

## DEVELOPMENT PLAN PANEL

4<sup>th</sup> OCTOBER 2005

**PRESENT** Councillor D Blackburn in the Chair  
Councillors Blake, Cleasby, Harker,  
Latty (substitute for Councillor J Procter)  
Leadley

### 23 Apologies for absence

Apologies for absence were received from Councillor A Carter, Councillor Congreve, Councillor J Procter and Steve Speak

### 24 Declarations of interest

There were no declarations of interest

### 25 Minutes

**RESOLVED** – That the minutes of the Development Plan Panel meeting held on 6<sup>th</sup> September be agreed as a correct record

### 26 Local Development Framework – Statement of Community Involvement (SCI) Pre-submission formal consultation (Regulation 26)

The Director of Development submitted a report setting out the draft SCI and the comments received from the informal consultation which was carried out during June and July 2005

Members were advised that the SCI was seen as an early priority and that it was hoped, pending approval by Executive Board, that the formal consultation would commence in early November 2005 for a period of 6 weeks

Officers outlined the changes which had been made to the first draft SCI resulting from the comments arising from the informal consultation, which mainly related to issues of clarity, including contact details, the process for the preparation of DPDs, an introduction and glossary

Members raised the following points:

- that some outside agencies used parliamentary wards as a basis for gathering statistics, and that this should be qualified in any report using such data
- to note that not all wards have the same level of organisation within them; that the feedback could be skewed by those wards which have a greater personal and/or professional interest in the planning framework and that different consultation methods would need to be employed to ensure each community could participate fully in the process
- the importance of ensuring groups regarded as being 'excluded' had the opportunity to participate in the consultation
- the role of the Area Committees in the consultation process
- the possibility of mapping consultees to ascertain citywide the level of participation in the formal consultation

**RESOLVED –**

- i) To note the outcome of the informal consultation already undertaken
- ii) To recommend to Executive Board that it approves the publication of the draft Statement of Community Involvement for the purposes of public participation and formally invites representations between 7<sup>th</sup> November 2005 and 16<sup>th</sup> December 2005

**27 Leeds Development Scheme – Annual Monitoring report**

The Director of Development submitted a draft Annual Monitoring Report (AMR) to enable the Panel to have an early view of the report's content and structure

Members were advised that the AMR would set out the Authority's progress in relation to the milestones which had been set, including any slippages which had occurred and the effectiveness of the policies the LDF contained, which would be the saved UDP policies and revisions that were tested at Public Inquiry during the monitoring period of April 2004 -March 2005

Members discussed elements of the report relating to:

- the increasing proportion of development on brownfield land and the effect of this on greenspace sites
- the number of housing demolitions and the decline of social housing which could see greater pressures in the future

**RESOLVED –** To note the contents of the report as work in progress and to receive a further report on monitoring (including an LDS update) in November

**REPORT OF THE DEVELOPMENT DEPARTMENT  
REPORT TO: DEVELOPMENT PLAN PANEL  
DATE: 6 DECEMBER 2005**

<b>SUBJECT: LEEDS UDP REVIEW (OVERVIEW REPORT) RESPONSE TO THE INSPECTOR'S REPORT AND PROPOSED MODIFICATIONS</b>			
<b>Electoral Wards Affected:</b>  <b>ALL</b>		<b>Specific Implications for:</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"/>	Eligible for call in <input type="checkbox"/>	Not Eligible for call in <input type="checkbox"/>
Significant Operational Decision <input type="checkbox"/>		Administrative Decision <input type="checkbox"/>	(details contained in the report)

**1.0 PURPOSE OF REPORT**

- 1.1 The purpose of this report is three-fold: **Firstly**, to provide Members with a broad overview of the main recommendations of the Inspector's Report (IR) and to obtain the Panel's agreement on how, in broad terms, the City Council should respond to these recommendations; **Secondly**, to advise the Panel of the legislative background to the UDP Review; **Thirdly**, the report informs Members of the remaining stages in the UDP Review Process through to adoption and the work that this will entail.
- 1.2 Detailed reports on each of the Proposed Alterations that were considered at the Inquiry will be brought to Panel meetings in January and February.

**2.0 BACKGROUND**

- 2.1 The UDP Review Inspector's Report (IR) considers objections made to the Leeds UDP Review First Deposit (placed on deposit in June 2003) and the Revised Deposit (which was placed on deposit in February 2004). The Public Inquiry into these objections was held between July 2004 and June 2005. An early draft of the IR was received by the Council on 19 October 2005 in order for the Council to carry out a "factual check" in order to identify any errors or to raise points of clarification before his report was finalised. A number of such points of clarification were raised with the Inspector and these were despatched to him on 7 November 2005. The final, revised IR was received on 23 November 2005.
- 2.2 It is important to note that the UDP Review has been prepared under the 'old' Development Plan Regulations (see below) and not the 'new' regulations which were introduced by the Planning & Compulsory Purchase Act 2004.

- 2.3 Paragraph 4 of Schedule 8 of the Planning and Compulsory purchase Act 2004 provides that where an inspector was appointed to hold an Inquiry prior to the 28<sup>th</sup> September 2004, as in this case, Chapter 1 of Part 2 of the Town & Country Planning Act 1990 will continue to have effect.
- 2.4 The TCP (Transitional Arrangements)(England) Regulations 2004 provides that, in those circumstances, the TCP (Development Plan)(England) Regulations 1999 continue to have effect without amendment.
- 2.5 Within this context, Members may reject recommendations made by the Inspector but there would need to be very sound planning reasons for doing so and regard should therefore be had to the principles set out in this note (see paras. 3.1 to 3.4 below).
- 2.6 The legal framework for the next stages of the UDP Review is therefore set out in the Town & Country Planning Act 1990 (Part II) (the 1990 Act). The detailed arrangements are established in the Town & Country Planning (Development Plan) (England) Regulations 1999 (the Regulations) with further guidance provided by PPG12 (1999). In essence the Council is required to:
- a) consider the IR and prepare a statement setting out the Council's response to the Inspector's recommendations and in particular to give reasons for any recommendation that it is proposed to reject (Regulation 27 (1));
  - b) prepare a list of modifications (i.e. a change to the material which has previously been placed on deposit), giving the reasons for the proposed changes (Regulation 29 (1)); and
  - c) make the statement available for public inspection (Regulation 27 (2)) and place the modifications on deposit for formal representation (Regulation 29 (2)).
- 2.7 The Regulations also set out the arrangements for publicising the deposit of the modifications and for notifying individuals (the Council is required to write to all those who have made representations on the Plan).
- 2.8 Following this summary report, more detailed reports will be presented to the Panel which set out key issues raised by the Inspector's recommendations under each Chapter.

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

- 3.1 This is a key area for the Council and the Panel. The Council's response to the recommendations will determine the scale and nature of any Modifications and the likelihood of a second Inquiry (prompted by relevant objections raising issues not covered / debated at the Review Inquiry). Given the time delay a second Inquiry would entail and the implications for final adoption, the prospect of this happening should be resisted. In addition, if the UDP Review is not adopted by 22 July 2006, new European regulations on Strategic Environmental Assessment (SEA) would need to be applied to it, leading to further significant delay for adoption.
- 3.2 As noted above, the Council is required to consider and respond to each of the Inspector's recommendations and to prepare a statement of its decisions, together with its reasons for proposing the Modifications. Achieving this within a reasonable timescale will require a significant commitment of officer resources.

3.3 There are a number of different options and consequences that flow from the Panel's response to any given recommendation. The main categories may be summarised as follows:

- 1) IR agrees with the First/Revised Deposit of the UDP Review i.e. makes no modifications. If this applied to all the Proposed Alterations and assuming that the Panel accepts the recommendations, no further action would have been required and the Plan could have been adopted after 28 days. This is not an option given the nature of the Inspector's recommendations.
- 2) IR disagrees with the First/Revised Deposit of the UDP Review and the Panel accept this recommendation – a Modification will be necessary. In this case a list of Modifications and the reasons for them must be placed on public deposit. Any objections to the Modification must be considered and a further public inquiry **may** be necessary.
- 3) IR disagrees with the First/Revised Deposit of the UDP Review and the Panel reject his recommendation – no Modification is required but a justification will need to be given. The Council must make available the list of those recommendations, give public notice that it doesn't intend to accept them and invite representations to be made in respect of that intention. Any objections or representations must be considered and a further public Inquiry **may** need to be held. As noted above, however, it is recommended that the City Council should seek to avoid a second Inquiry.

3.4 As a consequence, it is recommended that the guiding principle in responding to the Inspector's recommendations should be the aim to achieve an adopted Plan as soon as possible and to minimise the prospect of a second Inquiry. Although the Authority is not obliged to accept the Inspector's recommendations there is an expectation that the majority will be accepted. It is important to note that Planning Policy Guidance Note 12 (PPG12) states that where recommendations are rejected the Council "must provide clear and cogent reasons for not doing so." If this advice is not heeded, the Council's decision would be open to legal challenge. At the Modifications stage objections can also be made to the Council's failure to accept a recommendation (Regulation 27(4)).

3.5 It is likely therefore, that many of the Inspector's recommendations will be agreed but, as this Review is dealt with under the 1999 Regulations, it is open to the Council to either reject or accept the Inspector's recommendations and members will need to exercise a proper judgement on the planning issues in each case.

#### **4.0 SUMMARY OF MAIN RECOMMENDATIONS**

4.1 The main issues arising from the IR concern the amount and strategic location of land allocated for housing development; monitoring and phasing policies; affordable housing; student housing, PAS policy and the protection of employment land (Policy E7).

##### **Housing Strategy**

- a) The Inspector recommends a change to the phasing of housing development within the plan period to :
  - 2003 to 2008 (it is currently was up to 2011)
  - 2008 to 2012
  - 2012 to 2016

The Inspector recommends trigger mechanisms to determine when Phase 2 and 3 begin and when greenfield land will begin to be developed in Phase 2.

- b) His reasoning for reducing Phase 1 from 2011 to 2008 is that, as well as marking an earlier milestone at which to assess progress and the possible need for greenfield development, it relates better to likely adoption of the next Regional Spatial Strategy and the preparation of the new style development plans in the LDF.
- c) The Inspector does not support a major urban extension such as East Leeds Extension before using 'structural infill sites' or smaller, less obtrusive urban extensions. He comments that it would be a waste of resources to provide extensive new infrastructure and facilities in such a larger extension when existing facilities could be used first to cater for smaller allocated sites. He therefore, recommends that ELE be moved to the newly proposed Phase 3 and its release made subject to clear tests of need. However, he also concludes that land at Grimes Dyke and Red Hall, proposed for inclusion in ELE, can be considered independently of the larger proposal. He therefore recommends that these two sites form part of the new Phase 2.
- d) He recommends the deletion of Thorp Arch from the UDP and that East of Otley and Micklefield Strategic Housing sites should be included in Phase 3 and not Phase 1.
- e) As a consequence of this approach, he recommends that 10 greenfield sites are brought forward from Phase 3 into Phase 2, for release if the supply of brownfield land falls to an unacceptable level. The ten sites are as follows:
  - Greenlea Rd., Yeadon - 1.06 ha.
  - Grimes Dyke Whinmoor – 17.2 ha.
  - Red Hall – 3.6 ha.
  - Seacroft Hospital – 17.6 ha.
  - Bruntcliffe Road, Morley – 5.0 ha.
  - Daisy Hill, Morley – 2.9 ha.
  - Church Lane, Adel – 2.5 ha.
  - Pudsey Road, Swinnow – 1.3 ha.
  - Delph End, Pudsey – 1.4 ha.
  - Pottery Lane, Woodlesford – 2.5 ha.
- f) The Inspector rejects the Council's policy H5B which accepted that a small amount of greenfield windfall development was inevitable, usually on small scale 'infill' sites. In the Revised Deposit of the UDP Review, "small scale" was defined as up to 4 dwellings. He objects to the policy on the basis that no greenfield development should be accepted unless it is required owing to an insufficiency of brownfield land supply.

### **Affordable Housing**

- 4.2 The Inspector rejects the proposition that Thorp Arch and East of Otley (EoO) have an important role in providing higher levels of affordable housing in the Rural North.
- 4.3 Instead, he recommends that a more comprehensive approach should be taken to the provision of affordable housing throughout the District and that rather than reducing the site threshold for affordable housing to ten dwellings in that area (Rural North), a consistent and higher percentage target of 25% should be sought throughout the District on eligible sites.

- 4.4 This recommendation introduces a proposal which hasn't been included at First or Second Deposit. The existing policy has a range of 15 – 25% so it is already possible to request 25% where required.

### **Student Housing**

- 4.5 The Inspector has rejected the concept of the Area of Student Housing Restraint (ASHORE) and has essentially turned the policy around. He does not agree that problems created by a concentration of students living in and around Headingley can be tackled through the planning system. His view is that seeking to control further growth in student numbers through ASHORE and Policy H15 will not ameliorate the problems encountered to any significant extent.

- 4.6 However, he does express support for the Council's aim of seeking to maintain a reasonable range of housing to meet different needs and thereby help sustain a balanced community. He therefore recommends that policy H15 is replaced by a criteria based policy on proposals for student accommodation that would seek to achieve a more balanced community, related to the ASHORE, but re-cast as an area of housing mix. The key element of this change however, is his recommendation that planning permission will be granted for housing intended for occupation by students', subject to defined criteria aimed at protecting the stock of family houses and residential amenity. His recommendation is predicated on a belief that this will also improve the quality and variety of student housing. The Inspector also recommends the area, (i.e. that proposed in ASHORE) be extended to include Kirkstall Hill, Beckett Park Campus, Lawnswood and Moor Grange.

- 4.7 The Inspector endorses policy H15A in seeking to encourage provision of student housing more widely in the City but, recommends that it be re-drafted in a more proactive form, identifying specific areas suited to such housing and setting out criteria designed to maximise the benefits it would bring.

### **Protected Areas of Search**

- 4.8 With the exception of the sites which comprise ELE, (now placed in Phase 3), the Inspector has rejected the Council's rationale for putting PAS sites back into the Green Belt. He has not accepted the Council's argument that changes to national guidance since the last Inquiry, together with a sufficiency of housing and employment land, comprise exceptional circumstances that justify the deletion of PAS policy. He believes that nothing in PPG3 or RSS affects what PPG2 says about permanence of greenbelt boundaries or the role of safeguarded land in maintaining those boundaries. His view is that PAS should be retained in its entirety in order to maintain the permanence of Greenbelt boundaries and to provide some flexibility for the City's long-term growth and development.
- 4.9 The Inspector argues that it cannot be assumed that there will be a continuing supply of brownfield land sufficient to meet all development needs, adding that the prospect of the next RSS reviewing the city's long-term economic potential underlines the importance of keeping future development options open. He therefore recommends that, subject to some detailed changes to the supporting text, policy N34 be carried forward unchanged so that the PAS strategy can be comprehensively reviewed as part of the LDF.
- 4.10 However, six PAS sites did not come before the Inspector at the Inquiry (as there were no objections to the Council's proposals) and, in consequence, they are not referred to in his report. The sites are:

- a) N34.2 - Canada Rd., Rawdon (1.13 ha.)
- b) N34.30 - Mickletown Road, Methley (9.7 ha.)
- c) N34.31 - Low Moor Side, New Farnley (5.6 ha.)
- d) N34.21 - Leeds Road, Collingham (6.7 ha.)
- e) N34.35 - West Park, Boston Spa (4.1 ha.)
- f) N34.36 - Chapel Lane, Clifford (1.4 ha.)

**Policy E7 (Protection of Employment Land):**

- 4.11 The Inspector has not supported the Council's proposals to tighten Policy E7 in order to stem the 'leakage' of employment land. He concluded that introducing into policy E7 the Council's proposed criteria on a mixed-use development would render it unreasonably restrictive compared with national guidance on re-use of surplus employment land in PPG3 as amended. He also rejected the intent to define "locality" as 1.5 miles (approx. 30 minutes walking time) in considering the local availability of alternative employment sites. He recommends that the policy is re-drafted to reflect the guidance in PPG3 and to give the policy a positive emphasis.
- 4.12 The Inspector is also not convinced that the amount of leakage involved is yet a matter of concern. In relation to W & NW Leeds, he argues that the particular circumstances of a sector of the District would not justify a District-wide policy. If it becomes a demonstrable concern, then the Council can exert control in terms of Clause 3 of PPG3 (para 42a). This clause refers to the statement in PPG3 (42a) which states that local planning authorities should consider favourably planning applications for housing or mixed use developments which concern "buildings in industrial or commercial use, but which is (or are) no longer needed for such use," (our emphasis). The Inspector was therefore pointing out that safeguards still exist which the Council could apply to such proposals.

**Transport**

- 4.13 In chapters 2, 3 and 6, the Inspector recommends against including in the UDP a number of matters that should first be progressed through the Local Transport Plan, including proposals for new railway stations and Park and Ride schemes. He also recommends that:
- Policy T14 Public Transport Corridors should be deleted.
  - Policy T16 Park and Ride should be re-cast in a more helpful criteria based form.

**5.0 PUBLICATION OF THE INSPECTOR'S REPORT**

- 5.1 Under Regulation 26 (2) the Council has to make the Inspector's Report available for public inspection within 8 weeks of its receipt. However, as there is considerable interest in the outcome of Inquiry from the development community and the public, every effort is being made to make this report available as quickly as possible.
- 5.2 The Inspector's Report has been sent electronically to all Ward Members and paper copies have been sent where requested. Copies are now available for inspection at those places where the proposals were placed on deposit, (including all local libraries) and it has been placed on the City Council's web-site. Copies of the document can be made available upon demand at reasonable cost and can be reproduced on a chapter basis for those people only interested in part of the report in order to minimise waste.
- 5.3 Complimentary copies have been sent to Members of Parliament and all town/parish councils.



## **6.0 MODIFICATIONS PROCESS – THE NEXT STEPS**

- 6.1 In summary, the next steps are: **1)** consideration of the Inspector's Report and the Council's response to it; **2)** production and deposit of Modifications for public comment; **3)** consideration of representations; and **4)** adoption of the Plan. This last stage may involve further modifications and if necessary a second Inquiry. However, as noted above, the Council should seek to avoid the prospect of a second inquiry. The various stages are considered more fully below.
- 6.2 Modifications will clearly arise from the Inspector's report based on the categories of decision identified in para. 3.3 above. In addition there are Inquiry Changes which emerged as a result of negotiations with objector's and where a change to the plan was agreed.
- 6.3 Once completed, the Modifications have to be advertised and placed on deposit for a 6 week period to allow for representations to be made. The Council has a duty (Regulation 18(d)) to notify all those who have made representations on the Plan (that have not been withdrawn) and such other persons as the authority thinks fit.
- 6.4 The Council will have to consider any representations received at this stage and the need for any further changes to the Plan in response. The need for a second Public Inquiry will arise at this stage if, in response to the Proposed Modifications, objections raise issues that were not covered/debated at the original Inquiry. This is not an opportunity for objections to be made to the original policies and proposals of the First or Revised Deposit UDP Review.
- 6.5 Once the Council is satisfied that no further change to the Plan is necessary it may proceed to adopt the Plan. Notices must be published of the decision to adopt and the date on which the plan will become operative.
- 6.6 There is a right to challenge the validity of the Plan in the High Court on the limited grounds contained in Section 287 of the Town & Country Planning Act 1990. An application must be made to the courts within 6 weeks of the first notice of adoption.
- 6.6 Members should also be aware that the Secretary of State has a reserve power to intervene at any time up to adoption either by directing that the Plan be modified in some way or, exceptionally, through the call-in procedure.
- 6.7 Following this the UDP Review will need to be merged with the Adopted Plan (2001) to create a single Written Statement and Proposals Map.

6.8 The aim is to succeed in securing the Plan's adoption by July 2006.

## **7.0 CONCLUSION**

- 7.1 This report has provided a brief overview of the scope and content of the Inspector's Report and the areas for consideration at subsequent Panel meetings. In order to avoid a protracted UDP process and the implications of the SEA Directive, it is crucial that the City Council moves the Modification process forward as quickly as practicable. The clear aim is to achieve the early adoption of the UDP Review and to then concentrate on the work programme associated with the emerging Local Development Framework.

## **8.0 RECOMMENDATIONS**

- 8.1 The Panel are invited to consider the broad recommendations of the Inspector's Report and to note the Modifications Process and next steps.

**REPORT OF THE DEVELOPMENT DEPARTMENT  
REPORT TO: DEVELOPMENT PLANS PANEL  
DATE: 6 DECEMBER 2005**

**SUBJECT: LEEDS UDP REVIEW – RESPONSE TO INSPECTOR’S REPORT ON  
CHAPTER 2 (STRATEGIC CONTEXT) AND CHAPTER 3 (STRATEGY)**

**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 2 (Strategic Context) and Chapter 3 (Strategy) to determine the appropriate response to his recommendations.

**2.0 BACKGROUND**

2.1 The topic subject of these alterations relate to the strategic context and aims of the transport strategy. The alterations relate to the four key themes of the West Yorkshire Local Transport Plan (WYLTP) and, amongst other things, encouraging development in locations that reduce the need to travel respectively.

2.2 An objection from Churwell Action Group includes the need to make reference to financial and social inclusion and to the introduction of a flat rate daily bus ticket and fare to the summary of the key themes of the WYLTP.

2.3 The Council’s principal argument at the Inquiry was that the transport chapter of the UDP Review and the scope of the strategic context and aim is broadly consistent with the WYLTP. In particular the key themes stated in the UDP are an accurate reflection of those stated in the WYLTP. Adding to the themes is therefore inappropriate as it is a matter for the review of the WYLTP to amend or add to the strategic transport themes. Similarly the promotion of bus fares levels is not a matter for development plans.

