

Public Document Pack

Supplementary Information for 9th March 2010 Scrutiny Board (City Development)

Item 8 Yorkshire Planning Aid – Witness Evidence

Item 11 A List of Lost Employment Sites/Planning Review Leeds UDP Article

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Witness Evidence to Leeds City Council Scrutiny Board investigating consultation procedures, meeting on 9 March 2010

Introduction

Evidence is given on behalf of Yorkshire Planning Aid by James Rogers, Planning Advisor. He holds a Diploma in Town Planning (Glos) and is a Member of the Royal Town Planning Institute. He is also an Associate of the Chartered Management Institute.

The evidence will include the following themes:

- Communication
- Procedures/ Policies
- Quality of information and accessibility
- The roles of staff and elected members
- Quality control

The themes have been broken down into the main stages of planning applications and appeals, including background policy

The evidence is based on a review of YPA's casework across the Yorkshire & Humber region, including cases in Leeds. The recommendations aim to provide guidance to the Authority on ways to maintain good practice, or improve practice, in relation to consultation procedures.

Common causes for concern raised in Planning Aid cases

Procedures and Communication

1. There is an invisible wall between the public and their local planning authority. People need to know that they have been given an opportunity to be involved in the planning system and if so how their views have been treated. Recurring themes in enquiries to planning aid are the level of trust that people have in public authorities and their expectations of them.
2. Involvement is dependent on clear communication by the Council and the ease with which people can navigate procedures. Many planning aid clients have limited knowledge of the local government system. Many from ethnic minority communities have limited language skills and some are unable to read or write. Egov initiative requires putting information online but not all people – particularly those least able to 'speak up for themselves' - are able to read and write, understand plans and complex documents and have access to or use internet facilities

Recommended resolution: to maintain good standards for clear communication for example using ‘Plain English’ guidelines; ensuring that service standards for a diverse population are maintained through training; ensure that hard copies of applications are available in accessible locations; and ensure officers are aware of the Planning Aid service which can help to clarify procedures for eligible clients.

3. Good record keeping is a part of communication. Currently full details of applications for Lawful Development Certificates are only kept for a limited period. A client was concerned that the Council had wrongly determined such an application following refusal of a planning permission. By the time he lodged a complaint the details had been removed from the records and the complaint was not able to be investigated to his satisfaction.

Recommended resolution: to review the record keeping of LDCs, to ensure that it satisfies the Freedom of Information Act and gives discretion to save information where a third party will be directly affected and there is a site history that indicates is the development potential (eg made in tandem with a planning application).

Policy

4. The Council’s Statement of Community Involvement (SCI) sets the base level for consultation on planning procedures.

5. The extent to which people can influence planning application decisions is limited by policies.

Recommended resolution: The Council should maintain its standards to ensure that everyone who wishes to has the opportunity to be involved in policy-making. Wherever it is within the Council’s control this is to be encouraged and the base standards to be reviewed from time to time in the SCI.

Pre-application procedures

6. The quality and amount of pre-application procedures varies significantly across authorities. Clients have expressed concern about the status of such consultation and whether it will prejudice their representations to an application. Others have been concerned that they have not been consulted at this stage.

Recommended resolution: to provide a standard wording for communicating with third parties in pre-application consultations.

7. Clients have expressed concern that developers have access to planning officers for information and to discuss their concerns about planning applications, whether that be prior to an application or between registration and decision, whereas the public has limited access, depending on officer availability. Information is often ‘off-the-record.’

Recommended resolution: ensure that information about procedures is clear and consistent; and that public helplines are maintained.

8. Clients are often concerned that councillors do not appear to be able to represent them, eg if they attend meetings with applicants or are member of the planning Board

Recommended resolution: need for clear information to councillors and constituents about the role and responsibilities of Councillors; and maintain training for Councillors.

