

Report of Forward Planning and Implementation

Report to Chief Planning Officer

Date: 30 September 2014

Subject: Designation of Seacroft Neighbourhood Area

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Beeston and Holbeck	<input checked="" type="checkbox"/> Yes	<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 type="checkbox"/> Yes	<input checked="" 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

1.0 Summary of main issues

- 1.1 This report considers the designation of the Seacroft Neighbourhood Area as submitted by the Seacroft Neighbourhood Plan Steering Group.
- 1.2 The proposed neighbourhood area is shown on Plan 1. The boundary follows the A58 Easterly Road/Wetherby Road to the north, the A6120 Ring Road to the east and A64 York Road/Foundry Lane/Foundry Mill Drive to the south. The eastern boundary then follows the watercourse of Wyke Beck to join back up to the A58.
- 1.3 The application has been submitted by a Locality-appointed consultant and with the benefit of a significant amount of early engagement with local residents.
- 1.4 No representations were received on the application.

2.0 Recommendations

2.1 The Chief Planning Officer is recommended to:

- Designate the Seacroft Neighbourhood Area as shown on Plan 1, pursuant to Section 61G and 61I of the Town and Country Planning Act 1990.

3.0 Purpose of this report

3.1 This report recommends the designation of the Seacroft Neighbourhood Area and covers information relevant to the designation, the duties that the Council has in making a designation and the consultations that have been undertaken.

4.0 Background information

4.1 The Localism Act 2011 gives local communities a new 'right' to prepare a neighbourhood plan which could decide where new development takes place, what it looks like and also include other issues that are locally important. These plans can be simple single-policy plans or they can be multi-policy and more complex if that is what the community wishes. However, they must follow the following 'basic conditions':

- Be in general conformity with local planning policy (the Core Strategy, Site Allocations Plan) and national planning policy (National Planning Policy Framework)
- have appropriate regard to national policy
- contribute to the achievement of sustainable development
- Be compatible with human rights requirements
- Be compatible with EU obligations

4.2 The plan will be subject to an independent examination and tested against the 'basic conditions'. Non-planning matters will not be examined although their contribution to achieving sustainable development may be referred to.

4.3 The Statutory responsibilities of the Council are:

- **the designation of a neighbourhood area**
- the designation of a neighbourhood forum
- the publication of a submitted Neighbourhood Development Plan for consultation
- the arrangements for and cost of an independent examination
- the arrangements for and cost of a Referendum
- the formal assessment of the agreed Neighbourhood Development Plan against EU Regulations

4.4 Since the introduction of neighbourhood planning in April 2012, there has been an increased level of activity throughout the country, initially in parished areas and now increasingly in towns and villages in non-parished areas. In Leeds, 29 neighbourhood areas have been designated and 4 neighbourhood forums (Holbeck, Adel, Oulton & Woodlesford and Aireborough).

4.5 Section 61G of the Town and Country Planning Act 1990 (added by the Localism Act) and the Neighbourhood Planning (General) Regulations 2012 outline the Council's responsibilities for the designation of a neighbourhood area and neighbourhood forum and this includes bringing the application to the attention of

people who live, work or carry on business in the area for which the application relates.

- 4.6 Under section 61H of the 1990 Act whenever a local planning authority exercises powers under section 61G to designate an area as a Neighbourhood Area, consideration must be given to whether the authority should designate the area concerned as a business area. The designation of the specified area can only occur if the authority considers that the area is wholly or predominately business in nature [Section 61H (3)].
- 4.7 If the application for the Designation of this Neighbourhood Area is approved, then Regulation 7(1) of the Neighbourhood Planning (General) Regulation 2012 requires the designation to be publicised. If the application is refused, reasons must be given under 61G(9) of the 1990 Act and Regulation 7(2) of the Regulations requires the decision to be publicised.
- 4.8 It was agreed at Executive Board on 20 June 2012 that prior to the designation of a neighbourhood area and neighbourhood forum the Council would do the following:
- Advertise the application in a local newspaper and bring the application to the attention of those who live, work and do business in the area;
 - Consider representations received;
 - Consult with the Executive Board Member for Neighbourhoods, Planning and Support Services, Area Committee chairs and local ward members on the proposed designations.

