

Development Plan Panel

Friday, 3rd November, 2017

PRESENT: Councillor P Gruen in the Chair

Councillors B Anderson, C Campbell,
M Coulson, C Gruen, T Leadley, R Lewis,
J McKenna, J Procter, F Venner and
N Walshaw

20 Appeals Against Refusal of Inspection of Documents

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

21 Exempt Information - Possible Exclusion of the Press and Public

The agenda contained no exempt information.

22 Late Items

There were no late items of business.

23 Declaration of Disclosable Pecuniary Interests

No declarations of disclosable pecuniary interests were made.

24 Apologies for Absence

Apologies for absence were received from Councillor G Latty – Councillor J Procter attended the meeting as substitute. Apologies were also received from T Hill, Chief Planning Officer and D Feeney, Head of Strategic Planning.

25 Core Strategy Selective Review

The Director of City Development submitted a report providing a note of the presentations and discussions held at the informal workshop for Development Plan Panel Members and others on 4th October 2017. The workshop focussed on some of the choices available for drafting policies and the scope of the Core Strategy Selective Review (CSSR). During discussions in response to the workshop notes, the Panel noted the following comments:

- Some Members were keen to have a wider review of the Housing Market Characteristic Area (HMCA) boundaries, not just the anomalies identified to some boundaries.
- The impact of the housing target calculation methodology, recently amended and simplified by the Government
- Housing figures and the need to recognise that, until the Site Allocations Plan (SAP) containing a new housing target figure is adopted, the Authority will be under pressure to consider applications submitted in order to secure green belt or white land for development under the current SAP housing target
- The proposed timescale for adoption of the revised housing target figure, recognising that the volume of consultation responses and the time taken to process them could impact on the planned implementation by end of 2018

- The Strategic Housing Market Assessment process and the need to encourage housing delivery build-out rates to support Leeds's 5 year land supply. One Member commented that as it was some time since the SHMA was reviewed; it would be useful to have up to date build-out rates.
 - The anticipated Chancellors Autumn Statement which could reflect the ongoing negotiation with the Department for Communities and Local Government over the two part Housing Deal for Leeds - firstly a city-wide approach involving the Housing Revenue Account and proposals to parcel up smaller pieces of land to encourage viable development by Small and Medium sized builders; and secondly the implementation of the Housing Investment Fund to address how the Authority can encourage the development of 17,000 homes on Brownfield Land. One Member suggested a cautious approach to the housing growth deal negotiations and reported on his experience of the current Homes & Community Agency disposal programme and focus on development on Government owned land and land designated as greenbelt or white land in his ward.
 - The Panel expressed support for additional resources to be targeted to support work on the CSSR, recognising that resources will be under pressure whilst the Authority deals with three urgent major pieces of work - the CSSR, Site Allocations Plan process and the Strategic Housing Market Assessment whilst also processing PAS site applications and complex appeals. Members received assurance that additional resources has been pooled from across Planning Services to support the processes and additionally, officers agreed to report the Panel's comments to the Chief Planning Officer.
 - The '5 year land supply' and the Authority's position at appeals was discussed. Members received assurance that all of the evidence collated throughout the CSSR and SAP processes will be presented to any Inspector dealing with Section 78 planning appeals. It was reported that recently, Inspectors had had regard to other issues such as the Leeds Core Strategy and sustainability when considering appeals and the Authority would continue to defend appeals robustly with an increased focus on issues other than the 5 year land supply.
 - The impact of the implementation of the new Brownfield Land Register was also discussed, in terms of the 'planning permission in principle' process and the contribution to Leeds's 5 year land supply. Members noted this as the Governments support for the development of Brownfield land although comments were made that developers would still focus on green land development.
- RESOLVED** – That the contents of the report and the comments made during discussions be noted.