**3.0 THE INSPECTOR’S RECOMMENDATIONS**

3.1 The Inspector has supported the Council’s position in his report.

3.2 The Inspector therefore recommends that the UDP be modified in accordance with First Deposit Alterations 2/002 and 3/001.

#### **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 2 & 3 and to recommend its approval to the Executive Board in due course.

## CHAPTER 2 – STRATEGIC CONTEXT

<b>Prop. Alt. 2/002</b>	<b><u>PA 2/002</u></b> STRATEGIC INITIATIVES: WEST YORKSHIRE LOCAL TRANSPORT PLAN  <b><u>Inspector's recommendation</u></b> Para 2.6 - I recommend that the UDP be modified in accordance with FD Alteration 2/002.	<b><u>Leeds City Council Decision and Reasons</u></b> The Council accepts the Inspector's conclusions in Para's 2.2 to 2.5 of the Report and consequently accepts the Inspector's recommendation to modify the Plan in accordance with the alteration proposed by the Council at the First Deposit stage.  <b><u>Proposed Modification</u></b> None
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## CHAPTER 3 - STRATEGY

<b>Prop. Alt. 3/001</b>	<b><u>PA 3/001</u></b> UDP STRATEGIC AIMS  <b><u>Inspector's recommendation</u></b> Para 3.3 - I recommend that the UDP be modified in accordance with FD Alteration 3/001.	<b><u>Leeds City Council Decision and Reasons</u></b> The Council accepts the Inspector's conclusions in Para's 3.1 to 3.2 of the Report and consequently accepts the Inspector's recommendation to modify the Plan in accordance with the alteration proposed by the Council at the First Deposit stage.  <b><u>Proposed Modification</u></b> None
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**REPORT OF THE DEVELOPMENT DEPARTMENT  
REPORT TO: DEVELOPMENT PLANS PANEL  
DATE: 6 DECEMBER 2005**

**SUBJECT: LEEDS UDP REVIEW – RESPONSE TO INSPECTOR’S REPORT ON  
CHAPTER 4, GENERAL POLICIES.**

**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 4 – General Policies, to determine the appropriate response to his recommendations. The Chapter received 5 objections to the section on community involvement, 5 under sustainable development, 18 in relation to sustainable design and 8 on sustainability assessments.

**2.0 BACKGROUND**

**Community Involvement**

- 2.1 The introduction of the Planning and Compulsory Purchase Act 2004 brought a greater emphasis on community involvement in the planning system and a requirement for the Council to produce a Statement of Community Involvement (SCI) to set out how the Council intends to involve the community. The UDP Review alteration 4/001 proposed an alteration to Policy R4 to reflect this requirement and alterations to the relevant explanatory text.
- 2.2 Objections to this alteration concerned the degree to which community involvement should be required or encouraged, whether or not it should only refer to major schemes, whether or not consultation parties should meet together to avoid friction, a suggestion for independent monitoring of the Policy and objections regarding the specific wording of the Policy.

**Sustainable Development**

- 2.3 Proposed alteration 4/002 seeks to deliver more sustainable forms of development by encouraging social, economic and environmental issues to be considered altogether. It also introduces text to explain how the Corporate Plan and the Vision For Leeds address this issue and provides a list of sustainability objectives.

- 2.4 Objections to the alteration include a request to refer to an inclusive and affordable public transport system in the summary of the Corporate Plan priorities; a request for the text to state that the proportion of rubbish will be recycled fivefold; a concern that it is not realistic to say that applications failing to achieve an integrated approach to addressing sustainability objectives will be “exceptional”; a request for a further sustainability objective to be added to cover re-use of existing buildings and safeguarding of historic assets; and a request for further text to state that the Council will consult on applications for old buildings which qualify for listed building status.

### **Sustainable Design**

- 2.5 Proposed alteration 4/004 introduces Policy GP9 to require all development to meet sustainable design principles.
- 2.6 Objections are primarily concerned with the strength of the policy.

### **Sustainability Assessments**

- 2.7 Proposed alteration 4/005 introduces Policy GP10 to require a sustainability assessment to be submitted with all applications for major development.
- 2.8 Objections relate to whether sustainability assessments should be ‘encouraged’ or ‘required’; whether the circular 15/92 definition of major development is appropriate; whether strategic housing sites should be exempt from the policy and how the policy should relate to phased developments.

## **3.0 THE INSPECTOR’S RECOMMENDATIONS**

### **Community Involvement**

- 3.1 The Inspector has agreed with the objector that “encouraging” should be substituted for “requiring” because there is no legal basis for such a requirement. However, with regard to the other objections, he has stated that he sees no merit in only applying community involvement to major schemes. He does not agree that independent monitoring of community involvement is required because “external audit of community involvement in the shape of SCI will come with the next round of Plan-making” and it would not be efficient to introduce it now for the remaining limited life of the UDP. However he does think that Policy R4 could be made firmer by listing those means by which the Council intends to involve the community. The Council has addressed this by proposing a cross-reference to the Statement of Community Involvement.
- 3.2 It should be noted that Policies GP9 and GP10 of the First Deposit (Sustainable Design and Sustainability Assessments) need to be renumbered as GP11 and GP12. This is to make way for Policies R4 and R5 (Community Involvement) to be renumbered as GP9 and GP10. This is necessary because there are also Policies R4 and R5 in Chapter 11 of the UDP and this change is required to avoid duplication of policy references and unnecessary confusion.

### **Sustainable Development**

- 3.3 The Inspector has agreed with the objector that the summary of the Corporate Plan priorities could more fully explain our desire to achieve an inclusive and affordable integrated public transport system and suggests an appropriate form of wording which

the Council proposes to accept. However he acknowledges that the UDP Review, in that paragraph, is only summarising the Corporate Plan priorities and it would therefore not be appropriate for it to raise the target for recycling. The Inspector supports the Council in terms of the other objections.

### **Sustainable Design**

- 3.4 The Inspector supports the Council's position with regard to sustainable design.

### **Sustainability Assessments**

- 3.5 The Inspector states that he considers it is inappropriate for the Council to require developers to submit sustainability assessments and that we can only encourage them. The Council accepts this recommendation from the Inspector. However the Inspector agrees with the Council that we should set a threshold for the application of Policy GP10 and this should be in-line with the definition of major development provided by Circular 15/92. The Inspector considers that there should be no specific exemption from preparing an assessment for strategic sites proposed in the Plan. He also considers that it is not appropriate for the Policy to refer to phased development as this should be addressed in the Supplementary Planning Guidance.

## **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 4 and to recommend its approval to the Executive Board in due course.

## Chapter 4 – General Policies

<p><b>Prop. Alt. 4/001</b></p> <p>4/001/RD</p>	<p><b>PA 4/001</b> COMMUNITY INVOLVEMENT</p> <p><b><u>Inspector's recommendation</u></b> Para 4.17 I recommend that the UDP be modified in accordance with RD Alteration 4/001, subject to:</p> <ol style="list-style-type: none"> <li>a) adding "by" after "the pre-application stages" and then listing the means by which it is intended to put the aims of the Policy into practice</li> <li>b) deleting "may well" from the second sentence of paragraph 4.8.1</li> <li>c) substituting "encouraging" for "requiring" in the final sentence of paragraph 4.8.1</li> <li>d) revising paragraph 4.8.1 to take account of the enactment and commencement of the Planning &amp; Compulsory Purchase Act 2004</li> </ol>	<p><b><u>Leeds City Council Decision and Reasons</u></b> The Council accepts the Inspector's conclusions in Para's 4.3 - 16 of the Report and consequently accepts all his recommendations, with the exception of the part in which he requests the Council to list the means by which it is intended to put the aims of the Policy into practice. Instead, it is proposed to provide a cross reference to the council's Statement of Community Involvement which, it is believed, reflects the Inspector's objective.</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>• after "the pre-application stages" at the end of Policy R4 (now GP9), adding the words "by applying the provisions of the Statement of Community Involvement"</li> <li>• deleting "may well" from the second sentence of paragraph 4.8.1</li> <li>• substituting "encouraging" for "requiring" in the final sentence of paragraph 4.8.1</li> <li>• revising paragraph 4.8.1 to take account of the enactment and commencement of the Planning &amp; Compulsory Purchase Act 2004</li> <li>• re-numbering policies R4 and R5 in Chapter 4 of the UDP as policies GP9 and GP10 respectively. This is required in order to avoid confusion with the 'R' policies in the Regeneration Chapter (Ch. 11).</li> </ul> <p>The revised para 4.8.1 will now read as follows:-</p> <p>4.8.1 The forms of public consultation and community involvement are constantly being appraised and a key task of the City Council is the development of a permanent on-going dialogue with local communities on a wide range of issues. Communities include private, public and voluntary sector interests in a locality, as well as residents and their representatives. The Government is also committed to ensuring that local communities become more effectively engaged in the planning process, and is encouraging local authorities to establish more effective mechanisms for community involvement. The Planning and Compulsory Purchase Act 2004 has a requirement for Local Development Frameworks to contain a Statement of Community Involvement (SCI) setting out how the community will be involved in the development planning process and in significant planning applications. The Council's SCI will be used to inform the preparation of future development plan components eg the Action Area Plans proposal under Policy R1. Similarly, the Council is now seeking to serve the interests of the public more widely in the development control process. Neighbour notification of planning applications is only one example of the Council's commitment. It is currently actively seeking to develop and encourage further involvement of local communities in the planning application process through a series of measures</p>
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		<p>including providing advice to applicants of the best ways of involving the local community and encouraging them to submit details with planning applications of how they have involved the public in developing their scheme proposals.</p> <p>The Revised Policy R4 (re-numbered as GP9) is as follows:-</p> <hr/> <p><b>GP9: THE CITY COUNCIL WILL PROMOTE GREATER COMMUNITY INVOLVEMENT IN THE PLANNING PROCESS, PARTICULARLY AMONGST WOMEN, LOW INCOME HOUSEHOLDS, DISABLED PEOPLE AND ETHNIC MINORITIES.</b></p> <p><b>THE COUNCIL WILL INVOLVE THE COMMUNITY FULLY IN THE DEVELOPMENT PLAN PROCESS INCLUDING IN THE FORMULATION OF ACTION AREA PLANS AND, WILL ENCOURAGE AND SUPPORT COMMUNITY INVOLVEMENT IN THE PLANNING APPLICATION PROCESS INCLUDING DURING THE PRE-APPLICATION STAGES BY APPLYING THE PROVISIONS OF THE STATEMENT OF COMMUNITY INVOLVEMENT.</b></p> <hr/>
<p><b>Prop. Alt. 4/002</b> 4/002/RD</p>	<p><b>PA 4/002</b> SUSTAINABLE DEVELOPMENT</p> <p><b>Inspector's recommendation</b> Para. 4.27 I recommend that the UDP be modified in accordance with RD Alteration 4/002 subject to deleting the fourth bullet point in para 4.9.9 and substituting the following:</p> <p>“developing a high quality integrated transport system that meets the needs of the whole community safely and reliably, achieves more sustainable patterns of travel, and provides good public transport services readily available to those without access to a car.”</p>	<p><b>Leeds City Council Decision and Reasons</b> The Council accepts the Inspector's conclusions in Para's 4.20 – 26 of the Report and consequently accepts the Inspector's recommendation to modify the fourth bullet point of para 4.9.9</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 fourth bullet point in para 4.9.9 and substituting the following:</li> </ul> <p>“developing a high quality integrated transport system that meets the needs of the whole community safely and reliably, achieves more sustainable patterns of travel, and provides good public transport services readily available to those without access to a car.”</p>
<p><b>Prop. Alt. 4/004</b> 4/004/RD</p>	<p><b>PA 4/004</b> SUSTAINABLE DESIGN</p> <p><b>Inspector's recommendation</b> Para 4.34 I recommend that the UDP be modified in accordance with FD Alteration 4/004 subject to cross-reference in the supporting text to specific design policies, for example N12 and N13 and to PPS1</p>	<p><b>Leeds City Council Decision and Reasons</b> The Council accepts the Inspector's conclusions in Para's 4.30 - 33 of the Report and consequently accepts the Inspector's recommendation to add the cross reference</p> <p><b>Proposed Modification</b> Modify the Leeds UDP Review (First &amp; Revised Deposit) by:</p> <ul style="list-style-type: none"> <li>renumbering Policy GP9 as GP11 as a consequence of earlier numbering changes in 4/001</li> <li>adding wording “(policies N12 and N13)” after “Policies in Chapter 5” in paragraph</li> </ul>

		<p>4.9.17.</p> <ul style="list-style-type: none"> <li>• adding wording “along with Government guidance in PPS1” after the wording “Taken together this guidance” in paragraph 4.9.18</li> </ul>
<p><b>Prop. Alt. 4/005</b> <b>4/005/RD</b></p>	<p><b>PA 4/005</b> SUSTAINABILITY ASSESSMENTS</p> <p><b><u>Inspector’s recommendation</u></b> Para 4.42 I recommend that the UDP be modified in accordance with RD Alteration 4/005, subject to all references to Sustainability Assessments being “required” being changed to “encouraged”</p>	<p><b><u>Leeds City Council Decision and Reasons</u></b> The Council accepts the Inspector’s conclusions in Para’s 4.37 - 41 of the Report and consequently accepts the Inspector’s recommendation to change “required” for “encouraged”.</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>• renumbering Policy GP10 as GP12 as a consequence of earlier numbering changes in 4/001</li> <li>• replacing the word “required” with “encouraged” in Policy GP12 (as renumbered)</li> </ul>



**REPORT OF THE DEVELOPMENT DEPARTMENT  
REPORT TO: DEVELOPMENT PLAN PANEL  
DATE: 6 DECEMBER 2005**

**SUBJECT: LEEDS UDP REVIEW – RESPONSE TO THE INSPECTOR’S REPORT ON  
CHAPTER 23 (West Leeds)**

**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 23 – West Leeds, and to determine the appropriate response to his recommendation. Although there were 16 Proposed Alterations in the West Leeds Chapter, only one site was the subject of an objection to the Plan and was considered at the Inquiry by the Inspector. This land is at Viaduct Road.

**2.0 BACKGROUND**

2.1 The site is 0.4 ha. in area and is overgrown and derelict in appearance. It is a former gasholder site now owned by Second Site Property Holdings (SPH), the commercial arm of British Gas. It is located at the junction of Viaduct Road and Burley Place and immediately abuts a railway viaduct (Leeds- Harrogate line). Kirkstall Road lies just to the north. The surrounding land uses are entirely industrial and commercial. The site is allocated on the Adopted UDP for employment use (under ref. E3C.26).

2.2 The objection was lodged under Chapter 7 (7/003) on the grounds that the land should be included as a brownfield housing allocation under Policy H3.1. Proposals to allocate further brownfield sites were raised by several developers/landowners at a strategic level and these were addressed at the Housing Round Table which was held on 20 & 21 July 2004. Essentially these objections argued that additional known brownfield windfall sites in the Main Urban Area should be allocated in the Plan.

2.3 The Council’s principal argument at the Inquiry was that the site itself is not in a location which is suitable for a residential use, given the fact that the surrounding area is industrial/commercial in character and it does not have a level of amenity which would create a sense of community and an attractive liveable environment.

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

- 3.1 The Inspector has supported the Council's position in his report and commented that he considers "the nature of the surrounding area, and the likelihood of high noise levels from businesses and from adjoining roads and the railway, rule it out as an acceptable location for housing."
- 3.2 The Inspector therefore recommends that no modification is made to the UDP. The land will therefore remain allocated for employment use.

### **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 23 and to recommend its approval to the Executive Board in due course.

Chapter 23 – West Leeds

<p><b>Chapter 23 (Prop. Alt. 7/003)</b></p>	<p><b><u>PA 7/003</u></b> VIADUCT ROAD, LEEDS</p> <p><b><u>Inspector's recommendation</u></b> Para 23.9 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 23.2 to 23.8 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>
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**REPORT OF THE DIRECTOR OF DEVELOPMENT**

**MEETING: DEVELOPMENT PLAN PANEL**

**DATE : 6 December 2005**

**SUBJECT : Local Development Framework – Annual Monitoring Report**

<p><b>Electoral Wards Affected :</b></p> <p>ALL</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><b>Executive Function</b> <input type="checkbox"/></p>	<p><b>Eligible for Call In</b> <input type="checkbox"/></p>	<p><b>Not eligible for Call In (details contained in the report)</b> <input type="checkbox"/></p>	<p><input type="checkbox"/></p>

**1. PURPOSE OF THIS REPORT**

1.1 The purpose of this report, is for Development Plan Panel consideration of the City Council's first Local Development Framework – Annual Monitoring Report (AMR) - attached as Appendix 1, with a view to recommending approval for Executive Board (14 December) and for this to be submitted to the Secretary of State by 31 December 2005 (consistent with the Local Development Framework regulations and Government Guidance).

**2. BACKGROUND**

2.1 Following reforms to the planning system, enacted through the introduction of the Planning & Compulsory Purchase Act 2004, all local authorities are required to prepare AMRs. In turn, the purpose of AMRs is to report on both the performance of specific planning policies and a summary of progress against milestones set out for the preparation of Local Development Documents identified as part of the Local Development Scheme. Following this, Government advice promotes the need for local authorities to review planning policies through the LDF process where appropriate. Within this context and with regard to the LDS, where adjustments need to be made to update, delete or inject Local Development Documents as part of the overall programme, these need to be incorporated into an updated LDS for submission to the Secretary of State by 31 March 2006.

2.2 Within the context of the LDF Regulations and Government Guidance, the reporting period for this first AMR covers the period 1 April 2004 – 31 March 2005 for planning policy issues and the progress update on the Local Development Scheme is the position at December 2005.

### **3. ANNUAL MONITORING REPORT – POLICY MONITORING**

- 3.1 This is the first LDF AMR for Leeds and as a consequence, emphasis has been placed upon capturing and reporting upon existing data where available, as well as establishing monitoring arrangements for future years. With regard to planning policy issues in the current reporting period, the AMR provides a commentary upon housing completions and future forecasts (Housing Trajectory –Section 4.1), information on the Supply of Employment Land (Section 4.2), issues associated with Retail, Office and Leisure Developments (Section 4.3), together with overall comments on Transport and Environmental issues. Appendix 1 of the AMR also provides a summary reporting on a series of Key Indicators.
- 3.2 This information provides some useful insights into a number of policy areas such as the use of Previously Developed Land (PDL) and the recent boom in housing completions. It should be noted however, that specific outcomes may not always be attributed to the scope and intent of specific planning policies given the nature of market forces, the reliance in some cases upon external funding to deliver planning policy and the influence of wider economic, environmental and social drivers operating beyond Leeds. Nevertheless, in future years as the LDF system is gradually rolled out, monitoring arrangements will be developed concurrently with specific policies in order to link planning policy intent and outcome more closely as a basis to monitor the effectiveness of planning policy interventions.
- 3.3 In recognising the need to establish more robust and longer term AMR monitoring arrangements, Section 5.1 of the AMR sets out an overall approach to develop the monitoring system in future years. This will require continued corporate support and close interdepartmental working to ensure that best use is made of existing resources and any gaps in data addressed.

### **4. ANNUAL MONITORING REPORT – LOCAL DEVELOPMENT SCHEME UPDATE**

- 4.1 Members will recall that following consideration by Development Plan Panel, the City Council's Local Development Scheme (LDS) was approved by Executive Board, for submission to the Secretary of State in April 2005 (and formally operational from 1 June 2005). As members will recall also, the LDS is a three year rolling project plan for the preparation of the Local Development Framework, setting out a programme of work for the preparation of a series of Local Development Documents. Within the context of Corporate Plan and Vision for Leeds priorities (and in consultation with the Government Office for Yorkshire & the Humber), the LDS sets out an ambitious programme of work. This work focuses upon the preparation of a Statement of Community Involvement, Area Action Plans for the City Centre, Aire Valley Leeds, the West Leeds Gateway and East and South East Leeds (EASEL), together with a Core Strategy and Waste Development Plan Documents. The LDS also contains a wide ranging programme for the preparation of Supplementary Planning Documents, which include various Design Guides.
- 4.2 In taking the LDS programme forward, key stages of the programme have been delivered or are well underway. These can be summarised as follows:
- a draft Statement of Community Involvement has been prepared following early engagement work over the summer and is currently subject to the first formal 6 week period of public consultation (due to close on 16 December),
  - extensive pre-production work, early issue reports for consultation and engagement work undertaken for the City Centre, Aire Valley Leeds and EASEL Area Action Plans – work is currently underway to develop initial policy options and proposals for further consultation,

- in the development of the evidence base for the LDF, a major technical study has been commissioned and is being prepared for completion early in the new year, to advise on Employment Land issues as a basis to inform future policy options,
- work has continued to influence the scope and content of the emerging Regional Spatial Strategy (RSS) as a basis to manage and anticipate the policy implications for Leeds,
- the Eastgate and Harewood Quarter SPD has been completed and adopted by the City Council following approval by Executive Board In October,
- the Public Realm SPD has been subject to consultation on early issues and following consideration by Development Plan Panel on 6 December, a draft Public Realm SPD is to be issued for formal consultation early in the new year,
- pre-production work is well underway for a range of other SPD including the Waterfront Biodiversity Guide, Tall Buildings and Advertising Design Guide, with a view to formal consultation being undertaken in the new year.
- associated with the preparation of Local Development Documents has been the development of and application of a Sustainability Appraisal methodology required of the new system and consultation with stakeholders, to support the preparation of the various planning documents through the different production stages.

