 AIRE VALLEY LEEDS**

4.1 The Inspector considers the key issues concerning Aire Valley Leeds (AVL) are:

- should the results of the AVL Transportation Study be included in the UDP Review;
- should reference be made to safeguarding the setting of Temple Newsam Historic Park and Garden and the Colton Conservation Area to the north? Should "and scheduled Ancient Monuments" be added to Alteration 15/011?
- should the Proposed Alteration be amended to reflect Yorkshire Water Services' [YWS] concerns with regard to the presence and environmental effects of the Knostrop Waste Water Treatment Works [KWWTW]?
- should the Proposed Alteration be amended to express more fully the opportunities and constraints as identified by the Grimley reports "Strategic Vision for the Aire Valley" and "AVL – Market Demand and Development Impact Study Final Report"]?
- should there be reference to the north-west parts of the area being suitable for leisure, residential, retail and tourist orientated developments to support the City Centre? Should there be a more detailed policy to provide certainty?

4.2 On the above key issues the Inspector concludes the following:

#### **Transportation Study**

4.3 The Highways Agency consider that the results of the AVL Transportation Study should be included in the UDP to address the transportation issues. The Council and the Highways Agency agreed an addition to the Alteration, which was included in the Council's evidence at the Inquiry (ref: LCC/062). This stated that:

*"Regeneration proposals for the Aire Valley will need to address traffic and transportation issues and must deal with the relationship to the adjoining Motorway network. Through the preparation of an Area Action Plan the City Council, Highways Agency and other transport providers seek to develop a package of sustainable transport infrastructure improvements and services to support the Council's regeneration proposals. These measures will in turn be developed through consultation with a range of stakeholders and procured through private sector developer contributions and funding agencies".*

4.4 The Council agreed that sustainable transport measures will need to be addressed in the preparation of the intended AAP. In response to the Highway Agency's views the Council also proposed an Inquiry Change (re: IC/018) to add to the policy criteria in Alteration 15/011 as follows:

*"Sustainable transport measures which are of particular importance in the Aire Valley."*

- 4.5 Enhanced public transport and accessibility to jobs is already included in the policy criteria. The Inspector commented that all the necessary issues will need to be addressed in the AAP and concluded that it is premature to go into further detail in the UDP at this stage.

### **Historic Sites and Areas**

- 4.6 English Heritage's concern relating to Temple Newsam has been addressed by RD Alteration 15/011 in that a policy criterion is proposed to be added referring to safeguarding the setting of Temple Newsam Historic Park and Garden and the Colton Conservation Area.

### **Knostrop Waste Water Treatment Works**

- 4.7 YWS are concerned that the UDP Review (Revised Deposit) as drafted fails to recognise the presence and impact of KWWTW in the Aire Valley. Relocation of the works is not practicable; the cost is estimated to be about £500m. Significant improvement could only be afforded through profit from development of the surrounding area. The Inspector concludes that KWWTW is likely to be a permanent presence which should be acknowledged and taken into account in future planning of the AVL and that such reference should be made in the RUDP.
- 4.8 It is an accepted planning principle, (seen with regard to pollution in para. 1.32 of PPG23) that the juxtaposition of conflicting uses should be avoided. YWS's usual guidance is that a separation distance of 100-500m should be allowed around sewage treatment works but in this case they are not seeking a specific "cordon sanitaire". However there is no basis for any such distance in national, regional or Council policies or guidance.
- 4.9 The Council consider that existing AUDP Policies GP3 and GP5, which require a judgement to be reached, are sufficient to protect residential amenity if necessary through affording sufficient separation. YWS suggest the inclusion of a paragraph relating to odour and its measurement by odour units based on the Environment Agency's Draft Technical Guidance Note on Integrated Pollution Prevention and Control H4. The Inspector notes that this guidance is currently draft and considers that this is sufficient reason for the suggested limits not being included in the UDP. The odour units contours are also questionable based on average emissions data rather than KWWTW site-specific measurements.
- 4.10 The Inspector considers that it would be appropriate to include the wording suggested by YWS following the introductory paragraph in Alteration 15/011 to reflect the presence and importance of KWWTW. Similarly it would be appropriate to amend the 11<sup>th</sup> bullet point in the Alteration to read "*Determining the range of land uses and their locations.*" YWS suggest an additional bullet point, "*accommodating existing strategically important land uses*". The Council prefer "*recognising the impact of, and on, existing businesses/land uses*". The Inspector considered that the Council's proposed wording is preferable.

### **Opportunities and Constraints**

- 4.11 Keyland Developments Ltd [KDL] consider that the introduction to 15/011 does not adequately express opportunities and constraints particularly as identified in the Grimley reports. The Inspector considers that it is necessary to refer to both the current employment initiative as well as the future consideration of the area's wider

potential without necessarily referring to such aspects as “engine for growth” as suggested. A combination of text advanced in the UDP Review (Revised Deposit) and by objectors is considered appropriate by the Inspector. The Inspector saw no need to introduce the word “flexible” to describe the context as other recommended modifications cover the points made about the inflexibility of E7, as proposed to be changed by Proposed Alteration 8/001 and the approach to the preparation of AAPs. As regeneration will be planned in a holistic fashion, in accordance with national guidance, he saw no reason to add “including consideration of those [land uses] which would be required to support a sustainable community” to bullet point 11 as suggested by KDL.

### **Suitability of North West Parts of the Area for Different Uses to Support the City Centre**

- 4.12 The Inspector considered that to include reference to the north-west parts of the area being suitable for leisure, residential, retail and tourist orientated developments to support the City Centre would be to predetermine proposals in the AAP. However, he commented that it would be useful to add a cross-reference to paras. 11.3.2 - 7, and recommends they should be amended, as part of Alteration 15/011.

### **Other Matters**

- 4.13 The inspector also considered the KDL suggestion that a further bullet point, “*appropriate treatment to alleviate flood risk*”, should be added to the list in the Alteration. He points out that this aspect of infrastructure improvement is already covered by bullet point 3 and that Policy N38B would require flood risk assessment as part of a planning application in the area. No need for a separate bullet point is therefore required.
- 4.14 In all these respects the Council accept the conclusions of the Inspector and his recommendations on Aire Valley Leeds.

## **5.0 HUNSLET RIVERSIDE STRATEGIC HOUSING SITE (H3-1B:7)**

- 5.1 The Inspector considers the key issues relating to Hunslet Riverside Strategic Housing Site are:
- does the proximity of the Knostrop Waste Water Treatment Works [KWWTW] prejudice the Strategic Housing Site (SHS)?
  - do the boundaries of the proposed SHS reasonably and realistically reflect what could be achieved during the Plan period? Should reference be made to rail-related uses as a component of the proposed development framework?
  - is flood risk assessment necessary and how should it be undertaken?
- 5.2 On the above key issues the Inspector concludes the following.

### **Knostrop Waste Water Treatment Works**

- 5.3 YWS consider that the SHS would be adversely affected to an unacceptable degree by odour from the KWWTW and should not be included in the UDP.
- 5.4 The Inspector comments that it is common sense not to site housing development adjacent to a major sewage treatment works as would be the case at the eastern end

of the SHS. He considers that the UDP Review's approach is somewhat confusing and potentially contradictory in that the Policy addresses "a strategic housing site incorporating mixed use development", and the supporting text refers to both "a significant concentration of new housing in the form of a second urban village" and "housing within a mixed-use development". The title and allocation of "Strategic Housing Site", and the emphasis on housing, suggest that residential development could be proposed anywhere within the area identified, though it is apparent from discussion at the Inquiry that this is not the intention. In particular, he argued that there is no indication in the UDP Review that housing would be concentrated in the north-western part of the SHS, that the anticipated number of dwellings would be about 1,000, or that employment uses might remain over a good part of the SHS. He therefore recommends that the name be changed to "Strategic Housing and Mixed Use Site" to more accurately reflect the intended balance of uses.

- 5.5 The inspector notes that the further away from KWWTW the less the odour impact would be and it was confirmed during the Inquiry that YWS had not objected to the proposed development of Hunslet Mills for the 700 apartments for which planning permission was granted in 2003. This potential development, which is about 1km from KWWTW, together with the Copperfield College site, (about 800m distant), should be far enough way from the odour sources to avoid a problem.
- 5.6 The Council see scope for some housing on the east bank of the river but this would not extend to the south-east corner of the site, close to KWWTW. The aggregate plant there will remain for the Plan period and the Inspector recommends that the SHS be modified to exclude that site.
- 5.7 The Inspector concludes that there is no inconsistency in progressing housing development in advance of the preparation of the AAP, provided that the area within which it is progressed is identified in a practicable way in relation to other uses and the approach is fully explained. Part of the reason for inclusion of both sides of the River Aire is to facilitate the area's comprehensive environmental improvement.
- 5.8 The Inspector advises that detailed consideration of uses that can be satisfactorily sited in relation to KWWTW will need to be undertaken as part of the development framework for the SHS and the AAP for the Aire Valley. YWS do not rule out the possibility of further works to mitigate odour if they are necessary to meet wider development aspirations for the area. YWS will be fully involved in the preparation both of the development framework for the SHS and the AAP.

### **Boundaries of the Proposed Strategic Housing Site**

- 5.10 Network Rail [now the Strategic Rail Authority] originally sought removal from the SHS of the whole area bounded by the rail spur, Knowsthorpe Lane and KWWTW but later reduced this to cover only the aggregate plant towards the south-east end of the site, together with land adjoining the KWWTW.
- 5.11 Whilst recognising the role of the proposed development framework the Inspector considers that the objector's land qualifies in principle for protection for freight handling in the terms set out in PPG13 [para. 45], and that it would be helpful to users of the Plan if this was acknowledged in the supporting text.

### **Flood Risk**

- 5.12 British Waterways and ISIS Regeneration both raise concerns at the requirement for a comprehensive flood risk assessment [introduced in RD Alteration 15/014 in response

to the Environment Agency objections under Alterations 7/002 and 7/003]. It is suggested that the site should be broken down into 3 distinct areas. Airebank Developments Ltd raise a similar objection and suggest that a comprehensive flood risk assessment would lead to delays and frustration.

- 5.13 The Inspector commented that Flood Risk Assessment prior to commencement of development is a necessary requirement which is not outweighed by considerations of frustration and delay. He recognises that Policy N38B requires an overall flood risk assessment as part of a planning application where consultations with the Council or the Environment Agency have identified a need for it, or where there is other clear evidence that a proposal is likely to be affected by flooding, or could increase the risk of flooding elsewhere. He concludes that the criterion should be retained.
- 5.14 In all these respects the Council accept the conclusions of the Inspector and his recommendations on Hunslet Strategic Housing Site.

## **6.0 EAST LEEDS EXTENSION (INCLUDING RED HALL AND GRIMES DYKE HOUSING ALLOCATIONS, PAS SITES AT RED HALL/SKELTONS LANE, SOUTH OF A64, WHINMOOR, NORTH OF A64, WHINMOOR AND SCHOLLES FARM PARK (CHAPTER 16))**

- 6.1 Under Policy H3-2 the Council identified some 215 ha of land around the eastern edge of Leeds for housing, employment uses, greenspace and other ancillary facilities as part of Phase 2 of the Review. The release of the East Leeds Extension (ELE) was to be determined by housing supply monitoring, and caveated to ensure that no residential development would be occupied prior to Phase 2 which was anticipated to start on 1<sup>st</sup> April 2011.
- 6.2 The Inspector considers the issues to be as follows:
- Is there a need for development on the scale proposed in order to meet the RPG housing requirement during the Plan period?
  - If there is such a need, is the ELE demonstrably the best location for development, and the most sustainable form?
  - Is the timing of the proposal appropriate?
  - Should land at Grimes Dyke, Whinmoor be separately allocated for development, or regarded as the first phase of ELE?
  - Would the impact of development on the Green Belt and the landscape be acceptable?
  - Could access be provided in an effective, safe and sustainable way, and without detriment to the existing highway system and the adjoining urban area?

### **Need**

- 6.3 The Council proposed ELE to ensure that a “reservoir” of additional land would be available to draw on in the event of under-supply and to provide a range of housing across the district. The Inspector accepts that it is important to have land in reserve to cope with unforeseen circumstances. He considers, however, that the Council has not given detailed consideration to the size of the reserve of land required or how it should be provided, and has identified ELE on the basis that it would be an urban extension without comparing it in any detail with other options.
- 6.4 The Inspector accepts in principle that the proposed managed release guidelines provide a robust defence against premature release of ELE, or release in response to

only a marginal housing shortfall, but is concerned about the inflexibility of a very substantial quantum of development in one location.

- 6.5 On this first issue the Inspector concludes that ELE requires more detailed and rigorous justification in the plan and this should include a reassessment of the overall capacity and annual yield of the site based upon additional information submitted to the Inquiry which suggested that the site may be capable of accommodating a further 800 – 1,400 dwellings.