5.0 Main issues

5.1 Assessing an application for Neighbourhood Area designation

- 5.2 The Act requires local authorities when determining neighbourhood areas to ensure that boundaries are coherent, consistent and appropriate. Relevant considerations in this respect could be:
- Any natural or man-made features (such as rivers, roads, railway lines or canals);
 - Catchment areas for current or planned infrastructure;
 - Development proposals and allocations;
 - Environmental designations;
 - Existing settlements (as in this case);
 - Community identity.

6.0 The proposed Seacroft Neighbourhood Area

- 6.1 The application is a comprehensive one and fully meets legislative requirements, made up of 5 sections:

- 1 Letter of application
- 2 Map of the proposed neighbourhood area
- 3 Supporting statement for proposed area
- 4 Supporting statement for relevant body
- 5 Draft written constitution

6.2 The chosen boundaries for the proposed Neighbourhood Area have been arrived at following consideration of three key principles:

Community Identity

6.3 In 2013, a series of community consultation events took place in and around Seacroft facilitated by community engagement specialists Communitask. The purpose of these was to help identify an area which the community collectively saw as 'their neighbourhood' and to establish which boundaries best encompassed that area. This resulted in a very clear majority view in favour of the boundaries as shown on Plan 1. These boundaries provide a very strong sense of identity and affinity for people from Seacroft, based not just on geography, but also on a shared history and shared interests and aspirations.

Tangibility of boundaries

6.4 The chosen boundaries follow clear physical features, namely the A58 Easterly Road/Wetherby Road to the north, the A6120 Ring Road to the east and A64 York Road/Foundry Lane/Foundry Mill Drive to the south. The eastern boundary then follows the watercourse of Wyke Beck to join back up to the A58.

Appropriateness of the proposed neighbourhood area

6.5 The proposed neighbourhood area is an area with many opportunities and challenges which will require partnership working with the Council and other stakeholders, the details of which will be agreed after designation has taken place.

6.6 No part of the proposed Neighbourhood Area overlaps any part of any other Neighbourhood Area (in fulfilment of Section 61G(7) of the Act).

6.7 No part of the proposed Neighbourhood Area consists of or includes the whole or any part of the area of a parish (in fulfilment of Section 61G(3)(b) of the Act).

7.0 Consultation on the proposed Seacroft Neighbourhood Area

7.1 With the benefit of National Lottery funding, community engagement specialists Communitask were commissioned to consider the appropriate neighbourhood plan boundary and to recruit potential forum members. Between December 2012 and February 2014 over 250 people were consulted at 4 major local events (the Seacroft Galas of 2012 and 2013, the Seacroft street Party in April 2013 and a neighbourhood planning event in February 2014) with four key findings as follows:

- There is considerable, almost unanimous, support for the concept of neighbourhood Development Plan and the benefits it could bring to Seacroft
- There is a clear majority view as to where the boundaries of that plan should be
- The need for more parks and play areas is by far the highest land use priority for people
- A significant number of people are very keen to get involved, many on the Neighbourhood Forum, others in joining an on line forum

7.2 The report by Communitask pointed out that, “Whilst there were, inevitably, some differing views as to how the boundaries of Seacroft, or a neighbourhood Plan, should be drawn, there was a very clear majority view in favour of the boundaries being Wetherby road to the north, the ring road to the east and York road to the south. More than 75 % of people chose these as boundaries.”

7.3 The consultation found that there is a very strong sense of identity for people from within Seacroft, a real sense of people having a shared community of interest based principally on geography, but also a shared sense of culture and history.

7.4 The application was advertised in the Yorkshire Evening Post on 21st March 2013, the Council’s website for the duration of the publicity and at Seacroft Library, where copies of the application were available to view. No representations were received.

8.0 Corporate Considerations

8.1 The designation of a neighbourhood area is the first step in preparing a neighbourhood plan. The designation of the Seacroft Neighbourhood Area will assist the community in Seacroft to work in partnership with the Council and others to prepare a neighbourhood plan.

8.2 A Neighbourhood Planning Agreement has been prepared to assist in the management of neighbourhood planning in Leeds. The agreement sets out Leeds City Council responsibilities, parish/town council responsibilities and obligations and working arrangements for the key stages in neighbourhood planning, from designation to referendum.