Planning applications

9. Neighbours can be notified by letter, site notice and newspaper advertisements, depending on Council officer discretion. There is a general concern that site notices are posted in unsuitable locations and might be removed within the consultation period. Clients with limited mobility have been concerned that they are unable to access such publicity.

10. Accessibility to plans and documents is a general concern. Not everyone has use of the internet and not all documents are posted on line if it is a large document.

Recommended resolution: Use more than one means of notification. Include agreed wording reference to Yorkshire Planning Aid on neighbourhood notification letters.

11. Important communications can be confused with junk mail and discarded.

Recommended resolution: consultations should be clearly addressed to the householder and sent in official envelopes.

12. Clients often express concern about the availability of plans, especially if they have limited mobility.

Recommended resolution: review information online and in consultation communications to ensure that they include a note of where and how documents can be inspected, especially if only part of the document is available on line.

13. One of the main concerns about the quality of applications is that drawings do not accurately show neighbouring properties in relation to the proposal, either in relation to the 'red line' boundary, in scale drawings or artists impressions or by inaccurate site levels.

Recommended resolution: an accurate application is important to ensure that it can be registered; and response to client concerns to require amended drawings, or an explanation about the Council's response to representations as appropriate.

Amendments

14. There is no requirement to notify third parties about amendments to plans. Clients have been concerned that if they do not know about amendments they will be disadvantaged in not being able to make relevant representations.

Recommended resolution: notification of the neighbours affected by the amendment.

Discharge of conditions

15. Most conditions are discharged by officers under delegated authority. Clients have reported cases where a condition has been discharged without reference to them

and found to be inadequate for its purpose – so leaving them with no practical recourse to resolve their concern.

Recommended resolution: neighbours affected by the proposal should be notified of the proposal and their representations received. Wherever possible the case officer should follow-through discharge of conditions to ensure that a consistent approach is taken and their knowledge of the case is used.

Decision-making

16. Clients often wish to know how the decision will be made. Many applications are approved by delegation and there is little understanding of this. It is usually expressed that ‘an officer made the decision’ rather than ‘an officer had the Council’s authority to make the decision.’

Recommended resolution: to provide better information about officer delegation

17. Clients often ask questions about the decision, especially to find out if their representations have been dealt with. They usually need to be able to find the officer’s report, the approved plans, the decision notice and the minutes of the meeting to have a full record to know that the officer has ‘seen it from the 3rd party point of view.’

Recommended resolution: ensure that officer reports are clear and complete; and all documents are available after the decision is made.

18. Clients who are not satisfied with the outcome often ask how they can challenge the decision or complain.

Recommended resolution: information about challenging decisions through the Council’s scrutiny panel and complaints procedures should be posted in accessible locations.

Appeals

19. Many clients ask how they can be involved if the applicant appeals against a refusal.

Recommended resolution: ensure that up to date information is available to third parties about the procedures.

J.Rogers
March 2010

**A List of Lost Employment Sites
along the A65 Corridor 2010. [not definitive].**

Guiseley.

High Royds Hospital Site.
Silver Cross Site.
Crompton Parkinson Site,
Springfield Mill.

Yeadon

Former Gas Works.
Scott & Rhodes Mills.
Kirk Lane Mills.
Former South View Infant School.
Airport Depot [car parking].

Rawdon.

Cartwright Mills.
Former Littlemoor School.
Woodlands Hospital Site.

Horsforth.

New Roadside Hotel.
Hawksworth Garage Site.
Broadgate Trading Estate.
Nuffield Hospital Site.
Troy Mills Site.
Former St. James School site.
Woodside Mills site.

*Woodside Quarry [in Weetwood Ward with co-terminus
boundary, similar size to Clariant, below].*

Charley Browns/ Dickinsons yard, Low Lane.

Clariant/Riverside Mills Sites.[540 Family Homes]

Kirkstall.

*Kirkstall Forge Site.[460 Family Homes+ Offices and co-
terminus Boundary with Horsforth]*

Council Mills[opposite Leisure Centre].

and,

Yorkshire Chemicals Site.