### **Location and Sustainability**

- 6.6 The Inspector accepts that an earlier Inspector (to the original UDP) had acknowledged the potential of East Leeds for significant growth after an exhaustive analysis of potential housing locations and sites, but considers that the justification for the ELE within Phase 2 of the Review is lacking. The Inspector points out that the Council has not undertaken a comparison between the ELE and sites proposed in Phase 3 of the Plan.
- 6.7 Whilst the ELE would produce a substantial amount of housing accessible to existing employment by non-car modes, given its relationship to the existing urban area the Inspector is not convinced of the ELE's ability to function as a community with a coherent identity and character of its own or its ability to utilise existing physical and social infrastructure. The Inspector therefore recommends an alternative strategy based on smaller, urban edge sites in sustainable locations to be brought forward if and when necessary within a revised Phase 2.
- 6.8 The Inspector indicates that if it becomes apparent that the supply of brownfield land is reducing to an unacceptable level and additional land is required over and above the smaller greenfield allocations, ELE could be brought forward within Phase 3. The Inspector concludes this issue by recommending adding to the Policy a series of tests that would have to be satisfied for the allocation to be released, relating to monitoring, the benefits of an orbital road and sustainability.

### **Timing**

- 6.9 Developers promoted earlier phasing of ELE to enable occupation of dwellings before 2011 and commencement from April 2009, related to criteria on housing land supply and housing choice, regeneration, employment growth and infrastructure provision. The Inspector indicates that he has seen no convincing evidence that it would be needed as early in the Plan period as this and suggests that to start planning for ELE in little more than a year's time would present a major distraction from the necessary emphasis on brownfield land and could seriously undermine the central housing strategy.
- 6.10 Other objectors either wished to return to the First Deposit wording of Alteration 15/015 which omitted reference to release of the site being connected to housing supply monitoring or wanted no date to be included for release of the site. The Inspector disagrees with these objections and considers that relating implementation to the monitoring process introduces reasonable flexibility while retaining a sense of direction which would be lost if the process was completely open ended.

### **Grimes Dyke, Whinmoor**

- 6.11 Persimmon Homes promoted release of land at Grimes Dyke, Whinmoor [allocated as housing site H4.8 in the AUDP but proposed in the Review for inclusion in ELE] in

Phase 1 of the housing strategy. Alternatively, they asked that it be regarded as the first phase of ELE in Phase 2. The Inspector considers that sufficient land can be found for Phase 1 and there is therefore no justification for releasing greenfield sites such as this in Phase 1, which would risk undermining the housing strategy.

- 6.12 The Inspector points out that the UDP Inspector considered Grimes Dyke suitable for development and capable of being developed independently of the then Seacroft/Cross Gates Bypass. The Council were prepared to grant planning permission in 1999/2000 on the basis of proposals that would have dovetailed access with adjoining ELE land, but subsequently changed their stance in response to publication of PPG3. The Inspector also notes that in the early stages of the Review the Council proposed the site as the first phase of ELE (UDP Review Scope and Content, December 2002)
- 6.13 The Inspector considers the site generally sustainable, and significantly more sustainable than the bulk of ELE. He notes that it is the only substantive part of ELE that lies within 15 minutes walking distance of an existing town centre [Seacroft], there are primary schools and some local services and employment close at hand. Bus services would also be within easy walking distance of the whole site. He acknowledges that, at the time of writing, the prospects for Supertram were not clear but indicates that is not a good reason to discount the site or assume that in its absence alternative public transport enhancements would not be forthcoming. In addition, in strategic terms development would constitute an urban extension bounded on two sides by the existing urban area with only a limited effect on the landscape to the east.
- 6.14 The Inspector sees no compelling reasons why development of the site must await a decision to proceed with the whole of ELE, as the site is capable of independent access. He notes that the Council are concerned that the developer of this site should contribute towards a comprehensive access strategy for ELE but sees no good reason why an appropriate developer contribution should not be sought towards possible long-term access improvements given that the likely timing of development would allow ample time for the details of both housing and the orbital road to be resolved so as to avoid any conflict between the two. The Inspector recommends that if required in Phase 2, the site could be developed without the major infrastructure implications associated with ELE as a whole, and could form part of a more phased and flexible approach to land release in general and to ELE in particular.

### **Impact on the Green Belt and Landscape**

- 6.15 Thorne Parish Council, Barwick and Scholes Parish Council and other objectors wanted the ELE to be returned to the Green Belt. Since much of the land north of the A64 and south of the Leeds-Barwick Road, has never been approved GB, and only had "interim" status in the Development Plan Review 1972, the Inspector agrees with the Council that the question of a "return" to the Green Belt does not arise and no exceptional circumstances have been put forward to support changing Green Belt boundaries to include it.
- 6.16 The Inspector considers that the area between York Road and Leeds-Barwick Road should be kept undeveloped, or at least developed last, given the relative narrowness of the gap separating Scholes from the edge of the City. This would minimise the possible impact on the Green Belt, and maintain a significant separation between communities. The Inspector recommends that prior to adopting the Plan the Council examine the possibility of confining development principally to areas north of the A64, and south of the Leeds-Barwick Road. The latter would also have the merits of being



close to the Thorpe Park Business Park and capable of being accessed by an extension of Manston Lane Link Road. The form of access beyond this, whether by East Leeds Orbital Route (ELOR), or an alternative development road, would be a matter for further examination. The inspector goes on to suggest that development within the central section of ELE need not be precluded completely but might well be an area where greenspace provision could be concentrated. The Inspector estimates that in broad terms development on this reduced scale could yield between 2,900 and 3,900 dwellings, depending on density.

- 6.17 In addition the Inspector recommends that further consideration be given now to how the overall development might be phased with a view to incorporating proposals into the Plan. Whilst he understands that phasing is closely associated with provision of infrastructure, he suggests that even a broad indication of phasing would be a helpful guide and provide valuable flexibility for bringing land forward under the plan monitor and manage approach, should this be necessary in response to any falling off in the supply of brownfield land.

### **Access**

- 6.18 The Council estimated that an initial 700 or so dwellings could be developed within ELE before it would be necessary to construct ELOR. The Inspector considers this to be a reasonable prediction subject to two caveats: firstly, that more investigation is carried out on the impact of development within ELE on the Outer Ring Road (ORR) and the extent to which it could be mitigated and secondly, that consideration is taken of any anticipated change in traffic volumes at the possible start date for ELE to inform a phased approach to development.
- 6.19 In respect of the remainder of ELE the Inspector is of the view that all the evidence suggests that some alternative highway capacity will be needed if existing traffic levels on the ORR are to be reduced, and problems of pollution, noise, accident risk and severance ameliorated. He notes that these problems are particularly severe at Seacroft and Cross Gates where the scope for improvements to the road, is most constrained. He considers that ELOR has the potential to provide some such relief, and that it is unlikely that improving the ORR alone, as some objectors advocate, would provide a feasible alternative. He considers that transport-related measures in ELE, and associated with it, have the potential to bring real benefits. He notes, however, that most of the benefits are speculative at the present time and there is an insufficient basis on which to judge whether the transport aspects are sound. In view of the central importance of ELOR the Inspector recommends inclusion of a test of demonstrable public benefit from the road.
- 6.20 The Inspector concludes that ELE should be moved from Phase 2 to Phase 3 of the plan to reflect the housing land supply situation and the need for considerable planning and design work to be done. Grimes Dyke, Whinmoor (UDP Policy H4.8] and Red Hall [H4.6] are recommended for inclusion in Phase 2.

### **COUNCIL'S RESPONSE**

- 6.21 The main response to the Inspector's recommendations on the housing strategy have already been considered in the report to Panel on 3 January 2006 under Chapter 7: Housing where it was accepted that East Leeds Extension should be deleted from Phase 2 and moved to Phase 3 (2012 – 2016) as site H3-3A.33, and Grimes Dyke and Red Hall Lane should be incorporated in Phase 2 under policies H3-2A.2 and H3-2A.3 respectively.

- 6.22 In respect of the detailed development of the ELE, however, the Council is not in total accord with the Inspector's first recommendation that **prior to adoption** of the UDP review, the proposed allocation be re-assessed with a view to confining the bulk of built development to the north of the A64, and south of the Leeds- Barwick Road and (ii) including outline phasing proposals in the Plan.
- 6.23 Whilst the Council agree that maintaining separation between communities and minimising impact on the Green Belt are key planning principles, the detailed planning of the area should properly be undertaken as part of an overall development framework for the site. In addition it is premature to consider phasing of the site when there is no certainty that the site will be developed since following the Inspector's recommendation additional wording is proposed to be included indicating that the site will only be released..... "if any orbital road produces clear public transport benefits, and if developed there is demonstrably the most sustainable option".
- 6.24 The Council therefore accepts the conclusions of the Inspector relating to deletion of ELE from Phase 2 of the Plan and its incorporation in Phase 3 as site H3-3A.33, but proposes to reject the Inspector's recommendations relating to the identification of development areas and phasing of development.

## **7.0 REAR OF SEACROFT HOSPITAL, SEACROFT**

- 7.1 The site was included as a Phase 3 greenfield allocation in the Review on the basis that it accorded with the sequential approach to housing land release set out in paragraph 30 of PPG3.
- 7.2 The Inspector concluded that the site would not qualify as a Strategic Site within Phase 1, and that as it is greenfield it should not be ranked on a par with the brownfield sites that comprise that Phase. However, its location within the urban area and sustainability qualify it for inclusion in the revised Phase 2.
- 7.3 The Council accept the Inspector's conclusions and his recommendation to include the site within Phase 2.

## **8.0 RECOMMENDATION**

- 8.1 Members are asked to agree this report as the City Council's response to the Inspector's recommendation and to recommend its approval to the Executive Board in due course.

## CHAPTER 15 – EAST LEEDS

<p><b>Prop. Alt. 15/004</b></p>	<p><b><u>PA 15/004</u></b> AREA STATEMENT – New para.</p> <p><b><u>Inspector’s recommendation</u></b> Para 15.3 I recommend that that Alteration 15/004 be modified to read: “The area covered by East Leeds contains several special policy areas identified for comprehensive neighbourhood renewal under Policy R1 and for which Area Action Plans are to be prepared. These are Aire Valley Leeds, Gipton and Harehills. In addition, East Leeds contains several Action Areas which have been identified for regeneration under Policy R2 and for which Area Statements have been or are to be prepared. These include neighbourhood regeneration at Seacroft, ....</p>	<p><b><u>Leeds City Council Decision and Reasons</u></b> The Council <i>accepts</i> the Inspector’s conclusions in Para’s 15.2 of the Report and consequently <i>accepts</i> the Inspector’s recommendation to amend the wording of Alteration 15/004.</p> <p><b><u>Proposed Modification</u></b> Modify the Leeds UDP Review (First &amp; Revised Deposit) by:</p> <ul style="list-style-type: none"> <li>inserting the following paragraph in the Area Statement:</li> </ul> <p><b>“The area covered by East Leeds contains several special policy areas identified for comprehensive neighbourhood renewal under Policy R1 and for which Area Action Plans are to be prepared. These are Aire Valley Leeds, Gipton and Harehills. In addition, East Leeds contains several Action Areas which have been identified for regeneration under Policy R2 and for which Area Statements have been or are to be prepared. These include neighbourhood regeneration at Seacroft, ....</b></p>
<p><b>Prop. Alt. 15/011</b></p> <p><b>15/011/ RD</b></p>	<p><b><u>PA 15/011</u></b> “AIRE VALLEY LEEDS” NEIGHBOURHOOD RENEWAL AREA</p> <p><b><u>Inspector’s recommendation</u></b> Para 15.25 I recommend that the UDP be modified by RD Alteration 15/011subject to:</p> <p>1. amending the paragraphs preceding the upper case Policy as follows:</p> <p>AIRE VALLEY LEEDS” NEIGHBOURHOOD RENEWAL AREA</p> <p>The Aire Valley area is a major focus for employment growth in the region. It represents a very significant but underused part of the urban area which could be regenerated to realise its full potential and benefit nearby residents and the City as a whole. The area has considerable strengths and potential in terms of the existing diverse employment base, improving access to a large local workforce in adjacent residential areas, and improved access to the motorway network, the Leeds Inner Ring Road and Leeds City Centre. There are considerable constraints which need to be addressed including</p>	<p><b><u>Leeds City Council Decision and Reasons</u></b> The Council <i>accepts</i> the Inspector’s conclusions in Para’s 15.5-15.24 of the Report and consequently <i>accepts</i> the Inspector’s recommendation to modify the text of Alteration 15/011.</p> <p><b><u>Proposed Modification</u></b> Modify the Leeds UDP Review (First &amp; Revised Deposit) by:</p> <ul style="list-style-type: none"> <li>amending the paragraphs preceding the policy as follows:</li> </ul> <p><b>AIRE VALLEY LEEDS” NEIGHBOURHOOD RENEWAL AREA</b></p> <p><b>The Aire Valley area is a major focus for employment growth in the region. It represents a very significant but underused part of the urban area which could be regenerated to realise its full potential and benefit nearby residents and the City as a whole. The area has considerable strengths and potential in terms of the existing diverse employment base, improving access to a large local workforce in adjacent residential areas, and improved access to the motorway network, the Leeds Inner Ring Road and Leeds City Centre. There are considerable constraints which need to be addressed including contamination, inadequate infrastructure and poor environmental quality. A key feature of the area is the Knostrop Waste Water Treatment Works which treats waste for the whole of Leeds. This key strategic asset has a wide environmental impact which will influence acceptable land uses throughout the Neighbourhood Renewal Area.</b></p>

contamination, inadequate infrastructure and poor environmental quality. A key feature of the area is the Knostrop Waste Water Treatment Works which treats waste for the whole of Leeds. This key strategic asset has a wide environmental impact which will influence acceptable land uses throughout the Neighbourhood Renewal Area.