9.0 Consultation and Engagement

9.1 The application was advertised in the Yorkshire Evening Post on 21st March 2014. The application was also publicised on the City Council’s website and available to inspect at Seacroft Library.

9.2 A presentation was made to the February 2013 meeting of the Killingbeck and Seacroft Community Leadership Team (CLT) which focused on what a neighbourhood is and could do for an area like Seacroft, what processes would need to be followed for the successful completion of the examination process and ending with a vote on whether there should be a neighbourhood plan for Seacroft. Strong support was expressed for a neighbourhood plan and it was agreed that a neighbourhood planning steering group should be established.

9.3 The neighbourhood planning steering group has met regularly since Spring 2012 and is made up of local residents, Councillors Selby, representatives from

organisations working in the area, the LS14 Trust and officers from City Development and the Area Support Team. Councillor Hyde will also attend steering group meetings from September 2014 (sharing the role with Councillor Selby).

- 9.4 Over 250 people participated in the consultation undertaken by Communitask. This helped promote neighbourhood planning to a wide audience, in particular those who are rarely heard on planning issues.
- 9.5 Killingbeck and Seacroft ward members were consulted on 16th May 2014. Concerns were raised regarding the appropriateness of the proposed boundary.
- 9.6 The neighbourhood area as proposed was agreed at a meeting on 16th September attended by Councillor Gruen, Councillor Hyde, Councillor Selby and members of the Seacroft steering group.

10.0 Equality and Diversity / Cohesion and Integration

- 10.1 The Government has undertaken an Equalities Impact Assessment of the Localism Act in relation to neighbourhood planning (2011). The Council views the neighbourhood planning process as an opportunity to deliver equality, diversity, cohesion and integration objectives.

11.0 Council policies and City Priorities

- 11.1 Neighbourhood plans link well to all three of the Council's corporate priorities set out in the Vision for Leeds:
- Leeds will be fair, open and welcoming (neighbourhood plans must not breach, and be otherwise compatible with, EU obligations and be compatible with human rights requirements);
 - Leeds' economy will be prosperous and sustainable (the making of the neighbourhood plan must contribute to the achievement of sustainable development);
 - All Leeds' communities will be successful (the making of the neighbourhood plan must be in general conformity with the strategic policies contained in the development plan for Leeds, a significant part of which is planning for growth).
- 11.2 The issues outlined also meet the Council value of 'Working with Communities' and related priority of 'consultation' set out in the Council's Business Plan 2011 – 15.

12.0 Resources and value for money

- 12.1 The Department of Communities and Local Government will provide £5,000 to the Local Planning Authority for every neighbourhood area designation made and a further £2,000 for a forum designation, to assist with designation costs.

13.0 Legal Implications, Access to Information and Call In

13.1 Neighbourhood planning is taking place within a new and fast-changing national planning background which is focussed on economic growth, localism and sustainability meaning testing times for local decision-making. Over the next 12 months the Council hopes to adopt the Core Strategy, consult on the draft Site Allocations Plan and alongside this there will be a number of draft neighbourhood plans being prepared by local communities. Once adopted, these documents will comprise the 'local plan' for Leeds.

14.0 Risk Management

14.1 The examination and referendum process introduces risks in the neighbourhood planning system where the outcome will be dependant on the examiner's recommendations and a public vote. The Council will seek to manage this risk by working closely with designated areas to ensure that their neighbourhood plans complete the independent examination successfully.

15.0 Conclusions

15.1 The proposed Seacroft Neighbourhood Area is logical, coherent and appropriate and will help local people, the Council and others to work together to address planning and other issues of local interest and concern. The engagement on the boundary exceeds work undertaken in most other neighbourhood areas in Leeds (and beyond) and has resulted in a neighbourhood area that has a high level of local endorsement. The next stage (designation of the neighbourhood forum) will consider representation and partnership arrangements.

16.0 Recommendations

16.1 The Chief Planning Officer is recommended to:

- Designate the Seacroft Neighbourhood Area as shown on Plan 1, pursuant to Section 61G and 61I of the Town and Country Planning Act 1990.

17.0 Background documents¹

17.1 None.

¹ 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.