

Development Plan Panel

Tuesday, 8th March, 2011

PRESENT: Councillor N Taggart in the Chair

Councillors B Anderson, C Fox, T Leadley,
J Lewis and R Lewis

45 Late items

Although there were no formal late items, Members were in receipt of the following additional information (minute 48 refers):

Revised appendices 1 and 2 providing an improved layout to assist in reading the report

Plans showing minor revisions to the site boundaries to the Knostrop site boundary and the Skelton Grange site

46 Declaration of interests

The following Members declared personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct:

Councillor J Lewis – declared a personal interest through being a member of the Community Liaison Committee for Methley Quarry as the report makes reference to the Quarry (minute 48 refers)

47 Minutes

RESOLVED- That the minutes of the Development Plan Panel meeting held on 7th December 2010 be approved, subject to a minor amendment at minute 43, in respect of gypsy and traveller sites to read ' The AMR had subsequently been amended to include provision of three pitches during 2009/10 (indicator H4)

48 Natural Resources and Waste Development Plan Document (NRWDPD) ' Formal Submission'

Further to minute 30 of the Development Plan Panel held on 12th October 2010 where Panel considered a report and publication draft of the Natural Resources and Waste Development Plan Document (DPD), Members considered a report of the Director of City Development requesting Panel to recommend to Executive Board that the DPD be approved by Council for submission to the Secretary of State for independent examination

The Head of Forward Planning and Implementation presented the report and explained that the Natural Resources and Waste DPD would be the first DPD of the Local Development Framework (LDF) to be subject to formal submission and examination

A total of 28 responses to the final publication consultation (which took place from 15th December 2010 to 9th February 2011), were received, with these being set

out in Appendix 1 together with the Council's response to those comments. Appendix 2 comprised a schedule of consolidated proposed amendments to the DPD which, if agreed, would be submitted with the accompanying DPD to the Secretary of State. It was anticipated that examination would commence early/mid summer

Officers outlined the responses which had been received on the DPD

Of the responses received to the latest round of consultation, most related to the minerals section of the DPD, with Leeds being urged to do more to specify what the Authority was doing to meet minerals requirements. North Yorkshire Council had raised concerns on this matter and it was felt this would be the subject of debate in the independent examination

Members were informed that it was not considered possible to calculate a Leeds apportionment. An error in the original document was being rectified through an amendment which was being proposed which stated a regional apportionment for West Yorkshire, this being 5.5 million tonnes of sand and gravel and 17.8 million tonnes of crushed rock for the period 2001 to 2016. It was felt that it would be necessary to explain to the Inspector that there was not an apportionment for Leeds

In terms of the timescale of the regional apportionment ie up to 2016, the DPD went beyond that to 2026 and this was something the Minerals, Waste and Contaminated Land Manager would take up at the Regional Aggregates Working Party (RAWP)

Officers considered that the approach being adopted to this was felt to be sound and reasonable and that the Midgely Farm sand and gravel allocation and areas of search met the need

Arising from the consultation, the need for a specific sand and gravel allocation at Methley had been raised by the minerals operator Lafage and whilst Officers had requested more detailed information to consider this, none had been provided, consequently the broad location identified in the DPD is retained as an 'Area of Search', rather than a specific allocation

Representations by the Coal Authority sought developers to be encouraged to extract coal prior to development commencing. Whilst the Coal Authority had required this for all sites, it was felt there could be occasions when this would be too onerous so the wording had been amended to '... applicants should always consider the opportunity to recover any coal present ...'

The Coal Authority's request for a coal mining risk assessment where previous mining had taken place had been accommodated and it was hoped this would be sufficient to enable the objection to be withdrawn

Highways had commented on the minerals section and had raised concerns regarding the transport movements on the network, with Officers of the view that these concerns could be alleviated with a minor amendment

Arup on behalf of Aire Valley Environmental were supportive of the DPD but had requested a minor boundary amendment to the Knostrop site to reflect land ownership. Officers were recommending the proposed boundary alteration

Keyland Developments Ltd had raised an objection, although a subsidiary, Yorkshire Water, supported the aspiration for a zero waste city. In terms of strategic waste sites, there were three sites identified in the plan although it was considered one would not be required. Once it was established which of these sites would come forward for this use, the remaining site would be available for other forms of development. Members were advised that some alterations to clarify the text to reflect this could be sufficient for Keyland to withdraw their objection

In respect of the Biffa site, a further amendment to the site boundary was proposed to enable the pipe work and sub-station to be excluded

An objection had been received from Npower as concerns had been raised about the restriction placed on them by site allocation. In addition a reduction in the red line boundary was requested. Members were informed that no changes would be made, especially to the site boundary as an application for an Energy from Waste facility had not yet been made

Three representations had been received from residents regarding incineration although the issues raised did not fall within the remit of the DPD. Members were informed that there was scope to contact these respondents to explain the issues which could be considered in the DPD

English Heritage had requested a stronger emphasis on heritage in the strategic objectives of the DPD. Officers were of the opinion that amendments could be made which would include an emphasis on re-using local stone and it was hoped the proposed amendments would enable English Heritage to withdraw their objection

Regarding wharves and rail sidings, Officers reported an objection from British Waterways in respect of the Old Mill Lane site at Hunslet, which was a safeguarded wharf and was possibly the only purpose-built wharf remaining in Leeds. In the DPD this was marked for retention but British Waterways felt that the site could be developed for alternative uses (housing). Network Rail had also objected to the safeguarding of the wharf as they considered this was inconsistent with the regeneration objectives in Aire Valley Leeds

Members were informed that greater clarity about the meaning of 'regeneration' was needed ie this referred to a mix of uses rather than solely housing

An objection had been made by Towngate Estates Ltd regarding Bridgewater Road as the site had originally been proposed for housing in the Aire Valley Area Action Plan (AVAAP) at the 'Preferred Options' stage but that this had been reconsidered due to the substantial flood risk of the site

The Head of Forward Planning and Implementation explained the procedure if the DPD was approved for examination, which was likely to be a round table discussion

Members commented on the following matters:

- whether the Inspector could be critical that the Regional Aggregates Working Party (RAWP) meetings had not resulted in a figure for Leeds being provided. Members were informed that an Inspector could not impose a figure but could only consider the approach taken, which was felt to be sound and reasonable
- that local Members strongly supported the policy in respect of Pool
- that only a small amount of sand and gravel had been extracted from the Methley site recently and much of this had been transported out of the area
- there was support for the proposed approach of considering this on a regional basis
- regarding coal extraction prior to development, a suggestion was made that the text should state this would be on the best available information as the Coal Authority was not aware of all sites which harboured coal

- concerns that developers did not routinely extract coal prior to development commencing but an acceptance that in some cases this would be uneconomic
- the possibility of fire risk if coal was not removed
- the future of Neville Hill Rail Depot and its strategic importance but that this was an issue beyond the immediate scope of the NRWDPD
- if the plan was approved, whether further changes could be made. The Head of Forward Planning responded by stating that if approved, any subsequent changes would need to be directed to the Secretary of State for consideration

RESOLVED - To request Executive Board to recommend to Council to approve the Natural Resources and Waste Development Plan Document (together with the proposed changes detailed in Appendix 2 of the report, together with the boundary revisions as presented and the further amendment to page 9 of the covering report, to change the word 'for' to 'against' in the 4th line) for submission to the Secretary of State for independent examination, pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004

(During consideration of this matter, Councillor Anderson left the meeting)

49 Date and time of next meeting

Tuesday 5th April 2011 at 1.30pm in the Civic Hall, Leeds