[Continue with SRB6 funding paragraph which identifies the ongoing initiative].

Continue “The identification of “Aire Valley Leeds” as a special policy area under Policy R1 will provide a context for regeneration of the area and support comprehensive, sustainable and innovative new development.”

2. adding the following paragraph:

“Regeneration proposals for the Aire Valley will need to address traffic and transportation issues and must deal with the relationship to the adjoining Motorway network. Through the preparation of an Area Action Plan the City Council, Highways Agency and other transport providers seek to develop a package of sustainable transport infrastructure improvements and services to support the Council’s regeneration proposals. These measures will in turn be developed through consultation with a range of stakeholders and procured through private sector developer contributions and funding agencies.”

3. amending the Policy to refer to an AREA ACTION PLAN rather than ACTION PLAN;

4. adding “and their location” after “Determining the range of land uses” in bullet point 11;

5. adding two further bullet points/key issues “Recognising the impact of, and on, existing businesses/land uses” and “Sustainable transport measures which are of particular importance in the Aire Valley.”; and

6. adding at the end of the penultimate paragraph of 15/011 “This will take the form of an Area Action Plan prepared as part of the new planning system introduced by the Compulsory Purchase Act 2004 (see paras. 11.3.2 – 6.)”

[Continue with SRB6 funding paragraph which identifies the ongoing initiative].

**Continue “The identification of “Aire Valley Leeds” as a special policy area under Policy R1 will provide a context for regeneration of the area and support comprehensive, sustainable and innovative new development.”**

- adding the following paragraph:

**“Regeneration proposals for the Aire Valley will need to address traffic and transportation issues and must deal with the relationship to the adjoining Motorway network. Through the preparation of an Area Action Plan the City Council, Highways Agency and other transport providers seek to develop a package of sustainable transport infrastructure improvements and services to support the Council’s regeneration proposals. These measures will in turn be developed through consultation with a range of stakeholders and procured through private sector developer contributions and funding agencies.”;**

- amending the Policy to refer to an AREA ACTION PLAN rather than ACTION PLAN;
- adding “and their location” after “Determining the range of land uses” in bullet point 11;
- adding two further bullet points/key issues “Recognising the impact of, and on, existing businesses/land uses” and “Sustainable transport measures which are of particular importance in the Aire Valley.”; and
- adding at the end of the penultimate paragraph of 15/011 “This will take the form of an Area Action Plan prepared as part of the new planning system introduced by the Compulsory Purchase Act 2004 (see paras. 11.3.2 – 6.)”

<p><b>Prop. Alt. 15/014</b></p> <p><b>15/014/ RD</b></p>	<p><b>PA 15/014</b> HUNSLET RIVERSIDE STRATEGIC HOUSING SITE</p> <p><b>Inspector's recommendation</b> Para 15.39 I recommend that the UDP be modified in accordance with RD Alteration 15/014 subject to:</p> <ol style="list-style-type: none"> <li>1. changing the Policy title to "Hunslet Riverside Strategic Housing and Mixed-use Site", and amending the supporting text to clearly set out the intended balance between housing and other uses;</li> <li>2. amending the boundary of the site in accordance with Doc. S/20387/A; and</li> <li>3. adding the following as an additional paragraph at the end of the supporting text:</li> </ol> <p>"East of the river there is a rail link which is expected to have a long-term future and this part of the site has considerable potential for further rail-related uses, which will be explored through preparation of the development framework. It will be important to ensure that such potential is safeguarded for the future, in line with national advice on transport planning, and that any layout provides an adequate buffer between rail facilities and sensitive uses such as housing and open space."</p>	<p><b>Leeds City Council Decision and Reasons</b> The Council <i>accepts</i> the Inspector's conclusions in Para's 15.27-15.38 of the Report and consequently <i>accepts</i> the Inspector's recommendation to modify the text of Alteration 15/014.</p> <p><b>Proposed Modification</b> Modify the Leeds UDP Review (First &amp; Revised Deposit) by:</p> <ul style="list-style-type: none"> <li>• amending the policy title, site boundary and supporting text.</li> <li>• changing the Policy title to "Hunslet Riverside Strategic Housing and Mixed-use Site", and amending the supporting text to clearly set out the intended balance between housing and other uses by adding the following as an additional paragraph at the end of the supporting text:</li> </ul> <p><b>"East of the river there is a rail link which is expected to have a long-term future and this part of the site has considerable potential for further rail-related uses, which will be explored through preparation of the development framework. It will be important to ensure that such potential is safeguarded for the future, in line with national advice on transport planning, and that any layout provides an adequate buffer between rail facilities and sensitive uses such as housing and open space."</b></p> <ul style="list-style-type: none"> <li>• amending the boundary of the site in accordance with Doc. S/20387/A by deleting land at the south east of the site from the allocation as shown on the attached plan.</li> </ul>
<p><b>Prop. Alt. 15/015</b></p> <p><b>15/015/ RD</b></p>	<p><b>PA 15/015</b> EAST LEEDS EXTENSION AND PROPOSED ALTERATIONS 15/023, 15/024, 15/025, 15/026, 15/027 AND 16/016</p> <p><b>Inspector's recommendation</b></p> <ol style="list-style-type: none"> <li>1. Para 15.100 I recommend that prior to adoption of the RUDP the proposed allocation be re-assessed with a view to confining the bulk of built development to the north of the A64, and south of the Leeds - Barwick Road; and including outline phasing proposals in the Plan;</li> <li>2. the UDP be modified in accordance with Alteration RD 15/015, subject to: <ol style="list-style-type: none"> <li>a. deleting the first two sentences and substituting:</li> </ol> </li> </ol>	<p><b>Leeds City Council Decision and Reasons</b> The Council rejects the Inspector's recommendations in part. The city council accepts the Inspector's recommendations with the exception of recommendation 1 which relates to a re-assessment of the site to confine the bulk of built development to the north of the A64, and south of Leeds- Barwick Road; and the inclusion of outline phasing proposals in the Plan. The council agree that the area between the A64 and Leeds – Barwick Road is a sensitive area in terms of the need to minimise impact on the Green belt and maintain a significant separation between communities, however, it is premature to define the specific location and nature of development at this time. The Council considers that these matters should be considered within a development framework for the site. The process of identifying which areas may be developed the purpose for which they should be developed and their potential phasing is likely to take some time, will hold up adoption of the Plan and would be better achieved through detailed consideration as part of the Local Development Framework.</p> <p><b>Proposed Modification</b></p>

	<p>“Land around the eastern edge of Leeds is identified as a long-term reserve of land to be used in the event that brownfield sites do not come forward at the rate and in the quantity necessary to meet the annual average housing requirement set out in the Regional Spatial Strategy. It will only be released if monitoring shows that this is the case, if any orbital road produces clear public benefits, and if development there is demonstrably the most sustainable option.”</p> <p>b. in the bold text:</p> <ul style="list-style-type: none"> <li>deleting “Policy H3-2” and “Phase 2” and substituting “Policy H3” and “Phase 3”;</li> <li>deleting sub-paragraph iv;</li> <li>adding the following at the end:</li> </ul> <p>THE ALLOCATION WILL BE BROUGHT FORWARD FOR DEVELOPMENT ONLY IF:</p> <p>i. MONITORING INDICATES THE NEED FOR FURTHER LAND TO BE RELEASED TO MEET THE RSS ANNUAL AVERAGE HOUSING REQUIREMENT;</p> <p>ii. THE ASSESSMENT OF THE NEED FOR AN ORBITAL ROAD DEMONSTRATES THAT SUCH A ROAD WOULD BOTH SERVE THE PROPOSED DEVELOPMENT SATISFACTORILY AND PRODUCE CLEAR PUBLIC BENEFITS TO USERS OF THE HIGHWAY SYSTEM; AND</p> <p>iii. SUSTAINABILITY APPRAISAL DEMONSTRATES THAT THERE ARE NO PREFERABLE, MORE SUSTAINABLE SITES; AND THAT THE DETAILED PROPOSALS FOR THE EXTENSION ARE INTRINSICALLY SUSTAINABLE.</p> <p>c. adding the following at the end of the first paragraph of supporting text after the bold text:</p> <p>“The impact of such a road upon the highway system will be fully assessed and, so far as the trunk road</p>	<p>Modify the Leeds UDP Review (First &amp; Revised Deposit) by:</p> <ul style="list-style-type: none"> <li>Deleting the first two sentences and substituting: <ul style="list-style-type: none"> <li><b>“Land around the eastern edge of Leeds is identified as a long-term reserve of land to be used in the event that brownfield sites do not come forward at the rate and in the quantity necessary to meet the annual average housing requirement set out in the Regional Spatial Strategy. It will only be released if monitoring shows that this is the case, if any orbital road produces clear public benefits, and if development there is demonstrably the most sustainable option.”</b></li> </ul> </li> <li>Revising the policy wording by: in the bold text: <ul style="list-style-type: none"> <li>deleting “Policy H3-2” and “Phase 2” and substituting “Policy H3” and “Phase 3”;</li> <li>deleting sub-paragraph iv;</li> <li>adding the following criteria: <p><b>THE ALLOCATION WILL BE BROUGHT FORWARD FOR DEVELOPMENT ONLY IF:</b></p> <p><b>i. MONITORING INDICATES THE NEED FOR FURTHER LAND TO BE RELEASED TO MEET THE RSS ANNUAL AVERAGE HOUSING REQUIREMENT;</b></p> <p><b>ii. THE ASSESSMENT OF THE NEED FOR AN ORBITAL ROAD DEMONSTRATES THAT SUCH A ROAD WOULD BOTH SERVE THE PROPOSED DEVELOPMENT SATISFACTORILY AND PRODUCE CLEAR PUBLIC BENEFITS TO USERS OF THE HIGHWAY SYSTEM; AND</b></p> <p><b>iii. SUSTAINABILITY APPRAISAL DEMONSTRATES THAT THERE ARE NO PREFERABLE, MORE SUSTAINABLE SITES; AND THAT THE DETAILED PROPOSALS FOR THE EXTENSION ARE INTRINSICALLY SUSTAINABLE.</b></p> </li> <li>adding the following at the end of the first paragraph of supporting text after the bold text: <p><b>“The impact of such a road upon the highway system will be fully assessed and, so far as the trunk road network is concerned, this will be done in consultation with the</b></p> </li> </ul> </li> </ul>
--	--	--

