

## **Development Plan Panel**

**Tuesday, 10th January, 2017**

**PRESENT:** Councillor F Venner in the Chair

Councillors B Anderson, C Campbell,  
M Coulson, C Gruen, T Leadley, R Lewis,  
J McKenna, K Wakefield and N Walshaw

### **48 Appeals Against Refusal of Inspection of Documents**

There were no appeals against the refusal of inspection of documents.

### **49 Exempt Information - Possible Exclusion of the Press and Public**

The agenda contained no exempt information.

### **50 Late Items**

No formal late items of business were added to the agenda, however Members were in receipt of two supplementary packs relating to "Site Allocations Plan Public Consultation on Revised Publication Draft Proposals for Outer North East Housing Market Characteristic Area" (minute 55 refers):

Pack 1 - Related to Appendix 5 of the report and contained a précis of the main changes to the Sustainability Appraisal;

Pack 2 – contained addendums to Appendices 1, 2 and 4 of the report

### **51 Declaration of Disclosable Pecuniary Interests**

No declarations of disclosable pecuniary interests were made, however Councillor Coulson reported that he had received a number of email representations in relation to Agenda Item 7, but had had no personal contact with those making the representations and had directed the emails to relevant officers.

### **52 Apologies for Absence**

Apologies for absence were received from Councillor J Procter.

### **53 Minutes**

The Panel noted a request to amend Minute No.45 Core Strategy Selective Review in order to read:

**"RESOLVED** – That, having considered the contents of the report and the comments made during discussions, the Panel agreed to *recommend to Executive Board* to commence a Selective Review of the Core Strategy and agreed the following:

- a) the targeted scope of the Review
- b) the timetable to progress the Review as;
  - i. Evidence gathering, scoping and early consultation: Early 2017
  - ii. Drafting the Plan for Publication: Spring 2017
  - iii. Formal consultation (6 weeks): Summer 2017
  - iv. Consideration of responses and submission with any necessary modifications: January 2018
  - vi. Examination: Spring 2018

- vii. Adoption Summer 2018
- c) to note that future reports will include the Site Allocations Plan timetable for reference”

**RESOLVED** – That, subject to the inclusion of the amendment above, the minutes of the Development Plan Panel meeting held on 22<sup>nd</sup> November 2016 be approved.

#### **54 Matters Arising**

Minute 45 Core Strategy Selective Review – It was reported that an invitation to tender for a Strategic Housing Market Assessment (SHMA) had been prepared and released with a deadline of end of February 2017. The tender included reference to a SHMAA reference group to include stakeholders, officers, Councillors and Community Interest Groups.

#### **55 Site Allocations Plan public consultation on Revised Publication Draft proposals for Outer North East Housing Market Characteristic Area: Outcomes & proposed Pre-submission Changes; further pre-submission changes to rest of the SAP**

Further to minute 24 of the meeting held 19<sup>th</sup> July 2016, the Chief Planning Officer submitted a report which provided a summary review of the public consultation outcomes for the Outer North East Housing Market Characteristic Area (ONE HMCA) and outlined any proposed pre-submission changes arising from that consultation. Consideration of the changes would bring the ONE HMCA in line with the rest of the Site Allocations Plan (SAP) as a consolidated document - and as a set of pre-submission changes for consideration by Executive Board on 8<sup>th</sup> February 2017.

The report identified the key issues arising, which go to the “soundness” of the SAP – the basis upon which it will be examined in due course. Based on the outcomes of the ONE consultation and further technical considerations, the report also referred to a number of proposed changes to the Publication Plan and detailed new sites in the ONE which had been submitted for consideration during the consultation process. Appendix 1 of the report contained assessments of the proposed sites; including comments from infrastructure providers and sustainability appraisals.

Additionally, the report detailed some further proposed pre-submission changes for the wider SAP for completeness, as a result of minor technical changes and updates since the June and July 2016 DPP meetings. Appendix 4 contained the proposed changes along with a commentary as to whether the change was ‘substantive’ or ‘non-substantive’ (a change which did or did not materially affect a policy or allocation).