- 4.3 Whilst overall the LDS programme is moving forward positively, following confirmation from the Government Office for Yorkshire & the Humber (GOYH), it will be necessary to update the LDS for submission to the Secretary of State by 31 March 2005. This is necessary to adjust the production timetables for a number of the Local Development Documents to make them more deliverable to reflect the need to complete further work and consultation on initial Area Action Plan options (following further clarification from GOYH), to more fully integrate work streams in relation to regeneration and the LDF (to comply with the LDF regulations) and to take into account the implications of the RSS for the preparation of the LDF Core Strategy. Adjustments will also be needed to the production timetable for SPDs to address resourcing and capacity issues. Work is therefore underway to update the LDS for consideration by Development Plan Panel and Executive Board early in the new year.
- 4.4 A key challenge of the new planning system, is the need to co-ordinate a wide range of work areas within a broader partnership context and to facilitate early consultation and engagement. Within this context also it is necessary, to combine processes for statutory spatial and land use planning with regeneration activity, in ensuring compliance with the LDF regulations and in maintaining overall project momentum. For example, in progressing the EASEL initiative, the City Council has taken forward a major procurement exercise with a view to identifying a preferred partner. Consequently, whilst it has been possible to undertake early engagement activity as part of the LDF, the development of options and Preferred Options will need to be informed by further debate with stakeholders and the preferred partner once agreed. In another instance (the West Leeds Gateway AAP), programme slippage is a consequence of the need to consult on work on a 'regeneration framework' (consistent with LDF Regulation 25), prior to taking emerging issues forward to the Preferred Options stage.
- 4.5 An important aspect of an updated LDS programme, is the need to consider pressures for addition work injections. Such pressures need to be assessed both on their planning merits and resource capacity issues. Within this context, pressures are emerging for additional Area Action Plans (e.g. Inner North West Leeds) and for a range of Supplementary Planning Documents. The scope and breadth of these pressures will need to be reported in due course to Development Plan Panel and to Executive Board following the preparation of an updated LDS. At this stage it should

be noted however, that whilst the new system does allow for some flexibility, initial priorities have been identified as part of the LDS programme, good progress is being made in seeking to deliver these priorities but in practice given the current production stages and the resourcing levels it will be difficult to absorb major programme injections at this stage. It should be emphasised also, that in parallel to the preparation of the LDF, the City Council (and the same core group of officers) are also taking forward the UDP Review process following the recent receipt of the Inspectors Report.

- 4.7 A consequence also of any adjustment to the production timetables, is the need to amend the end dates for the schedule of saved UDP policies (LDS - Appendix 5). Members may recall from previous LDF reports to Development Plan Panel and Executive Board that under the LDF transitional arrangements, following commencement of the Planning & Compulsory Purchase Act adopted policies are automatically saved for three years. However, given the production time necessary for the preparation of Development Documents (and until new LDF policies are introduced), it is necessary to save existing policies beyond the initial three year period (subject to agreement with GOYH).

## **5. CONCLUSION**

- 5.1 This report has outlined the scope and content of the first Local Development Framework Annual Monitoring Report. This has highlighted the performance of a number of planning policy areas where information is available and sets out an approach to monitoring in future years, which will require continued corporate support and interdepartmental working to be successful.
- 5.2 As summarised above, a key component of the AMR, is a report on progress in relation to the Local Development Scheme. Whilst good progress is being made, programme adjustments will be necessary to reflect production issues and timescales, which will need to be considered further by Development Plan Panel and Executive Board in the new year prior to submission to the Secretary of State by 31 March 2005.

## **5. RECOMMENDATIONS**

- 5.1 Development Plan Panel is invited to recommend Executive Board approval of the Local Development Framework Annual Monitoring Report, for submission to the Secretary of State pursuant to Regulation 48 of the Town and Country Planning (Local Development) (England) Regulations 2004.

## **APPENDIX 1**

### **Leeds Local Development Framework Annual Monitoring Report**

**LEEDS LOCAL DEVELOPMENT FRAMEWORK  
ANNUAL MONITORING REPORT  
DECEMBER 2005**

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## **1 Introduction**

1.0.1 This report is the first of an annual series of reports monitoring the Leeds Local Development Framework (LDF). It describes progress in starting work on the new LDF, presents monitoring data for the year from 1 April 2004 to 31 March 2005 and details ways in which the City Council's monitoring work will be developed and expanded. Annual Monitoring Reports (AMRs) will always report on events during the preceding Local Government Year (and financial year) and will be published at the end of December each year.

### **1.1 Monitoring Context**

1.1.1 The Planning & Compulsory Purchase Act 2004 sets the framework for the modernisation of planning in the UK as part of a "plan led" system. The Act and other supporting legislation place expectations on local authorities to plan for sustainable communities. As part of the new system, Local Development Frameworks and Regional Spatial Strategies (RSS) will replace the existing system of Unitary Development Plans and Regional Planning Guidance. At a local (Leeds MD) level the Local Development Framework will provide the spatial planning framework for the use of land within the city and a key mechanism to deliver the spatial objectives of the Community Strategy (Vision for Leeds).

1.1.2 A key task for the City Council under the new planning system is the preparation of a Local Development Scheme (LDS)<sup>1</sup>. This sets out a three - year programme with milestones for the preparation of Local Development Documents - documents which together will comprise the Local Development Framework. The LDS and its work programme will be reviewed each year and the three - year programme will be rolled forward. Thus at any given time the LDF will consist of an integrated 'portfolio' of policy documents of different ages.

1.1.3 There is also a requirement to publish an annual report monitoring both progress on the Scheme and the performance of policies. The Regional Assembly for Yorkshire and the Humber is also required to produce an AMR and this will take a coordinated set of information from the region's planning authorities.

### **1.2 The Annual Monitoring Report**

1.2.1 The Government has produced a guide on LDF monitoring<sup>2</sup>. This covers monitoring in its widest context - monitoring implementation of the Local Development Scheme, Local Development Orders and Simplified Planning Zone schemes, which will also form part of that framework. Monitoring is becoming an increasingly important aspect of "evidence based" policy

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<sup>1</sup> Leeds Local Development Scheme, June 2005

<sup>2</sup> Local Development Framework Monitoring: A Good Practice Guide, ODPM, March 2005



making. In the past, monitoring has been regarded as an 'error'-correcting mechanism to bring land use plans back on track by addressing negative feedback.

1.2.2 Within the current planning context it is noted that "Monitoring is essential to establish what is happening now, what may happen in the future and then compare these trends against existing policies and targets to determine what needs to be done. Monitoring helps to address questions like:

- are policies achieving their objectives and in particular are they delivering sustainable development?
- have policies had unintended consequences?
- are the assumptions and objectives behind policies still relevant?
- are the targets being achieved?

1.2.3 In addition "It represents a crucial feedback loop within the cyclical process of policy-making. ... In the context of the new planning system, with its focus on delivery of sustainable development and sustainable communities, monitoring takes on an added importance in providing a check on whether those aims are being achieved. ... The ability to produce various local development documents, as opposed to one local plan document, allows authorities to respond quickly to changing priorities for development in their areas. Monitoring will play a critical part in identifying these. That is why part of the test of soundness of a development plan document is whether there are clear mechanisms for implementation and monitoring.

1.2.4 "In view of the importance of monitoring, Section 35 of the Planning and Compulsory Purchase Act 2004 ("the Act") requires every local planning authority to make an annual report to the Secretary of State containing information on the implementation of the local development scheme and the extent to which the policies set out in local development documents are being achieved. Further details of this requirement are set out in [Regulations]<sup>3</sup> " Good Practice Guide paras. 1.1-1.3

1.2.5 The Office of the Deputy Prime Minister (ODPM) acknowledge that the first AMRs will not be able to cover everything set out in the Guide. "If authorities experience difficulties meeting the requirements of the Act and Regulations in terms of their first annual monitoring reports, they will need to present as full as an analysis as possible whilst setting out clearly what the problems are and how they will be overcome in the next report in December 2006." Guide para.3.16

1.2.6 The current document is the first AMR. It covers a transitional period between the UDP and LDF systems. It is limited in scope for two reasons:

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<sup>3</sup> Town and Country Planning (Local Development) (England) Regulations 2004, Regulation 48, SI 2004 No. 2204

<http://www.opsi.gov.uk/si/si2004/20042204.htm>

- There are currently no LDF policies and the policy context monitored consists of the saved UDP policies. These are listed in the Local Development Scheme.
- While some monitoring has been undertaken over the last few years this has concentrated on certain key areas, principally relating to the major land demands for housing and employment. With available resources it has not been practical to put into place comprehensive monitoring of the wide range of UDP policies.

1.2.7 However, the Council's computing environment is undergoing considerable change. This will produce a new system for processing planning and Building Regulation applications (key sources of monitoring information) and enhanced Geographic Information System capabilities that should bear fruit in future years. It is intended to develop the Council's monitoring capability to take advantage of these improvements in parallel with development of the first LDF policies. These developments are described in more detail in Section 5.

1.2.8 The remainder of this report covers:

2. **the Leeds policy context** - a summary of the broader planning framework within which policy monitoring will be done.
3. **the Local Development Scheme** - a review of progress against the milestones in the Scheme and suggested amendments.
4. **monitoring information** relating to 2004 / 5 concentrating on, wherever possible, the ODPM and Regional Assembly key indicators.
5. **future directions for monitoring** - a description of how it is proposed to develop the LDF monitoring capability within Leeds to best serve the new development plan system. Reference is also made to ongoing technical work that will underpin policy development and monitoring.
6. **key indicator data** - an appendix containing, for convenience, the indicator data required by ODPM and the Regional Assembly.

## 2 The Leeds Policy Context

### 2.1 *The Wider Region*

2.1.1 There is growing recognition that Yorkshire and Humberside's longer term economic prosperity and sustainable development is best achieved in working with a range of partners at a regional level. The concept of the "Leeds city-region" is therefore being developed, consisting of Leeds, Bradford, Calderdale, Kirklees, Wakefield, Barnsley, Craven, Harrogate, Selby and York. This idea is also emerging as part of the preparation of the new Regional Spatial Strategy, which identifies a series of 'sub' areas across the region, including the Leeds city-region.

2.1.2 The Leeds city-region has the potential to develop relatively quickly into a competitive city region, competing successfully with other European cities and contributing to improved economic performance. Stakeholders in the

city region are now starting to recognise the advantages of closer co-operation in promoting transport improvements, higher education collaboration and in financial and professional services. Leeds needs to work collaboratively with other city regions, particularly Manchester, to ensure that the north of England realises its full potential.

## **2.2 The Vision for Leeds**

2.2.1 In providing a framework to address the above issues and opportunities, the Vision for Leeds (Community Strategy)<sup>4</sup>, provides a vision for improving the social, economic and environmental well-being across the city. Following a period of extensive public involvement and engagement the Vision for Leeds 2004 - 2020 has been adopted, prepared by the Leeds Initiative - the Local Strategic Partnership for Leeds. The purpose of the Vision for Leeds is to guide the work of all the Leeds Initiative partners to make sure that the longer term aims for the city can be achieved.

2.2.2 The Vision has the following aims:

- Going up a league as a city
- Narrowing the gap between the most disadvantaged people and communities and the rest of the city
- Developing Leeds' role as the regional capital

## **2.3 The Leeds Unitary Development Plan**

2.3.1 The City Council's Unitary Development Plan (UDP) was adopted 1 August 2001. Anticipating the need to prepare Local Development Frameworks and within the context of changes to national planning policy the City Council embarked upon an early and selective review of the Adopted UDP. Following public consultation and consideration of representations received, a UDP Review Public Inquiry was held between July 2004 and June 2005. The Inspector's Report into the Inquiry was subsequently received in November and the City Council is currently considering the recommendations made, with a view to undertaking a UDP Review Modifications process (as appropriate) prior to final adoption in 2006.

## **3 The Local Development Scheme**

3.1 Following preparation of the City Council's Local Development Scheme (LDS) a revised draft of the LDS was agreed with the Secretary of State and it became formally operational from 1 June 2005.

3.2 As highlighted in the LDS (page 12), the priorities for action are intended to complement, support and take forward the city's identified strategic priorities. These include providing expression to the spatial planning aspects of the Community Strategy (Vision for Leeds) and key objectives in relation to regeneration and renaissance issues. Within this context also,

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<sup>4</sup> <http://www.leeds.gov.uk/planning> (see Corporate & Regional Strategies folder)

the LDS emphasises the need for the Development Plan system in Leeds to provide a continuity of planning policy whilst developing new policy approaches to deal with current and emerging issues. This is reflected in the schedule of UDP saved policies. In the preparation of the LDF, it was initially anticipated that adopted UDP policies would be saved for three years. Within the context of progress against LDS milestones, the City Council intends to update the schedule of Local Development Documents and individual profiles where necessary. A consequence of this will be the need to review the schedule of saved policies, with a view to saving specific policies beyond the initial three year period – subject to the production timetable for Development Plan Documents. Consequently, the City Council intends to submit an updated LDS to the Secretary of State by 31 March 2005.

- 3.3 Against the above framework, the LDS incorporates a series of Development Plan Documents and Supplementary Planning Documents (DPDs & SPDs), which are intended to take forward a number of spatial and thematic planning issues. Central to these are a number of Area Action Plans for the City Centre, Aire Valley Leeds, East & South East Leeds (EASEL) and the West Leeds Gateway. In addition, the LDS also includes the preparation of a Core Strategy and Waste DPDs. In providing a basis to amplify existing ‘saved policies’ and to tackle specific policy issues, a programme of several Supplementary Planning Documents was also identified for production.
- 3.4 In taking the LDS programme forward, key stages of the programme have been delivered or are well underway. These can be summarised as follows:
- consistent with the LDS milestones, a draft Statement of Community Involvement has been prepared following early engagement work over the summer (Regulation 25) and has been subject to the first formal (Regulation 26) 6 week period of public consultation (closing on 16 December),
  - extensive pre-production work, early (Regulation 25) issue reports for consultation and engagement work undertaken for the City Centre, Aire Valley Leeds and EASEL Area Action Plans – work is currently underway to develop initial policy options and proposals for further consultation,
  - in the development of the evidence base for the LDF, a major technical study has been commissioned and is being prepared for completion early in 2006, to advise on Employment Land issues as a basis to inform future policy options,
  - work has continued to influence the scope and content of the emerging Regional Spatial Strategy (RSS) as a basis to manage and anticipate the policy implications for Leeds,
  - the Eastgate and Harewood Quarter SPD has been completed and adopted by the City Council following approval by the City Council’s Executive Board In October,
  - the Public Realm SPD has been subject to consultation on early issues and following consideration by Development Plan Panel on 6 December, a draft

Public Realm SPD is to be issued for formal (Regulation 26) consultation early in the new year,

- pre-production work is well underway for a range of other SPD including the Waterfront Biodiversity Guide, Tall Buildings and Advertising Design Guide, with a view to formal consultation being undertaken early in 2006,
- associated with the preparation of Local Development Documents has been the development of and application of a Sustainability Appraisal methodology required of the new system and consultation with stakeholders, to support the preparation of the various planning documents through the different production stages.

3.5 Whilst overall the LDS programme is moving forward positively, following confirmation from the Government Office for Yorkshire & the Humber (GOYH), it will be necessary to update the LDS for submission to the Secretary of State by 31 March 2005. This is necessary to adjust the production timetables for a number of the Local Development Documents to make them more deliverable to reflect the need to complete further work and consultation on initial Area Action Plan options (following further clarification from GOYH), to more fully integrate work streams in relation to regeneration and the LDF (to comply with the LDF regulations) and to take into account the implications of the RSS for the preparation of the LDF Core Strategy. Adjustments will also be needed to the production timetable for outstanding SPDs to take into account resourcing and capacity issues.

3.6 A key challenge of the new planning system, is the need to co-ordinate a wide range of work areas within a broader partnership context and to facilitate early consultation and engagement. Within this context also it is necessary, to combine processes for statutory spatial and land use planning with regeneration activity, in ensuring compliance with the LDF regulations and in maintaining overall project momentum. For example, in progressing the EASEL initiative, the City Council has taken forward a major procurement exercise with a view to identifying a preferred partner. Consequently, whilst it has been possible to undertake early engagement activity as part of the LDF, the development of options and Preferred Options will need to be informed by further debate with stakeholders and the preferred partner once agreed. In another instance (the West Leeds Gateway AAP), programme slippage is a consequence of the need to consult on work on a 'regeneration framework' (consistent with LDF Regulation 25), prior to taking emerging issues forward to the Preferred Options stage.

3.7 An important challenge for the next AMR reporting period, will be the need to progress the Leeds UDP Review process through the anticipated Modification (and subsequent public consultation) and adoption stages, whilst maintaining the overall momentum behind the production programme for Local Development Documents.

## **4 Monitoring Information**

4.0.1 This section sets out information available from what is being monitored currently. This year's AMR concentrates on material required by ODPM

and the Regional Assembly. Although some of it is discussed in this part of the report for convenience the required information is also grouped in Appendix 1. For many of these topics / indicators either no information or incomplete counts exist. The monitoring work programme over the next year or so will have to address this.

- 4.0.2 This part of the AMR will be expanded each year as LDF policies and their related monitoring sources are developed. It is intended that the monitoring range will be expanded to include matters of local interest reflected in LDF policies. There are, however, three concerns that affect the way in which this monitor will develop.
- 4.0.3 Firstly, the usability of data on any particular topic sent to the Regional Assembly and ODPM depends a lot on whether or not all authorities make returns or whether returns are made using consistent definitions. This is proving difficult at present and it may take some years for practices to converge.
- 4.0.4 Secondly, the Good Practice Guide points out that there can be adverse effects from supporting too many indicators, often leading to information overload and confusion. The Guide recommends that initial monitoring frameworks should have a maximum of 50 indicators. The combined requirement of the Regional Assembly and ODPM this year is 39 indicators and other items of information. During development of the LDF the number and range of indicators will have to be closely watched although an arbitrary limit of 50 will not be used.
- 4.0.5 Thirdly, it is felt that some of the national indicators are not as well framed as they might be. While it is the intention to try to produce information for each of these indicators the issue of redrafting a few of them will be taken up at regional and national level. The nature of policy development and monitoring requirements is dynamic and, therefore, ODPM will update their guidance on a regular basis. The first update was published in October 2005.<sup>5</sup> This includes definitional changes to indicators in the Business Development, Transport and Local Services categories. The current AMR was largely drafted before this update was received and it has not been practicable to incorporate changes in this year's report.
- 4.0.6 Topics covered in this AMR include:
- housebuilding performance
  - the supply of employment land
  - significant changes in retail, office and leisure developments in Leeds and in the City Centre and town centres together with vacancy rates
  - transport - levels of compliance with car parking standards in non-residential developments and the accessibility of new residential developments to a range of facilities

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<sup>5</sup>[http://www.odpm.gov.uk/stellent/groups/odpm\\_planning/documents/page/odpm\\_plan\\_609973.pdf](http://www.odpm.gov.uk/stellent/groups/odpm_planning/documents/page/odpm_plan_609973.pdf)

- various aspects of green space provision
- various matters relating to mineral aggregate production, waste management and other environmental concerns

4.0.7 There are other documents that include information which helps monitor the development of Leeds, chiefly the City Centre Audit<sup>6</sup>, the Leeds Economy Handbook<sup>7</sup> and the Local Transport Plan<sup>8</sup>. The relationship of these to the LDF monitoring effort will evolve and be tightened as work on the LDF develops. Different production objectives mean that it is not practical to incorporate them entirely into the AMR. To do so would also make the AMR unwieldy and less focused. In future years it may prove useful to partially merge or cross-link these reports.

## **4.1 Housing Trajectory**

4.1.1 The core housing indicators are summarised in the Appendix.

4.1.2 In the absence of relevant LDF policies, Regional Spatial Strategy (RSS) targets are used to assess housebuilding performance. Five year historical averages are also quoted where appropriate. The RSS requires the completion of 1930 dwellings a year and sets a provisional brownfield target of 66% for Leeds. The RSS provision target is gross (that is, it includes an allowance for replacement housing), so is not strictly comparable to the net housing figures, which are the focus of AMR reporting.

4.1.3 Over the last 5 years, output has exceeded the RSS target by 36% gross and 10% net, and in 2004 - 5 these surpluses rose to 52% and 36% respectively. The prime reason for these trends is the brownfield priority introduced by PPG3<sup>9</sup> in March 2000, which has created a presumption in favour of residential development on many brownfield sites. In a large city like Leeds, the effect has been to liberalise the land release process. Socio-economic trends, such as the vogue for city centre living and the strong market for flats, have reinforced the impact of this policy change.