(Councillor R Lewis joined the meeting at this point)

26 Update on the Leeds Site Allocations Plan - Proposed Amendments to Examination Timetable and Scope of Further Technical Housing Work

Minutes approved at the meeting
held on Tuesday, 21st November, 2017

The Director of City Development submitted a report setting out the initial scope of a revised approach to progressing the Leeds Site Allocations Plan (SAP) through the Examination process. The report also provided an update on discussions with the Department of Communities and Local Government (DCLG) and correspondence with the SAP Inspectors.

In presenting the report, the Group Manager, Policy & Plans, set out the background to the need to take a revised approach to the SAP to have full regard of the consultation and reiterated that the figure specified in the consultation was intended to be a minimum and did not reflect the need that some authorities, such as Leeds, may have to match housing growth with economic growth ambitions. Additionally, the Government had made it clear that local authorities at advanced stages of Plan making should carry on regardless of the new approach to housing need.

Specifically the revised approach sought to ensure that Leeds reflected the most recent DCLG consultation "*Planning for the right homes in the right places*" and the evidence which suggested that the housing need in Leeds is likely to reduce. Using the Government's proposed standardised method to calculate housing need had set a lower baseline for Leeds (the consultation figure is 2,649 homes per annum; equating to 42,000 for a 16 year plan period); compared to the 70,000 (net) requirement contained within the adopted Core Strategy (2012-2028).

At the time the SAP was submitted to the Secretary of State, the Council's view was that planning for a lower Core Strategy Review housing requirement would ensure that the release of Green Belt remained justified. However, although the current SAP is considered sound, it was recognised that in light of a lower housing figure trajectory, it may result in green belt land being released for housing development which is ultimately not required and may not meet Government guidance. Careful consideration of whether the sites proposed to be released from the green belt to meet the CS targets remain fully in accordance with the exceptional circumstances required to release land from the Green Belt was now required – having regard to the latest consultation and methodology; and a revised housing requirement through the Core Strategy Selective Review which had indicated a downward trajectory of housing need.

Three options available to the Council were outlined:

- (a) Withdraw the Plan - Withdrawal of the plan would mean that Leeds would have no plan in place for the delivery of housing; leading to less certainty for investors in the City and an increase in speculative development proposals
- (b) Carry on notwithstanding the recent consultation (as advised by the Government consultation) which could place the Inspector in a very difficult position with regard to the exceptional circumstances required to justify green belt loss and may ultimately result in a Plan which the Council may find very difficult to Adopt without challenge.

Support was sought for the third option - (c) continue to assess the SAP against the Core Strategy but to modify the Plan to ensure that it reflects the

latest evidence and has contextual regard to the downward trajectory of housing needs through the introduction of a third category of “**Broad Locations**” in line with Paragraph 47 of the National Planning Policy Framework (which states that housing requirement can be met in local plans through the identification of specific sites or broad locations). This approach would identify an amount of existing proposed housing allocations and safeguarded land as “Broad Locations”. These would remain in the Green Belt and not be released until a SAP review is undertaken, following adoption of the Selective Core Strategy Review.

During discussions held at the workshop on 4th November 2017, Members had provided a steer that there should be a fair share of “Broad Locations” across Leeds and each Housing Market Characteristic Area (HMCA).

(Councillor J Procter withdrew from the meeting for a short while at this point).

The Panel discussed the definition of the term “Broad Location”; noting that ‘broad locations’ had already been discussed in correspondence with the Inspectors as part of the SAP process. Officers reported that the SAP evidence already submitted would help support the revised approach and enable a boundary to be drawn around some of the sites already identified within the in the SAP for possible development in the future and define them as “Broad Locations”. These would remain in the Green Belt and would not be the same as Safeguarded Land sites which are removed from the Green Belt.

As part of the discussion, one Member commented that this approach would simply alter the designation of some of the land to be released for development aimed to deliver the 70,000 target. Additionally a request was made to present Members with information on the use of “Broad Locations” by other authorities. In response, the Legal Adviser explained that Leeds was in a unique position having already assessed sites and gathered detailed information as part of the SAP process; whereas other Local Planning Authorities did not yet have that level of detail and could only indicate broadly where land may be released and developed. Additionally very few other authorities had consistently used one approach to “Broad Locations”.