The report included the following appendices:

Appendix 1 – ONE HMCA Site Assessments and consultation responses

Appendix 2 – Revised Policy wording for MX2-39 Parlington

Appendix 3 – Plans showing changes to boundaries of sites or new sites

Appendix 4 – Additional changes to the rest of the SAP, not including ONE HMCA

Appendix 5 – Sustainability appraisals of new sites submitted

In introducing the report, the Chair explained the background to the ONE HMCA being considered separately to the rest of the SAP – namely the withdrawal of the Headley Hall site for housing by the landowner. She noted the number of representations received during the subsequent consultation period and commented that changes to the SAP were suggested where a representation raised an issue relating to the soundness of the Plan. Additionally Councillor Venner noted receipt of a number of representations after the consultation had ended and further representations received after the agenda for this meeting had been published; and reported that all representations received would be presented to the Planning Inspector at the point the SAP was submitted for Inspection. Additionally, the Panel had not reviewed all the submissions to the ONE HMCA consultation, although they were all available to view on-line. The contents of the representations were précised in the report before the Panel.

The Group Manager (Policy and Plans), presented the report and cross referred the supplementary information with the report and relevant appendices, indicating amendments, updated information and corrections where necessary and reflected on the history of the ONE HMCA, resulting in proposals for Parlington (5000 homes) and the expansion of Wetherby (1000 homes). 4073 individual issues had been raised during the consultation on the proposals, the vast majority focussed on Parlington proposals and housing, and also the approach taken to creating a community.

Some comments received concerned the Core Strategy Selective Review, discussed by Panel on 22<sup>nd</sup> November 2016, when the need for a Strategic Housing Market Assessment had been recognised by Panel. To this end, a report will be presented to Executive Board on 8th February 2017 which will recommend that a SHMA is in place by June 2017 so both the SAP and SHMA can be considered together.

Turning to the individual issues of ONE HMCA arising from the consultation, the following was reported in relation to:

#### **MX2 – 39 PARLINGTON**

3000 objections had been received raising 4073 individual issues, including the scale of the development; impact on local services; impact on transport; impact on local heritage and assets and the impact on the current recreational use of the site

Historic England had raised concerns over heritage, archaeology and conservation; and development of the southern part of the site and the former Deer Park.

Highways England continued to undertake transport modelling however an informal response identified concern over the scale of the 5000 homes proposed as significant mitigation measures would be required. However, Highways England had suggested that 1850 units could be achievable on site with mitigation works.

5000 homes – the drop-in sessions had identified a major concern as the scale of the development of 5000 homes. Officers suggested that the evidence to remove the proposal for 5000 homes from the SAP at this stage was not apparent and it was still beneficial to identify the whole application boundary as an indication this formed an appropriate site for development. However, a focus of the SAP at this point is the development of the northern part of the site, in order to remove the pressure off the

Deer Park element of the site. This will deliver 1850 homes and was reflected in the map at page 111 of the report where the red line boundary showed proposed Phase 1 – the development of 1850 homes - and the whole site boundary was defined in orange.

The site proposers would be required to develop a Master Plan and Development Brief in order to justify the development of the larger 5000 unit development. Therefore, the current position was set out as being that 1850 homes on the Parlington site was sustainable and could be self-reliant with a level of local service provision.

The Comprehensive Masterplan provides both the Council and the site proposer with assurance over what is required on site and would allow for further local consultation. Additionally, an additional drop-in session would be arranged at the request of local ward councillors

### **HG 2-226 LAND TO THE EAST OF WETHERBY**

113 representations had been received during the consultation, focussing on traffic generation and loss of openness (rural land). Appendix 1 contained the suggested changes in response to these issues, including the requirement for ecological, heritage, flood risk and highways assessments to be undertaken

2 new areas were proposed for inclusion, the northern site being a former highways depot and the southern site being a former site compound.

Local issues relating to overspill lorry parking and commuter parking had been raised. It was noted that officers had contacted landowners and Harrogate District Council about the concerns they had raised, with a view to discussions being held about how Harrogate could manage this on their land.