4.1.4 The net housing trajectory, illustrated in Figure 1, suggests that these surpluses could continue over 2005 - 16.

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<sup>6</sup> <http://www.leeds.gov.uk/planning> (see Economic Information folder)

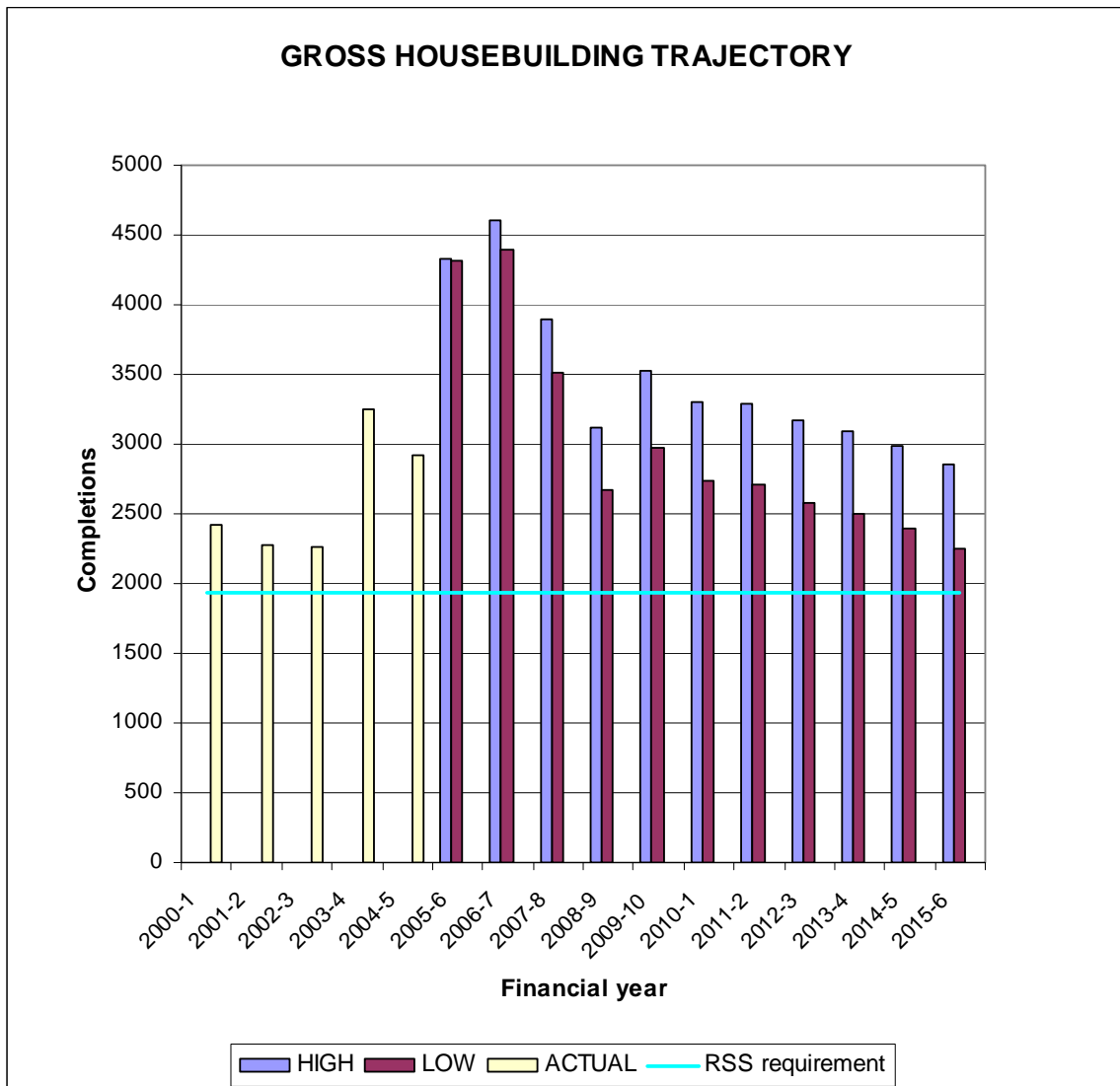
<sup>7</sup> <http://www.leeds.gov.uk/planning> (see Economic Information folder)

<sup>8</sup> West Yorkshire Local Transport Plan 1: Annual Progress Report 2004/5, July 2005  
(<http://www.wyltp.com/>)

<sup>9</sup>

[http://www.odpm.gov.uk/stellent/groups/odpm\\_planning/documents/downloadable/odpm\\_plan\\_606934](http://www.odpm.gov.uk/stellent/groups/odpm_planning/documents/downloadable/odpm_plan_606934) PPG3

4.1.5 The trajectory indicates what would happen if housing allocations were released as planned, windfall continued broadly in line with recent trends and clearance continued at the average rate of the last 5 years. Over the period 2005 - 16, net additions could exceed the annual RSS requirement of 1930 dwellings by 30-54%. Gross construction could be 56-80% above target. Measured in relation to the residual RSS requirement of 1589 dwellings (indicator 2A[v]), these excesses would be significantly greater. On numerous assumptions subject to varying degrees of uncertainty, there



is clearly a significant risk of over provision. This risk is being addressed in two ways. Firstly, a mechanism to regulate land release has been proposed in the UDP Review, on which the UDP Inspector reported in November. Secondly, a review of RSS is underway and present indications are that this is likely to increase the housing requirement in Leeds. A revised target would put the trajectory in a different light.

4.1.6 The proportion of development on brownfield land has risen from 82% over the last 5 years to 92% in 2004 - 5. This increase is again a consequence



of the PPG3 reforms. Although well in excess of the provisional RSS target, this overshoot is to be welcomed on sustainability grounds, from the perspective of utilising brownfield in preference to greenfield land for housing development.

- 4.1.7 Housing density is also on a rising trend. Last year, only 10% of dwellings were on sites completed at densities below 30 dwellings per hectare, compared to 68% on sites developed at over 50 per hectare – above the indicative range advocated in PPG3. This is a further side-effect of the emphasis on brownfield sites, associated particularly with a preponderance of flat developments on small sites, especially in the city centre. Although the scale of the increase is perhaps unexpected, it is compatible with national policy.
- 4.1.8 By contrast, the number of affordable housing completions has drifted down from a 5 year average of 240 dwellings to 216 in 2004 - 5. When account is taken of Right to Buy sales and demolitions of existing social housing (not covered by this indicator) it is clear that the stock of affordable or social housing continues to decline steeply at current building rates.

## **4.2 The Supply of Employment Land**

### **Development Levels**

- 4.2.1 Completions have been lower for 2004 / 05 compared with 2003 / 04. This reflects lower levels of starts in 2004 compared to the recent peak year of 2001 and above-average take-up in 2002 and 2003. To a large extent this is a familiar cyclical pattern: previous low points in the cycle occurred in 1992 and 1996. However, the average for the past 2 years is almost 28 ha, which is close to the long-run average take-up for the city.
- 4.2.2 The sectoral pattern of developments has been similar this year compared to last. In terms of both land and floorspace, office schemes accounted for just over 40% of developments, with industrial and distribution schemes accounting for about 55% of floorspace completed.
- 4.2.3 The major developments show a concentration in the eastern parts of the District and include:
- The Robertsmart development at Thornes Farm Way Cross Green LS9: an 11,800 m<sup>2</sup> manufacturing & distribution facility;
  - Building 1 White Rose Office Park Ring Road Millshaw LS11: HQ building of 4150 m<sup>2</sup> for DePuy;
  - Whitehall Cross Whitehall Road Leeds 12: a speculative scheme of industrial warehouse units (4550 m<sup>2</sup>);
  - Ph1 Plot 361 Avenue E Thorp Arch Trading Estate Wetherby LS23: small industrial units totalling 2970 m<sup>2</sup> as part of the refurbishment of the Trading Estate;
  - Plot 509 Street 5 Thorp Arch Trading Estate Wetherby LS23: office and business units (4460 m<sup>2</sup>), again a part of the regeneration of the industrial estate.

LDF Core Indicator 1a: Land developed for employment by type								
Apr04 - Mar05							2003/04	
Development Type	Under 1000 m <sup>2</sup>		1000 m <sup>2</sup> & over		Total		Total	
	Area (ha.)	Floorspace (m <sup>2</sup> )	Area (ha.)	Floorspace (m <sup>2</sup> )	Area (ha.)	Floorspace (m <sup>2</sup> )	Area (ha.)	Floorspace (m <sup>2</sup> )
B1 Office	0.4	730	7.62	25360	8.02	26090	20.248	57630
B1 Other	0.25	710	1.11	2970	1.36	3680	0.62	1410
B2 Industrial	0.051	320	8.53	30425	8.581	30745	15.48	65180
B8 Warehousing	0.393	1490	0.82	3360	1.213	4850	10.143	28070
<b>Total</b>	<b>1.094</b>	<b>3250</b>	<b>18.08</b>	<b>62115</b>	<b>19.174</b>	<b>65365</b>	<b>46.491</b>	<b>152290</b>

Note: Extensions not included

Table 1

### Regeneration Areas

4.2.4 Development was less concentrated in the Regeneration Areas (RAs) in 2004 / 05 compared to the previous year (by area 37% of development compared to 56%). But 2003 / 04 featured a high level of completion in Aire Valley, which fell back this year. The sectoral patterns within RAs showed a contrast, with RAs attracting a bigger proportion of B2 / B8 schemes than other areas and less office development: this repeated the pattern of 2003 / 04, but with less intensity.

LDF Core Indicator 1b: Land developed for employment by type in Regeneration Areas						
Apr04 - Mar05						
Development Type	Regeneration Areas				Total	
	In		Out		ha. Developed	m <sup>2</sup> complete
ha. Developed	m <sup>2</sup> complete	ha. Developed	m <sup>2</sup> complete			
B1 Office	2.36	4460	5.66	21630	8.02	26090
B1 Other	1.11	2970	0.25	710	1.36	3680
B2 Industrial	3.8	14960	4.781	15785	8.581	30745
B8 Warehousing	0.45	3030	0.763	1820	1.213	4850
<b>Total</b>	<b>7.72</b>	<b>25420</b>	<b>11.45</b>	<b>39945</b>	<b>19.174</b>	<b>65365</b>
<i>2003/04</i>	<i>26.12</i>	<i>84440</i>	<i>20.371</i>	<i>67850</i>	<i>46.491</i>	<i>152290</i>

Regeneration Areas: as defined in the UDP Review

Table 2

### **Development on Previously Developed Land**

- 4.2.5 Although amounts are far smaller, a greater proportion of the land take was on Previously Developed Land (PDL) in 2004 / 05 compared with 2003 / 04. This was despite some significant greenfield developments at Thornes Farm and at White Rose Office Park, noted previously. Office developments were more prevalent on PDL than industrial – this can be explained to some extent by the quantity of office schemes in the city centre and for the preference of industrial / warehousing developments to be located on large sites in the motorway corridors.
- 4.2.6 Unlike housing development, there is no target for the proportion of employment schemes that should be on PDL. Nevertheless there is a policy preference to use PDL before greenfield land. As depicted in Indicator 1c, which shows that 76% of employment development was on PDL, the City's performance would appear to be consistent with such an ambition.
- 4.2.7 The allocated supply which is still available for employment uses amounts to almost 700 ha. (Table 4). Take-up of this has been restricted, owing in large measure to infrastructure constraints in the Aire Valley area, notably the East Leeds Link to J45 of M1. Approx 200 ha. in allocated and other sites await the completion of the link road and associated highway works.
- 4.2.8 The quantities of Previously Developed Land ("brownfield") and greenfield land are balanced at 53% vs 47%, but the greenfield supply is more concentrated upon providing for the B1 office sector rather than the B2 / B8 industrial sectors. This reflects the objectives of the UDP in providing market opportunities for sites for high quality peripheral office parks. In contrast the provision for B2/B8 sectors is dominated by PDL sites, particularly the site of the former Skelton Grange Power Station and the land adjacent to the filter beds at Knostrop, which account for almost 150 ha.

LDF Core Indicator 1c: Land developed for employment by type Analysis by Previously Developed Land (PDL)								
Apr04 - Mar05								
Development Type	PDL		Not PDL		Total Land		Total Floorsp	
	Area (ha)	Floorspace m <sup>2</sup>	Area (ha)	Floorspace m <sup>2</sup>	Area (ha)	% PDL	m <sup>2</sup>	% PDL
B1 Office	6.24	17630	1.78	8460	8.02	77.8	26090	67.6
B1 Other	1.36	3680	..	..	1.36	100.0	3680	100.0
B2 Industrial	5.701	18945	2.88	11800	8.581	66.4	30745	61.6
B8 Warehousing	1.213	4850			1.213	100.0	4850	100.0
Total	14.514	45105	4.66	20260	19.174	75.7	65365	69.0
2003/04	32.801	114430	13.69	37860	46.491	70.6	152290	75.1

Table 3

4.2.9 As might be expected, windfall supply is almost entirely on Previously Developed Land (PDL), almost equally balanced between the B1 and B2/B8 sectors. However, this is a variable supply and its type, location and timing are uncertain. It provides a bonus rather than a supply that can be set against known sectors of demand.

LDF Core Indicator: 1d Allocated Employment Land Supply by Type Analysis by Previously Developed Land (PDL)									
31-Mar-05									
Type	PDL			Not PDL			Total Land		
	ha.	%	No. sites	ha.	%	No. sites	ha.	%	No. sites
B1 Office	29.7	8.26	14	170.0	52.71	18	199.6	29.29	32
B1 Other	19.7	5.49	7	51.1	15.84	8	70.8	10.39	15
B2 & related	285.8	79.59	48	94.7	29.35	23	380.5	55.82	71
B8 & related	23.9	6.66	11	6.8	2.10	6	30.7	4.50	17
Total	359.1	100.00	80	322.5	100.00	55	681.6	100.00	135

Table 4

<b>LDF Core Indicator 1d: Allocated Employment Land Supply by Type and Size</b>						
<b>31 Mar 05</b>						
<b>Type</b>	Under 0.4 ha		0.4 ha & over		ha.	No. sites
	ha.	No. sites	ha.	No. sites		
B1 Office	0.25	1	199.38	31	199.63	32
B1 Other	0.17	2	70.63	13	70.80	15
B2 & Related	1.94	12	378.51	59	380.45	71
B8 & Related	0.23	1	30.44	16	30.67	17
<b>Grand Total</b>	<b>2.59</b>	<b>16</b>	<b>678.96</b>	<b>119</b>	<b>681.56</b>	<b>135</b>

**Table 5**

<b>LDF Core Indicator: 1d Windfall Employment Land Supply by Type Analysis by Previously Developed Land (PDL)</b>									
<b>31 Mar 05</b>									
<b>Type</b>	<b>PDL</b>			<b>Not PDL</b>			<b>Total Land</b>		
	ha.	%	No. sites	ha.	%	No. sites	ha.	%	No. sites
B1 Office	32.5	42.7	57	2.6	98.0	6	35.1	44.6	63
B1 Other	4.5	5.9	11	0.1	2.0	1	4.5	5.7	12
B2 & related	6.1	8.0	10				6.1	7.7	10
B8 & related	33.1	43.4	12				33.1	42.0	12
<b>Grand Total</b>	<b>76.2</b>	<b>100.0</b>	<b>90</b>	<b>2.6</b>	<b>100.0</b>	<b>7</b>	<b>78.8</b>	<b>100.0</b>	<b>97</b>

**Table 6**

<b>LDF Core Indicator 1d: Windfall Employment Land Supply by Type and Size</b>						
<b>31 Mar 05</b>						
<b>Type</b>	Under 0.4 ha		0.4 ha & over		ha.	No. sites
	ha.	No. sites	ha.	No. sites		
B1 Office	7.10	38	28.02	24	35.13	63
B1 Other	1.96	9	2.57	3	4.53	12
B2 & Related	0.67	5	5.42	5	6.09	10
B8 & Related	1.89	8	31.17	4	33.06	12
<b>Grand Total</b>	<b>11.62</b>	<b>60</b>	<b>67.18</b>	<b>36</b>	<b>78.80</b>	<b>97</b>

**Table 7**

4.2.10 The potential loss of employment land to residential use has been a concern to the Council and this concern prompted some proposed changes to the criteria in Policy E7. As can be seen from Indicator 1e below (Table 8), housing developments are the largest single element of loss. However, it is important to note that this does not necessarily refer to the loss of allocated employment land – although this does happen. Most of the losses are from old industrial premises in the western parts of the city. In contrast, the gains noted above include greenfield allocations brought into employment use.

4.2.11 While the overall balance of gain and loss does not appear to be large for the year, it is important to observe the size and nature of the gains and losses. Broadly, the losses continue to occur in the western built-up parts of the city, whereas the gains reflect the distribution of allocated land and are concentrated in the eastern part of the district. This can be seen from the analysis for the Regeneration Areas: these are concentrated in the eastern parts of the city, where there have been lower losses, higher gains and a net gain of employment land.

<b>LDF Core Indicator: 1e Loss of Employment Land to non-employment uses, in Leeds MD and Regeneration Areas</b>				
<b>Apr04-Mar05</b>				
	<b>Leeds MD</b>		<b>Of which: Regen Areas</b>	
<b>Loss to</b>	<b>ha</b>	<b>No. sites</b>	<b>ha</b>	<b>No. sites</b>
Housing	14.52	45	2.72	4
Retail / other commercial	1.16	1	..	..
Other	.38	1	.38	1
<b>Total Loss</b>	<b>16.06</b>	<b>47</b>	<b>3.10</b>	<b>5</b>
<b>Gain from</b>	<b>ha</b>	<b>No. sites</b>	<b>ha</b>	<b>No. sites</b>
Greenfield Allocations	6.25	5	4.31	1
PDL not in employment use	4.47	9	..	..
<b>Total Gain</b>	<b>10.72</b>	<b>14</b>	<b>4.31</b>	<b>1</b>
<b>Net Loss (Gain)</b>	<b>5.34</b>		<b>(1.21)</b>	

Notes: Losses/Gains based on start of development

**Table 8**

Regeneration Areas as defined in the UDP Review

### **4.3 Retail, Office & Leisure Developments**

- 4.3.1 ODPM Core Output Indicators 4a (amount of completed retail, office and leisure - Use Classes A1, B1a and A2 and D2 respectively in the Use Classes Order as amended<sup>10, 11</sup>) and 4b (percentage of completed retail, office and leisure development respectively in town centres and out of town centres) can not be met for the time period of the current AMR. Retail floorspace data has been collected for prior time periods (June 1998 - Dec 2002). In the case of leisure floorspace data has never been collected for the whole district. Office (Class B1a) has been collected. It is intended that retail and leisure data will be available for future years. The need to collect these data will be taken into account during a review of monitoring arrangements (Section 5.1).
- 4.3.2 The Regional Assembly had previously identified potential alternative data sources for floorspace other than development control records, to include the Valuation Office Agency (VOA) and Goad Plans from Experian Ltd. These sources are not yet available but their use will be considered as part of the monitoring review. In Leeds further work is to be undertaken with the VOA, particularly to identify vacant space. Closer working relationships with the VOA, a known source of floorspace data, could possibly lead to more floorspace data being made available locally. Nationally the ODPM already use VOA floorspace data as a major component in their definition of Areas of Town Centre Activity.
- 4.3.3 The introduction of a new planning and Building Regulation application processing system will provide an opportunity to collect floorspace data in a more systematic and regular basis, subject to resources being available. The software modules that will enable the work to be done will not be available until summer 2006.
- 4.3.4 There are definitional issues that need to be discussed further with ODPM and the Regional Assembly. These involve the classification of floorspace and ways in which it is measured.

#### **Classification of Monitored Uses**

- 4.3.5 As an example of the first issue, Use Class A2 (financial and professional services) includes banks, building societies, estate agents and betting offices that are accessible to the public, ie. they have a High Street presence. The A2 Use Class definition excludes the large office users associated with the headquarters of organisations such as building societies and the large commercial legal practices. However, in the data request A2 is included as a subset of general offices (Use Class B1a), presumably as an attempt to identify the whole financial and legal services

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<sup>10</sup> [http://www.opsi.gov.uk/si/si1987/Uksi\\_19870764\\_en\\_2.htm](http://www.opsi.gov.uk/si/si1987/Uksi_19870764_en_2.htm)

<sup>11</sup> <http://www.planningportal.gov.uk/england/professionals/en/1111424875869.html>

office sector which is an important part of the economy of Leeds. However, local office and 'back-office' uses are different in nature. The former are more volatile: the changes that occur in the former are large in number but relatively small in aggregate floorspace. The quantity of new construction specifically intended for A2 use is thought to be very small or at least is rarely declared in the original planning applications. It more often arises by changing the use of existing shops on the High Street.

- 4.3.6 It is not clear if these particular indicators are meant to cover just new build or to include changes of use of existing premises as well. Changes of use for all these occupations are large in number but small in total floorspace although there are sometimes significant changes of use, eg. change of use of the Odeon to Primark on The Headrow. To be required to collect floorspace data for all scales of change of use and new build appears to be unrealistic and costly. What is termed a significant change and what the effects are on floorspace available for other uses are issues that warrant further consideration and will be covered in the monitoring review.

#### **Measurement of Floorspace**

- 4.3.7 In previous years gross retail floorspace has been collected. Gross leisure and A2 floorspace has not been collected. The expectation of the AMR is now to present the floorspace data as 'gross internal' (i.e. excluding the thickness of external walls) and 'net internal floorspace'. In the case of 'gross internal', that implies a level of precision which is not apparent in the data when it has been previously collected and is a measurement that is not usually recorded. The net internal floorspace, equating to the retail sales area, is calculated for major supermarkets and calculated for most other major retail outlets but is not often measured. In reality 'net internal floorspace' is constantly changing and can be only reliably measured by internally surveying each property individually. In the case of new build, the net internal floorspace can be estimated but again it would have to be individually measured. Further thought needs to be given to the data needs of these indicators and the issue will be explored with both the Regional Assembly and ODPM.
- 4.3.8 Work is underway nationally on exploiting an alternative source of floorspace data. ODPM published in July 2005 the results of an experiment to extract retail data as an adjunct to its Areas of Town Centre Activity data sets<sup>12</sup>. The analysis uses the most comprehensive retail floorspace datasets available, which is supplied by the VOA to the ODPM. The work done so far is aggregated to represent a national picture of the scale of retail development that has occurred in town centres as opposed to that retail development that has been completed within 300 metres of such centres. There is the prospect that further work in this area may help to

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<sup>12</sup> 'Technical Report: Using town centre statistics to indicate the broad location of retail development – initial analysis' - [http://www.odpm.gov.uk/embedded\\_object.asp?id=1146083](http://www.odpm.gov.uk/embedded_object.asp?id=1146083)



inform the quantity of retail development occurring in and outside particular large town centres as a nationally consistent data set.