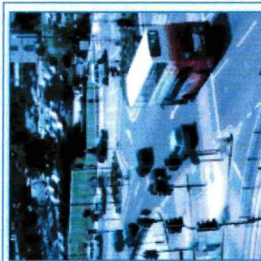
ASDA Site.

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TRANSPORT

The broad objectives of the UDP with its support for public transport, particularly Supertram, and other alternatives to the car remain valid. Some adjustment is, however, necessary to ensure that transport policy is consistent with and supports the general objectives of the UDP. In particular it will be important to:

- ensure consistency with national and local transport policy
- introduce a new Travel Plans policy as a future requirement of significant developments
- bring in detailed changes regarding the transport proposals and adjusting other policies to ensure a consistent approach in meeting objectives
- adjustment car parking guidelines to



SUSTAINABLE DEVELOPMENT

A better quality of life

Sustainable development is about making the right choices for the future. It is about ensuring a better quality of life for generations to come. We have produced a Sustainability Appraisal of the Review proposals so far to ensure that we are making the right choices. To help us do this, we have developed a set of principles of sustainable development for individual sites. We have published a Sustainable Development Appraisal of the Review proposals to ensure the commitment to sustainable development.

potential in the order of 34,000 dwellings. The study backs up previous studies and shows that it is not the purpose of the UCS to identify sites. It is about assessing potential and making a judgement about how much of it might be realised over the life of the Plan. A first draft of the UCS is being consulted on the website. The aim of the UCS is to ensure that all potential sites are identified and that the main urban area is properly developed to reduce the need to exploit greenfield land in less sustainable locations. The Council has undertaken a study which suggests housing



EMPLOYMENT - Loss Of Land For Other Purposes

The UDP aims to ensure that normally - land allocated for employment use remains available for that purpose. Despite this employment sites continue to be lost to other uses - with a particular problem in west/north west Leeds where new opportunities are scarce. We are also conscious that there needs to be a balance between providing local job opportunities and the need to recycle brownfield land for housing.



- The proposals clearly identify the local area within which the supply of alternative employment land will be assessed
- require adequate marketing for sites for employment purposes - use can be considered
- give preference to mixed use proposals

THE NEXT STEPS

- Your views will be considered by the Council's Unitary Development Plan Pack
- We will then turn the ideas into detailed policies and proposals for inclusion in the UDP
- The detailed changes to the UDP will then be published so that formal representations can be made.

can be made. We hope this will start in June 2003. We will consider any valid objections received during the deposit period. We will then see whether any manually agreed acceptable changes can be made. There will then be a further 6 week deposit period for any changes made as a result of the first deposit stage. It is hoped this will be before the end of 2003. Outstanding objections will then have to be dealt with at a public inquiry; this is unlikely to start before mid-2004. Consideration of the Inspector's Report following the public inquiry, publication of modifications and adoption of the UDP will then start in 2004. The UDP will then be published in 2005. The scale of objections and the length of the public inquiry.

HOW CAN I FIND OUT MORE?

As part of this consultation the Council has produced more substantial technical documents including a report on the scope and content of the Review; a compendium of more detailed papers covering the issues outlined here; including details of the Urban Capacity Study. All these documents are available for inspection at Council Libraries, One Stop Centres and at the Department of Planning and Environment in Merrion House. The documents are also on the Department's web pages, see below. If you have any questions then please contact the Department on 0113 2478000 (fax: 0113 2478015) or again use the Internet and we will do our best to help you.

PLANNING REVIEW

A special supplement of Leeds

Have your say on the future of Leeds



Leeds City Council is reviewing some aspects of the Unitary Development Plan. We are consulting at an early stage before details are agreed with the changes that are presented in this supplement.

