

Development Plan Panel

Tuesday, 17th June, 2014

PRESENT: Councillor N Walshaw in the Chair

Councillors B Anderson, C Campbell,
M Coulson, P Gruen, M Ingham, G Latty,
T Leadley, J Lewis, J McKenna and
K Mitchell

1 Chair's opening remarks

The Chair welcomed everyone to the first Development Plan Panel of the new municipal year and asked Members and Officer to introduce themselves

2 Late Items

There were no formal late items, however the Panel was in receipt of a revised report on the five year supply update, which included modifications which had been resolved after the report had been published. A copy of the revised report had been circulated to Members in advance of the meeting (minute 6 refers)

3 Declaration of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests

4 Apologies for Absence

Apologies for absence were received from Councillors Charlwood and A Carter, with Councillors Ingham and G Latty substituting for their respective colleagues

5 Strategic Housing Land Availability Assessment (SHLAA) Update 2014

Prior to considering the report, the Chair gave an overview of the important work for the Panel in the forthcoming municipal year. Central to this was the preparation of the Site Allocations Plan and the further work to be undertaken with Panel and Ward Members. The Head of Forward Planning and Implementation updated the Panel on the latest position of the Core Strategy which had been published the previous day – 16th June - for a 6 week period of consultation on the second set of Main Modifications proposed by the Inspector

In terms of the site allocations, this year, Development Plan Panel would need to progress to draft plan stage and consider specific allocations. It was acknowledged that to carry out the work within the time allowed would be challenging but that monthly workshops preceded by site visits were proposed as a way of dealing with the work

In terms of meeting dates for both the formal panel meetings and the workshops, these would be available as soon as possible. It was accepted that some of the work would be carried out over the holiday period and it was hoped that at least one Ward Member would be available to attend the workshops, if requested

The Panel then considered a report of the Director of City Development updating the Strategic Housing Land Availability Assessment (SHLAA). Appended to the covering report were the main report and full report, with Members also having received a CD showing all of the sites

Officers presented the report and emphasised that the preparation of the SHLAA was a requirement of national planning guidance and that it was the role of site allocation plans to allocate land for development, not the SHLAA

Members were informed that the underlying aim of the 2014 update was to make the SHLAA more robust to withstand the high level of scrutiny it would be subject to

The Executive Member for Neighbourhoods, Planning and Personnel, commended the work which had been undertaken on the SHLAA and thanked Officers for their work on this and for meeting the timescales during the process

The Panel discussed the report, with the key issues being raised relating to:

- there had been little opportunity for input into the SHLAA from Ward Members in the wards within the Aire Valley Leeds
- development within the Green Belt; the differing totals reached by LCC and the developers; concerns at the impression this could give to local residents and developers and the need for further work on this to present figures in a like-for-like manner
- one Green Belt site had dwelling delivery in the medium term contrary to the request that the SHLAA should only set out the dwelling capacity of Green Belt sites and not apportion dwellings to time periods. There was concern that there would be more Green Belt sites with the same problem
- the nature of some of the sites included in the SHLAA; that a number of sites which were not available or were unrealistic had still been included, despite Members' requests for these to be filtered out and the implications of including sites which were not available in the SHLAA and the concern which could, unnecessarily be caused
- that facetious or ridiculous sites put forward should be eliminated if the SHLAA was to be considered a serious process
- the realism of sites suggested by individuals as opposed to land owners
- inaccuracies in the site descriptions and addresses
- the need for smaller sites to be included
- the status of the interim policy for PAS sites
- the phasing of sites and concerns about inconsistencies giving rise to confusion for local residents
- inconsistencies of approach to sites within the same Ward, for example the inclusion in the report of a site subject to an upheld appeal for a care home, meaning the site was now unavailable

Officers provided the following information:

- regarding Aire Valley Leeds (AVL), it was clarified that a separate AVL Area Action Plan was being prepared and would consider allocations

within this plan area. Proposals would be subsequently brought to Development Plan Panel and then put out for further consultation, including input by Ward Members

- Green Belt status of sites would need to be checked by Officers. Some sites might not be entirely in the Green Belt, or exceptionally, may have permission for housing development, for example for a conversion of an existing building in the Green Belt
- that when sites were put forward on the SHLAA they were recorded as suitable, unsuitable or LDF to determine and where there were obvious non-starters, these would be dismissed at an early stage. Whilst some sites could appear to be unlikely at the current time, the SHLAA also had to cover the long term. However, it was not the role of the SHLAA to remove sites which people, through the consultation, had put forward as valid
- in respect of the availability of sites, this only related to sites comprising the 5 year supply, with the test for the SHLAA 10+ years that the site was developable
- concern that Officers were being asked to go beyond the normal due process and that whilst this could be done, discretion would have to be used particularly on sites suggested by a single person as this applied to some Ward Members
- that sites for less than 5 units were included in the Council's windfall sites, with the Inspector agreeing to a figure of 500 per year for these
- the interim PAS policy, which had been part of a broader report considered by Executive Board and adopted as interim Council policy. This policy had been challenged via a planning appeal and in the High Court. The policy had been found lawful but subject to appeal with the outcome of relevant appeals being awaited

Members considered how the proceed

RESOLVED - To notes the comments now made and:

- i) that unavailable anomalous sites be identified and submitted to the Chair for consideration
- ii) that housing delivery numbers on Green Belt sites be checked by Officers and revised accordingly
- iii) that Officers check that any sites considered 'suitable' that have zero dwelling delivery have good reason to have zero dwellings, or revise accordingly
- iv) that the issues of spelling and incorrect site descriptions be resolved

Subject to these changes, to endorse the publication of the SHLAA

Update 2014 as detailed in paragraphs 3.10 and 3.11 of the submitted report

6 Five Year Supply Update March 2014

Members considered a report of the Director of City Development summarising the 2014 Five Year Supply assessment

Officers presented the report and confirmed that Leeds could demonstrate there was a 5 year land supply. The recent Core Strategy Main Modifications which had been made were outlined to Panel, with these including:

- an acceptance by the Inspector that the level of 4,375 homes per annum might not be deliverable

- the introduction of a lower level of 3660 homes in the first three years, which Leeds would be tested against
- that the supply of sites should be throughout the 16 year plan period

The Panel discussed the report, with the main areas of focus being on the following matters:

- that the Council was now in a better position to defend its position against premature or unacceptable development which was reassuring
- the importance of Plans Panels seeking information on build out rates, which considering planning applications and for the Council to be more robust about the time limits of permissions
- that further information needed to be supplied to enable residents to ascertain if local sites were likely to come forward in the first 5 years of the plan period
- issues of infrastructure to support the additional housing and how local residents' concerns about this would be addressed
- CIL funds; how these would be used and the likelihood of having to accept overdevelopment in an area in order to secure CIL funding to achieve infrastructure

The Head of Forward Planning and Implementation stressed the importance of the work to be carried out on site allocations to deal with the issues which were being raised. In respect of infrastructure, a planned approach to the delivery of this, phasing, working with other service providers etc was the focus to coordinate infrastructure provision and delivery. It was noted that whilst this was challenging, the alternative of development by appeal was not a way to secure infrastructure

RESOLVED- To endorse the Five Year Supply assessment and publish the outcomes

During consideration of this matter, Councillor P Gruen and J McKenna left the meeting

7 Date and Time of Next Meeting

It was noted that the meeting scheduled for 15th July 2014 had been cancelled and that the date of the next meeting be conveyed to Members as soon as possible