The Panel also discussed the following matters:

- Acknowledged that the Authority had limited influence over developers’ build-out rate
- The view that the 42,384 housing target figure should be seen as a baseline figure, allowing for variables across different HMCAs; demolitions etc.
- A view that adopting a figure higher than 42,384 as calculated by Central Government would encourage investment and social mobility
- The information available to the public about the two very separate SAP and Core Strategy Selective Review processes
- The suggestion that the assessments should reference transport infrastructure; social sustainability; environmental and economic issues

- A comment that a further informal workshop could facilitate discussions on the Authority's approach to "Broad Locations" in order to inform the Councils position at future appeals

Finally, the Chair reiterated the findings of the workshop - that the spread of Broad Locations should be equable across the HMCAs and should take account of those areas where a HMCA was already committed to a high number of housing permissions.

RESOLVED -

- a) To note the revised approach to the Examination of the Site Allocations Plan as set out in the report as representing a prudent and responsible way forward when considered against the alternatives of withdrawing the Plan or proceeding irrespective of the consultation from the Government on housing need;
- b) That the comments made during the discussions be noted; and
- c) To note that the outcomes of the further technical work and any other procedural arrangements will be presented at the Panel meeting on 21st November.

27 DCLG Consultation: 'Planning for the Right Homes in the Right Places'

The Group Manager, Policy & Plans, introduced the report of the Director of City Development setting out the Council's draft response to the Department of Community and Local Government Consultation proposals 'Planning for the right homes in the right places' issued on 14th September 2017. A copy of the draft response was attached as Appendix 1 to the report and included the Council's previous response to the Housing White Paper published in February 2017.

Members discussed the focus of the consultation proposals - to promote a '*new planning approach to speed up delivering homes*' and the range of proposals to achieve that; including:

Approach to calculating the local housing need – There was general agreement that a standard methodology was required so all planning authorities started from the same position and had the same approach, however the proposed response required more detail.

Statement of Common Ground – It was acknowledged that current Duty to Co-operate arrangements mostly worked well in West Yorkshire whilst acknowledging that some other local planning authorities were not always flexible and clear on what they hoped to achieve. The introduction of a Statement of Common Ground into that process would provide clarity.

Neighbourhood Planning – A comment was noted about the ambiguity of the question posed which seemed to suggest that Neighbourhood Plans could set development limits – this could set a precedent as they could be contrary to the limits set by the LPA – however importantly, Neighbourhood Plans could provide an overview for their area and work to provide local detail on the implementation of the Local Plan.

Viability Assessment – There was support for seeking VA's earlier on in the planning application process acknowledging that the process would be overseen by the Authority. A comment was noted regarding the ability of the District Valuer to assess scheme viability prior to the grant of permission when some developers did not present deliverability/viability information with their applications, stating that viability was dependant on the volume of development permitted by the local planning authority.

Planning fees - There was support for an increase in planning fees, particularly for large volume sites.

Additionally, the Panel identified several responses which stated the Authority was 'unsure'; it was agreed that further detail clarifying the reasons for the Council's stance would be included. The Panel also noted that the Conservative Group on Leeds City Council would submit an individual response to the DCLG consultation.

RESOLVED –

- a) To note the contents of the draft consultation response to the DCLG consultation and the comments made during discussions
- b) To agree the revisions as suggested during the discussions and request that the Chief Planning Officer incorporate these into the City Council's final response to be submitted by the 9th November 2017 deadline

(Under the provisions of Council Procedure Rule 16.5 Councillors B Anderson and J Procter required it be recorded that they abstained from voting on this matter)

28 Date and Time of Next Meeting

RESOLVED – To note the date and time of the next meeting as Tuesday 21st November 2017 at 1.30 pm