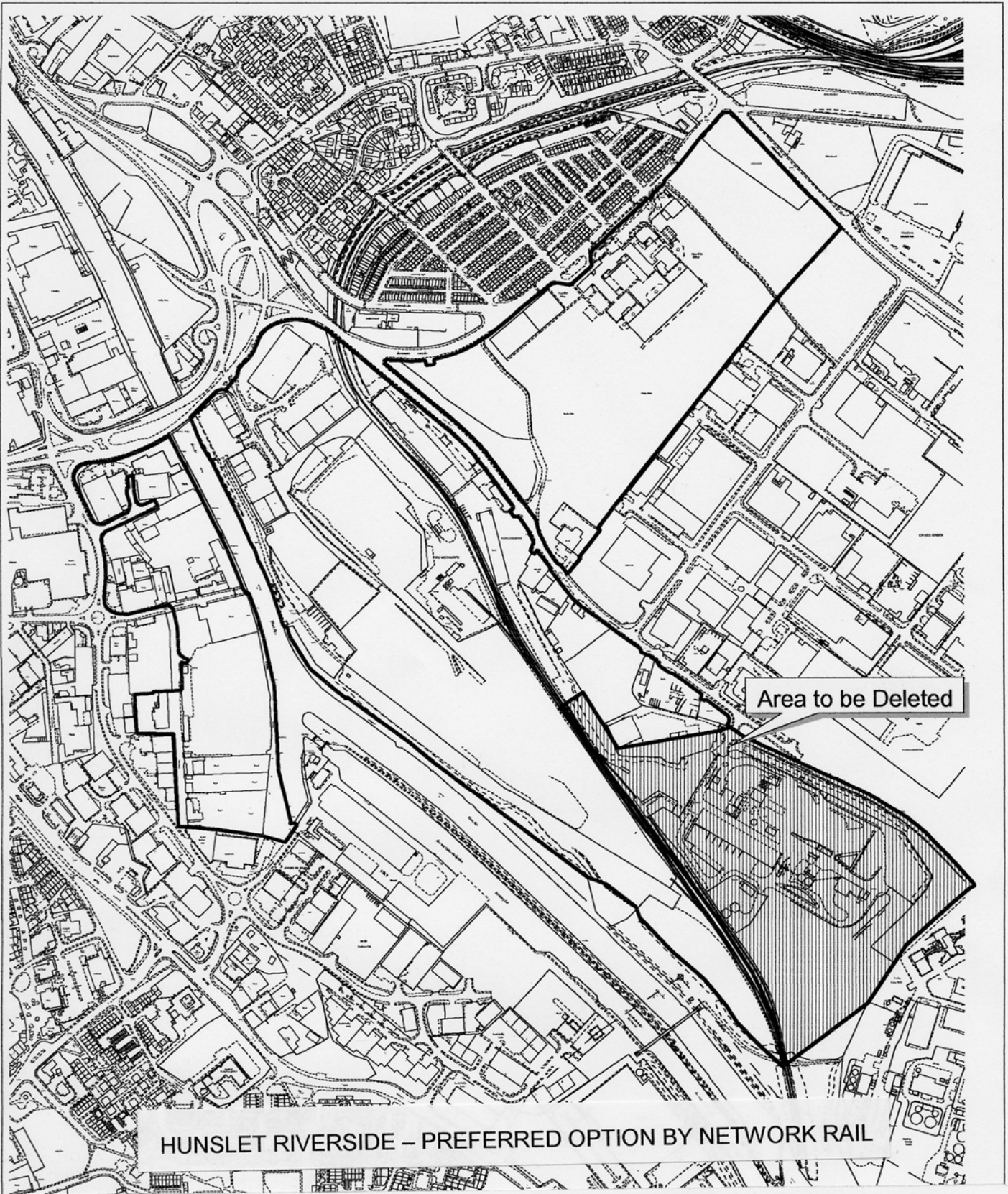
	<p>network is concerned, this will be done in consultation with the Highways Agency.”</p> <p>d. incorporating IC/015 into the supporting text;</p> <p>e. adding the Alteration text, as amended, to follow Policy H3 in Chapter 7.</p> <p>3. FD Alterations 15/018 and 15/020 be abandoned.</p>	<p><b>Highways Agency.”</b></p> <ul style="list-style-type: none"> <li>incorporating IC/015 into the supporting text. The final sentence of the supporting text will now read as follows:</li> </ul> <p>“The timing of any employment proposals is not constrained by the housing land release mechanism and will be considered through the development framework and in relation to any necessary infrastructure provision”.</p> <ul style="list-style-type: none"> <li>adding the Alteration text, as amended, to follow Policy H3 in Chapter 7.</li> <li>Deleting First Deposit Alterations 15/018 and 15/020.</li> </ul>
<p><b>Prop. Alt. 15/018</b></p>	<p><b>PA 15/018</b> POLICY H4.6 – RED HALL LANE, RED HALL</p> <p><b><u>Inspector’s recommendation</u></b> Para 15.100 and 7.122 I recommend that the Red Hall Lane site is abandoned as part of the ELE and included as a Phase 2 housing allocation site.</p>	<p><b><u>Leeds City Council Decision and Reasons</u></b> The Council <i>accepts</i> the conclusions in para 15.96 and in Chapter 7 para 7.87 to delete Red Hall Lane from the ELE and include it as a housing allocation within Phase 2.</p> <p><b><u>Proposed Modification</u></b> Modify the Leeds UDP Review (First &amp; Revised Deposit) by:</p> <ul style="list-style-type: none"> <li>deleting of reference to Red Hall Lane, Red Hall as forming part of the ELE.</li> <li>retaining it as a UDP housing allocation site including the deletion of Alteration 15/018.</li> <li>amending the text of the adopted UDP to include the site within Phase 2 of the Review.</li> </ul>
<p><b>Prop. Alt. 15/019</b></p>	<p><b>PA 15/019</b> POLICY H4.7 – REAR OF SEACROFT HOSPITAL</p> <p><b><u>Inspector’s recommendation</u></b> Para 15.108 I recommend that the UDP be modified by transferring Site H3-3.24, Rear of Seacroft Hospital, Seacroft, from Phase 3 to Phase 2.</p>	<p><b><u>Leeds City Council Decision and Reasons</u></b> The Council <i>accepts</i> the Inspector’s conclusions in Para’s 15.101-15.107 of the Report and consequently <i>accepts</i> the Inspector’s recommendation to transfer the site to the rear of Seacroft Hospital, Seacroft from Policy H3-3 to Phase 2.</p> <p><b><u>Proposed Modification</u></b> Modify the Leeds UDP Review (First &amp; Revised Deposit) by:</p> <ul style="list-style-type: none"> <li>reclassifying the Rear of Seacroft Hospital, Seacroft, housing allocation site from Phase 3 to Phase 2.</li> </ul>
<p><b>Prop. Alt. 15/020</b></p>	<p><b>PA 15/020</b> POLICY H4.8 - GRIMES DYKE, WHINMOOR</p>	<p><b><u>Leeds City Council Decision and Reasons</u></b> The Council <i>accepts</i> the Inspector’s conclusions in Para’s 15.74-15.79 of the Report and consequently <i>accepts</i> the Inspector’s recommendation to delete the site from the ELE and include it within Phase 2.</p>

	<p><b><u>Inspector's recommendation</u></b> Para 15.109 I recommend that the Grimes Dyke site is abandoned as part of the ELE and included as a Phase 2 housing allocation site.</p>	<p><b><u>Proposed Modification</u></b> Modify the Leeds UDP Review (First &amp; Revised Deposit) by:</p> <ul style="list-style-type: none"><li>• deleting of reference to Grimes Dyke, Whinmoor as forming part of the ELE.</li><li>• retaining it as a UDP housing allocation site including the deletion of Alteration 15/020.</li><li>• amending the text of the adopted UDP to include the site within Phase 2 of the Review.</li></ul>
--	--	---









HUNSLET RIVERSIDE - PREFERRED OPTION BY NETWORK RAIL

## LEEDS UNITARY DEVELOPMENT PLAN REVIEW - FIRST DEPOSIT

**LEEDS / UDP**  
*REVIEW*

DEVELOPMENT DEPARTMENT  
LEEDS CITY COUNCIL

Title: HUNSLET RIVERSIDE STRATEGIC  
HOUSING SITE (Policy H3 - B:7)

Plan No.: M/028

Prepared By: BC

Alteration No.: 15/014

Checked By: SPS

Date: 03.06.03



Scale:  
NTS

**REPORT OF THE DEVELOPMENT DEPARTMENT**  
**REPORT TO: DEVELOPMENT PLANS PANEL**  
**DATE: 7 FEBRUARY 2006.**

<b>SUBJECT: LEEDS UDP REVIEW - RESPONSE TO INSPECTOR'S REPORT ON CHAPTER 19: OTLEY AND MID-WHARFEDALE</b>	
<p><b>Electoral Wards Affected:</b></p> <p>Otley &amp; Yeadon, Adel &amp; Wharfedale, Alwoodley, Harewood</p>	<p><b>Specific Implications for:</b></p> <p>Ethnic Minorities <input type="checkbox"/></p> <p>Women <input type="checkbox"/></p> <p>Disabled People <input type="checkbox"/></p>
<p>Key Decision <input type="checkbox"/>    Major Decision <input type="checkbox"/>    Eligible for call in <input type="checkbox"/>    Not Eligible for call in <input type="checkbox"/></p> <p>Significant Operational Decision <input type="checkbox"/>    Administrative Decision <input type="checkbox"/>    (details contained in the report)</p>	

**1.0 PURPOSE OF THE REPORT**

1.1 The purpose of the report is to consider the Inspector's recommendations for Chapter 19 (Otley and Mid - Wharfedale) and to determine the appropriate response to his recommendations.

**2.0 BACKGROUND**

2.1 There were eight Proposed Alterations in Chapter 19, three of which were subject to objections. Only one was a heard case at Public Inquiry, namely the East of Otley proposals. The other two cases involved objections to Rumpolecroft, Otley (re. phasing of housing land release) and the other concerned the Protected Area of Search (PAS) site at West of Pool in Wharfedale.

**STRATEGIC HOUSING SITE AT EAST OF OTLEY**

2.2 This greenfield housing allocation was brought forward exceptionally into Phase 1 of the Housing Strategy in the proposed Alterations in the UDP Review for immediate development. The justification for this was the indicative target of 50% affordable housing on the site to help meet the known need in this part of the District and the benefits that the associated East of Otley Relief Road would bring to Otley, enabling environmental improvements to be made in the town centre by the reduction of through traffic.

2.3 The East of Otley proposals are interlinked, comprising a housing allocation of approximately 20 ha, an employment allocation of approximately 5 ha. and the provision of the East of Otley Relief Road, to be funded by the developer, with the timing of completion linked to housing development.

## Inspector's conclusions

- 2.4 The Inspector arrived at his conclusions on the various technical site issues and proposals raised by objectors both separately and in combination. The Inspector's conclusions on the various issues involved in the site are summarised below.
- (a) **Housing strategy** – the early phasing of this greenfield site is contrary to national and regional policy in terms of sequential approach under PPG3; the harm to regeneration of bringing forward a greenfield site; he concluded that the City Council's justifications were not sufficient to outweigh these matters.
  - (b) **Affordable housing** – the Inspector, in Chapter 7, argued that a 25% affordable housing target should be applied uniformly across the district; he felt that the City Council showed insufficient robustness in knowledge of the nature and extent of need for affordable housing in the Rural North to justify the proposal and should await inter-district agreement on the "Golden Triangle"; his view is that the site (alone, or with Thorp Arch Trading Estate) is not a suitable location to meet wider demand from the Rural North; and he expressed concern about recent performance in delivering affordable housing in the area; the Inspector was also concerned that various site development cost may render the 50% indicative target incapable of being delivered, whilst acknowledging that large sites can have advantages over a combination of smaller ones in delivering affordable housing.
  - (c) **Employment** – whilst agreeing that the site should not proceed without employment development, the Inspector concluded that the need for this was not justification for bringing the site forward for early development, either in itself or with affordable housing; he did acknowledge, however, that there is no problem in juxtaposition of the employment allocation with housing.
  - (d) **East of Otley Relief Road** – the Inspector acknowledged the overall net benefit of the Relief Road to the Otley town centre environment from reducing traffic, including heavy goods vehicles; that drivers would use the Relief Road in preference to the existing route; that additional traffic generated from the housing and employment proposals would not detract from the benefit of reducing traffic through the centre; however, he expressed concern about additional traffic on the A660, representing a detrimental element of the proposal, particularly with Supertram (then) in doubt; he had no concern about the existing wording of the AUDP policy (including no need for a bond) to secure completion of the road by the developer, but expressed doubts about the cost of road building in combination with other site costs regarding the financial viability of the proposals; he also stated that it was not clear at present what town centre environmental improvement and traffic management measures would flow from the provision of the Relief Road.
  - (e) **Greenspace** – there is no net loss of playing fields, but the Inspector comments that increased provision of greenspace is an incidental, not warranting bringing forward the site.
  - (f) **Site Drainage and Flood Risk** – the Inspector acknowledged that none of the site is functional floodplain or washland and that improved drainage and on-site balancing/ storage can overcome any issues of standing water or flooding on site and avoid increased risk of downstream flooding; these issues together with a flood risk assessment will meet PPG 25 requirements.

- (g) **Pollution** – appropriate remediation measures could be provided to prevent pollution affecting the residential development, water courses and storage ponds; capping of tipped land is best addressed in detail at a future planning application and does not affect the principle of development; the Inspector noted that remediation works are unlikely without the development, but they do not justify early release of the site contrary to PPG 3 sequential approach.
- (h) **Regeneration** – his view is that the early release of the site would be harmful to regeneration, both within Otley and the wider Leeds area.
- (i) **Other aspects of sustainability** – the Inspector acknowledged that the site is within nationally acceptable walking distance from the town centre; that there is no justification in assuming that affordable housing will be remotely located at the eastern edge of the site; and he felt that education provision should not be a problem at primary level, but would require some re-organisation at secondary level to give priority to Otley residents.
- (j) **Masterplan** – the agreed planning framework required by the AUDP policy, and it being subject to public consultation, should meet objectors' points on this issue.
- (k) **Inspector's overall conclusions**
- Including the greenfield site in the first phase of housing development is contrary to the sequential approach in PPG3.
  - Delivering strategic housing, affordable housing, the Relief Road, employment land and greenspace are not, individually or together, sufficient to outweigh the harm that would result to the overall strategy of the Plan in terms of concentrating housing on previously developed land and fostering urban regeneration.
  - In the absence of a costed package for the proposals to establish that the high level of affordable housing would be deliverable, the Inspector doubts that delivery of the site is attainable and hence deliverable in Phase 1.
  - It would be more sustainable to use sites which do not require such extensive infrastructure improvements.
  - For all the above reasons he concludes that the site is more appropriately located in Phase 3, not Phase 1 of the UDP Review Housing Strategy.

