

Development Plan Panel

Tuesday, 13th March, 2018

PRESENT: Councillor P Gruen in the Chair

Councillors B Anderson, C Campbell,
R Grahame, C Gruen, G Latty, T Leadley,
R Lewis, J McKenna, F Venner and
N Walshaw

57 Appeals Against Refusal of Inspection of Documents

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

58 Exempt Information - Possible Exclusion of the Press and Public

The agenda contained no exempt information.

59 Late Items

No formal late items of business were added to the agenda, however the Panel received the following supplementary documents to be considered as part of the work programme update (minute 63 refers):

- Housing Growth Programme
- Local Development Scheme (Leeds Local Plan) March 2018 update
- Consultation on Revised National Planning Policy Framework (NPPF) & related planning documents
- Briefing March 2018 – Draft Revisions to the NPPF

60 Declaration of Disclosable Pecuniary Interests

No declarations were made.

61 Apologies for Absence

Apologies for absence were received from Councillor Coulson. Councillor R Grahame attended the meeting as his substitute.

62 Minutes

RESOLVED - That the minutes of the Development Plan Panel meeting held on 16th January 2018 be approved.

63 Matters Arising

Minute 55 Core Strategy Selective Review

- Following approval of the documentation at the meeting held 16th January 2018, public consultation was currently underway and due to close on 23rd March 2018. The Panel received assurance that the Review process remained on course.
- A comment reiterating the need for Policy H5 Affordable Housing to respond to locality need was noted, along with information on two sites which could be available for development in Burmantofts & Richmond Hill ward.

64 Development Plan Panel Work Programme Update

The Group Manager, Policy and Plans, introduced a report on the ongoing work programme for the Panel, emphasising the need for it to be responsive to changes in national guidance and/or legislation and setting it in context with the Local Development Scheme (the work programme for the Local Plan).

A refreshed Local Development Scheme March 2018 was tabled at the meeting and the following matters were highlighted for Members:

National Planning Policy Framework – New guidance indicated that policies should be reviewed to assess whether they required updating at least once every five years; and then updated as necessary. Officers identified the Core Strategy; the Natural Resources & Waste Development Plan Document and the Statement of Community Involvement as issues for consideration during 2018.

(Councillor Walshaw joined the meeting at this point)

Neighbourhood Plans – In response to noting that there are now 8 “made” Neighbourhood Plans (NP’s) in Leeds, comments seeking to identify any gaps in uptake of NPS and noting that Guidance had changed since their launch, officers reported that communities remained committed but that NPs presented a technical and time consuming challenge, which required local community leadership. The NPPF ambition was to promote a ‘bottom-up’ approach to planning through encouraging NPs to respond to housing needs and delivery of housing growth. In Leeds, currently most NPs do not identify sites for development; choosing to tackle other local policy issues such as design, environmental and public realm issues.

The Chief Planning Officer gave a brief overview of the recent ministerial statement which sought to simplify the process and supported giving further weight to NPs at an earlier stage in the process than previously. During discussions, the following matters were considered:

- The resources available to support communities/groups seeking to establish NPs for their localities.
- Members identified possible barriers to the NP process for some communities, including the length of time from inception to ‘adoption’, the challenges of the process; and the skills and commitment required particularly if an NP covered a large geographical area.
- The statutory requirement for the Authority to undertake the Site Allocation Plan process which NPs must be in line with.
- The value of NPs to provide the fine detail to complement the over-arching Development Plan and assist in informing Plans Panels in their decision making.

(Councillor R Lewis joined the meeting at this point)

Referring to the list of NPs under preparation and established, discussion focussed on the inner areas of the city which had not yet engaged in the NP process to the same extent as the outer areas. There was some concern that those areas did not have the community capacity and resources to pursue

NPs; and that those areas would not benefit from the Community Infrastructure Levy (CIL) although a great deal of development had taken place. The Panel were reassured that non-parished areas remained under the purview of Community Committees and would receive 15% CIL to be administered similarly to Community Committee wellbeing funding, with assistance from the Department which would help identify where and how the CIL was generated to ensure it was appropriately apportioned. A suggestion supporting more Community Committee involvement in the process was discussed with a request that officers discuss whether this would be feasible with the Communities Team.

(Councillor G Latty withdrew from the meeting for a short while)

Members also commented on the tension between NPs and planning decisions. Planning application decisions were made with regard to the Development Plan. This includes the Core Strategy, other Local Development Documents, national guidance and highly advanced and made NPs.

The Group Manager, Policy and Plans highlighted other matters coming forward during 2018 for the Panel, including the Employment Land Review and a review of the Strategic Flood Risk Assessment. In conclusion, Members noted that the Local Development Scheme, as revised, would be available on the LCC website.