### **Town centre vacancies**

- 4.3.9 Table 9 shows the vacancy rates of the 28 town and district centres designated in the UDP and Leeds City Centre, ranked in order of the proportion of vacant units. This table is only illustrative because of the differing dates of surveys. The City Centre is surveyed on an annual basis, data being bought in from a data consultancy. The town and district centres tend to be surveyed in-house biennially. The period up to 31 March 2005 does not cover the main survey period. If work mentioned above on developing the use of the VOA / Non-Domestic Rate databases is successful the monitoring of vacancies could become a potent tool in assessing the 'health' of town and district centres.
- 4.3.10 Vacancy rate is a coarse measure of how well a centre is considered to be performing. There is a wide variation in vacancy rates, measured as a percentage of the number of shop units, across the city from 0-30%. In general terms the highest vacancy rates tend to coincide with those centres that are not performing well and have major issues concerning vitality and viability. It is noticeable that the City Centre is in the mid teens in terms of vacant number of shops, and has been for the last few years, a higher level of vacancy than would be expected of a city centre that is considered to be an attractive shopping destination. A number of major redevelopment schemes at Trinity Quarter and Albion Street have contributed to the high level of vacancies in the city centre pending future developments. However overall there is still a relatively high vacancy rate.
- 4.3.11 The vacancy rate as measured against floorspace rather than total number of shops paints a picture with fewer extremes in vacancy rates. The very large dominant supermarkets that populate most of the town centres, which rarely become vacant, tend to mask any variation in floorspace caused by vacancies in the smaller unit shops. Nevertheless, the same centres that exhibit a high vacancy rate measured in shop numbers also show a high vacancy rate measured against floorspace.
- 4.3.12 Out-of-centre vacancies data is requested by ODPM and the Regional Assembly but are not collected other than for the largest retail parks. The need and purpose for collecting out-of-centre vacancy rates has been previously queried but the requirement, for unspecified reasons, has been carried forward. It is not clear what is meant to be informed and what locus or grouping of shops is meant to be measured. There are over 5,000 shop units outside the main town and district centres that exist as free-standing shop, neighbourhood shopping parades, local centres, retail parks, free-standing superstores and retail warehouses plus a miscellany of other types of shopping.

Vacancy rates for Leeds City Centre and Town/District Centres (nearest to 2004 / 5)							
	No. of vacant outlets	Total no. of shop units	Vacancy rate (%) shop count	Vacant Outlet Footprint (m <sup>2</sup> )	Total gross floor space (m <sup>2</sup> )	Vacancy rate (%) shop floor space	Date surveyed
Halton	19	63	<b>30.2</b>	1297.6	7870.4	<b>16.5</b>	01.09.03
Holt Park	4	14	<b>28.6</b>	592.4	8366.1	<b>7.1</b>	10.07.03
Kirkstall	8	40	<b>20.0</b>	3127.1	28873.8	<b>10.8</b>	01.11.03
<i>Dewsbury Road</i>	<i>10</i>	<i>55</i>	<i>18.2</i>	<i>881.3</i>	<i>11556</i>	<i>7.6</i>	<i>30.11.01</i>
Rothwell	14	88	<b>15.9</b>	678.9	9752.4	<b>7.0</b>	10.07.03
Harehills Corner	15	98	<b>15.3</b>	1113.3	11253.8	<b>9.9</b>	26.09.03
Kippax	10	69	<b>14.5</b>	711.6	7833.7	<b>9.1</b>	01.07.03
<i>Morley</i>	<i>35</i>	<i>243</i>	<i>14.4</i>	<i>2270</i>	<i>35539.4</i>	<i>6.4</i>	<i>25.03.02</i>
City Centre	141	1002	<b>14.1</b>	21370	200120	<b>10.7</b>	16.02.05
Armley	15	124	<b>12.1</b>	1359	21528.5	<b>6.3</b>	11.07.03
Bramley	4	36	<b>11.1</b>	305.4	5477.6	<b>5.6</b>	08.07.03
<i>Farsley</i>	<i>6</i>	<i>57</i>	<i>10.5</i>	<i>519</i>	<i>4434</i>	<i>11.7</i>	<i>23.01.01</i>
<b>Total (average)</b>	<b>363</b>	<b>3458</b>	<b>10.5</b>	<b>40751</b>	<b>604921.5</b>	<b>6.7</b>	
Horsforth Town St	10	97	<b>10.3</b>	480	9824.8	<b>4.9</b>	16.06.03
Meanwood	6	64	<b>9.4</b>	349.3	11412.2	<b>3.1</b>	25.09.03
Moor Allerton	1	11	<b>9.1</b>	116.8	14911.4	<b>0.8</b>	11.07.03
Pudsey	10	140	<b>7.1</b>	526.4	14301.1	<b>3.7</b>	07.07.03
Seacroft	1	14	<b>7.1</b>	122.5	11557.6	<b>1.1</b>	25.07.03
<i>Wetherby</i>	<i>10</i>	<i>170</i>	<i>5.9</i>	<i>725.3</i>	<i>19130.3</i>	<i>3.8</i>	<i>24.11.00</i>
Garforth	6	104	<b>5.8</b>	339.9	12918.9	<b>2.6</b>	23.07.03
Oakwood	3	53	<b>5.7</b>	358.6	15225.2	<b>2.4</b>	11.07.03
Headingley	8	145	<b>5.5</b>	518.6	14199.3	<b>3.7</b>	07.07.03
Otley	12	238	<b>5.0</b>	1529.7	22494.1	<b>6.8</b>	22.07.03
<i>Boston Spa</i>	<i>2</i>	<i>49</i>	<i>4.1</i>	<i>144.5</i>	<i>5053.9</i>	<i>2.9</i>	<i>09.01.02</i>
Yeadon	4	97	<b>4.1</b>	241	15584	<b>1.5</b>	10.07.03
Guiseley Otley Rd	3	82	<b>3.7</b>	251.4	22858.8	<b>1.1</b>	08.07.03
Cross Gates	5	167	<b>3.0</b>	569.2	28698.7	<b>2.0</b>	07.07.03
Hunslet	1	35	<b>2.9</b>	252.2	12318	<b>2.0</b>	01.09.03
Chapel Allerton	0	90	<b>0.0</b>	0	15880	<b>0.0</b>	21.07.03
Middleton Ring Rd	0	13	<b>0.0</b>	0	5947.5	<b>0.0</b>	11.07.03

Note: Surveys before 2003 in italics

Table 9

## 4.4 Transport

- 4.4.1 Two key indicators relate to transport issues - accessibility of new homes to various facilities and the level of compliance with non-residential car parking standards.
- 4.4.2 The accessibility measure, "percentage of new residential development within 30 minutes public transport time of a GP, hospital, primary and secondary school, employment and a major health centre" is not currently monitored. Some work on accessibility is done within the ambit of the West Yorkshire Local Transport Plan (LTP).
- 4.4.3 The bulk of Leeds is heavily urbanised and it has a dense public transport network. Consequently, at current service levels a very high proportion of the population falls within the 30 minute accessibility standard in the Key Indicator. For example, according to work done for the LTP 99.9% of 5 -11 year olds live within 30 minutes of the nearest primary school. Figure 2 shows that even if this measure was tightened to 15 minutes most of the District, and 99.5% of pupils, would be covered. As LDF policies are developed it is likely that different local accessibility standards will be considered more appropriate to support local aspirations such as those contained in the Vision for Leeds. Considerable work will be needed to develop ways of measuring accessibility and this is covered further at para. 5.1.22.

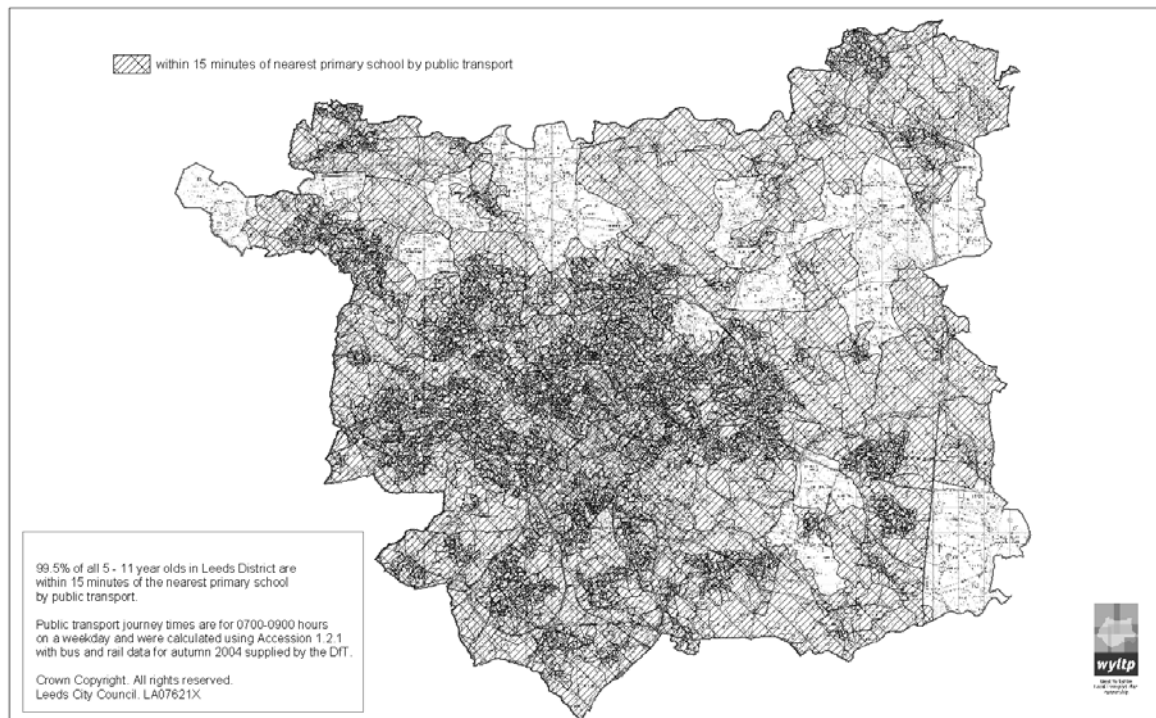


Figure 2

4.4.4 The parking standard indicator "percentage of completed non-residential development complying with car-parking standards set out in the local development framework (in the Regional Transport Strategy for the Regional Assembly)" is not measured. It is considered that the majority of developments comply with the standards and only in special circumstances are the guidelines exceeded. Due to the large number of applications and the very infrequent proposed over-provision it is felt inappropriate to devote further resources to this issue.

## **4.5 Greenspace**

4.5.1 One of ODPM's Core Indicators is the "percentage of eligible open spaces managed to green flag award standard" (Indicator 4c) related to total open space. This is defined as 'all accessible open space, whether public or privately owned'.

4.5.2 The City Council's Parks and Countryside Division (Department of Learning & Leisure) manage about 150 sites that would be eligible for Green Flag assessment<sup>13</sup>. There is a programme in place to assess about 50 of these sites a year. An assessment of 46 sites was conducted in 2004 against the Green Flag standard, and a further batch of assessments have been carried out in 2005 (analysis awaited). There is also planned assessment for 2006. A performance indicator has been developed and in 2004 10.8% of sites assessed met the standard for the *field based* assessment only, against a target of 10%. For the full Green Flag assessment the site must have a management plan. This is a time consuming process to develop and given the number of eligible sites it is not a practical proposition at this time.

4.5.3 Quantitative information on green space and countryside character is not currently available. Planning Policy Guidance Note 17<sup>14</sup> requires local authorities to carry out an audit of open space, sport and recreation facilities and to assess existing and future needs of local communities. This work has not yet been done but a scoping exercise is currently underway to assess the size of an audit for Leeds, when it could be done and the most appropriate way to deliver it. As part of this work non-Council owned sites could be identified that might be eligible to be managed in accordance with the Green Flag scheme. Only then could this core output indicator be measured fully.

4.5.4 In appropriate cases the City Council has an active programme of seeking commuted sums under Section 106 of the Town & Country Planning Act 1990. The payments arise for various reasons. Some have related to areas closely affected by the Supertram Scheme. Others are to help fund affordable housing or greenspace not provided in full or part on the sites of planning applications or where residential schemes are located in areas of

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<sup>13</sup> <http://www.greenflagaward.org.uk/>

<sup>14</sup> [http://www.odpm.gov.uk/stellent/groups/odpm\\_planning/documents/page/odpm\\_plan\\_606902.hcs](http://www.odpm.gov.uk/stellent/groups/odpm_planning/documents/page/odpm_plan_606902.hcs)  
p

greenspace deficiency as measured against Policy N2 of the Adopted UDP. Table 10 gives an indication of the scale of this programme in 2004 / 5. The largest proportion of this is used to secure new or improved green space and recreational facilities in those locations which are in close proximity (ie. same community area) as the developments that generated the funding. Apart from on residential schemes themselves, the opportunity to create new greenspace is rare and the majority of greenspace S.106 receipts is invested in raising the quality of existing greenspace. This balance may change in the light of future policy directions.

	<b>Income 2002 / 03</b>	<b>Income 2003 / 04</b>	<b>Income 2004 / 05</b>	<b>% of Income 2004 / 2005</b>	<b>Acct. Balance April '05</b>
<b>Greenspace</b>	£1,358	£1,384	£1,169	49	£4,379
<b>Supertram</b>	£665	£218	£483	20	£1,981
<b>Affordable Housing</b>	£371	£1,584	£299	13	£3,378
<b>Community Benefits</b>	£319	£241	£89	<1	£384
<b>Other</b>	£603	£725	£352	15	£1,025
<b>TOTAL</b>	<b>£3,316</b>	<b>£4,152</b>	<b>£2,392</b>	<b>100</b>	<b>£11,147</b>

*Money in £1,000s*

**Table 10**

- 4.5.5 Although over £1.1 million was received for greenspace in 2004 / 2005, only half this amount (around £634,000) was committed to projects. Efforts are underway to reduce the levels of under-commitment but it is inherent in the system that it will usually be significant. For example, the small size of many contributions makes it difficult to commit them to schemes without a degree of consolidation into larger sums.
- 4.5.6 Information on these monies is held in disparate ways. The capability of monitoring the effect of this work in detail is under development and it is intended to incorporate more information in future AMRs. It is intended to design a database to better coordinate the handling of Section 106 monies. The recent appointment of a Planning Agreement Manager is intended to coordinate the Section 106 process and to implement lasting process management improvements.
- 4.5.7 As part of its work the Regional Assembly is bringing together information on the scale of Landscape Character Assessments within the Region. The UDP contains areas designated as Special Landscape Areas but no Landscape Character Assessment has been carried out in Leeds since these were defined in the early 1990s and currently there is no intention to do another one.

## **4.6 Environmental Issues**

### **Minerals**

- 4.6.1 Two ODPM Core Indicators relate to aggregate production. Eight sites in Leeds contributed towards the 1.2 mt of primary land-won aggregates (ODPM Core Indicator 5a) sold in West Yorkshire in 2003, the latest figures published by the Regional Aggregates Working Party (RAWP). Their report did not include any figures at District level and such detailed figures are usually withheld because of issues of commercial confidentiality.
- 4.6.2 Core Indicator 5b concerns the production of secondary and recycled aggregates. In the region this includes power station ash, metal slag and colliery spoil. Figures are only available at regional level, classified by source. There is no significant source of this material in Leeds.
- 4.6.3 The City Council is assisting the contractor currently working on a study of sand and gravel reserves at regional level. It is anticipated that next year's AMR will report on the results of this as they relate to Leeds.

### **Waste Management**

- 4.6.4 The first integrated waste management strategy for Leeds was adopted in 2003 and was intended to guide the Council through to a review in 2006. That review has now taken place particularly in relation to the recovery of waste. Subject to stakeholder consultation, once adopted this updated strategy will be used to inform the procurement of an integrated waste management contract for Leeds City Council.
- 4.6.5 There are two ODPM Core Indicators relating to waste management. Indicator 6a covers the capacity of new waste management facilities, by type. Recent studies commissioned by the North East Environment Agency will, when completed, establish a baseline position against which new facilities can be related.
- 4.6.6 Indicator 6b seeks information on the amount of municipal waste arising, and managed by management type, and the percentage each management type represents of the waste managed. Table 11 sets out this information, with comparable figures for five previous years. This shows the steady rise in the total amount of waste dealt with over the last few years and also the increase in the amount recycled, which has risen from 8% in 1999 – 2000 to 20% last year.

Management Type	1999 – 2000	2000 – 2001	2001 – 2002	2002 – 2003	2003 – 2004	2004 - 2005	% 2004 2005
Green (Compost)	1,363	1,852	4,965	8,006	7,953	12,644	4
Other Recycled	20,618	22,308	32,737	33,888	40,357	53,570	16
<i>Total Recycled</i>	<i>21,981</i>	<i>24,160</i>	<i>37,702</i>	<i>41,894</i>	<i>48,310</i>	<i>66,214</i>	<i>20</i>
Waste Incinerated	0	0	0	1,293	113	100	<1
Waste Landfilled	254,206	275,080	280,143	284,690	283,828	266,145	80
<b>Total</b>	<b>276,187</b>	<b>299,240</b>	<b>317,845</b>	<b>327,877</b>	<b>332,250</b>	<b>332,459</b>	<b>100</b>

Table 11

### Flooding / Water Quality

- 4.6.7 ODPM's Core Indicator 7 consists of the number of planning permissions granted contrary to the advice of the Environment Agency (EA) on either flood defence grounds or water quality grounds. This indicator is intended as a proxy measure both of inappropriate development in flood plains and development that could adversely affect water quality.
- 4.6.8 It is considered that while this indicator may be adequate at national and regional levels as giving a broad picture of development pressures affected by flood and water quality issues it is unhelpful at detailed local level. In Leeds during the monitoring period there were 23 planning applications that the EA objected to. One major minerals application was objected to on water quality grounds and this was subsequently refused. However, in 21 of the remaining 22 cases the objection was because a Flood Risk Assessment had not been supplied and in one case the Agency felt the Assessment was not adequate. The position at the end of November is shown in Table 12.

Status	% of all	Major application	Minor application
Approved	67	4	10
Refused	10	1	1
Withdrawn	10	1	1
Undecided	14	1	2
Total	100	7*	14

\* plus one being queried with EA

Table 12

4.6.9 Our monitoring and information system at present is not configured to enable retrieval of information on the role that flood risk and water quality issues played in these decisions. Consideration will be given to this in the future. It should, however, be noted that we would require a flood risk assessment in cases where the Environment Agency has drawn attention to this. Any flood risk identified would be weighed in the overall balance of planning considerations on development proposals, and due weight accorded depending on the degree of risk.

### **Biodiversity**

4.6.10 ODPM have two core indicators on biodiversity, both relating to recording change in areas and populations of biodiversity importance.

4.6.11 Indicator 8(i) covers change in priority habitats and species (by type). In Leeds there is currently no systematic recording of changes to priority species and habitats as a result of development activity. This issue will be reviewed in the light of future work on Sustainability Appraisals.

4.6.12 Indicator 8(ii) relates to change in areas designated for their intrinsic environmental value including sites of international, national, regional, sub-regional or local significance. In the year 2004 – 5 there was no change affecting any such areas. One case is currently in progress concerning the South Leeds School PFI project and its effect on Middleton Woods Local Nature Reserve. This will be reported in the appropriate edition of the AMR when it is resolved.

### **Renewable Energy**

4.6.13 ODPM Core Indicator 9 covers data on renewable energy capacity installed by type, such as bio fuels, onshore wind, water, solar energy and geothermal energy. No information is currently available for Leeds. This issue will form part of the new Regional Spatial Strategy currently being drafted. The RSS will probably include suggested targets for each local authority in the Region and the establishment of appropriate monitoring arrangements will have to be considered in the light of the agreed new RSS.

## **5 Developing the Monitoring System**

### **5.1 Overall Approach**

5.1.1 The approach to monitoring in the new LDF system is considerably more prescriptive and complex than that used for previous development plan systems. It will involve a period in which its implications are absorbed and new monitoring arrangements are developed. In succeeding years the AMR will become more comprehensive and will grow in line with the production of new LDF documents and policies developed with the new arrangements in mind.

5.1.2 In Leeds the outlines of an enhanced monitoring practice are taking shape. This section of the AMR describes briefly some of its features.



### **Policy Testing Mechanism**

- 5.1.3 Any LDF monitoring system has to take account of the fact that the Framework will consist of an integrated collection of related policy documents, each with its own life cycle of development and revision. This is in contrast to previous development plan systems where the whole plan or a revision has been produced at the same time and where, therefore, issues of integrating policies can be dealt with at one time and can be tested at public inquiry as a package.
- 5.1.4 There is therefore a need to ensure that all these pieces of work can be systematically checked during the drafting stage against existing policies. Monitoring of policies will not only be done in terms of themselves but also by checking their performance against other City Council policies, (i.e. are there clashes?) and external factors such as changes in the economy and environment. Analysis of planning appeal results will provide an important steer on the effectiveness of policies.
- 5.1.5 It is proposed to develop a 'tool kit' of advice for policy developers which will help them to make these checks. An early stage in preparing this involves the development of a flow chart which will show the links between the drafting of policies and the need to carry out Sustainability Appraisals and to ensure that policy performance can be monitored. The draft flow chart, Figure 3, shows the close integration needed between these stages. It will form the basis of a series of policy development processes. These will form part of the tool kit and should help make sure that LDF document production is carried out consistently over time.