#### The City council's response

- 2.5 The main responses to the Inspector's recommendations on both the housing strategy and on affordable housing have already been considered in the report to Panel on 3 January under Chapter 7: Housing.
- 2.6 In the above report on Housing (paras 2.4, 3.1, and 4.1) it was accepted that the East of Otley site be deleted from Phase 1 and moved to Phase 3 for the period 2012 - 2016 as site H3 - 3A.30 (see revised text for the housing strategy in section 7 of that report).
- 2.7 However, the Inspector's recommendation that the level of affordable housing should be set at a uniform 25% across the whole District was not accepted on the basis that the debate at the Inquiry was concerned with the particular issues in the Rural North and it is unnecessary to apply this higher rate to the whole Leeds District. It is considered preferable to keep the existing target range of 15% – 25%. This will still enable the City Council to seek a significant level of affordable housing on the East of Otley site.

- 2.8 Since the three East of Otley proposals are inter-dependent, then it follows that the Relief Road and the employment allocation are included in Phase 3 with the housing site.
- 2.9 It is therefore recommended that the UDP Review be modified to include the East of Otley proposals in Phase 3 and remove it as a Strategic Housing Site for immediate development.

### **RUMPLECROFT HOUSING ALLOCATION, OTLEY**

- 2.10 This greenfield housing allocation was proposed to be retained in Phase 3 under the Review Alteration 19/001. The objector sought to move the site from Phase 3 to an earlier, unspecified one. The Inspector recommended its retention as a Phase 3 site.
- 2.11 No Modification is necessary to the Deposit Plan, save for the re-numbering and timing of the Phase 3 sites, as indicated in section 7 of the report to Panel on Chapter 7: Housing on 3 January.

### **WEST OF POOL IN WHARFEDALE PAS**

- 2.12 This site is designated as a Protected Area of Search (PAS) in the Adopted UDP for possible long term housing development, in association with a West of Pool Bypass to be funded by the housing developer. In the UDP Review it was proposed for return to the Green Belt. The objector sought to have it retained as a PAS site, or to have it allocated as a housing site.
- 2.13 This is a site specific example of the key strategic issues which have been set out in the separate report on PAS policy to Panel on 24 January. In that report the Inspector's clear recommendation to retain all PAS sites in the Plan, with the exception of those sites comprising the East Leeds Extension, has been explained. Whilst the Inspector's conclusions concerning the Green Belt merits of individual sites is not in accord with the City Council's judgement, his recommendations at both strategic and site specific level have been accepted.
- 2.14 The Inspector also considered that the option for a bypass should be retained, but that there was no need for any change in the Adopted UDP wording on the bypass, which had been sought by an objector.
- 2.15 In addition, the Inspector concluded that the site should not be allocated for residential development.
- 2.16 It is therefore recommended that the West of Pool in Wharfedale PAS site is duly retained as PAS in the UDP Review and that a Modification is made to the Deposit Plan to reflect the Council's acceptance of the Inspector's strategic recommendation on PAS in Chapter 5.

## **3.0 RECOMMENDATION**

- 3.1 Members are asked to agree this report as the City Council's response to the Inspector's recommendations in respect of Chapter 19 and to recommend its approval to the Executive Board in due course.

## CHAPTER 19 – OTLEY & MID WHARFEDALE

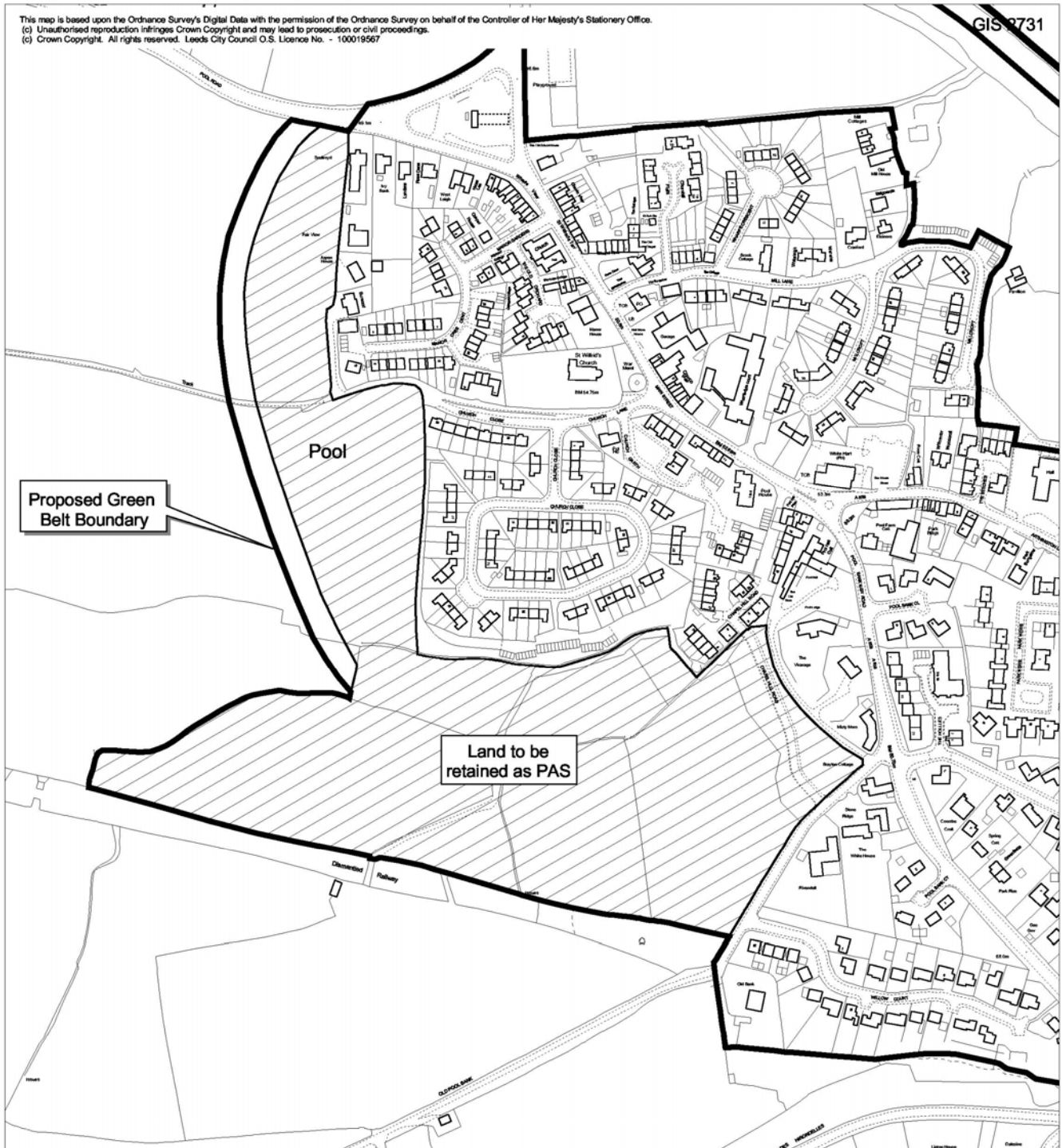
<p><b>Prop. Alt. 19/001</b></p>	<p><b>PA 19/001</b> POLICY H4(25) – RUMPLECROFT, OTLEY</p> <p><b><u>Inspector's recommendation</u></b> Para 19.6 I recommend that with regard to the objection site, the UDP be modified in accordance with Alteration 19/001.</p>	<p><b><u>Leeds City Council Decision and Reasons</u></b> The Council accepts the Inspector's conclusions in Paras 19.2 to 19.5 of the Report and consequently accepts the Inspector's recommendation to modify the UDP. Although the Inspector's wording in his recommendation is that "the UDP be modified in accordance with Alteration 19/001", his clear intent is to agree to the Council's alteration rather than recommending a further modification.</p> <p><b><u>Proposed Modification</u></b> None.</p>
<p><b>Prop. Alt. 19/006</b>  <b>19/006/ RD</b></p>	<p><b>PA 19/006</b> POLICY H6 – EAST OF OTLEY</p> <p><b><u>Inspector's recommendation</u></b> Para 19.102 I recommend that EOO be included in the proposed Phase 3 of the RUDP and not as an SHS in Phase 1.</p>	<p><b><u>Leeds City Council Decision and Reasons</u></b> The Council accepts the Inspector's overall conclusions in Paras 19.99 to 19.101 of the Report and consequently accepts the Inspector's recommendation to modify the Plan.</p> <p><b><u>Proposed Modification</u></b> Modify the Leeds UDP Review (First &amp; Revised Deposit) by:</p> <ul style="list-style-type: none"> <li>• Deleting Proposed Alterations 19/006 and 19/006 RD, thereby deleting the proposed replacement paragraph for 19.1.4 and reverting to the original paragraphs 19.1.4 and 19.2.6 in Volume 1 of the AUDP.</li> <li>• Deleting the site from designation as a Strategic Housing Site in Phase H3-1B in RD Alt 7/003.</li> <li>• Delete reference to East of Otley in para 7.4.1.4 in RD Alt 7/004.</li> <li>• Add East of Otley to the schedule of Phase 3 sites under ref: H3-3A.30.</li> </ul>
<p><b>Prop. Alt. 19/008</b></p>	<p><b>PA19/008</b> POLICY N34.23 – WEST OF POOL IN WHARFEDALE</p> <p><b><u>Inspector's recommendation</u></b> Para 19.111 I recommend that no modification be made to the UDP.</p>	<p><b><u>Leeds City Council Decision and Reasons</u></b> The Council accepts the Inspector's conclusions in Paras 19.104 to 19.110 of the Report and consequently accepts the Inspector's recommendation not to modify the Plan. Although the Inspector's wording in his recommendation is that "no modification be made to the UDP" his clear intent is for the site to be retained as PAS. A modification to the UDP Review is therefore required.</p> <p><b><u>Proposed Modification</u></b> Modify the Leeds UDP Review (First Deposit) by:</p> <ul style="list-style-type: none"> <li>• Deleting Proposed Alterations 19/007 and 19/008 and retain the site as a Protected Area of Search under reference N34.23.</li> <li>• Re-instate para 19.1.5 of Volume 1</li> </ul> <p><i>(continued overleaf)</i></p>



		<ul style="list-style-type: none"> <li>• Re-instate para 19.2.10 of Volume 1:</li> </ul> <p><b>WEST OF POOL IN WHARFEDALE</b></p> <p><b>11 ha. Of land west of Pool has been allocated as a Protected Area of Search under Policy N34, in association with a West of Pool By-Pass.</b></p> <ul style="list-style-type: none"> <li>• Re-instate the site as a Protected Area of Search on the Proposals Map.</li> <li>• Reinstate the reference to a Green Belt change at paragraph A19.4 in Volume 2:</li> </ul> <p><b>PROPOSED GREEN BELT CHANGES</b></p> <table border="0"> <tr> <td><b>West of Pool-in-Wharfedale</b></td> <td><b>11.0 ha</b></td> <td><b>Deletion to allow for possible long term development needs beyond the Plan period.</b></td> </tr> </table>	<b>West of Pool-in-Wharfedale</b>	<b>11.0 ha</b>	<b>Deletion to allow for possible long term development needs beyond the Plan period.</b>
<b>West of Pool-in-Wharfedale</b>	<b>11.0 ha</b>	<b>Deletion to allow for possible long term development needs beyond the Plan period.</b>			

This map is based upon the Ordnance Survey's Digital Data with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office.  
 (c) Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.  
 (c) Crown Copyright. All rights reserved. Leeds City Council O.S. Licence No. - 100019567

GIS 2731



**LEEDS UNITARY DEVELOPMENT PLAN REVIEW – PROPOSED MODIFICATIONS**

**LEEDS / UDP**  
**REVIEW**

---

DEVELOPMENT DEPARTMENT  
 LEEDS CITY COUNCIL

**Title: WEST OF POOL IN WHARFEDALE**

---

**Plan No.:** Prepared By: ERS

**Alteration No.: 19/008** Checked By: SPS

**Date: DEC 05**

**N**

---

**Scale: N.T.S**



AGENDA  
ITEM NO.:

Originator: R M Askham

Tel: 2478184

**REPORT OF THE DEVELOPMENT DEPARTMENT  
REPORT TO: DEVELOPMENT PLAN PANEL  
DATE: 7<sup>TH</sup> FEBRUARY 2006**

<b>SUBJECT: LEEDS UDP REVIEW – RESPONSE TO THE INSPECTOR’S REPORT ON CHAPTER 24 (Wetherby)</b>			
<b>Electoral Wards Affected:</b>		<b>Specific Implications for:</b>	
<b>WETHERBY</b>		Ethnic Minorities	<input type="checkbox"/>
		Women	<input type="checkbox"/>
		Disabled People	<input type="checkbox"/>
Key Decision	<input type="checkbox"/>	Major Decision	<input type="checkbox"/>
Significant Operational Decision	<input type="checkbox"/>	Eligible for call in	<input type="checkbox"/>
		Administrative Decision	<input type="checkbox"/>
		Not Eligible for call in	<input type="checkbox"/>
(details contained in the report)			

**1.0 PURPOSE OF REPORT**

1.1 The purpose of the report is to consider the Inspector’s recommendations for Chapter 24 – Wetherby, and to determine the appropriate response to his recommendations.