- **Housing** - the main focus is on the phased development of brownfield sites, better design and the ability of brownfield sites to support longer term development on the eastern fringes of the city. See Green Belt - Almost 400 hectares of the city can be previously identified as suitable for longer term development could be returned to the Green Belt. See list and map inside.
- **Compulsory purchase** - provides where necessary and to deal with student accommodation. See map and features inside.
- **Transport** - strengthen support for public transport contributions to public transport training opportunities.

What is the Leeds Unitary Development Plan Review? The Leeds Unitary Development Plan is the main planning document for the City Council on 1st August 2001. It is the statutory development plan for the Leeds area and forms the basis for the UDP on land use planning. The UDP sets out the new development and provides a range of planning policies that are used to judge planning applications. The current Plan is relatively new but many years to progress to adoption. As a consequence it is not completely in line with current national planning policy. Therefore an early review of the Plan

The special supplement sets out the six key themes that the UDP will be reviewed and highlights issues and proposals under consideration:

- **Sustainable Development** - encourage regeneration and encourage occupiers of new developments to use public transport. See back page
- **Employment** - encourage marking of sites for employment and give greater flexibility to mixed land use proposals. See back page.
- **Green Belt** - Almost 400 hectares of the city can be previously identified as suitable for longer term development could be returned to the Green Belt. See list and map inside.
- **Compulsory purchase** - provides where necessary and to deal with student accommodation. See map and features inside.
- **Transport** - strengthen support for public transport contributions to public transport training opportunities.

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part improvements and by introducing travel plans to encourage occupiers of new developments to use public transport. See back page

At this stage, we are seeking general views on those changes received we will prepare in the light of comments (see the back page).

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What will the Review cover? It will be a comprehensive review of the UDP rather than a complete replacement of the plan, concentrating on matters where the UDP is clearly out of date. The changes proposed stem from national and local policies which now emphasize the need to regenerate brownfield areas and to make maximum use of previously developed sites (brownfield land). The main focus of the Review is to:

- achieve urban regeneration
- realise the aspirations of the UDP to regenerate the City
- promote the shared values of housing land giving priority to brownfield sites

We are aiming for a rapid review. A full review of the UDP will follow in a couple of years. The Review will promote the shared values of housing land giving priority to brownfield sites.



For more information please visit our web site at www.leeds.gov.uk/planning

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HOUSING - Striking the right balance

We can limit the use of greenfield sites by concentrating on previously developed land (brownfield) sites and facilitating the release of land for new housing. All the new housing required up to 2016 can be provided on brownfield land and sites that already have planning permission. Our task is to keep the use of greenfield land to a minimum. We have been asked by Regional Planning Guidance (approved by the government) to provide land for 1930 new homes a year until 2016. We have undertaken an Urban Capacity Study to assess the potential of the main urban areas to one housing needs. We think that:

- most of our needs can be met on brownfield land within the main urban area
- new development must not lead to town

continuing or to be at the expense of valued green space - careful design and transport links are essential. Local needs and circumstances should be taken into account, especially needs for affordable housing

some planned greenfield development may be necessary in the longer term.

The proposals in the first phase to 2011 concentrate on brownfield land defined in the Urban Capacity Study (UCS), together with releasing strategic locations; supporting brownfield regeneration projects; and accommodating pressures in areas of high demand

strategic allocations (see Map below) are proposed at - East of Otley - Thorpe Arch - Bramley - Beeston/Holbeck - Allerton - Hunslet - Horsforth - residential potential in the Airedale Valley

in the second phase, after 2011, will be to release greenfield sites for development on the eastern fringe of the main urban area



Affordable housing is required for those households unable to pay private rents. Current UDP policies are not sufficient to meet the need for affordable housing. We have set new benchmark levels of affordability. Current UDP policies only apply to sites of 25 dwellings or more than 1 hectare but could apply to smaller sites

The proposals:

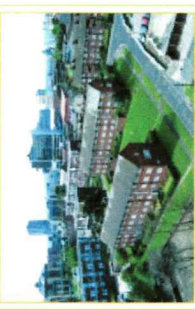
- lower the thresholds at which affordable housing will be negotiated for the main areas of the District
- set affordable housing targets for the strategic housing sites

main built up areas starting with the existing housing allocation at Grimes Dyke and expanding to include land within a new outer relief road extending from the Wetherby Road to Thorpe Park

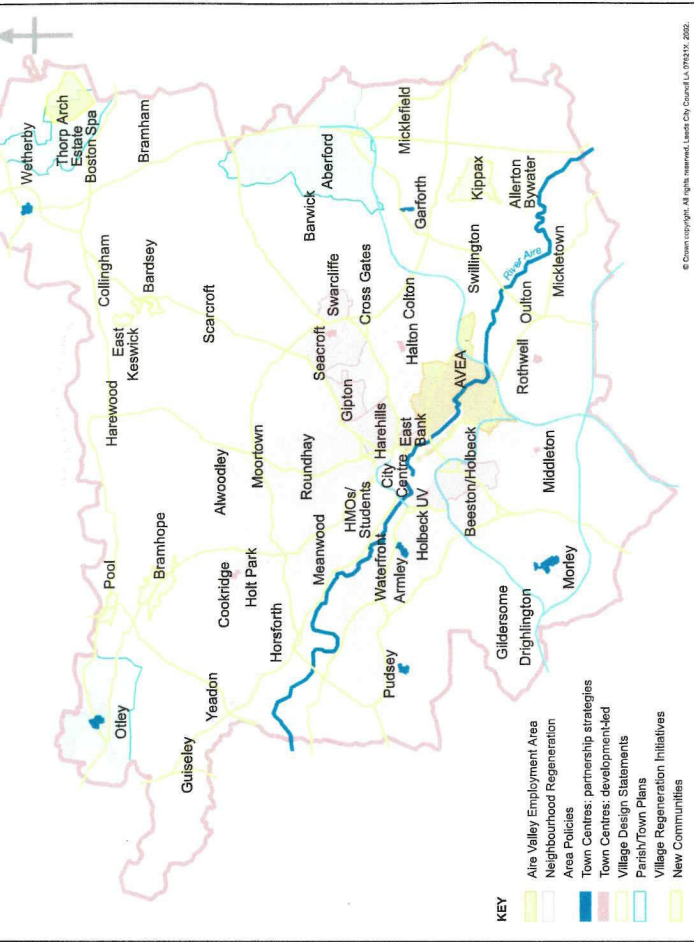
after 2011, the supply from the above release of existing greenfield allocations will be considered

Supplementary Planning Guidance (SPG) is to be issued covering residential development in the main urban area, that higher density and a reduction in the quality of life

Neighbourhoods for Living, and A Neighbourhoods for Living, and A Development have been published for consultation.



REGENERATION AND OTHER AREA INITIATIVES



- KEY**
- Airedale Employment Area
 - Neighbourhood Regeneration
 - Area Policies
 - Town Centres; development-led
 - Village Design Statements
 - Parish/Town Plans
 - Village Regeneration Initiatives
 - New Communities

EXTENDING THE GREEN BELT

We have considered the need for land for housing beyond 2016 and concluded that the green belt is not needed. The sites are generally not well suited to development. The land was not needed for this purpose.

Areas from the proposal to put PAS in the green belt, if included in a review of the Plan, the sites are greenfield and in general were previously in the green belt. It will be considered in this selective review.