### **Data Pool**

- 5.1.6 Monitoring information can be an expensive resource. There will be a premium on making the best use of any information collected. It will often be possible to use the same information in different contexts and to avoid cases where essentially the same information is collected for different purpose using slightly different definitions.
- 5.1.7 To ensure that people can easily find out what data is being collected the concept of a data pool is being proposed. Because of the likely differing nature of the material collected the pool will consist essentially of a web-based metadata system. Ways of providing links to the information via this system will be investigated. The data pool will not be confined to information collated by the City Council. There are many agencies generating information relevant to Leeds and its LDF such as the Environment Agency<sup>15</sup> <sup>16</sup>, the Audit Commission<sup>17</sup> and the Office for National Statistics (ONS). In particular, ONS is developing a statistical

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<sup>15</sup> <http://www.environment-agency.gov.uk/yourenv/eff/>

<sup>16</sup> <http://www.magic.gov.uk/>

<sup>17</sup> <http://www.audit-commission.gov.uk/performance/dataprovision.asp>

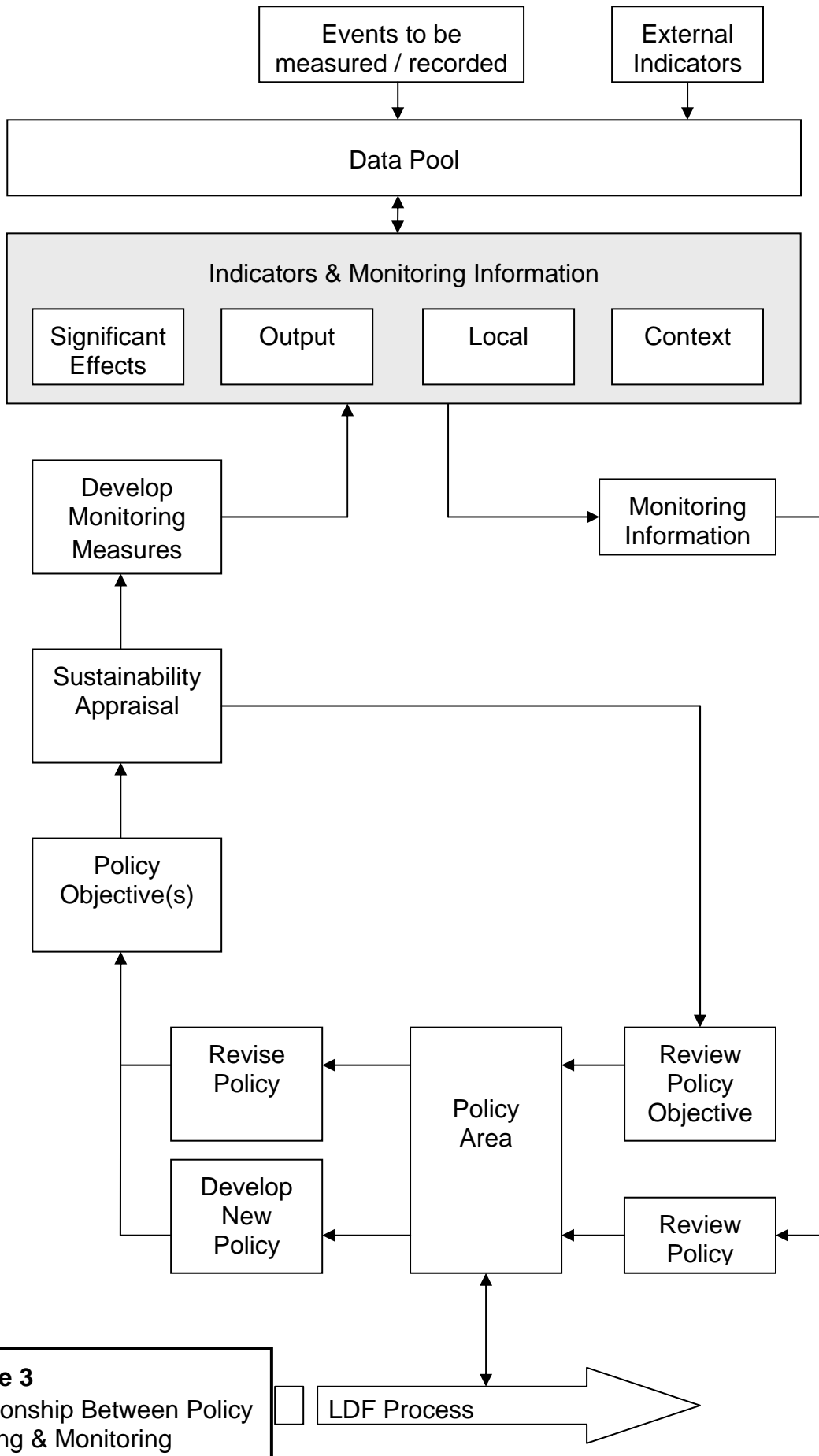
facility called Neighbourhood Statistics<sup>18</sup> which contains an increasing volume of data on small areas such as electoral wards.

- 5.1.8 Part of the advice in the policy testing tool-kit will be on the steps to take to research and / or develop new information sources if nothing suitable exists in the pool. This advice will cover resourcing issues. There is a risk that commitment to monitoring any particular policy can be hampered when the likely cost of gathering relevant monitoring information is excessive or not budgeted for.

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<sup>18</sup> <http://www.neighbourhood.statistics.gov.uk/dissemination/home>

5.1.7



**Figure 3**  
Relationship Between Policy Drafting & Monitoring

### Sustainability Appraisals

- 5.1.9 All Local Development Documents will be subject to sustainability appraisals. This will help identify the significant effects that policies in LDDs are likely to have on the social, environmental and economic objectives by which sustainability is defined.
- 5.1.10 The LDF monitoring framework must help identify whether the implementation of policies affects an area as intended. Sustainability appraisal targets will be developed linked to sustainability objectives and related indicators to provide a benchmark for measuring policy effects. A sufficient number of indicators will need to be developed to ensure a robust assessment of policy implementation. Where possible, indicators will draw upon the data pool to make the best use of available resources.
- 5.1.11 The AMR will report upon significant effects that any policy may be having to identify at an early stage any unforeseen adverse consequences of policy implementation and to enable remedial action to be taken.

### Accessing the Evidence

- 5.1.12 To develop an evidence-based, 'robust' LDF easy access should be provided to the LDF's evidence base and a wide variety of working documents. There is a need to develop an accessible system in depth.
- 5.1.13 The model currently envisaged will be to present a fairly slim AMR, acting as an 'executive summary' of the monitored position. Links would be provided to working documents and, at the most detailed level, access to the data pool. This will most easily be done in a web access environment but it needs to be backed up by a well referenced set of documentary evidence.
- 5.1.14 The proposed work programme for developing LDF monitoring will include investigations into how this can best be done. One possibility may be to link the LDF information to one of the other public map access projects being developed by the City Council.

### Stakeholder Involvement

- 5.1.15 Public access to LDF documents and the evidence base will also form part of the evolution of the Statement of Community Involvement (SCI). The issue of monitoring will need to form part of stakeholder involvement in policy development and ideas will be solicited on the most effective way of monitoring particular policies or sets of policies. These ideas would need to be related to existing proposals for monitoring and would also have to be considered in terms of relevance, reliability and cost. As a matter of course each AMR will be publicly available and views will be solicited on methodology as well as content.

## 5.2 *Monitoring Issues*

- 5.2.1 There are many issues that relate to data collection. Some of these were identified many years ago but have so far proved resistant to solution.

Certain key ones are discussed next as they significantly influence any work programme designed to improve the range and depth of future Annual Monitoring Reports. This work will be carried out in cooperation with the Regional Assembly and with advice from ODPM. Any decisions taken on developing the Council's monitoring system will have to ensure that the information requirements of these two bodies can be met as far as is practicable.

### **Data Definition**

- 5.2.2 Definitional issues become particularly problematic when transferring information between authorities, in particular between a local authority and regional or national bodies who have a wider monitoring remit. As has already been noted the AMR has sought to provide information to satisfy the needs of ODPM and the Regional Assembly, not always successfully.
- 5.2.3 Data definition issues are being investigated as part of the Government supported Planning & Regulatory Services Online (PARSOL) project<sup>19</sup>. PARSOL seeks to develop a common way of transferring data online but the scope of the project is being widened to include issues of data definition. There is little point in agreeing a common computer standard for data transfer if there is no agreement on what information should be collected and how it should be defined. The City Council will attempt to adapt its monitoring work to any consensus that emerges from the PARSOL project.

### **Spatial Differentiation**

- 5.2.4 There is a need to use monitoring information in various contexts. It is recognised that monitoring will need to be done for a variety of areas of Leeds as well as for the city as a whole. For example:
- LDF policies will often relate to specific Local Development Documents (LDDs) or Supplementary Planning Documents (SPDs). These sometimes relate to sub-areas of Leeds such as Area Action Plans and town centres.
  - Individual wards and groups of wards such as those covered by an Area Committee.
  - Zones with particular levels of accessibility to specified facilities. Accessibility will be an important measure of spatial strategies and measuring it will be an important area of monitoring development.
- 5.2.5 Existing monitoring systems are not capable of providing data with sufficiently flexible ways of grouping the information spatially. The City Council is committed to improving the quality of its Local Land & Property Gazetteer (LLPG), which will form the central point of reference for the City Council's address-based information. Work is underway to link such Council information to specific addresses including, most importantly for LDF monitoring, the new business system that processes planning and

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<sup>19</sup> <http://www.parsol.gov.uk/index.html>

Building Regulation applications. This is the principal source of information on new development. It is used to provide data on housing stock and commercial land-use commitments, employment land development and provision of leisure facilities.

- 5.2.6 By referencing individual planning commitments at land parcel / property level the ability to monitor development over a range of spatial areas of interest will be significantly enhanced. In addition to this improvement an investigation has been started into how the use of GIS can be harnessed to handle these improvements in data referencing.

### **Accessibility Within Leeds**

- 5.2.7 One of the key tests for any developing spatial strategy will be the level of accessibility to various types of land use. There is only one explicit accessibility indicator in the current ODPM Core Indicator list. Indicator 3b requires information on the percentage of new residential development within 30 minutes public transport time of a GP, hospital, primary and secondary school, employment and a major health centre. There is currently no effective way of measuring this in Leeds.

- 5.2.8 The need for such indicators locally is high. Within the LDF it is anticipated that accessibility issues will be important and will include various modes of transport. Currently some work is done in West Yorkshire on accessibility by public transport as part of preparing and monitoring the Local Transport Plan. Examples of measures include:

- **access to school** - 83% and 95% of primary school pupils respectively within 15 minutes and 30 minutes access by bus to a primary school
- **access to hospital** - 70% of households are within 30 minutes by bus

- 5.2.9 Figures are calculated by West Yorkshire PTE (Metro) in conjunction with the Metropolitan Districts using a relatively simple model to measure public transport accessibility. The residential end of trip calculations uses Census Output Areas. Any development work will need to include other modes of travel, including walking and cycling. This will be a major item in the work programme.

### **Resources**

- 5.2.10 A major issue in the development of LDF monitoring will be the cost and availability of resources to do the work. In a city as large and dynamic as Leeds there is a large volume of material to be collected, collated and analysed. The City processes 8000 planning applications and 5000 Building Regulation applications each year. Some monitoring uses attributes of these applications, not always collected during the processing of the applications to produce decisions.

- 5.2.11 An example is floorspace. This is expensive in staff time to measure. Because proposals can change between being submitted and being approved it is not best practice to measure the plans in detail when they are submitted. This inevitably leads to a degree of double handling of plans.

5.2.12 ODPM recognises the resource issue in its Good Practice Guide. One element of the work programme described below will be to assess the resources needed to monitor policies and, where these are considered excessive, to agree a way of costing the work and of determining priorities. Additionally, the development of a data pool should encourage the use of material for a variety of purposes thus lowering its effective cost.

## Appendix 1 - Key Indicators

For ease of reference this appendix sets out each of the key indicators required by ODPM and the Regional Assembly, together with the appropriate values for Leeds.

### 1a: Amount of land developed for employment by type. (B1, B2, B8 for 2004 / 5)

Development Type	Area (ha.)	Floorspace ( m <sup>2</sup> )
B1 Office	8.02	26090
B1 Other	1.36	3680
B2 Industrial	8.581	30745
B8 Warehousing	1.213	4850
Total	19.174	65365
<i>Note: Extensions not included</i>		

### 1b: Amount of land developed for employment, by type, which is in development and / or regeneration areas defined in the local development framework

Development Type	ha. Developed	m <sup>2</sup> complete
B1 Office	2.36	4460
B1 Other	1.11	2970
B2 Industrial	3.8	14960
B8 Warehousing	0.45	3030
Total	7.72	25420
<i>Regeneration Areas: as defined in the UDP Review</i>		

### 1c: Percentage of 1a, by type, which is on previously developed land.

Development Type	Total Land		Total Floorspace	
	Area (ha)	% PDL	m <sup>2</sup>	% PDL
B1 Office	8.02	77.8	26090	67.6
B1 Other	1.36	100.0	3680	100.0
B2 Industrial	8.581	66.4	30745	61.6
B8 Warehousing	1.213	100.0	4850	100.0
Total	19.174	75.7	65365	69.0



**1d: Employment land supply by type.**

Type	ha.	%
B1 Office	199.6	29.29
B1 Other	70.8	10.39
B2 & related	380.5	55.82
B8 & related	30.7	4.50
Total	681.6	100.00

**1e: Losses of employment land in (i) development / regeneration areas and (ii) local authority area**

LDF Core Indicator: 1e Loss of Employment Land to non-employment uses, in Leeds MD and Regeneration Areas				
Apr04-Mar05	Leeds MD		Of which: Regen Areas	
Loss to	ha	No. sites	ha	No. sites
Housing	14.52	45	2.72	4
Retail / other commercial	1.16	1	..	..
Other	.38	1	.38	1
Total Loss	16.06	47	3.10	5
Gain from	ha	No. sites	ha	No. sites
Greenfield Allocations	6.25	5	4.31	1
PDL not in employment use	4.47	9	..	..
Total Gain	10.72	14	4.31	1
Net Loss (Gain)	5.34		(1.21)	

Notes: Losses/Gains based on start of development

Regeneration Areas as defined in the UDP Review

**1f: Amount of employment land lost to residential development.**

14.52 ha.

**2a: Housing Trajectory**

Net additional dwellings over the previous five year period or since the start of the relevant development plan document period, whichever is the longer. Start of RSS period in the case of RA.

Net additional dwellings for the current year

<b>Indicators 2A (i &amp; ii) Output 2000-2005</b>			
	<b>2000-2005</b>		<b>2004-5</b>
	<b>Total</b>	<b>Annual average</b>	<b>Total</b>
New build	11286	2257	2610
Conversion	1823	365	314
Demolition	2480	496	291
Net change	10629	2126	2633

Projected net additional dwellings up to the end of the relevant development plan document period or over a ten year period from its adoption, whichever is the longer. End date of RSS in the case of RA.

**Indicator 2A (iii) Output 2005-16**

	<b>Total</b>	<b>Annual Average</b>
New build & conversion	33051 - 38169	3005 - 3470
Demolition	5456	496
Net change	27595 - 32713	2509 - 2974

The annual net additional dwelling requirement (as set out in the RSS).

**Indicator 2A (iv) Annual average development plan requirement**

1930 dwellings per annum 1998-2016

Annual average number of net additional dwellings needed to meet overall housing requirements, having regard to previous year's performance (to meet the overall RSS requirement).

**Indicator 2A (v) Residual annual development plan requirement**

1589 dwellings per annum 2005-2016

**2b: Percentage of new and converted dwellings on previously developed land.**

2000 – 2005	84%
2004 – 2005	92%

**2c: Dwellings - Density of completed development (%)**

	2000-2005	2004-2005
Less than 30 dwellings per hectare	22	10
30-50 dwellings per hectare	29	22
Over 50 dwellings per hectare	49	68

**2d: Affordable housing completions. Gross and net additional affordable housing units completed.**

New build and conversion

2000 – 2005	240 annual average
2004 – 2005	216

**3a: Percentage of completed non-residential development complying with car-parking standards set out in the local development framework**

No data available for Leeds, re. para. 4.4.4 of AMR

**3b: Percentage of new residential development within 30 minutes public transport time of a GP, hospital, primary and secondary school, employment and a major health centre**

No data available for Leeds, re. para. 4.4.3 of AMR

**4a: Amount of completed retail, office and leisure development respectively. Retail A1, Office B1a and A2, Leisure D2.**

No data available for Leeds, re. para. 4.3.1 of AMR

**4b: Percentage of completed retail, office and leisure development respectively in town centres**

No data available for Leeds, re. para. 4.3.1 of AMR

**4c: Percentage of eligible open spaces managed to green flag award standard**

No data available for Leeds, re. para. 4.5.2 of AMR

**5a: Production of primary land won aggregates**

No data available for Leeds, re. para. 4.6.1 of AMR

**5b: Production of secondary / recycled aggregates**

No data available for Leeds, re. para. 4.6.2 of AMR

**6a: Capacity of new waste management facilities by type**

No data available for Leeds, re. para. 4.6.5 of AMR

**6b: Amount of municipal waste arising, and managed by management type, and the percentage each management type represents of the waste managed**

Management Type	2004 - 2005	% 2004 2005
Green (Compost)	12,644	4
Other Recycled	53,570	16
<i>Total Recycled</i>	<i>66,214</i>	<i>20</i>
Waste Incinerated	100	<1
Waste Landfilled	266,145	80
<b>Total</b>	<b>332,459</b>	<b>100</b>

**7: Number of planning permissions granted contrary to the advice of the Environment Agency on either flood defence grounds or water quality**

14 /15/ , but see commentary in para. 4.6.8 of AMR

**8: Change in areas and populations of biodiversity importance**

(i) change in priority habitats and species (by type)

No data available for Leeds, re. para. 4.6.11 of AMR

(ii) change in areas designated for their intrinsic environmental value including sites of international, national, regional, sub-regional or local significance.

No data available for Leeds, re. para. 4.6.12 of AMR

**9: Renewable energy capacity installed by type**

No data available for Leeds, re. para. 4.6.13 of AMR

**REPORT OF THE DEVELOPMENT DEPARTMENT  
REPORT TO: DEVELOPMENT PLANS PANEL  
DATE: 6 DECEMBER 2005**

**SUBJECT: Leeds Local Development Framework - Draft Supplementary Planning Document City Centre Public Realm Contributions**

**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 BACKGROUND**

- 1.1 Member will recall that an SPD Public Realm discussion paper and initial Sustainability Appraisal Scoping Report were presented to Development Plan Panel in March and were subsequently subject to early public consultation during the summer. Views were sought on a series of questions and issues produced as part of the discussion document which identified the main requirements for seeking public realm improvements within Leeds City Centre.
- 1.2 This early engagement work prompted the receipt of a number of comments regarding the general scope and approach to the Public Realm SPD (which were overall supportive). Perhaps not surprisingly at this stage however, a number of the comments concerned the need for specific details in order to be able to comment more fully. Within this context, the draft SPD moves the issues on to an approach that is advocated within the attached report (Draft City Centre Public Realm Contributions), which now focuses on a way forward and specific methodology for assessing developer contributions to public realm improvements within the city centre.
- 1.3 Supplementary Planning Documents add detailed planning guidance to Development Plan Documents or the "Saved Plan", the Leeds UDP, in relation to key policy aspects of the Plan. In the case of the ability to seek developer contributions to public realm improvements, a policy basis exists within the UDP to do so, but this has tended to be done on an ad hoc basis. Other priorities have tended to compete with or displace the pursuit of developer contributions for public realm improvement.
- 1.4 The need to improve the public realm within the city centre has been a constant recurring theme in the consultation process that has been undertaken in advancing the City Centre Area Action Plan. As this document is advanced, it will need to cover public realm issues. In the meantime, by following the prescribed route to the production of a SPD, there is now a clear statement of intent by the Council to raise the priority of public realm contributions to a high level. Major investment is required

to enhance the public spaces, squares and streets throughout Leeds City Centre. The attached draft SPD therefore sets out a 'contributions matrix', together with a 'programme of works' to provide a framework for implementation.

## **2.0 NEXT STEPS**

- 2.1 Following the completion of the Sustainability Appraisal (which will need to accompany the draft SPD for consultation), it is planned to present the draft SPD for formal (4 – 6 week) consultation in January.

## **3.0 RECOMMENDATION**

- 3.1 Members are asked to note the contents of the Draft City Centre Public Realm Contributions SPD for formal consultation commencing January.

# City Centre Public Realm Contributions

Leeds Local Development Framework



Supplementary Planning Document  
Draft Document for Consultation  
January 2005

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## 1.0 Introduction

- 1.1 This document sets out the circumstances and basis for obtaining financial contributions for *public realm* improvements from new developments and changes of use, that require planning consent, in Leeds City Centre and generate a need for improvements to *public space* or the *public realm*.
- 1.2 Major outlay in enhancing the public spaces, squares, streets and routes throughout Leeds City Centre is required to get further investment, underpin investor confidence in the city centre and help to sustain and deliver Urban Renaissance. The City Council cannot secure that objective alone it must be with the help and support of the development community who are stakeholders in the city and the city centre in particular.
- 1.3 Leeds City Centre benefits the rest of the city, and the region as a whole in terms of the jobs, investment, amenities and facilities it provides. The image, attractions and environment of the city centre are important in terms of attracting investors, employers, employees, residents, shoppers, visitors and tourists to the city and getting them to return. The quality of the *public realm* is fundamental to the city centre's ability to compete successfully with other major cities.
- 1.4 This Supplementary Planning Document (SPD) only deals with developer contributions to *public realm* improvements within the defined city centre. The Adopted Unitary Development Plan (UDP) defines the current geographical extent of the city centre and there is the prospect that the boundaries will be subject to change as a result of work that is underway as part of the City Centre Area Action Plan. Whatever the outcome of the boundary definition this SPD relates to the city centre as so defined.
- 1.5 It should be noted that developments may generate requirements for other benefits such as affordable housing and public transport improvements for which policy is set out in other Supplementary Planning Guidance (SPG) and SPD documents.
- 1.6 This SPD has evolved from an initial discussion paper and informed by responses that were received in July/August 2005 to that discussion paper and the Sustainability Appraisal Scoping Report published at the same time. The discussion papers have been available on the leeds.gov.uk web site, have featured in the City Centre Area Action Plan workshops held in September 2005 and were available through a number of the Statement of Community Involvement (SCI) events. The evolution of the City Centre Public Realm Contributions document has benefited from input from the development community both from within the City Council and stakeholders in Leeds and those individuals and organisations that have an interest in the future of the city centre.