**2.0 BACKGROUND**

2.1 A number of site specific allocations identified in Chapter 24 were subject to objections. A summary is provided below and the attached table highlights the proposed modifications in the light of the Inspectors recommendations:

**Protected Areas of Search (PAS)**

2.2 One of the issues in Wetherby concerned the Council’s proposals to return PAS sites to the Green Belt. The following sites are recommended by the Inspector to be retained as PAS:

- Grove Road/Green Lane, Boston Spa
- Spofforth Hill, Wetherby
- The Ridge, Linton

2.3 All three sites are specific examples of the key strategic issues which have been set out in the separate report on PAS policy which was presented to Panel on 24 January. In that report, the Inspector’s clear recommendation to retain all three PAS sites in the Plan, with the exception of those sites

comprising the East Leeds Extension, has been explained. He essentially argues that no exceptional circumstances have been demonstrated that would justify amending the Green Belt boundaries so soon after adoption (2001). Whilst the Inspector's commentary about the Green Belt merits of individual sites is not in accord with the Council's judgement, his recommendations at both a strategic and site-specific level has been accepted.

2.4 Three other PAS sites, at Leeds Road, Collingham; West Park, Boston Spa and Chapel Lane, Clifford were not the subject of objections and were therefore not considered by the Inspector at the Inquiry. However in para 5.2 of the Inspector's Report, he concludes that the overarching policy considerations are such that the PAS sites which were not considered by him at the Inquiry should be treated consistently with his recommendation on PAS. Given this clear advice it is recommended that these 3 sites will be retained as PAS under Policy N34. The sites are:

- Leeds Road, Collingham
- West Park, Boston Spa
- Chapel Lane, Clifford

2.5 It is therefore recommended that the above six sites in the Wetherby chapter are duly retained as PAS and that Modifications are made to the UDP Review to reflect the Council's acceptance of the Inspector's strategic recommendations on PAS in Chapter 5.

### ***Thorp Arch Estate***

2.6 Apart from the PAS sites the key issue in the Wetherby Chapter concerns Thorp Arch Trading Estate [TATE] which was proposed as a Strategic Housing site (SHS) to accommodate some 1,500 dwellings, with a 50% target for the provision for affordable housing, the Inspector considered two key Issues:

1. Should TATE be introduced into the UDP as a Strategic Housing Site [SHS] and would it comply with guidance on sustainable development, housing land requirements and the sequential approach to housing?
2. To what extent does the need for affordable housing justify the allocation? Is the 50% target for affordable housing provision warranted and likely to be achieved?

### ***PPG3 guidance***

2.7 The Inspector considers that TATE would not represent new development around a node in a good public transport corridor, as existing public transport services are poor. Also, despite its brownfield character he concludes that it would conflict with the locational principles of Policy P1, (RSS), which follow closely the guidance in PPG3 (para 30).

- 2.8 The Inspector accepts that the proposed development would not be “from scratch,” as there is existing substantial employment development, but he concludes that it would, in his view, constitute a new settlement and its viability and sustainability should be examined as such. He notes that there is no proposal for a new settlement in the RSS, no exception to the sequential approach is allowed for on the basis of delivering affordable housing and there is no role identified for TATE in employment development terms in the RSS. Indeed, he comments that such development should be focussed on the Main Urban Area (MUA) and market/coalfield towns.
- 2.9 Although the Inspector concedes that its development would reduce the need to use greenfield land and that there are no significant physical and environmental constraints, no contamination issue or insuperable infrastructure constraints, he bases his recommendation to delete TATE from the Plan on its location and accessibility (by car and public transport) and secondly, the ability to build communities to support new physical and social infrastructure and to provide sufficient demand to sustain appropriate local services and facilities.
- 2.10 Boston Spa and Wetherby are the nearest large settlements offering a range of facilities and shops. However, walking and cycling to either of these larger settlements are not likely to be attractive options. Within TATE there is the existing Buywell Centre and a neighbourhood centre was to be added as a focal point for facilities such as a school and medical centre. The Council considered that in providing dwellings close to existing places of work, a high degree of self-containment would be achieved and RD Alteration 24/003 stated that a sustainability assessment will be needed to demonstrate that the proposal will provide a high degree of self-containment. The Inspector tends to agree with WARDEN, the key objector, that this should have already been done to form a judgement that it is a realistic proposition.
- 2.11 The Inspector refers to a study of the relationship between Transport and Development in the London, Stansted, Cambridge and Peterborough Growth Area which identified the minimum threshold capacity to encourage local self-containment as 5-6,000 dwellings or 15,000 population, with the potential to grow to around 10,000 dwellings or 25,000 population. The Inspector acknowledges that such views do not constitute Government guidance, but asserts that it does assist in making a judgement as to the level of provision likely to be afforded in varying sizes of settlement. Certainly from his experience the Inspector considers it most unlikely that additional facilities of the type which would lead to any basic degree of self-containment would be provided on TATE if the population remained at about 3,500.
- 2.12 PPS1 [para. 27 (v)] is clear; that in preparing development plans, planning authorities should seek to provide improved access for all to jobs, health, education, shops, leisure and community facilities, open space, sport and recreation, by ensuring that new development is located where everyone can access services or facilities on foot, bicycle or public transport rather than having to rely on access by car. The guidance acknowledges that achieving this may be more difficult in rural areas. It is the Inspector’s view that it would

be unrealistic to locate 3,500 people in TATE and expect them to travel by foot or cycle, or by public transport to the extent suggested. The Inspector attaches little weight to the argument that adding 1,500 dwellings to the existing trading estate would render TATE significantly more sustainable than the current use of the site or that the SHS would be likely to achieve a high degree of self-containment in the short term or necessarily in the longer term.

### ***Affordable housing***

- 2.13 The Council acknowledges that although they are an element within the housing land supply, the 1,500 dwellings proposed at TATE are not necessary to meet the requirements of RSS nor to satisfy the aim of PPG3 to focus on development of brownfield land. The Council is already achieving a high percentage of development on brownfield land [see para. 7.11 of the Inspector's Report].
- 2.14 The justification for the SHS promoted by the Council is the need to deliver higher levels of affordable housing in the north-eastern part of the Rural North zone. Housing sites above the necessary size threshold (over 25) are rare in the rural area. It was part of the Council's case that the past and likely yield of affordable housing units is insufficient to address the problem.
- 2.15 Whilst the intended provision of affordable housing at TATE would assist in addressing the problem numerically, the Inspector is not satisfied that TATE would constitute a sustainable or self-sufficient community. In these circumstances he considers that locating 750 affordable housing units at TATE would be inappropriate, whatever the Rural North need, as the residents in such dwellings would be more likely than most to be dependent on public transport. The Inspector also notes the caveats in the landowners objection and the fact that their willingness to provide affordable housing will depend on other costs. The other costs involved are likely to be very considerable and without evidence of the ability to meet them there is doubt as whether the proposed level of affordable housing would be delivered which was the primary purpose of the SHS allocation. Given this context, he considers that the justification for the SHS of providing affordable housing does not warrant "special case" status and does not outweigh PPG3 guidance.

### ***Conclusions***

- 2.16 With regard to all the proposals to improve TATE's accessibility, the Inspector comments that no evidence had been submitted on costs, feasibility or likely viability of implementation. In the absence of precise evidence a judgement has to be made as to feasibility of the proposal and the Inspector seriously doubts that all the works could be supported by the development of 1,500 dwellings of which the Council expect 50% should be affordable housing units.
- 2.17 Although the Council argued that it is the principle of the proposal that should be established in the UDP, the inspector refers to para. 34 of PPG3 which

states that it is essential that the operation of the development process is not prejudiced by unreal expectations of the developability of particular sites. The Inspector concludes that in order to assess whether or not developability is a real expectation some analysis of viability has to be made and that it is for the Council to do that rather than the objectors. The Inspector has no confidence that the necessary provision could and would be successfully funded from the proposed development.

- 2.18 The overall conclusion is therefore that the TATE SHS should not be introduced into the UDP because the site's development would not comply with PPG3 guidance at paras. 30 and 31. Although it is previously-developed land, the Inspector considers that it is inherently unsustainable in terms of location, accessibility, and the ability to sustain sufficient local services and facilities. For these reasons the area is not an appropriate one for the provision of affordable housing on the proposed scale.

### ***Heritage***

- 2.19 In heritage terms, Inquiry Change 21 was considered to be an appropriate change to the text in response to objections to RD Alteration 24/003 in that it would replace the specific reference to a Class II archaeology site with a more general and easily understood phrase relating to archaeological interest. However, given that the Inspector has deleted TATE from the Plan, this Inquiry Change is now redundant.

## **3. RECOMMENDATION**

- 3.1 Members are asked to agree this report as the City Council's response to the Inspector's recommendations in respect of Chapter 24 and to recommend its approval to the Executive Board in due course.

## CHAPTER 24 – WETHERBY

<p><b>Prop. Alt. 24/001</b></p>	<p><b><u>PA 24/001</u></b> AREA STATEMENT – Para. 24.1.3</p> <p><b><u>Inspector’s recommendation</u></b> Para 24.2 I recommend that no modification be made to the UDP.</p>	<p><b><u>Leeds City Council Decision and Reasons</u></b> The Council accepts the Inspector’s conclusions in Para 24.1 of the Report and consequently accepts the Inspector’s recommendation not to modify the Plan.</p> <p><b><u>Proposed Modification</u></b> None</p>
<p><b>Prop. Alt. 24/003</b></p> <p><b>24/003/ RD</b></p>	<p><b><u>PA 24/003</u></b> POLICY H2B – THORP ARCH TRADING ESTATE</p> <p><b><u>Inspector’s recommendation</u></b> Para 24.83 I recommend that no modification be made to the UDP.</p>	<p><b><u>Leeds City Council Decision and Reasons</u></b> The Council accepts the Inspector’s conclusions in Para’s 24.70 to 24.82 of the Report and consequently accepts the Inspector’s recommendation to modify the Plan. Although the Inspector’s wording in his recommendations is that “no modification be made to the UDP”, his clear intent is for the Thorp Arch Strategic Housing Site to be deleted from the Review Plan. A Modification to the UDP Review is therefore required.</p> <p><b><u>Proposed Modification</u></b> Modify the Leeds UDP Review (First &amp; Revised Deposit), by deleting Proposed Alt. 24/003 thereby deleting references H3 – 1B:2 from Chapter 24 and references to Thorp Arch under H3 – 1B in Chapter 7 of the UDP Review (First &amp; Revised Deposit).</p>
<p><b>Prop. Alt. 24/005</b></p>	<p><b><u>PA 24/005</u></b> POLICY H4(50) – CHURCHFIELDS, BOSTON SPA</p> <p><b><u>Inspector’s recommendation</u></b> Para 24.89 I recommend that the objection site be included in Phase 3, as recommended to be amended.</p>	<p><b><u>Leeds City Council Decision and Reasons</u></b> The site is already in Phase 3 of the Plan. The Inspector has rejected the objector’s case that the site should be brought forward to an earlier phase, therefore no modification to the Plan (First &amp; Revised Deposit) is required. The Council therefore accepts the Inspector’s conclusions in Para’s 24.85 to 24.88 of the Report and consequently accepts the Inspector’s recommendation not to modify the Review Plan.</p> <p><b><u>Proposed Modification</u></b> None</p>
<p><b>Prop. Alt. 24/010</b></p>	<p><b><u>PA 24/010</u></b> POLICY N34.32 – GREEN LANE/GROVE ROAD, BOSTON SPA</p>	<p><b><u>Leeds City Council Decision and Reasons</u></b> The Council accepts the Inspectors conclusions in Para’s 24.91 – 24.94 of the Report and</p>