Additionally, the Panel discussed the following matters

District Valuer reports and the decision making process:

- The profit margins of between 18 to 22% quoted by some developers to ensure viability of their developments and the balance of profit margins against the **Affordable Housing** (AH) targets. Some frustration was expressed that development proposals could not be non-viable but could be non-compliant with policy
- It was felt that national action would be required to change this position. Local action seeking to maintain AH targets could result in subsequent appeals to the Planning Inspectorate.
- The value of some DV reports had been undermined by the variable approach and lack of clarity in others.
- An event open to all West Yorkshire authorities last year had discussed DV and a session could be provided to Members with slides from those discussions, when national guidance on the new standard approach to viability had been issued.
- In Leeds approximately 80% of schemes delivered the appropriate AH delivery target. Members were provided with a comparison of AH delivery of 8% in Leeds against other authorities, such as Manchester which delivered 0%.
- The review of the NPPF was anticipated to re-define the term “Affordable Housing” and indicate that appraisals should be transparent and published.
- Whether the authority should consider a level of profit margin that it would find acceptable. A 15% profit margin was suggested as a starting point for discussions, as it was felt that this would provide AH on some sites.

In conclusion, the Chair emphasised the following:

- Not all developers held to the 18-22% profit margin. Some developers were very public minded and public realm orientated
- Acknowledged the need for officers to present the best report possible on applications to Plans Panels for determination, but that Panels should have the opportunity to consider applications as submitted and without refinements
- The Authority should get better at publicising its' success and what it does well. 80% of planning applications are approved first time.
- The Authority should be able to provide statistics to show how many units were approved, and compare that to the number of units delivered. Members required a cache of statistics to tell the good news stories of the Department.

(Councillor C Gruen withdrew from the meeting for a short while)

Housing Growth

The Head of Housing Growth, LCC Asset Management & Regeneration, introduced the supplementary paper highlighting that the Authority had delivered 500 Affordable Housing Units since 2015 through the use of Section 106 funding and commuted sums.

Proactively, the Team had developed a bespoke approach:

- To review SHLAA sites to identify sites where development had stalled and to encourage that development; and to work with Housing Associations and landowners to achieve development. Work on 28 sites was currently ongoing.
- To target long term empty homes, with 125 brought back into use using government funding
- The Council Housing Programme and Extra Care Housing programmes were ongoing.
- Leeds intended to bid to increase the borrowing cap in order to directly deliver more council housing, once the prospectus had been released by central government.
- A third of housing delivery had been supported by LCC

(Councillor Walshaw withdrew from the meeting for a short while)

The Chair highlighted the Panels recent in depth discussions on two issues, seeking reassurance that the Housing Growth Team was aware of Members views regarding;

Housing mix and delivery - Not enough 2 bed properties were being developed. The response was noted that the Team had regard to Policy H4; housing delivery was informed by housing need, requirements and the housing waiting list

Affordable Housing – Whether [progress was being made to address the areas of housing need identified by the Authority through the use of off-site commuted sums. The response was noted that the Team was collating information on commuted sums to report alongside work on sites in the inner areas, seeking to support bringing those sites forward for development.

In respect of housing mix, the Panel noted that Scrutiny Board (Infrastructure & Investment) would consider a report on 21st March 2018 tracking the

progress and showing less development of 4/5 bedroom homes and more 1 and 2 bed properties coming forward, being approved and developed.

Additionally, the Head of Strategic Planning provided a brief update on the revisions to the National Planning Policy Framework following on from the consultation undertaken in September 2017. A report would be presented to the April Panel meeting, once more information was available with the Authority to submit its response by the 10th May 2018 deadline.

Documentation released in early March suggested incremental changes to the NPPF and included the following;

- Changes to the Plan making process
- Changes to Statement of Common Ground recognising the role of combined authorities
- Comment on density of development and developer contributions
- Standardised viability methodology although no housing delivery figures for each authority had been released
- Development design although there was no indication that minimum space standards had been revised

To conclude, the Chair requested that the report reviewing the proposed changes to the NPPF highlight any changes which may impact on the Site Allocation Plan and the Core Strategy Selective Review.

RESOLVED

- a) To note the work done so far on Neighbourhood Plans and to thank officers for their support to the process
- b) To note the contents of the report and the additional material; alongside the discussions at the meeting
- c) To note the following issues to be added to the work programme
 - (i) Either for a formal report back or informal update to Members:
 - April – Consultation on the NPPF
 - May – Authority Monitoring report
 - May – Implementation Update
 - July - Site Allocation Plan update
 - September - Neighbourhood Planning Update report to September Panel to include update from Communities Team on feasibility of greater CC involvement in the Neighbourhood planning process and information from the Neighbourhood Planning Seminar
 - September - draft Statement of Community Involvement
 - (ii) Issues propose with no scheduled date:
 - Employment Land review
 - Strategic Flood Risk Assessment
 - A session on viability when national guidance on the new standard approach to viability had been issued.
 - Neighbourhood Planning Officer to provide Inner Area Seminar to Members

65 Date and Time of Next Meeting

RESOLVED – To note the date and time of the next meeting as Tuesday 17th April 2018 at 1.30 pm