## What do we mean by **public realm**?

1.7 The use of the term *public realm* as applied to the space between buildings overlaps a great deal with term *public space*. In the context of Leeds City Centre and the Adopted Unitary Development Plan (UDP) *public space* has a specific policy meaning within the city centre. *Public space* is defined and its role explored within Chapter 13 of the UDP in paragraphs 13.4.12-21, it can include privately owned and maintained spaces within buildings, such as shopping centres, to which the public has access at some time during the day, *public realm* would not include these privately owned and maintained spaces.

1.8 *Public space* as described in the UDP includes;

*The public spaces of the City Centre comprise parks, hard and soft landscaped areas and incidental spaces, together with streets, arcades, alleys, yards, malls and squares, to which there is public access (but not necessarily public ownership or public rights of way).*

1.9 *Public realm* is intended to have a narrower definition and excludes those privately owned and maintained spaces that are retained within a development. The emphasis is on those spaces that are the responsibility of the City Council.

1.10 *Public realm* is defined as;

*All those parts of the built and natural environment where the public has free access and which would be normally be owned or maintained by the City Council. It includes all the streets, squares and other rights of way, whether predominantly in commercial, residential, community or civic uses; the open spaces and parks; and the 'public/private' spaces where public access is unrestricted (at least during daylight hours). It includes the interfaces with key internal, external, and private spaces to which the public normally has free access.*

1.11 By excluding spaces such as privately owned and internal 'public space', e.g. shopping centres, this definition helps to focus attention where the most immediate challenge for these areas lies: on publicly managed external public space.

## **2.0 Maintaining and Enhancing a Successful City Centre**

- 2.1 The city centre is the focal point of the district of Leeds and its city region. The continued well-being and prosperity of the city centre is crucial to the economic health of the whole city. Its attractiveness and maintenance of a good built environment are important for the quality of life of people who live, work in and visit Leeds. Impressions gained by visitors of the appearance of the city centre affect their image of the whole district and beyond.

### **Expanding the City Centre**

- 2.2 The city centre is vital to promoting Leeds as the regional capital and as a major European city. It is important to create a high-quality and prestigious environment and facilities. This approach is essential to keeping and attracting highly profitable businesses. Leeds has sought to develop a strategy and reputation for high-quality urban design in the city centre through new building development and sensitive adaptation of existing building fabric. Leeds City Centre has many distinctive qualities. The City Centre Urban Design Strategy (CCUDS) celebrates some of these qualities, develops the urban design approach of the City Council, and is relevant to understanding the planning of the public realm.
- 2.3 There is a need to revitalise places and spaces, connect areas together, and provide them with distinctive identity, and character. A quality public realm, that provides high-quality and attractive places and spaces for business, living and leisure will secure the city centre's future and underpins its ability to expand.
- 2.4 The appearance and character of some areas of the city centre are poor, particularly where associations with Leeds' industrial past are evident. In these locations there is a need to upgrade and sometimes transform the streetscene to suit the requirements of a 21<sup>st</sup> century city, being careful to make best use of features of historic interest. Public realm improvements need to keep pace with and compliment the ongoing redevelopment of sites and buildings.

### **Renaissance Leeds and Public Realm**

- 2.5 There has been national recognition of the quality of new buildings in the city centre. Expectations are high and forever growing. The new public squares at City Square and Millennium Square have helped foster and further promote the confidence and pride in the city generally and the city centre in particular. They are successful schemes in their own right but they have helped to secure and encourage further investment in the redevelopment of buildings and sites around the squares and the city centre generally. Quality spaces can act as a catalyst for quality regeneration and can help to stimulate further regeneration.

- 2.6 Leeds City Centre has had a reputation for being in the forefront of extensive pedestrianisation. In the 1970's and 1980's it had a well-deserved international reputation for being innovative in the extensive pedestrianisation of city centre streets. The downside of being in the vanguard is that expectations and standards are forever rising and what were groundbreaking schemes in their time are now looking tired and in need of refurbishment or complete replacement.
- 2.7 Major investment in enhancing the public spaces, squares, streets and routes throughout the city centre is required to secure further investment and underpin investor confidence in the city centre. The City Council cannot secure that objective alone it must be with the help and support of the development community who are stakeholders in the city and the city centre.
- 2.8 The quality of the public realm, the spaces between buildings to which the public have access, must match if not exceed the quality of the new buildings and development in the city centre. The spaces that offset the buildings provide a backcloth to the city centre environment and are the routes and corridors through which people pass and are therefore vital to the connectivity within the city centre and the community adjacent to the city centre.

### **Regional role of Leeds City Centre**

- 2.9 The expectations now placed on Leeds City Centre are now even greater. It is expected to lead the drive to growing and expanding the economy of the city region so that all areas can benefit from the prosperity that has been attributed to Leeds' success.
- 2.10 Leeds City Centre has over 1000 shops, supporting a shopping catchment population of around 3.2m, consistently ranked by Experian Goad (one of the national retail data agencies that compares the performance of shopping centres) as one of the top four retail centres in the country. The city centre is the major regional employment centre. Around 122,000 are employed in the city centre, accounting for almost one third of jobs in Leeds City Council's administrative area.

## **3.0 Methodology and Approach for Seeking Contributions for Public Realm**

### **Introduction**

- 3.1 This following section sets out the overall approach and the scale of public realm contributions that will be sought from developments occurring within the city centre. The circumstances where viability issues are taken into account are set out. The relationship to the approach adopted for the collection of public realm contributions within Holbeck Urban Village is explained.

### **General City Centre Wide Approach**

- 3.2 All city centre uses and users can benefit from high quality public realm and all developments will place some demands on the public realm within the city centre. All city centre developments should therefore contribute to public realm improvements.
- 3.3 There is a functional and geographical link between the developments that occurs within the defined city centre boundary and the delivery of public realm contributions within the same boundary. This principle and policy test underpins the intention to seek contributions from all locations across the defined City Centre.
- 3.4 New development will increase pressure on the used and demand for public space and the public realm and conversely all users will benefit directly or indirectly from improvements to public realm. There is an irrefutable benefit gained by all users of buildings within Leeds City Centre by improvements to the public realm and all users place some demands of the public realm within the city centre. The degree to which users, either benefit, or place demands on public space is not easy to quantify with any precision. A direct and proportionate geographical link between development and public realm improvement in the vicinity is more uncertain. A key benefit of public realm improvements is to support the investment and value of developments by improving the setting of the site. In aggregate, public space improvements add to the general improvement of the whole of the city centre not just those sites in the immediate area.
- 3.5 A city centre is not just equal to the sum of its constituent parts, it is far more than that. Nor is the public space within one area of the city centre only accessed by or of benefit to users of buildings within the same locality. Public spaces tend, by their very nature, to be inter-linked, like the activities and uses that occupy the buildings that abut the pedestrian streets and squares in the city. Workers employed within the Office Quarter will, for example, shop at lunchtimes within the Prime Shopping Quarter and the pedestrian counts that have been carried out over several years by the City Council illustrate that those pedestrian movements are large in number.
- 3.6 The exception to the city centre wide approach is Holbeck Urban Village. It is the unique and distinctive character of the Urban Village, the strong physical

boundaries that define its extent, combined with the desire to push forward development at a pace to secure the character change to the area, that has caused this area to be identified separately from the rest of Leeds City Centre.

### **Contributions proportionate to scale of development**

- 3.7 As a general principle public realm contributions should be proportionate to the scale of development. The larger the development the more the contribution should be. But it is recognised that there are issues at the extremes of scale. This guidance aims to ensure that what is sought is fairly and reasonably related in scale and kind to the proposed development.
- 3.8 The level of developer contribution is likely to be set at the time when construction starts on site, not necessarily when planning consent is obtained, although the grant of planning consent will be the main trigger for establishing a legal agreement.

### **Cut-off for small scale development**

- 3.9 The smallest developments, principally changes of use of small shops and business premises, are large in number, but small in total aggregate floorspace.
- 3.10 In the case of the smaller development it is considered that there ought to be a cut off level below which contributions are not sought to reflect economy of scale issues. A minimum gross floorspace of 200 sq.m. best reflects trigger levels in other SPG guidance. Generally individual extensions of less than 200 sq.m. to all categories of existing development would normally be exempted from contributions.

### **Large scale development**

- 3.11 At the other extreme of the size scale are the large scale developments of over 0.5 hectares. These development can radically change the nature and character of significant parts of the city centre. Their impact and benefits maybe glaringly apparent by the large scale bulk and mass of new building structures. Their influence visually and functionally is likely to extend over a large part of the city centre. The demands placed on existing public realm, or the expectations placed on the need to raise standards of public realm provision, within the influence of major new development sites is likely to be far-reaching. The consequence is that large-scale schemes could and should shoulder a heavier responsibility for delivering public realm improvements. They are the type of scheme that has most to gain from public realm improvements and have a sizeable influence on general perceptions of the city centre.
- 3.12 There is a UDP policy requirement (Policy CC10) that places a responsibility and expectation on large-scale development, greater than 0.5 hectares in site area, to allocate 20% of the developable site area as public space. The public space provision provided on site can include functional space where it has a dual role, for instance it might have a dual use function i.e. service area and pedestrian area. The definition of public space in this context can include

internal space within a building and can include spaces to which the public do not have total unfettered access to. The 20% public space provision is expected to be delivered on site.

- 3.13 Large scale developments could and should contribute to public realm contributions as well as provide new public spaces. However, there should be some recognition of the degree to which the landscaping, furnishing and finishing of significant new public spaces delivered within a major development scheme can be said to contribute to broader city centre public realm aspirations. This can be taken into account and maybe discounted against the full public realm contribution that will be expected. However, the main purpose of collecting developer contributions is to fund an agreed programme of works that has been previously identified (see Appendix 3).

### **Scale of Contribution**

- 3.14 The scale of contribution has been based on an assessment of anticipated rental value per square metre as a guide to relative ability to contribute. The work that derived the contribution levels was initially carried out for Holbeck Urban Village. A similar level of contribution should be sought elsewhere within the rest of the city centre to that proposed in Holbeck Urban Village. Generally the level of contribution has been determined at £50 per sq.m. of gross floorspace. For office development, to reflect a lower overall anticipated rental value and return on development a lower contribution has be set at £40 per sq.m. General industrial and warehousing have not been included in the range of uses within the Contributions Matrix as they are not anticipated to be uses that will be appropriate within the city centre.
- 3.15 Market conditions will be monitored to ensure that the scale of contributions is a proper reflection of the economic circumstances that are applicable.
- 3.16 From work undertaken at the draft consultation stage it is anticipated that the application of the scale of contribution levels shown in matrix, based on past development levels would potentially generate a maximum of about £5 million annually. However, that is based on past rates of planning consents being carried forward into the future and does not factor in any exemptions or viability issues. The reality is that contribution levels achieved will fall far short of the potential.
- 3.17 It is not possible to offer any certainty to the total costs of city centre public realm requirements and demands. There is an initial programme of works that has been identified and included with Annexe (3). It is intended that the programme of works will be updated annually. This current programme of works is particularly focussed on the city centre shopping streets and is work that needs to be urgently tackled. The reality is that the demands and expectations placed on public realm across the city centre will far exceed the ability of Section 106 contributions to meet that need. Other sources of financing will have to be sought. The scale of contributions that are currently suggested are pitched at a realistic level as a result.

### **Listed buildings and Affordable Housing**

- 3.18 In the case of Holbeck Urban Village SPG public realm contributions will not be sought from residential development proposed by RSL's (Registered Social Landlords-Housing Associations) and all listed buildings are prior exempted. In the remainder of the city centre the application of a similar principle is considered appropriate to the general delivery of defined and agreed affordable housing within a scheme.
- 3.19 The particular circumstances of Holbeck Urban Village, where a number of listed buildings have suffered from lack of maintenance and are in need of major works to restore them or make them suitable for new uses have caused a blanket exemption for listed buildings is not considered an appropriate approach for the whole of the city centre. Listed buildings across the city centre are frequently mainstream commercial buildings that do not warrant being exempted from contributing to public realm improvements. There will not be a general exemption for listed buildings but if there are special development issues that listed buildings can raise then that can be covered by viability issues and taken into account.

### **Change of Use and small scale development**

- 3.20 Change of use developments are discounted by 50% against public realm contributions within Holbeck Urban Village. The circumstances at Holbeck that have given rise to this approach are not considered applicable across the rest of the city centre. Within Holbeck Urban Village there is an emphasis placed on retaining the existing fabric of buildings that give rise to the unique character of the area and there is a differential in costs and rental expectations, compared with the remainder of the city centre, that justify the discounted approach to change of use.
- 3.21 However, the intention is to introduce a minimum trigger level of development across most of the land use categories below which public realm contributions will not be sought. Those scale levels are shown on the Contributions Matrix. In the case of residential development 5 units of accommodation are considered to offer an appropriate cut-off.



**Contributions matrix**

<b>Use Class 2005</b>	<b>Land Use Description</b>	<b>Size of eligible scheme <sup>1</sup></b>	<b>Scale of contribution (£ per sq.m.)</b>
A1	Retail	In excess of 200 sq.m. gross.	50
A2	Financial and professional services	In excess of 200 sq.m. gross.	50
A3	Restaurants and cafes	In excess of 200 sq.m. gross.	50
A4	Public houses and bars-primary purpose consumption of alcohol	In excess of 200 sq.m. gross.	50
A5	Takeaway and fast food premises	In excess of 200 sq.m. gross.	50
B1(a)	Office	In excess of 200 sq.m. gross.	40
B1(b)	Research	In excess of 200 sq.m. gross.	40
B1(c)	Light industrial-workspace	In excess of 200 sq.m. gross.	20
C1	Hotel and guest house	In excess of 200 sq.m. gross.	50
C2	Residential institutions	In excess of 200 sq.m. gross.	50
C3	Residential	All schemes of 5 units or more.	50
C3	Affordable housing	0	0
D1	Non-residential institutions	In excess of 200 sq.m. gross.	50
D2	Assembly and leisure	In excess of 200 sq.m. gross.	50
Car parking	Private non residential	All schemes	25
Sui generis	Theatres, nightclubs, retail warehouse club etc.	In excess of 200 sq.m. gross.	50
Extensions	All use classes	In excess of 200 sq.m. gross.	See use class.

<sup>1</sup> That element of development below the eligibility threshold is not exempt from the contributions calculation for schemes over the threshold.

## Viability Issues

- 3.22 Viability considerations are expected to be a key part of the ODPM Good Practice Guidance still to be published, although Circular 05/2005 covers some limited and general aspects of good practice about the Section 106 contributions process. The public realm contributions sought in this SPD will incorporate those principles and advice set out in the recommended Good Practice Guidance when they are available.
- 3.23 There is recognition that a number of factors can affect the level of contribution sought and a number of those issues are raised below. The purpose of this document is nevertheless intended to offer some certainty to the process of public realm contributions. What is sought is considered to necessary from a planning point of view and the development plan policies referenced in Appendix 1 justify the seeking of public realm contributions.
- 3.24 The ability of a development to cover the cost of contributions will always be a consideration. Reductions, from contribution may be considered if it can be demonstrated that the level of contribution required individually, or in combination with other contribution priorities, makes the development financially unviable. There is a need to ensure that contributions are balanced against other benefits being sought.
- 3.25 Different types of use can and do place different demands on the public realm. The ability to contribute to public realm improvements is very much weighted toward the more commercial schemes, by definition they can and should be the more *viable* schemes that are capable of bearing the additional costs. At the other extreme of the development viability spectrum there are types and classifications of development that by their very nature do not generate high commercial returns such as those meeting social, cultural, educational, welfare and religious needs. These uses and activities occur and expect to be located with the city centre and add to the richness and mix of uses that aggregate to being a diverse city centre. Their commercial viability will not be comparable with the high value uses of residential, office and retail.



# Appendix 1

## 1.0 Section 106 background

### **Evolving Section 106 framework**

- 1.1 The arrangements for planning agreements with developers are set out under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991 (Section 12). Circular 05/2005 now sets out Government policy for the implementation of planning obligations, with which the approach described in this section conforms.
- 1.2 The purpose of planning obligations, commonly referred to as 'Section 106 agreements', is to make acceptable development that would otherwise be unacceptable in planning terms. Obligations can involve financial or in-kind contributions towards a range of infrastructure and services. Public spaces or public realm is one of the recognised areas where planning obligations can be considered appropriate.
- 1.3 The whole area of Section 106 and planning obligations remains, largely, work in progress. Current policy on the use and application of negotiated planning obligations is set out in Department of the Environment Circular 05/2005 which encourages fair, open and reasonable negotiations and requires that obligations meet all of the following tests:
  - relevant to planning;
  - necessary to make the proposed development acceptable in planning terms;
  - directly related to the proposed development;
  - fairly and reasonably related in scale and kind to the proposed development; and
  - reasonable in all other respects.
- 1.4 In the case of planning agreements requiring a financial contribution toward a community benefit, payment will be made, and has been made into specific funds managed by Leeds City Council. Provision has been made for specific funds to achieve the requirements of strategic initiatives in the Adopted Unitary Development Plan and to meet recognized corporate objectives.

### **Local Development Framework**

- 1.5 In anticipating the need to prepare Local Development Frameworks, the City Council embarked upon an early and selective review of the Adopted UDP (2001). In managing the period of transition between the 'old' planning system and the 'new', the City Council will look to the incorporation of 'saved policies for 3 years or more (policies that the Council are seeking to save for more than 3 years are included in Appendix 2 of the Local Development Scheme (LDS)), together with the development of new policies, as part of the Core Strategy and related Local Development Documents (LDD).

- 1.6 The City Centre Public Realm Contributions SPD is one of the related Local Development Documents. The City Centre Area Action Plan will eventually replace those city centre policies in Chapter 13 of the Adopted UDP that this SPD is currently supported by. The General Policies, of Chapter 4 of the Adopted UDP, including GP7, that provide the policy foundation for planning obligations, are likely to be replaced in the Core Strategy.
- 1.7 The Adopted UDP has recognised that there was scope to achieve and require improvement initiatives within the city centre and that has been pursued in association with individual schemes, particularly along the riverside, and in the context of procuring landscaping and public realm enhancements in the immediate setting and curtilage of schemes. Where developments have been of sufficient size wider improvements have been sought to assist in the advancement of large scale public squares such as Millennium Square and City Square.
- 1.8 The seeking of contributions for public space and public realm improvements has been carried out for some time. This document formalises the process as required and advised in Circular 05/2005, which advocates the use of Supplementary Planning Documents as an appropriate means of making clear the detailed policy application as part of the Plan-Led system.

### **General UDP Policy support for Section 106 Contributions**

- 1.9 There is a robust policy position to seek contributions from developers to secure public realm improvements and enhancements. The General Policies and specific policies in the UDP lend support to doing so.
- 1.10 The Adopted UDP has in place policies that enable public realm improvements to be sought. Policy GP7 sets out the general principles that would apply to securing Section 106 contributions and sets out the intention of the City Council to pursue the use of planning obligations, Section 106 agreements, to secure economy, efficiency and amenity in the development and use of land. Having regard to the interest of the local environment and other planning considerations examples are listed of the community benefits which will be pursued through planning agreements in the Leeds City Council area generally.
- 1.11 The City Council will pursue planning obligations according to the following policy:
- GP7 WHERE DEVELOPMENT WOULD NOT OTHERWISE BE ACCEPTABLE AND A CONDITION WOULD NOT BE EFFECTIVE, A PLANNING OBLIGATION WILL BE NECESSARY BEFORE PLANNING PERMISSION IS GRANTED. THIS OBLIGATION SHOULD COVER THOSE MATTERS WHICH WOULD OTHERWISE RESULT IN PERMISSION BEING WITHHELD AND IF POSSIBLE SHOULD ENHANCE THE OVERALL QUALITY OF THE DEVELOPMENT. ITS REQUIREMENTS SHOULD BE NECESSARY, RELEVANT TO PLANNING, DIRECTLY RELATED TO THE PROPOSED**

**DEVELOPMENT, FAIRLY AND REASONABLY RELATED IN SCALE AND KIND TO THE PROPOSED DEVELOPMENT, AND REASONABLE IN ALL OTHER RESPECTS.**

- 1.12 The Adopted UDP contains a list of examples of types of community benefit, which the City Council may pursue through planning agreements. The following examples from the list endorse seeking contributions for public realm improvements:
- improvements to public transport system infrastructure, highways, cycleways and pedestrian routes;
  - improvements to and provision of community buildings and greenspaces for recreation, social, leisure, health and education purposes;
  - maintenance of small areas of greenspace or landscaping principally of benefit to the development;
  - provision of art or sculpture in public places;
  - street lighting.

