

**Report of City Development**

**Report to Planning Board**

**Date: 13<sup>th</sup> May 2014**

**Subject: Oulton and Woodlesford Community Design Statement (Neighbourhood Design Statement)**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input checked="" type="checkbox"/> Yes Rothwell	<input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**Summary of main issues**

1. To report on amendments to the document following the undertaking of the actions requested at the previous Planning Board meeting (29<sup>th</sup> November 2012), with a view to approving the amended design statement as a Supplementary Planning Guidance within the Leeds Local Development Framework.

**Recommendations**

2. The Chief Planning Officer is requested to approve the Oulton and Woodlesford Community Design Statement for adoption as Supplementary Planning Guidance as part of the Leeds Local Development Framework.

## **1 Purpose of this report**

- 1.1 The purpose of this report is to outline the work which has been undertaken on the production of the document with an emphasis on the latest amendments which were made in response to the actions requested by Planning Board on 29<sup>th</sup> November 2012.
- 1.2 The community would now like Planning Board to approve the design statement formally as a Supplementary Planning Guidance within the Leeds Local Development Framework to enable it to become a material planning consideration in the determination of planning decisions within the area.

## **2 Background information**

- 2.1 The Oulton and Woodlesford Design Statement is based on Neighbourhood Design Statement (NDS) principles and its preparation has been community led, involving substantial local consultation. The aim of the NDS is to describe the characteristics of the locality and provide a design guidance to influence future development and improve the physical qualities of the area. It amplifies existing planning policies which are set out in higher level planning policy documents for example, the Leeds Unitary Development Plan (UDP) and the emerging Leeds Core Strategy.
- 2.2 The production of the Oulton and Woodlesford Community Design Statement has observed the guidelines within the Council's SPD Production Procedural Requirements (October 2009) and Appendix 5 'Engagement and Consultation for SPDs' in the Statement of Community Involvement (2007). The Council has supported this ambition for the document to be an SPD since it was launched during a public meeting in September, 2008.
- 2.3 A draft of the document was previously subject to detailed internal consultation (late 2010), with a number of key stakeholders within Leeds City Council including Highways, Forward Planning and Implementation, Planning Services, Sustainable Development Unit and Nature Conservation. Following this initial consultation the document was amended to take into consideration the views of the key stakeholders.
- 2.4 A pre-consultation draft version of the document was approved for formal consultation by Planning Board on 15<sup>th</sup> August, 2011, subject to a few requested minor amendments which were incorporated prior to circulation.
- 2.5 The document was subject to formal consultation from 19<sup>th</sup> September to 31<sup>st</sup> October, 2011. During this period formal notices were issued to both statutory consultees and local organisations. The document was posted on the City Council's website together with response forms. A formal planning notice was published in the Yorkshire Evening Post and an article within the Rothwell Record. Hard copies and response forms were also available being made available in various locations.

- 2.6 A total of 4 representations were received within the formal consultation period. The responses were all from statutory or non-statutory groups/organisations. No representations were received from individual members of the public or local interest groups. No objections to the plan were also received. The representations mainly requested either minor text changes or additional information to be added in order to explain certain chapters further. The comments within the representations were assessed and amendments made where appropriate. Full details of the representations received and consequent amendments were noted at the 29<sup>th</sup> November 2012 Planning Board Meeting.
- 2.7 Approval for the adoption of the NDS as Supplementary Planning Guidance was previously sought at the 29<sup>th</sup> November 2012 Planning Board meeting. Planning Board noted the content of the document. However, they requested the following actions to be undertaken prior to the document being brought back to Planning Board:
- To check Council services are comfortable with the aspirations of the NDS (in particular Transport and Leisure)
  - Text in relation to PAS site to be amended.
  - A link to the Neighbourhood Planning Process to be inserted.

### **3 Main issues**

#### Aspirations

- 3.1 In order to ascertain whether Council Services were comfortable with the aspirations of the NDS a further round of targeted internal consultation was undertaken between 11<sup>th</sup> – 23<sup>rd</sup> October 2013. The consultation was initiated via an email to a wide variety of Council services including Leisure and Transport. The consultation email (Appendix 4) made it clear that the purpose of the consultation was to seek views on the aspirations of the plan and that the views from Leisure and Transport services were particularly sought. The email also stated that additional time for consultees to make comments was also available if required.
- 3.2 Three representations were received in response to the consultation from Nature Conservation, Highways Transport Strategy and Parks and Countryside. General comments were also received from Forward Planning and Implementation. In addition contact with Nicholas Borrás and Nicholas Hunt from Transport Management was also made during the consultation period, however no representations from Transport Management were received in response to this latest consultation.
- 3.3 All the comments have been assessed and amendments made where appropriate. A summary of the all the representations as well as a schedule of the consequent changes to the NDS can be found in Appendix 3. The majority of the comments which were received regarding the aspirations of the document appear to relate to the delivery and financing of these ambitions. In response, the NDS makes it clear that these objectives are aspirational and may have to wait for

changes to policy or for funds to become available. However, they do provide an indication of where local residents would want resources to be aimed, when and if the opportunity arises. If the aspirations were all easily achievable it is likely that they would have already been undertaken. The delivery of the aspirations maybe achievable through several mechanisms (including the emerging Neighbourhood Plan), however this is likely to take time. The NDS just highlights what these aspirations are. None of the representations are considered to raise any significant issues regarding the NDS's aspirations which would prevent the advancement of the document.