### **4066 WOOD FARM, SCARCROFT**

Further correspondence had been received from the site proposer and in response, officers had assessed a smaller area but this had been discounted as it fell outside the settlement hierarchy.

Having received the information and update on the ONE HMCA, the Panel discussed the following in respect of the **PARLINGTON** proposal:

**Parlington Boundary** - Noting that these were now outside of the red line boundary for 1850 homes development, the Panel received assurance that the Comprehensive Masterplan approach would deliver management of the woodland, hedgerow and archway. The orange line boundary indicated the total site (5000 homes) covered by the proposed Masterplan

**Traffic generation** – In response to concerns raised about traffic generated by this large site which in all likelihood would be car based dwellers, officers responded that the site proposers would have to undertake more work in order to achieve a sound plan to present to the Inspector. Highways England modelling would have an impact; and may require new linkages and roads. The site development plan (as part of the Comprehensive Masterplan) must also consider impact on existing traffic network

**Statutory consultees** – Responding to a query regarding the anticipated representations from Historic England and the Highways Agency, it was noted Highways England had indicated their response would be submitted by the end of January and this would be verbally reported to Executive Board. In respect of Historic England, it was suggested that the reduction of the scale of the development through the removal of the development of the Deer Park would deal with one of the issues raised. Additionally, this was private land with permissive pathways. The historical assets required a lot of support and a Comprehensive Masterplan could deal with the improvement and future management of the assets.

**Civic Amenity** – Responding to a query regarding the level of civic amenity anticipated, officers reported that the site proposers originally anticipated 2 developments on the site, working together, with their own centres and schools. Now that development is proposed to be phased, the proposers were looking to provide a good range of facilities similar to those available in similar sized villages such as Barwick. The Comprehensive Masterplan would be required to consider larger infrastructure – such as education provision - should development of Phase 2 come forward. A school may start as a primary school, but as the site development progresses the school may grow to be a through-school into secondary provision. In response to a concern over the change to one school from the two schools initially proposed; Members received assurance that two schools were still envisaged, one of which could keep the ability to become a through-school when the 5000 homes were developed

**Safeguarded Land** – In response to a query, officers confirmed that there was no change to the amount of safeguarded land proposed, however this was challenged, as the ONE HMCA had changed since inception – in that Parlington and expansion of Wetherby was now proposed rather than the original Headley Hall proposal. It was agreed that the report to be presented to Executive Board would detail the quantum of safeguarded land.

**Sustainability** – In order for the proposals to be sound, they had to be sustainable – the supplementary pack set out the sustainability indicators against which each site had been tested – and if deemed necessary, a site requirement had been created to ensure sustainability of the site.

Additional comments raised the following issues:

**Infrastructure** – recognised the site required an amount of expensive infrastructure, which would present an element of risk to the developer.

**Housing target** – acknowledged local residents' concerns over the release of Green Belt land now, when the Leeds housing target may be reduced

(Councillor R Lewis withdrew from the meeting)

**Scheme delivery** – recalled other sites where Members had received assurance that the right controls were in place to ensure delivery – such as Menston Village which had not delivered the proposed amenities; and Kirkstall Forge which had delivered office use but only recently had the applicant applied for residential permission. Reassurance was sought to ensure future developers delivered the amenities as set

out in the Plan, noting the response that provision would be market led. The Comprehensive Masterplan and Supplementary Planning Document will provide as much assurance about the delivery of all aspects of the proposed development as possible.

(Councillor R Lewis re-joined the meeting)

Five Year Land supply - Noted that at recent appeals, the Government Inspectors' had commented that Leeds did not have a 5 year land supply and had not delivered new homes in accordance with the Core Strategy target. Members reiterated that planning permissions were still being granted by the Council, but the private development sector had not delivered the new homes.

### **LAND EAST OF WETHERBY**

School provision – In response to a query regarding provision of a 2 form entry school, officers clarified that '2 form entry' was the usual descriptor for the reasons identified in the education background paper. As per Government legislation, any new school will be a Free School and as a private developer it will be 2 Form entry. It was noted that officers agreed to clarify the wording in respect of the 2 Form entry school.