**Policy Support links for Planning Obligations in the City Centre**

- 1.13 In the city centre, there is general recognition that development will have a cumulative impact in terms of its effect on the environment, traffic and transport implications, and attraction of visitors and shoppers in the city centre. Development will increase pressure on the city centre environment, for example, on existing public spaces where a shortage of spaces is evident, and generate a need to secure environmental improvements. The Adopted UDP has recognised that it will be appropriate, where city centre development is likely to generate further employment within, or visits to, the city centre, to pursue planning obligations in accordance with Policy GP7 which conforms with Circular 05/2005. For these reasons, there has been a justification recognised and embedded in the UDP for seeking contributions, in the form of specific works, or to a particular fund, within the context of the UDP's overall strategic initiatives. Accordingly:

**CC1: WHERE CITY CENTRE DEVELOPMENT PROPOSALS WOULD NOT OTHERWISE BE ACCEPTABLE AND A CONDITION WOULD NOT BE EFFECTIVE, A PLANNING OBLIGATION WILL BE NECESSARY FOR PLANNING PERMISSION TO BE GRANTED. WHERE IT WOULD BE RELEVANT TO THE DEVELOPMENT PROPOSED THE CITY COUNCIL WILL SEEK TO CONCLUDE A PLANNING OBLIGATION TO:**

- i. ACHIEVE OR CONTRIBUTE TOWARDS SPECIFIC ELEMENTS OF THE TRANSPORT STRATEGY, ENVIRONMENTAL IMPROVEMENTS OR COMMUNITY FACILITIES, INCLUDING PROVISION OF AN ACCEPTABLE BALANCE OF USES IN MIXED USE DEVELOPMENTS, OR**

- ii. **MAKE A PROPORTIONATE FINANCIAL CONTRIBUTION THROUGH COMMUTED PAYMENTS, TO BE USED BY THE CITY COUNCIL TO SECURE ELEMENTS OF THE TRANSPORT STRATEGY, ENVIRONMENTAL IMPROVEMENTS OR COMMUNITY FACILITIES.**

**ANY OBLIGATIONS MUST COMPLY WITH THE TESTS SET OUT IN THE FINAL SENTENCE OF POLICY GP7.**

- 1.14 The lists of community benefits identified in the UDP are not intended to be exhaustive, as it was recognised that the types of benefits needed could alter through the Plan period, as some are achieved and other new needs arise:
- 1.15 Those items that have been identified in one of the funds termed the **Environmental Improvements Fund** in the adopted UDP add legitimacy to seeking contributions to public realm improvements in particular;
- new and enhanced pedestrian routes;
  - public space provision and enhancement;
  - maintenance of small areas of public space principally of benefit to the development;
  - improvements to the pedestrian environment, eg. hard and soft landscaping, street furniture, street lighting (including measures to improve personal safety and security);
  - measures to enhance nature conservation and amenity;

### **Public Space Policies in the UDP**

- 1.16 The UDP recognises that the city centre possesses an extensive network of public spaces and there are policies in place (CC9-13) to support, promote and enhance those that exist and encourage the creation of new public realm. The city centre Inset Map II (Opens Space and Circulation Policy) shows the extent of the existing public spaces in the city centre and the aspiration to achieve new ones.
- 1.17 There is recognition that the quality of existing public spaces and corridors is not always as high as it could be. The City Council has carried out a number of enhancement schemes, including the re-paving and extension of pedestrianised areas, refurbishment of the yards and alleyways off Briggate and the paving out of part of Briggate with key funding from Yorkshire Forward.
- 1.18 The private sector has been identified in the UDP as having a major part to play in assisting with this process. Developers are currently expected to enhance the space around their buildings, where appropriate, in accordance with the considerations set out in the UDP and the Design Guide-*City Centre Street Style*. There is clear policy support to require contributions from the

private sector development community to work with the City Council to achieve improvements to the public realm;

**CC9: EVERY OPPORTUNITY WILL BE TAKEN THROUGH DIRECT ACTION, NEW DEVELOPMENT, DEVELOPMENT CONTROL AND PLANNING OBLIGATIONS TO ACHIEVE QUALITY, SAFETY, SECURITY AND GENERAL ACCESSIBILITY IN EXISTING PUBLIC SPACES.**



## **Appendix 2**

### **2.0 The City Centre Public Realm – Strategic Context**

- 2.1 The importance of a high quality public realm to the image, attraction and future confidence of the city centre, are acknowledged in a number of strategies for Leeds.

#### **Vision for Leeds - the city's community strategy**

- 2.2 Vision for Leeds recognises the vibrancy of Leeds City Centre and its contribution to the city and its economy but identified the quality of public spaces as an area of weakness in terms of it developing a European city profile to help meet its objectives. To help achieve this, the following are recognised:
- the need to create a high quality and prestigious environment essential to keeping and attracting highly profitable businesses;
  - the need to create high quality and attractive places and spaces;
  - the need to develop high quality urban design to revitalise places and spaces, and connect areas together.

#### **Council Plan: Closing the Gap**

- 2.3 The 'Creating a City Centre of Distinction' improvement area identifies the implementation of public realm improvements as a key action point in order to help encourage private investment.

#### **Economic Development Strategy**

- 2.4 A strategy evaluation by the Leeds Economy Partnership in 2002 concluded that one of the key improvements being made in the city centre's contribution to the Economic Development Strategy was the public realm improvements which had then taken place e.g. Millennium Square.

#### **Leeds City Centre Management Initiative Strategic Plan (2004)**

- 2.5 The LCCMI Strategic Plan identifies an agreed set of shared public/private sector priorities for the city centre, and sets out an approach to achieving these. The remodelling of key spaces and the creation of a network of high quality public spaces is one of the key priorities. The improvement to the quality of the public realm has emerged as a major theme.
- 2.6 Future action has identified the need to refurbish a large number of city centre streets and spaces. These schemes now form the basis of the core programme of work that the contributions for public realm are intended to finance(Appendix 3).

## **Renaissance Leeds Partnership**

- 2.7 In partnership with the City Council, Yorkshire Forward has funded an Urban Renaissance Visioning exercise for Leeds. International architects, Koetter Kim, and the Civic Architect have undertaken this jointly. This work has evolved into and been incorporated into the work of the Renaissance Leeds Partnership which has been established to promote the implementation of the Urban Renaissance Programme for Leeds. The partnership is a collaboration between English Partnerships, Leeds City Council, Leeds Initiative and Yorkshire Forward.
- 2.8 Section 106 contributions are an important part of the financial mix to deliver the Renaissance of the City Centre:

## **Public Realm Improvements Underpin Investment in the City Centre**

- 2.9 Within Leeds City Centre, improvements to the public realm, have already served as a catalyst for private sector investment in surrounding areas. Millennium Square has underpinned a minimum of £150m private investment within the Civic Quarter, with further proposed. City Square remodelling has supported 3 major office schemes totalling £77m development value plus the Park Plaza Hotel.
- 2.10 The paving work that has been carried out in Briggate combined with the City Square and Millennium Square public squares invite comparisons to be made with the degraded quality of the public realm in some of the core city centre pedestrian area, highlighting the need to address improvements to the older pedestrianised shopping streets.
- 2.11 There are strong arguments for supporting investment in *quality of place* for improving the public realm. In many cases these investments are public goods, which would be underprovided if left to private markets alone, in other cases there are coordination problems where, for instance, the returns to one investment depend on other investments being undertaken at the same time.
- 2.12 The *Quality of Place and Regional Economic Performance* report covered a range of factors and potential synergies. The key factors identified in this research included the importance for regional economic performance of public spaces and public realm, including the quality of their design and their day to day maintenance.
- 2.13 It is Leeds City Council's belief that there is a strong link, which maybe difficult to quantify economically, between public realm improvements and continuing development investment. One underpins the other.

## Appendix 3

### 3.0 Allocation of Public Realm contributions

#### Programme of works

- 3.1 There is an initial small but clear programme of public realm improvement identified within the Prime Shopping Quarter (Appendix 1) and a range of schemes have begun to be identified along the Riverside as part of the Waterfront Strategy. A number of schemes have clearly been identified and generally costed within the Holbeck Urban Village defined area. It has already been mentioned that there is an expectation that public realm maintenance takes place at an increasing rate and to an ever-improving standard across the city centre. It is possible to identify a clear immediate programme of works that has begun to emerge but the intention will be to produce an annual programme of works.
- 3.2 There is the prospect of a wider range of public realm needs to be identified as a programme of public realm work priorities develop across the city centre.
- 3.3 The regenerative benefits that arise from investing in public spaces is recognised as a clear instrument capable of leveraging further private sector investment. The Section 106 public realm improvements can be, and should be, a move to virtuous sustainable circle of investment.

### Initial Programme of Public Realm Improvements

#### Focus on Shopping Quarter Pedestrianised Streets

- 3.4 The main focus of need for an improvement to the public realm is within the pedestrian streets of the Primary Shopping Quarter, but not exclusively so. The condition of the surface of the pedestrian environment within the shopping area of the city centre impacts directly on visitors and shoppers perceptions. Different solutions and approaches are required. In some parts of the city centre the pedestrian streets are in need of maintenance to secure a more robust surface finish that would secure a longer term life of existing surfaces. In other parts a more radical solution is required.
- 3.5 An effective maintenance programme will make streets safer addressing issues of improving the safety of the walking surface; reduce routine maintenance costs; reduce disruption from repeated routine repair of the deteriorating surfaces; remove difficult to maintain materials; address problems caused by poor quality construction. The intention is to create a street scene of quality finishes, which complement colour schemes of the natural stone products used in adjacent areas, but it is recognised that it has to be affordable, durable and capable of being maintained.

### **High Quality Maintenance Expectations**

- 3.6 The highway pedestrian street maintenance works can all be funded from within existing and proposed City Services' Highways Maintenance revenue budgets. Highway maintenance proposals are in place. There is a need to supplement the maintenance due to the impact of new development and the need to be able to respond to works that have not been programmed.
- 3.7 The issues that have arisen about the maintenance needs with the Shopping Quarter have also arisen and continue to do so in other parts of the city centre. The expectations by users of the city centre continue to rise and places increasing expectations on the quality and frequency of maintenance generally within the city centre. An element of any monies sought through Section 106 contributions would be used to support a more vigorous and extensive maintenance regime within the city centre.

### **Capital Refurbishment Schemes for the Shopping Quarter**

- 3.8 Whilst the foregoing maintenance programme will make streets safer and more robust, it is apparent that there is a need for some streets to be more substantially upgraded over the next ten years. Premier streets and spaces such as lower Albion Street, Lands Lane and Dortmund Square would have gone almost 30 years without any significant capital refurbishment. They are overdue for replacement and refurbishment and Section 106 contributions would be largely directed to securing much needed improvement to these areas of public realm.
- 3.9 Capital refurbishment schemes in the city centre should fully recognise the importance of having both an immediate positive impact on the environmental quality of their setting and their long term quality and appearance over a number of years, without requiring further significant refurbishment works. Schemes should use a limited range of materials and products which have a high quality specification and appearance, are long lasting and durable, easily available and offer value for money over the period of their life.

### **Funding Secured for Priority Schemes**

- 3.10 Funding has now been secured for a number of projects largely due to the involvement of Yorkshire Forward and the use of the City Council's Capital Programme. These projects include the following schemes;
- Briggate Phase 2 including King Edward Street
  - Chancellor Court
  - Merrion Gardens
  - Park Square
  - Assembly Street
  - Lower Albion Street
  - Mid Albion Street
- 3.11 The attached initial **Summarised Programme of Works** schedule has been included to provide a realistic indication of the scale of the initial work priorities and costs that reflect 2004 pricing. The schedule is in the process of being

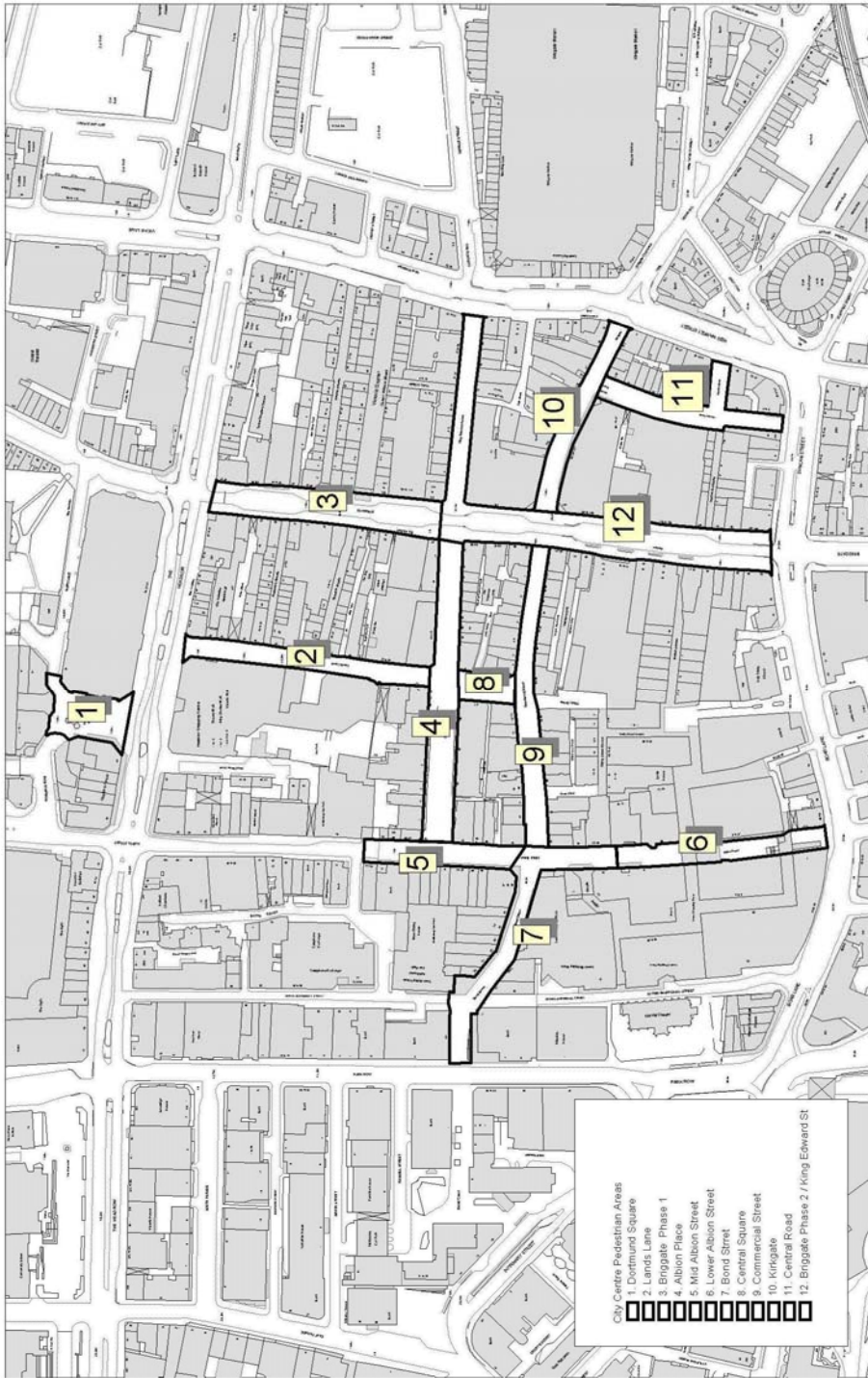
updated to reflect those schemes that have now obtained funding, listed above and the changes in construction costs. The following schemes remain and require funding from the initial schedule that was agreed in principle by Leeds City Council Executive Board in September 2004, namely;

- Lands Lane (2006/7)
- Dortmund Square (2008/9)
- Commercial Street (2009/10)
- Central Square (2010/11)
- Albion Place (2011/12)

### **Further Public Realm Priorities**

- 3.12 Kirkgate (pedestrianised area), Central Road and Bond Street are to be reviewed for possible refurbishment programme beyond 2011. A series of possible refurbishment schemes and projects have been identified in the Draft Leeds City Centre Management Initiative Strategic Plan. There are other calls and demands on public realm improvements ranging from the poor quality streets and spaces such as Upper Basinghall Street and Call Lane to the Waterfront that lie outside the Holbeck Urban Village area where there is an increasing pressure to deliver quality public realm improvements.
- 3.13 The intention is to provide an annual update of the programme of public realm works that Section 106 monies will be directed to and a monitor of schemes that have been delivered. The attached schedule of works is to be accepted as indicative and in the process of being updated to reflect those schemes that have now obtained funding. The schedule, nevertheless, offers a clear indication of the geographic focus of the initial priority areas, the costings (as of 2004), the possible scheduling of works and the approach being considered.

# Priority Shopping Streets



Scale : 1/2000

PRODUCED BY THE DEVELOPMENT DEPARTMENT, LEEDS CITY COUNCIL  
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## SUMMARISED PROGRAMME OF WORKS

\*\*Capital Refurbishment Scheme – New paving (natural stone or concrete) and other elements as appropriate - lighting, street furniture, drainage, stats, sub base.

\*\*\*Estimated Costs at outturn prices (assumes 6% compound increase pa)

Street	Highway Maintenance Proposals	Capital Refurbishment Scheme **	Capital Costs***	Comments	Design Proposal
<b>Briggate Phase 1</b>	None	2004	£1,248,000 total	<ul style="list-style-type: none"> <li>Completed</li> </ul>	Wall to wall Yorkstone setts with dark & light grey granite pattern
<b>Briggate Phase 2 &amp; King Edward Street</b>	Due to its condition, a large length of King Edward Street was black topped in March 2004, pending the capital refurbishment. No further maintenance proposals.	2004/06	£2,211,000 works £495,000 fees  £2,706,000 total	<ul style="list-style-type: none"> <li>On site 2005</li> <li>Design &amp; Cost Report agreed by Executive Board in July 2003.</li> </ul>	Briggate Phase 2 will continue pattern and materials of Briggate Phase 1. Use of Yorkstone setts only on King Edward Street
<b>Lower Albion Street (southern 120 metres)</b>	Highway maintenance and street lighting proposals to be implemented 2004/05,.	2007/08	£584,000 works £131,000 fees  £715,000 total	<ul style="list-style-type: none"> <li>Funding secured</li> </ul>	Maintenance scheme for bituminous carriageway and perfecta flag paving. Capital refurbishment in style of Bond Street and continuation of northern section of lower Albion Street – primarily red and blue block pavers
<b>Mid Albion Street</b>	Highway maintenance and street lighting proposals to be implemented 2005/06,.	2007/08	£548,000 works £119,000 fees  £667,000 total	<ul style="list-style-type: none"> <li>Funding secured</li> </ul>	Maintenance scheme in materials to match existing. Capital refurbishment in style of Bond Street and continuation of northern section of lower Albion Street – primarily red and blue block pavers

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<b>Commercial Street</b>	Highways maintenance scheme to be implemented in 2006/07 and co-ordinated with street lighting PFI replacement programme.	2009/10	£1,111,000 works £254,000 fees  £1,365,000 total  Excludes possible £64,000 for projected architectural lighting	<ul style="list-style-type: none"> <li>• No capital scheme funding identified.</li> <li>• Briggate works/Trinity Quarter would preclude start on site until possibly 2007/08 at very earliest</li> <li>• Removal of Landmark structure at Briggate end required as part of Briggate Phase 2 works</li> </ul>	<p>Maintenance scheme in quality concrete products which complement colour schemes of the natural stone products used in adjacent areas but are affordable within the limit and demands placed upon the revenue budget.</p> <hr/> <p>Capital refurbishment in simple Yorkstone setts in style proposed for King Edward Street</p>
<b>Lands Lane (excluding Central Square)</b>	Local highway maintenance repairs as required.	2006/07	£798,000 works £191,000 fees  £989,000 total	<ul style="list-style-type: none"> <li>• Scheme on Capital Programme reserve list.</li> </ul>	Local highway maintenance repairs in matching materials to keep the street safe. Capital refurbishment in simple Yorkstone setts in style proposed for King Edward Street
<b>Dortmund Square</b>	Planned highway maintenance scheme 2004/05 to address cracked paving.	2008/09	£820,000 works £215,000 fees  £1,035,000 total	<ul style="list-style-type: none"> <li>• Space needs redesigning to ensure it functions as an attractive space taking on board competing demands on its use.</li> </ul>	Repair of broken paving in matching materials. Capital refurbishment in simple Yorkstone setts in style proposed for King Edward Street
<b>Central Square</b>	Highways to be maintained in 2007/08 and co-ordinated with street lighting PFI replacement programme.	2010/11	£291,000 works £85,000 fees  £376,000 total	<ul style="list-style-type: none"> <li>• Conceptual design requirement for capital scheme, taking on board removal of Landmark structure and redesign of events space.</li> </ul>	Local highway maintenance repairs in matching materials. Capital refurbishment scheme in Yorkstone setts to complement other proposals.
<b>Albion Place</b>	Highways to be maintained in 2008/09 and co-ordinated with street lighting PFI replacement programme.	2011/12	£1,654,000 works £376,000 fees  £2,030,000 total	<ul style="list-style-type: none"> <li>• Removal of Landmark structure at Briggate end required as part of Briggate Phase 2 works.</li> </ul>	Local highway maintenance repairs in matching materials. Capital refurbishment in simple Yorkstone setts in style proposed for



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						King Edward Street
<b>Kirkgate &amp; Central Road</b>	Local highway maintenance repairs as required to keep street safe.	Post 2011/12. Situation to be reviewed	To be determined			Local highway maintenance repairs in matching materials. Capital refurbishment scheme should be in Bond Street style – primarily red and blue block pavers
<b>Bond Street</b>	Local highway maintenance repairs as required to keep street safe.	Post 2011/12. Situation to be reviewed	To be determined	<ul style="list-style-type: none"> <li>Removal of Landmark structure at western end, at junction with Park Row to be pursued at developer expense as part of adjacent development, at the time of that development.</li> </ul>		Repaving of footprint of structure in materials to match those on Bond Street. Local highway maintenance repairs in matching materials. Capital refurbishment scheme should be in Bond Street style – primarily red and blue block pavers
<b>Total</b>	<b>£750,000 highway maintenance schemes excluding local repairs</b>		<b>£7,177,000 (exclusive of Briggate/King Edward Street)</b>			