### PAS land

- 3.4 In response to a recommendation at the 29<sup>th</sup> November 2012 Planning Board meeting, page 22 of the NDS relating to the Protected Area of Search (PAS) land has been significantly modified in conjunction with advice from Development Management colleagues.
- 3.5 The PAS text now outlines a brief description of the site as well as specifying the design considerations the community would like to be taken into consideration when the site is developed. The text has also been updated to acknowledge that the fact that the outline residential planning permission was approved on the site in 2013. The revised design guidance for the site is considered to be in line with existing planning policy. The aspirations within the text also do not set any unreasonably onerous requirements on the developer of the land, which could prejudice the future development of the land.
- 3.6 Since the document was last amended a Reserved Matters planning application for 77 dwellings has been received on the PAS site (14/02399/RM). The target date for the application is 23<sup>rd</sup> July 2014. As a result of this latest planning application, it would result in the NDS coming into force midway through a detailed planning application on the site, which could have implications for the developer as well as resulting in this part of the NDS becoming out of date very quickly. The local community are reluctant to remove the PAS site guidance and would like the design statement to be adopted as soon as possible.
- 3.7 Planning board are requested to advise on the aforementioned PAS site issue and recommend any changes to the section as deemed necessary.

### Neighbourhood Planning

- 3.8 At the previous Planning Board meeting (29<sup>th</sup> November 2012), it was advised that recognition of the emerging Neighbourhood Plan for the area should be included within the document.
- 3.9 Text relating to the emerging Oulton and Woodlesford Neighbourhood Plan has now been included on page 4 of the document. The text was developed in conjunction with guidance from Ian Mackay (Neighbourhood Planning Manager). It outlines the link between the Design Statement and the emerging Neighbourhood Plan as well as specifying how people can find out more information about the Neighbourhood Plan.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 The Oulton and Woodlesford Community Design Statement has undergone extensive formal and informal consultation the extent of which is detailed in the table on page 5 of the design statement. In particular the design statement has undergone a six week formal consultation to create the final draft version. This included notification to external consultees, placing copies with response forms locally, a statutory notice in the Evening Post, and copies on the City Council's website.
- 4.1.2 Local Ward Members have been consulted throughout the preparation of the document and they fully support the Design Statement which has been funded through Area Committee.
- 4.1.3 It is considered that adequate and appropriate consultation has been carried out in accordance with the statutory processes set out within the relevant consultation guidelines.

### **4.2 Equality and Diversity / Cohesion and Integration**

- 4.2.1 An Equality, Diversity, Cohesion and Integration Screening has previously been undertaken as part of the adoption process and has been appended to the report for reference (Appendix 2). The screening concluded that the impact on the various equality groups had been considered and no impact for various groups including BME, disabled, age, gender, sexual orientation, religious or carers were identified. As a consequence it is considered that the creation of the design statement does not impact negatively on equality, diversity, cohesion and/or integration. Consequently the NDS is considered to comply with Council policies regarding equality and diversity.

### **4.3 Council policies and City Priorities**

- 4.3.1 Once adopted the design statement is considered to comply with Council priorities and has been designed with the aim of being formally adopted as Supplementary Planning Guidance as part of the Local Development Framework. It will supplement policy guidance contained within the adopted UDP and the emerging LDF.
- 4.3.2 The aim of the Neighbourhood Design Statement is to safeguard the character of Oulton and Woodlesford and it will act as a guide for development in the future. The adopted document is also likely to form part of the evidence base and help support the emerging Neighbourhood Plan for the area which is being progressed following the Localism Act. Given this it is considered to be in keeping with City priorities as a whole but most notably its aims to make Leeds the best city to live in and the best city for communities. In particular the community-led document has helped to encourage community spirit and local activity.

4.3.3 In order to follow the Council's Supplementary Planning Document (SPD) production requirements, Planning Board have now to approve for adoption the Oulton and Woodlesford Community Design Statement, as amended.

#### **4.4 Resources and value for money**

4.4.1 The document has been externally funded. Partly through the Oulton Society and partly from the Leeds South (Outer) Area Committee. Once adopted the document is unlikely to have any significant impacts on officer time or Council resources in future years.

4.4.2 All the recommendations for actions in the Management Plan are based on resident's aspirations and, while they have been the subject of consultation with Leeds City Council, the Council has made no specific commitments to their implementation. However, these recommendations for action should be taken into account, where appropriate by developers, and will assist in justifying any future bids for funding.

#### **4.5 Legal Implications, Access to Information and Call In**

4.5.1 The document makes a clear distinction between Design Policy/Guidance which supplements relevant Planning Policies contained in the Leeds UDP and recommendations contained within the Management Plan. It makes clear that there is no commitment on the part of the City Council to implement those parts of the Management Plan for which it would not normally be responsible.

4.5.2 The guidelines will be used by the City Council in determining planning applications within Oulton and Woodlesford.

4.5.3 Whilst the Management Plan recommendations are aspirations, these actions and recommendations should be taken into account, where appropriate by developers, and will assist in justifying any future bids for funding.

4.5.4 As an administrative delegated decision, no call-in period applies.

#### **4.6 Risk Management**

4.6.1 The NDS as amended is not considered to present any unnecessary risk to the Council if adopted.

### **5 Conclusions**

5.1 The design statement has been completed by the local community in Oulton and Woodlesford, assisted by Peter Baker Associates and has had input from relevant Council departments throughout its formation.

5.2 All the requested actions and amendments from the 29<sup>th</sup> November 2012 Planning Board meeting have been undertaken to enable the document to become an adopted NDS.

## **6 Recommendations**

- 6.1 The Chief Planning Officer is requested to approve the Oulton and Woodlesford Community Design Statement for adoption as Supplementary Planning Guidance as part of the Leeds Local Development Framework.

## **7 Background documents<sup>1</sup>**

Appendix 1 - Oulton and Woodlesford Community Design Statement.

Appendix 2 - Equality, diversity, cohesion and integration screening form.

Appendix 3 – Schedule of representations/changes.

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<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.