

Development Plan Panel

Tuesday, 12th October, 2010

PRESENT: Councillor R Lewis in the Chair

Councillors B Anderson, G Driver, C Fox
and J Lewis

25 Election of Chair

In the absence of Councillor Taggart, Councillor Richard Lewis was nominated to chair the meeting with the agreement of all present

26 Late items

Whilst there were no formal late items, Members were in receipt of the following supplementary information:

Amendments to figure 4.2, 4.2 and additional text to paragraph 4.26 of the submitted report in order to improve the clarity of the document

A Sustainability Appraisal – Non-technical summary – Consultation Draft

Two maps indicating the mineral and waste management sites in the Leeds area

The Natural Resources and Waste DPD Map book

27 Declaration of interests

No interests were declared at the meeting

28 Apologies for Absence

Apologies for absence were received from Councillor Taggart, Councillor Leadley, Councillor Smith and Councillor Nash who was substituted for by Councillor Driver

29 Minutes

RESOLVED- That the minutes of the Development Plan Panel meeting held on 7th September 2010 be approved

30 Natural Resources and Waste Development Plan Document - Publication Draft

Further to minute 8 of the Development Plan Panel meeting held on 22nd June 2010 where Panel considered a report outlining the initial comments on the consultation exercise on the Natural Resources and Waste Development Plan Document, the Panel considered a report of the Director of City Development and the publication draft of this Development Plan Document (DPD)

The Head of Forward Planning and Implementation presented the report and stated that if Panel recommended to Executive Board that the DPD be approved for

further consultation, this would take place and following reconsideration of the submissions and any necessary amendments to the document, it would be submitted to the Secretary of State for independent examination

Members were informed that the DPD was a positive way of dealing with a range of challenging issues which were interlinked. An integrated approach had been adopted and appropriate policies had been developed to minimise detrimental impact and mitigate areas of concern

The proposed policies in respect of minerals; waste; energy; water; air quality and land were outlined together with information being provided on the implementation and monitoring of the policies

Officers provided an overview of the policies within each policy topic, together with the following summary information:

Minerals Policies 1 – 14)

- Minerals 1 – Provision of aggregates – this policy related to the desire to maximise the opportunities to recycle aggregates
- Minerals 2 – Mineral Safeguarding Areas – Within areas identified as MSAs on Map 3, mineral resources would be protected from development which could sterilise them for future use
- Minerals 3 – Safeguarding existing mineral extraction sites – the focus of the policy is upon safeguarding identified existing sites
- Minerals 10 – Applications for mineral development – this set out the detailed criteria on which applications would be assessed
- Minerals 11 and 12 – Restoration of mineral sites and Aftercare of restored proposals - concerns were raised about this and what assurances could be given that restoration of a site would take place where the company responsible for this had gone into liquidation/administration. The Minerals, Waste and Contaminated Land Manager stated that there was no failsafe system if an operator goes into liquidation, apart from on open cast coal sites as a bond had to be provided. However, this situation had not occurred in Leeds; that the land always had some residual value; that the planning permission related to the land, not the owner and there was recourse in the system if it was rigorously applied

Waste (1 – 11)

- Waste 1 – Self sufficiency for future waste management in Leeds – this policy sought to encourage self sufficiency in planning for future capacity requirements
- Waste 6 – Strategic Waste Management sites – the purpose of this policy is to identify strategic sites for future waste management purposes
- Waste 9 – Waste management facilities – Potential issues and impacts – this policy set out the criteria upon which applications for waste management purposes would be assessed
- Waste 10 – Landfill issues – that although landfill was not now seen as the solution in terms of waste management, this policy did provide the possibility for additional landfill at existing or former quarry sites, where a proven need had been demonstrated; with the option of land raising being considered if quarry sites were not available. In response to a query as to whether land raising would be used where it fitted in with its surroundings, Members were informed that there needed to be a

reason for wanting land raising in order to exempt it from landfill tax and in terms of this policy, the rules around landfill tax was critical to the policy

Energy (1 – 4)

- Officers emphasised that in recent years the whole issue of energy had come to the fore in respect of planning and that a proactive approach which supported a range of energies and technologies was the basis of the proposed policies which also sought to encourage renewable energy technologies in the district
- Energy 1 – Large scale wind energy generation – this policy sought to balance the benefits of wind turbines (in terms of energy generation) with its impact on amenity. Members referred to previous discussions around an appropriate site for a large wind turbine and asked about the current position. Officers stated that the approach which would be taken would be to have a criteria policy, which would be used to assess any application which was submitted and that specific sites would not be identified. The Panel was also informed that technology in this area was constantly evolving and that there was now a move to vertical axes instead of horizontal axes which could mean wind turbines would be less of an obstruction
- Energy 2 – Micro-generation development – the purpose of this policy is to set out criteria to consider proposals for Micro generation development, where such schemes were not covered by the General Development Order (GDO)
- Energy 4 – Heat distribution infrastructure – that this policy sought to support this as part of major developments

Water (1 – 7)

- That the objectives of the proposed policies related to issues around flooding, water quality and efficiency and that from a planning perspective, issues of efficiency and quality should be included at an early stage and that the impact of development on these issues also had to be considered
- Water 2 – Protection of water quality – Concerns were raised at the wording of this policy and that it would be better expressed if the order of the two bullet points it contained were reversed

Air quality

- That the proposed policies sought to highlight the importance of air quality and low emissions and that further work was being undertaken on this, and that consideration was being given to the preparation of a Supplementary Planning Document on air quality. Concerns were raised that the issue of air quality was not being given the priority it deserved in the document; that the role of the Council in this, particularly in inner city areas was not as well expressed as it could have been and that there was some urgency about this issue. The Head of Forward Planning and Implementation stated that this level of detail would be included in the SPD

Land

- Land 1 – Contaminated land – that this policy flagged up the need for contaminated land to be dealt with
- Land 2 – Development and trees – the need for increased tree cover to be provided. Members discussed this policy; the requirement for trees which were planted as part of a planning permission to be maintained only for a period of five years and whether this could be strengthened to provide protection for a longer period, despite this not being consistent with planning policy. Similarly the size of replacement trees needed to be considered to ensure that mature trees/planting were not replaced by very young species which would take many years to provide a similar impact to that which had been removed. Members were informed that the policy would be strengthened as much as possible

RESOLVED –

- i) To note the report, the accompanying documents and the comments now made
- ii) That the following amendments be made to the Natural Resources and Waste DPD:
 - Water 2 – that the order of the two bullet points in this policy be reversed in order to read better
 - that the chapter on air quality be included towards the front of the document to reflect its importance
 - Land 2 – Development and trees – that consideration be given to strengthening this policy to reflect the comments by Members
- iii) To recommend to Executive Board that it approves the Natural Resources and Waste DPD (as amended) together with the sustainability appraisal report and other relevant supporting documents for the purposes of publication and public participation

31 Date and time of next meeting

Tuesday 9th November 2010 at 1.30pm in the Civic Hall, Leeds