The Proposal

- Return the PAS sites not forming part of the housing package to the green belt - the sites to be returned to green belt are (see the map opposite):
 - Breary Lane East, Bramhope
 - Canada Road, Yeasdon
 - Haw Lane, Yeasdon
 - Sally Road, Garforth
 - Hill Lane, New Mickelfield
 - Moorgate, Kippax
 - Low Moor Farm, Morley

REGENERATION

Together with the recently introduced Community Plans there is now much greater emphasis on working with local communities to find solutions to address their concerns. The UDP Community Strategy (The Vision for Leeds) places a focus on addressing the social and economic concerns as well as physical change.

local initiatives by:

- Greenland Farm, Otton
- Royds Lane, Rothwell
- Piffard Road, Carlton
- Mickleton Road, Methley
- Low Moor Side, New Farmley
- Green Lane Grove Road, Boston Spa
- Leeds Road, Collingham
- Spofforth Hill, Wetherby
- West Park, Boston Spa
- Chapel Lane, Clifton
- The Ridge, Lanton
- Wood Lane, Scholes
- Park Lane, Allerton bywater

REGENERATION

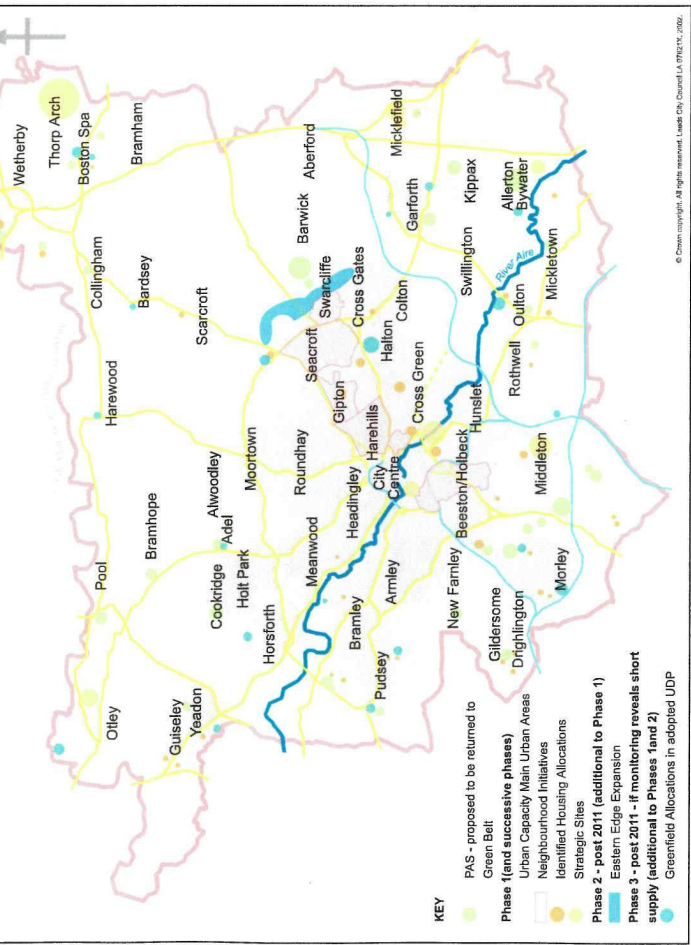
explaining our approach to area based work:

- identifying the types of area-based initiatives, their purpose, and the partners and processes involved
- identifying initiatives currently underway and planned are shown on the map. Over time these areas will change as projects are completed and new ones added.

The Proposals

- set out the basic principles to guide future regeneration activity
- provide a framework for regular review to ensure the Plan remains up to date
- make clear that resources/support will be directed to the regeneration areas, neighbourhood renewal, town centre initiatives, developing new communities and local action such as provide statements for each area to describe the proposal
- provide statements for each area to describe the proposal
- partners and timescale
- include new policies to signal the Council's willingness to use its compulsory purchase powers to assist regeneration when employment opportunities for local people as part of major projects through the planning application process
- address student housing problems in northwest Leeds

HOUSING AND PROTECTED AREA OF SEARCH PROPOSALS



- KEY**
- Green Belt
 - Phase 1 (end successive phases) Urban Capacity Main Urban Areas
 - Identified Housing Allocations
 - Phase 2 - post 2011 (additional to Phase 1) Eastern Edge Expansion
 - Phase 3 - post 2011 - if monitoring reveals short supply (additional to Phases 1 and 2)
 - Greenfield Allocations in adopted UDP

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