	<p><b><u>Inspector's recommendation</u></b>          Para 24.95 I recommend that no modification be made to the UDP.</p>	<p>consequently accepts the Inspector's recommendation to modify the Plan. Although the Inspector's wording in his recommendations is that "no modification be made to the UDP", his clear intent is for the site to be retained as PAS. A Modification to the UDP Review is therefore required.</p> <p><b><u>Proposed Modification</u></b>          Modify the Leeds UDP Review (First &amp; Revised Deposit) by:</p> <ul style="list-style-type: none"> <li>• Deleting proposed alteration 24/010 and retain as a Protected Area of Search under Policy N34.21</li> <li>• Reinstating paragraph 24.2.8 of Volume 1</li> </ul> <p><b>Green Lane/Grove Road, Boston Spa</b></p> <p><b>4.0ha of land is allocated at Green Lane/Grove Road, Boston Spa as a Protected Area of Search under Policy N34.</b></p> <ul style="list-style-type: none"> <li>• Reinstatement of the site as a Protected Area of Search on the Proposals Map</li> <li>• Reinstatement of the reference to a Green Belt change at paragraph A 24.4 of Volume 2.</li> </ul> <p><b>PROPOSED GREEN BELT CHANGES</b></p> <p><b>CHANGES ARISING UNDER POLICY N34</b></p> <table border="0"> <tr> <td>Green Lane/Grove Road, Boston Spa</td> <td>4.0ha</td> <td>To allow for possible long-term development needs beyond the Plan period.</td> </tr> </table> <p><u>Related Alterations</u>          5/001, 5/002, 7/005 and 24/003</p>	Green Lane/Grove Road, Boston Spa	4.0ha	To allow for possible long-term development needs beyond the Plan period.
Green Lane/Grove Road, Boston Spa	4.0ha	To allow for possible long-term development needs beyond the Plan period.			
<p><b>Prop. Alt. 24/011</b></p>	<p><b><u>PA 24/011</u></b>          POLICY N34.33 – LEEDS ROAD, COLLINGHAM</p> <p><b><u>Inspector's recommendation:</u></b></p> <p>This site was not before the Inspector. However he does comment on the 6 PAS sites that were not before him, including Leeds Road, Collingham, in para 5.2 of his Report where he expresses the view that the site should be treated consistently with other PAS sites.</p>	<p><b><u>Leeds City Council Decision and Reasons</u></b></p> <p>The Council accepts the Inspectors conclusions in para 5.2 of his report and his recommendations in para 5.40 and consequently accepts the Inspector's recommendation to modify the Plan.</p> <p><b><u>Proposed Modification</u></b>          Modify the Leeds UDP Review (First &amp; Revised Deposit) by:</p> <ul style="list-style-type: none"> <li>• Delete proposed alteration 24/011 and retain as a Protected Area of Search under Policy N34.33</li> <li>• Reinstatement of paragraph 24.2.9 of Volume 1</li> </ul> <p><b>Leeds Road, Collingham</b></p>			

		<p><b>6.7ha of land is allocated at Leeds Road, Collingham as a Protected Area of Search under Policy N34.</b></p> <ul style="list-style-type: none"> <li>• Reinstatement of the site as a Protected Area of Search on the Proposals Map</li> <li>• Reinstatement of the reference to a Green Belt change at paragraph A 24.4 of Volume 2.</li> </ul> <p><b>PROPOSED GREEN BELT CHANGES</b></p> <p><b>CHANGES ARISING UNDER POLICY N34</b></p> <p>Leeds Road, Collingham      6.7ha      To allow for possible long-term development needs beyond the Plan period.</p> <p><u>Related Alterations</u> 5/001, 5/002, 7/005 and 24/003</p>
<p><b>Prop. Alt. 24/012</b></p>	<p><b>PA 24/012</b> POLICY N34.34 – SPOFFORTH HILL, WETHERBY</p> <p><b><u>Inspector’s recommendation:</u></b></p> <p>Para 24.102 I recommend that no modification be made to the UDP.</p>	<p><b><u>Leeds City Council Decision and Reasons</u></b></p> <p>The Council accepts the Inspectors conclusions in Paras 24.97 – 24.101 of the Report and consequently accepts the Inspector’s recommendation to modify the Plan. . Although the Inspector’s wording in his recommendations is that “no modification be made to the UDP”, his clear intent is for the site to be retained as PAS. A Modification to the UDP Review is therefore required.</p> <p><b><u>Proposed Modification</u></b> Modify the Leeds UDP Review (First &amp; Revised Deposit) by:</p> <ul style="list-style-type: none"> <li>• Delete proposed alteration 24/012 and retain as a Protected Area of Search under Policy N34.34</li> <li>• Reinstatement of paragraph 24.2.10 of Volume 1</li> </ul> <p><b>Spofforth Hill, Wetherby</b></p> <p><b>14.5ha of land is allocated at Spofforth Hill, Wetherby Road, as a Protected Area of Search under Policy N34.</b></p> <ul style="list-style-type: none"> <li>• Reinstatement of the site as a Protected Area of Search on the Proposals Map</li> <li>• Reinstatement of the reference to a Green Belt change at paragraph A 24.4 of Volume 2.</li> </ul> <p><b>PROPOSED GREEN BELT CHANGES</b></p> <p><b>CHANGES ARISING UNDER POLICY N34</b></p>

		Spofforth Hill, Wetherby 14.5ha To allow for possible long-term development needs beyond the Plan period.
		<u>Related Alterations</u> 5/001, 5/002, 7/005 and 24/003
<b>Prop. Alt. 24/013</b>	<b>PA 24/013</b> POLICY N34.35 – WEST PARK, BOSTON SPA  <u>Inspector's recommendation</u>  This site was not before the Inspector. However he does comment on the 6 PAS sites that were not before him, including West Park, Boston Spa in para 5.2 of his Report where he expresses the view that the site should be treated consistently with other PAS sites.	<b><u>Leeds City Council Decision and Reasons</u></b>  The Council accepts the Inspectors conclusions in para 5.2 of his report and his recommendations in para 5.40 and consequently accepts the Inspector's recommendation to modify the Review Plan.  <b><u>Proposed Modification</u></b> Modify the Leeds UDP Review (First & Revised Deposit) by: <ul style="list-style-type: none"> <li>• Delete proposed alteration 24/013 and retain as a Protected Area of Search under Policy N34.35</li> <li>• Reinstate paragraph 24.2.11 of Volume 1</li> </ul> <b>West Park, Boston Spa</b>  <b>4.1ha of land is allocated at West Park, Boston Spa as a Protected Area of Search under Policy N34.</b> <ul style="list-style-type: none"> <li>• Reinstate the site as a Protected Area of Search on the Proposals Map</li> <li>• Reinstate the reference to a Green Belt change at paragraph A 24.4 of Volume 2.</li> </ul> <b>PROPOSED GREEN BELT CHANGES</b>  <b>CHANGES ARISING UNDER POLICY N34</b>  West Park, Boston Spa 6.7ha To allow for possible long-term development needs beyond the Plan period.  <u>Related Alterations</u> 5/001, 5/002, 7/005 and 24/003
<b>Prop. Alt. 24/014</b>	<b>PA 24/014</b> POLICY N34.36 – CHAPEL LANE, CLIFFORD	<b><u>Leeds City Council Decision and Reasons</u></b>  The Council accepts the Inspectors conclusions in para 5.2 of his report and his

	<p><b><u>Inspector's recommendation</u></b></p> <p>This site was not before the Inspector. However he does comment on the 6 PAS sites that were not before him, including Chapel Lane Clifford in para 5.2 of his Report where he expresses the view that the site should be treated consistently with other PAS sites.</p>	<p>recommendations in para 5.40 and consequently accepts the Inspector's recommendation to modify the Review Plan.</p> <p><b><u>Proposed Modification</u></b>  Modify the Leeds UDP Review (First &amp; Revised Deposit) by:</p> <ul style="list-style-type: none"> <li>• Delete proposed alteration 24/014 and retain as a Protected Area of Search under Policy N34.36</li> <li>• Reinstate paragraph 24.2.12 of Volume 1</li> </ul> <p><b>Chapel Lane, Clifford</b></p> <p><b>1.4ha of land is allocated at Chapel Lane, Clifford as a Protected Area of Search under Policy N34.</b></p> <ul style="list-style-type: none"> <li>• Reinstate the site as a Protected Area of Search on the Proposals Map</li> <li>• Reinstate the reference to a Green Belt change at paragraph A 24.4 of Volume 2.</li> </ul> <p><b>PROPOSED GREEN BELT CHANGES</b></p> <p><b>CHANGES ARISING UNDER POLICY N34</b></p> <table border="0"> <tr> <td>Chapel Lane, Clifford</td> <td>1.4ha</td> <td>To allow for possible long-term development needs beyond the Plan period.</td> </tr> </table> <p><u>Related Alterations</u>  5/001, 5/002, 7/005 and 24/003</p>	Chapel Lane, Clifford	1.4ha	To allow for possible long-term development needs beyond the Plan period.
Chapel Lane, Clifford	1.4ha	To allow for possible long-term development needs beyond the Plan period.			
<p><b>Prop. Alt. 24/015</b></p>	<p><b><u>PA 24/015</u></b>  POLICY N34.37 – THE RIDGE, LINTON</p> <p><b><u>Inspector's recommendation</u></b>  Para 24.115 I recommend that no modification be made to the UDP.</p>	<p><b><u>Leeds City Council Decision and Reasons</u></b></p> <p>The Council accepts the Inspectors conclusions in Paras 24.104 – 24.114 of the Report and consequently accepts the Inspector's recommendation to modify the Plan. . Although the Inspector's wording in his recommendations is that "no modification be made to the UDP", his clear intent is for the site to be retained as PAS. A Modification to the UDP Review is therefore required.</p> <p><b><u>Proposed Modification</u></b>  Modify the Leeds UDP Review (First &amp; Revised Deposit) by:</p> <ul style="list-style-type: none"> <li>• Delete proposed alteration 24/015 and retain as a Protected Area of Search under Policy N34.37</li> <li>• Reinstate paragraph 24.2.13 of Volume 1</li> </ul> <p><b>The Ridge, Linton</b></p>			

		<p><b>4.1ha of land is allocated at The Ridge, Linton as a Protected Area of Search under Policy N34.</b></p> <ul style="list-style-type: none"> <li>• Reinststate the site as a Protected Area of Search on the Proposals Map</li> <li>• Reinststate the reference to a Green Belt change at paragraph A 24.4 of Volume 2.</li> </ul> <p><b>PROPOSED GREEN BELT CHANGES</b></p> <p><b>CHANGES ARISING UNDER POLICY N34</b></p> <table border="0"> <tr> <td data-bbox="1205 475 1377 496">The Ridge, Linton</td> <td data-bbox="1458 475 1514 496">4.1ha</td> <td data-bbox="1637 475 2119 520">To allow for possible long-term development needs beyond the Plan period.</td> </tr> </table> <p><u>Related Alterations</u> 5/001, 5/002, 7/005 and 24/003</p>	The Ridge, Linton	4.1ha	To allow for possible long-term development needs beyond the Plan period.
The Ridge, Linton	4.1ha	To allow for possible long-term development needs beyond the Plan period.			



This map is based upon the Ordnance Survey's Digital Data with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office.  
(c) Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.  
(c) Crown Copyright. All rights reserved. Leeds City Council O.S. Licence No. - 100019567

GIS 2740



## LEEDS UNITARY DEVELOPMENT PLAN REVIEW – PROPOSED MODIFICATIONS



**Title: LEEDS ROAD, COLLINGHAM**

**Plan No.:**

**Prepared By: ERS**

**Alteration No.: 24/011**

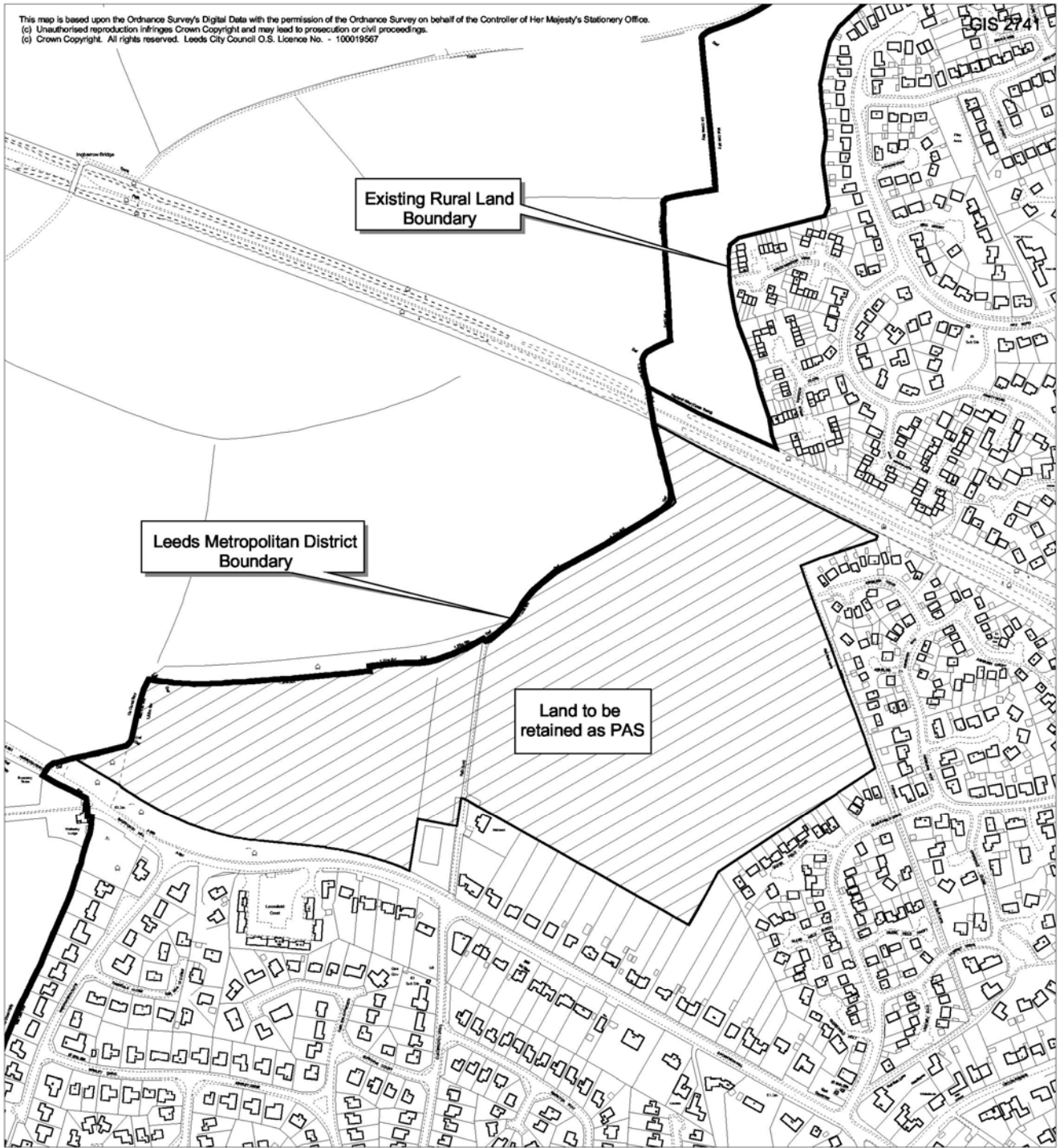
**Checked By: SPS**

**Date: DEC 05**



**Scale:  
N.T.S**

This map is based upon the Ordnance Survey's Digital Data with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office.  
(c) Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.  
(c) Crown Copyright. All rights reserved. Leeds City Council O.S. Licence No. - 100019567