(Councillor K Wakefield left the meeting at this point)

The Team Leader Local Plans, Policy and Plans introduced Section 5 and supplementary Appendix 4 which summarised the **CHANGES TO THE REMAINDER OF THE SAP**, brought about through updated flood risk assessments, site requirements and the outcome of the HS2 route.

**HG2- 229 The Old Mill Yeadon** - to be added to the sites listed for older persons housing

**HG2 – 49. Weetwood** – Councillor Campbell stated that City Plans Panel was due to consider a report on an application for this site on 12<sup>th</sup> January 2017. He recalled that Development Plan Panel had on two occasions removed HG2-49 from housing allocation as the site was currently within the Green Belt, however the Panel had been informed that the site should be within housing allocation as it provided for an enabling development. Members heard the view that the persuasive argument that the site should be allocated for housing had fallen and as such, Councillor Campbell proposed a motion to remove site HG2-49 from housing allocation in the SAP and return it to Green Belt allocation. This motion was seconded by Councillor B Anderson

The Chair recalled that Panel had considered the site on a number of occasions, including a specific report on this HG2-49 site (Weetwood North HMCA) and also HG2-167 (Tingley, Outer South West HMCA).

The Chief Planning Officer responded, recalling the Development Plan Panel meeting on 20<sup>th</sup> May 2015 which had considered the basis for the inclusion of both sites. Both sites lay within Green Belt, the fundamental question being – were they appropriate for housing? A secondary consideration being their role in supporting

development at Headingley Stadium. The descriptor 'enabling development' referred to consideration of future planning applications, not the SAP process: *"both sites were located in the Green Belt; were reasonably accessible; were assets held by the Leeds Cricket, Football and Athletic Company Ltd and were being put forward as enabling development for the benefit of securing international cricket at Headingley, however in terms of the SAP process, Members were informed this last point was a side issue"*

The Chief Planning Officer confirmed that the Council did not currently have an application to determine at either the Weetwood or the Tingley site and referenced minute 42 of 20<sup>th</sup> May 2015, where the Legal Adviser to the Panel had provided advice *"The Panel's legal adviser – the Head of Service, Strategy and Resources – advised Members that there were two separate processes; the preparation of the SAP which was for this Panel and any consideration of a future planning application which could run in parallel but would be for the Plans Panel to determine. The matter before the Panel today was to consider whether it was appropriate to allocate these two sites for housing in the SAP. As had been evidenced at previous meetings, as part of that process and in order to meet the housing targets in the Core Strategy, some sites were being proposed to be taken out of the Green Belt. The main focus of the report before Panel was to consider the Green Belt purposes and whether in order to meet the required target numbers, the sites could and should be taken out. In respect of the test of very special circumstances, this was a matter for the planning application process and an applicant would need to demonstrate their enabling development case at that time"*

The Panel heard that, at that time, the Panel had resolved to *"note the report and to advise that Development Plan Panel would support the allocation of both of these sites – 3378 Weetwood and 1143B Tingley – for housing"* and this had been based on consideration of the principle of development, not as special consideration of any future planning application. The sites had now been consulted upon during the HMCA consultation process and also been considered by Executive Board and officers would not recommend removing the sites at this point in the process.

Discussion continued recalling the process leading up to the 20<sup>th</sup> May 2015 decision, with a comment that the HG2-167 Tingley site was a much larger site, which could have gone ahead on its own merits. However there was a feeling that the Weetwood site would not have come forward if it hadn't been an "enabling development". A suggestion that the advice and its relevance needed to be revisited was noted.

Some Members expressed sympathy with the request to remove HG2-49 Weetwood however there were concerns over the impact this would have on the progress of the whole SAP process. A suggestion was made to defer this site specifically to the next DPP meeting however the timing of the next meetings of DPP and Executive Board would not make this possible and keep the SAP process on track.