## LEEDS UNITARY DEVELOPMENT PLAN REVIEW – PROPOSED MODIFICATIONS



**Title: SPOFFORTH HILL, WETHERBY**

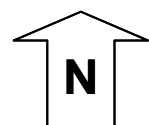
**Plan No.:**

**Prepared By: ERS**

**Alteration No.: 24/012**

**Checked By: SPS**

**Date: DEC 05**

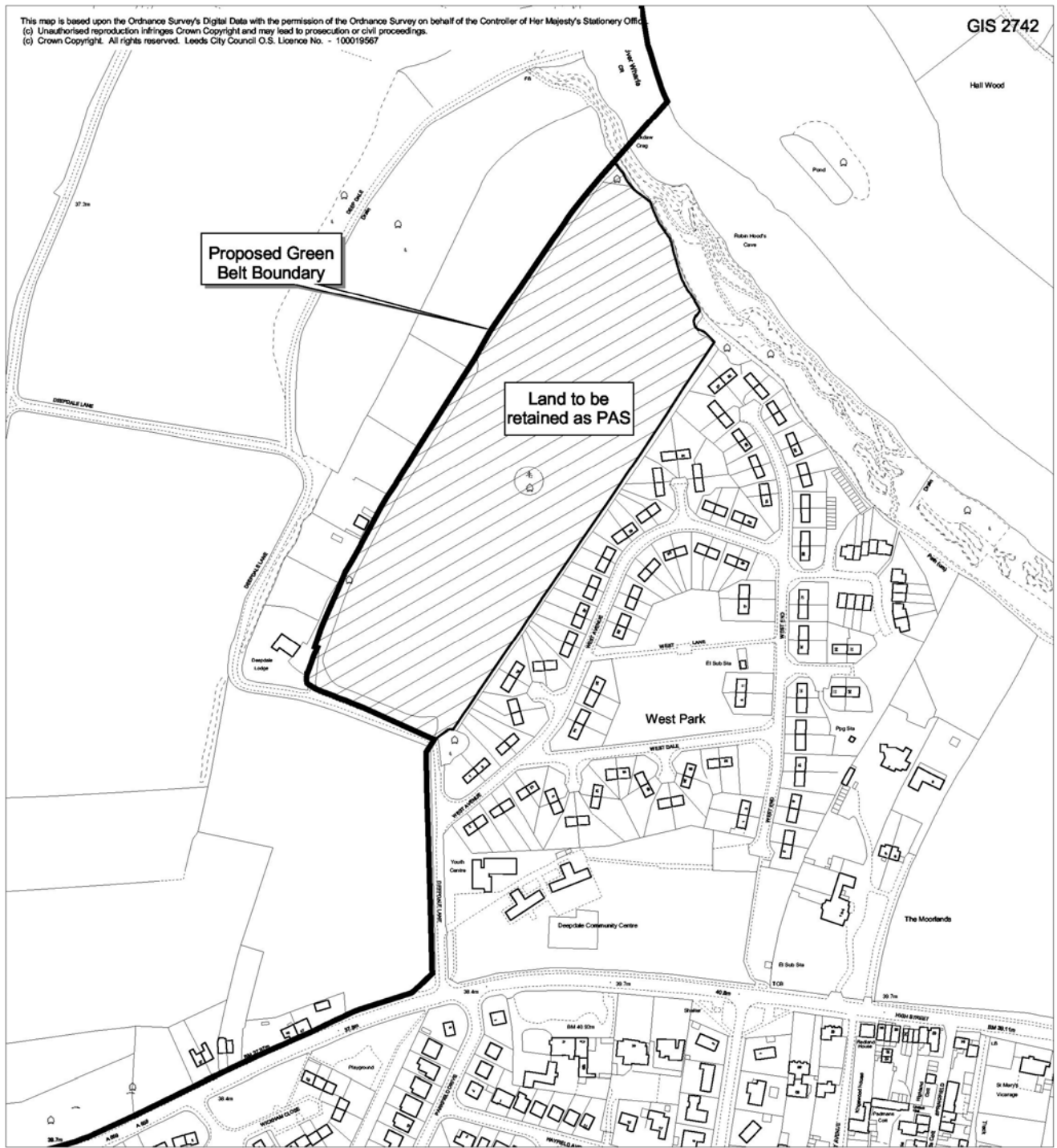


**Scale:  
N.T.S**



This map is based upon the Ordnance Survey's Digital Data with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office.  
 (c) Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.  
 (c) Crown Copyright. All rights reserved. Leeds City Council O.S. Licence No. - 100019567


GIS 2742



**LEEDS UNITARY DEVELOPMENT PLAN REVIEW – PROPOSED MODIFICATIONS**



<b>Title: WEST PARK, BOSTON SPA</b>	
<b>Plan No.:</b>	<b>Prepared By: ERS</b>
<b>Alteration No.: 24/013</b>	<b>Checked By: SPS</b>
<b>Date: DEC 05</b>	

  
**Scale: N.T.S**

This map is based upon the Ordnance Survey's Digital Data with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office.  
 (c) Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.  
 (c) Crown Copyright. All rights reserved. Leeds City Council O.S. Licence No. - 100019567



**LEEDS UNITARY DEVELOPMENT PLAN REVIEW – PROPOSED MODIFICATIONS**



<b>Title: CHAPEL LANE, CLIFFORD</b>	
<b>Plan No.:</b>	<b>Prepared By: ERS</b>
<b>Alteration No.: 24/14</b>	<b>Checked By: SPS</b>
<b>Date: DEC 05</b>	

<b>Scale: N.T.S</b>



**REPORT OF THE DEVELOPMENT DEPARTMENT  
REPORT TO: DEVELOPMENT PLANS PANEL  
DATE: 7<sup>th</sup> February 2006**

**SUBJECT: LEEDS UDP REVIEW – RESPONSE TO INSPECTOR’S REPORT ON  
CHAPTER A7, WASTE MANAGEMENT**

**Electoral Wards Affected:**

**ALL**

**Specific Implications for:**

Ethnic Minorities

Women

Disabled People

Key Decision  Major Decision  Eligible for call in  Not Eligible for call in   
Significant Operational Decision  Administrative Decision  (details contained in the report)

**1.0 PURPOSE OF REPORT**

1.1 The purpose of this report is to consider the Inspector’s recommendations for Chapter A7 – Waste Management, to determine the appropriate response to his recommendations. The Chapter received 1 objection regarding Policy WM3 Reduction and Re-Use and 6 objections regarding Policies WM4 and WM12 Recovery.

**2.0 BACKGROUND**

**Reduction and Re-Use**

2.1 Policy WM3 encourages the reduction of waste generated during the development of a site. One objector asked if it is correct to include the words “where possible” in Policy WM3.

**Recovery**

2.2 Policy WM4 aims to further reduce the amount of waste that could end up in landfill by encouraging recovery of materials that can be dealt with in other ways. Objections to this Policy seek the removal of the word “all” because it could make the policy unworkable.

2.3 Policy WM12 identifies the Aire Valley Employment Area as an area of search for new waste processing industries. Objectors to this policy and to the last sentence of A7.4.11. consider that it could have the effect of making the Aire Valley the sole focus of the search for such sites.

### **3.0 THE INSPECTOR'S RECOMMENDATIONS**

#### **Reduction and Re-Use**

- 3.1 The Inspector supports the Council in that he considers that the use of the words "where possible" reflect the practicality of the situation in that it would not always be sensible to require reduction and re-use from every development. The Council intended to delete the word "all" from this policy in response to FD objections by the Government Office for Yorkshire and the Humber and the Environment Agency. This was proposed as an Inquiry Change (IC/019) and the Inspector also supports this change and notes that inclusion of the word "all" would be inconsistent with the words "where possible".

#### **Recovery**

- 3.2 The Council have proposed to delete the word "all" in Policy WM4 as an Inquiry Change (IC/020) and the Inspector agrees with this change.
- 3.3 The Inspector agrees with the objectors that Policy WM12 and the last sentence of A7.4.11. should be deleted.

### **4.0 RECOMMENDATION**

- 4.1 Members are asked to agree this report as the City Council's response to the Inspector's recommendation in respect of Chapter A7 and to recommend its approval to the Executive Board in due course.

Chapter A7 – Waste Management

<p><b>Prop. Alt. A7/003</b></p> <p><b>A7/003/ RD</b></p>	<p><b>PA A7/003</b> WASTE MANAGEMENT: REDUCTION &amp; RE-USE</p> <p><b>Inspector's recommendation</b> Para A7.4 I recommend that the UDP be modified in accordance with RD Alteration A7/003 and IC/019.</p>	<p><b>Leeds City Council Decision and Reasons</b> The Council accepts the Inspector's conclusions in Paras. A7.2 &amp; 3 of the Report and consequently accepts the Inspector's recommendation to modify the UDP in accordance with RD Alteration A7/003 and IC/019.</p> <p><b>Proposed Modification</b> Modify the Leeds UDP Review (First &amp; Revised Deposit) by deleting the word "ALL" from Policy WM3, so that the Policy now reads:</p> <p><b>WM3: MEASURES TO REDUCE AND RE-USE WASTE BOTH DURING CONSTRUCTION AND THROUGHOUT THE LIFE OF DEVELOPMENT, IN ACCORDANCE WITH SUSTAINABLE WASTE MANAGEMENT PRACTICE AND SUSTAINABLE DESIGN PRINCIPLES, MUST BE CONSIDERED AND ADOPTED WHERE POSSIBLE. CONDITIONS WILL BE APPLIED TO SECURE THIS.</b></p>
<p><b>Prop. Alt. A7/004</b></p> <p><b>A7/004/ RD</b></p>	<p><b>PA A7/004</b> WASTE MANAGEMENT: RECOVERY</p> <p><b>Inspector's recommendation</b> Para A7.8 I recommend that the UDP be modified by RD Alteration A7/004 subject to:</p> <ol style="list-style-type: none"> <li>a. amending it to accord with IC/020; and</li> <li>b. deleting Policy WM12 and the last sentence of A7.4.11.</li> </ol>	<p><b>Leeds City Council Decision and Reasons</b> The Council accepts the Inspector's conclusions in Paras A6 &amp; 7 of the Report and consequently accepts the Inspector's recommendation to modify the UDP in accordance with RD Alteration A7/004 and IC/020.</p> <p><b>Proposed Modification</b> Modify the Leeds UDP Review (First &amp; Revised Deposit) by :</p> <ul style="list-style-type: none"> <li>• deleting the word "ALL" from Policy WM4, so that the Policy now reads:</li> </ul> <p><b>WM4: MEASURES TO RECOVER WASTE FOR RECYCLING AND USE RECYCLED MATERIALS BOTH DURING CONSTRUCTION AND THROUGHOUT THE LIFE OF DEVELOPMENT, IN ACCORDANCE WITH SUSTAINABLE WASTE MANAGEMENT PRACTICE AND SUSTAINABLE DESIGN PRINCIPLES, MUST BE CONSIDERED AND ADOPTED WHERE POSSIBLE. CONDITIONS WILL BE APPLIED TO SECURE THIS.</b></p> <ul style="list-style-type: none"> <li>• deleting Policy WM12 and the last sentence of A7.4.11, so the paragraph now reads:</li> </ul> <p>A7.4.11 In the context of the Regional Waste Strategy. The Council will review the land availability within the Leeds District.</p>