As a way forward, the Chair suggested that Panel request officers reconsider whether there was still a need for HG2-49 Weetwood to remain allocated for housing in the SAP, with a report on those considerations to be presented to Executive Board. Additionally she recognised the concerns expressed about the wider implications of deferring the matter and suggested that the report to Executive Board explore this matter too.

Further discussion continued on whether there had been significant changes to warrant removal of HG2-49 Weetwood, and some Members felt that a report to the Executive Board exploring the issues would be beneficial with a further report to DPP to wrap up the special circumstances criteria.

Members were reminded that the role of the Panel was to make recommendations to Executive Board, if Panel was minded to recommend that HG2-49 should be removed, then officers could write the report setting out their reasons for their position and indicating the DPPs recommendation for the Executive Board to make the decision.

The Panel received advice from the Chief Legal Officer, highlighting that both HG2-49 Weetwood and HG2-167 Tingley sites had been acceptable to the Panel in May 2015; and that inclusion of the sites within the SAP was separate and distinct from future planning applications and consideration of special circumstances. Removal of the two sites now would require further consultation.

The Panel received advice on the risks of further delay in the SAP process, including the risk of planning permissions being granted prior to the SAP being in place and potential Government intervention if the SAP was not in place by the end of 2017. Additionally, the SAP was at risk from the assumption which could be made that the inclusion of the two sites had not been based on factually and objective assessments of the sites.

The Chair revisited her earlier suggestion that officers should be requested to reconsider the need for the continued allocation of the two sites HG 2-49 and HG2-167 within a proposed report to be presented to the February Executive Board to make a decision on the matter.

Councillor Campbell responded by reiterating that HG2-167 Tingley was not in question, as this site was very different to HG2-49 Weetwood and that there was no rationale for either site to remain allocated for housing. Councillor Campbell again proposed a motion to remove Weetwood HG2-49. In response, the Chief Planning Officer reiterated that the current position of the Council was that the sites remained allocated – the rationale had been clear on 20<sup>th</sup> May 2015 and that position was agreed by DPP therefore that was the latest position of the Council and the basis upon which the SAP had been consulted upon.

Having heard the detailed discussions, the Panel then considered the motion proposed by Councillor Campbell, and seconded by Councillor B Anderson to remove HG2-49 Weetwood from the SAP allocation for housing.

Noting that this was not supported, but mindful of the Panels' discussions, the Chair proposed an amendment to the recommendations as follows.

'That in relation to the proposed housing allocations at Weetwood (HG2-49) and Tingley (HG2-169), request that officers reconsider the need for their continued allocation in light of the recent withdrawal by the Cricket and Rugby Clubs of their planning applications for housing development. A report highlighting the implications and risks of removing the sites at this stage is to be provided to the Executive Board on 8<sup>th</sup> February 2017 to inform their consideration of the Plan.'



Following a vote, the Panel

**RESOLVED**

- i). To note the overall consultation outcomes for the Outer North East HMCA, summarised in this report
- ii). To agree the proposed changes to the Site Allocations Plan for the Outer North East HMCA, together with the updated sustainability appraisal report
- iii). To agree the further proposed changes to the Site Allocations Plan for areas outwith the Outer North East HMCA as detailed in the report
- iv). To recommend to the Executive Board that the proposed changes (pre-submission changes) detailed in (ii) and (iii) above, the updated sustainability appraisal report and other relevant supporting documents, are approved and advertised for pre-submission consultation
- v). That in relation to the proposed housing allocations at Weetwood (HG2-49) and Tingley (HG2-169), request that officers reconsider the need for their continued allocation in light of the recent withdrawal by the Cricket and Rugby Clubs of their planning applications for housing development. A report highlighting the implications and risks of removing the sites at this stage is to be provided to the Executive Board on 8th February 2017 to inform their consideration of the Plan.
- vi). To recommend that Executive Board recommends to full Council that, following the period of pre-submission advertisement, the Plan is submitted to the Secretary of State for independent examination
- vii). A list of safeguarded sites to be provided to Executive Board for completeness

Additionally, the Chair agreed that the report and future consultation materials will clarify that all comments on submission changes and comments on pre-submission changes received by the Council will be forwarded to the Inspector for consideration – so the public do not have to make duplicate representations

**56 Site Allocations Plan Transport Modelling and Evaluation**

The Chief Planning Officer submitted a report on the work that has been undertaken to update the transport evaluation of the Site Allocations Plan (SAP) and Aire Valley Leeds Area Action Plan (AVLAAP). The report discussed the transport modelling and evaluation of the Plan and how this was being used to inform site requirements and the delivery of new infrastructure.

The Publication Draft Infrastructure Background Paper (September 2015) included a Transport Background Paper which outlined the forecast transport impacts of the Site Allocations Plan (SAP) and Aire Valley Leeds Area Action Plan (AVLAAP). This work directly influenced the addition of specific site requirements relating to the local highway network for 77 allocated sites in the Site Allocations Plan. An updated version of the Background Paper was included as Appendix 1 to the report.

The Principal Transport Planner (Policy) presented the report providing an update on the modelling contained within the Transport Background Paper – an annexe to the Infrastructure Paper for the SAP which reflected changes around the Leeds district, including a change to the approach of NGT, the inclusion of the Parlington site within the ONE HMCA and references to the West Yorkshire Plus Transport Fund.

The robustness of the assessment was highlighted – as it accounted for significantly greater forecasts than the Department for Transport (DfT) forecasts. A list of 82 sites identified as needing works was included and it was noted that, following the cancellation of the NGT scheme, a £173m fund for public transport improvements in Leeds had been allocated by the DfT. A strategic case had been submitted to DfT in December and a response is awaited

Discussions highlighted the following matters:

- the modelling done to consider car ownership. It was noted that a 14-24% increase in traffic had been accounted for
- the modelling done to account for increases in rail capacity. It was noted that rail capacity is modelled, however the rail industry could not anticipate which services would get more capacity and new rolling stock therefore at this stage this had not been included.
- The modelling showing increased car ownership but not necessarily car movements and whether the forecasted Leeds traffic trends to 2028 could be justified. In response, it was noted that historically DfT produced a high forecast - the modelling suggested a 24% increase in trips. Leeds anticipated the increase would be more likely to reflect the forecast increase in Leeds' population which is lower at 14%. It was also noted that Figure 1 showed car ownership has historically outstretched population growth.
- The need to ensure the Leeds Congestion Hotspots map is updated from 2011/12 within the background paper. In response it was noted that work will be undertaken to update this, however, this is a substantial piece of work and will not be available for the submission deadline. Nevertheless, it is anticipated that it will be available before the examination
- Whether Community Infrastructure Levy funding would be available to tackle the top 30 hotspots for congestion. It was noted that many of the hotspot sites were constrained by existing developments restricting what might be achievable, however, where possible road treatment and junction improvements would be implemented. Overall funding for transport improvements is substantial therefore CIL would only form part of the funding.
- Whether those areas where enablement would support future development would be given priority
- The timeline for modelling the new public transport intervention works, noting that the modelling didn't currently include the new stations and Park & Ride and that DfT go ahead was required before further modelling could be undertaken. It was also noted that there was an expectation that the bulk of the £173m would be spent within 5 years.

Additionally, Members received assurance that the transport modelling will take into account sites which had won recent planning permission following successful appeals; further input from the Highways Agency; it already reflects transport movements of traffic coming into Leeds from neighbouring authorities, but as Bradford progressed its own SAP that too would be referenced. Members also noted additional comments about the impact of drone deliveries on HGV/truck delivery movements and a point about the impact of carbon neutral car usage on the public health priority to address congestion.

**RESOLVED**

- a) To note the progress that has been made in evaluating the transport impacts of the Site Allocations Plan and Aire Valley Leeds Area Action Plan.
- b) To note that the modelling work is an ongoing process, not a static one, and has been used to influence specific site requirements in the Site Allocations Plan and Aire Valley Leeds Action Area Plan.

**57 Date and Time of Next Meeting**

**RESOLVED** - To note the date and time of the next meeting as 7<sup>th</sup> February 2017 at 1.30pm.