

Report of the Chief Planning Officer

Report to Development Plan Panel

Date: 13th January 2015

Subject: Supplementary Report - Aire Valley Leeds Area Action Plan (Site Proposals)

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Burmantofts & Richmond Hill, City & Hunslet, Garforth & Swillington, Middleton Park, Temple Newsam.		
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input 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?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number: Appendix number:		

Summary of main issues

- Members will recall that a report was tabled to the 16th December 2014 Development Plan Panel (DPP), which noted that, the Aire Valley Leeds Area Action Plan (AVL AAP) will form part of the development plan for Leeds: the Local Development Framework (LDF) or Local Plan. The scope of the AVL AAP was established by the Executive Board in May 2005 to provide the future planning framework to guide the regeneration of an area of the Lower Aire Valley. The Aire Valley Leeds area extends from Leeds City Centre south east to the M1 and beyond. This is a key strategic location for Leeds and the City Region as the location of the Leeds City Region Enterprise Zone and includes a range of major development opportunities including the South Bank of the City Centre. The area contains over 400 hectares of development land which can help meet Leeds' need for housing and provide new jobs.
- Within this overall context, Spatial Policy 5 of the Core Strategy sets a target to identify land for a minimum of 6,500 new homes and 250 hectares of employment land - within a distinctive green environment, enabling an innovative new living and working community, supported by the necessary community facilities and infrastructure, which will become a national model for sustainable development.

3. At the DPP meeting on the 16th December, whilst generally supportive, Members raised a number of issues in relation to the emerging AVL AAP proposals, where it was agreed that further information and clarification would be provided. Within this context, a supplementary report was tabled at the 6th January which addressed the issues raised by members in relation to proposed employment proposals within AVLAAP, where these were submitted to the Strategic Housing Land Availability Assessment (SHLAA) but there is a preference, as part of the AVLAAP for this sites to be allocated for employment, as part of the overall package of proposals.
4. This further supplementary report seeks to address outstanding matters raised by Members with regard to other sites considered in the SHLAA process which were not proposed as housing allocations or mixed use allocations which include housing, a reassessment of the capacity of the proposed housing allocation at Skelton Gate (Site AVL89), and further clarification on proposed green space improvements and school provision in the area.

Recommendation

5. Development Plan Panel is invited to consider and support the further points of explanation and clarification provided by this report.

1.0 Purpose of this Report

- 1.1 At the DPP meeting on the 16th December, whilst generally supportive, Members raised a number of issues in relation to the emerging AVL AAP proposals, where it was agreed that further information and clarification would be provided. Within this context, a supplementary report was tabled at the 6th January which addressed the issues raised by Members in relation to proposed employment proposals within AVLAAP, where these were submitted to the Strategic Housing Land Availability Assessment (SHLAA) but there is a preference, as part of the AVLAAP for these sites to be allocated for employment, as part of the overall package of proposals.
- 1.2 The purpose of this further supplementary report is to address outstanding matters raised by Members with regard to other sites considered in the SHLAA process which were not proposed as housing allocations or mixed use allocations which include housing, a reassessment of the capacity of the proposed housing allocation at Skelton Gate (Site AVL89), and further clarification on proposed green space improvements and school provision in the area.

2.0 Background Information

Context

- 2.1 Members will recall that a report was tabled to the 16th December 2014 Development Plan Panel (DPP), which noted that, the Aire Valley Leeds Area Action Plan (AVL AAP) will form part of the development plan for Leeds: the Local Development Framework (LDF) or Local Plan. The scope of the AVL AAP was established by the Executive Board in May 2005 to provide the future planning framework to guide the regeneration of an area of the Lower Aire Valley.
- 2.2 Within this overall context, Spatial Policy 5 of the Core Strategy sets a target to identify land for a minimum of 6,500 new homes and 250 hectares of employment land within a distinctive green environment, enabling an innovative new living and working community, supported by the necessary community facilities and infrastructure, which will become a national model for sustainable development.

3.0 Main Issues

- 3.1 The report to DPP on the 16th December included a schedule (D) in Appendix 1 relating to, "Alternative Options for Housing (Not Proposed to Allocate)". These were sites included for consideration as part of the SHLAA process which it was not proposed to allocate the site for housing on grounds of suitability, availability and/or deliverability or because an alternative use was considered to be more appropriate taking into account Core Strategy policies (or Policies under the adopted Natural Resources and Waste Local Plan) and targets. The reason it is was proposed to not allocate the site for housing was set out in the schedule. In relation to this schedule, Members raised a number

of issues relating to the merits of these sites for housing, their inclusion within the SHLAA and further explanation and clarification on the reason for not proposing these sites for housing. In response to these issues, a reassessment of the potential of these sites to deliver housing during the plan period has been undertaken. In addition, in response to further issues raised by Members regarding specific green space sites and school places, further information for clarity is provided below.

Housing delivery

- 3.2 In relation to housing delivery, a reassessment of the potential of these sites to deliver housing during the plan period has been undertaken. As a result Appendix 1 of this report identifies two additional sites at Atkinson Street (Site AVL98) and Church Street/Balm Street (AVL48) (both in Hunslet) where it is considered housing can be delivered as part of mixed use development during the plan period. These additional sites are shown as SHLAA Site References 331 and 340 on Plan 2 of this report. The detailed justification for inclusion of these additional sites and the capacity of each is set out in Appendix 1. In total the sites are expected to deliver an additional **58 dwellings**.
- 3.3 Appendix 2 of this report sets out further explanation and clarification of the sites considered in the SHLAA process where there is not considered to be justification for the inclusion these sites as an allocation for either housing or mixed use development (with a housing element). This relates to an assessment of the suitability of the site, its availability for development or redevelopment and its deliverability during the plan period. These six sites are shown on Plan 2 (Site Proposals – Supplementary Plan). An important consideration also has been to consider the overall strategic role and potential of AVL for both residential and economic development (which incorporates the City Region Enterprise Zone). This is necessary to ensure that the most appropriate package which delivers these key objectives, is put forward.
- 3.4 Of the six sites set out in Appendix 2 only SHLAA Site Reference 2003 (Dransfield House) is shown in the SHLAA 2014 report as delivering dwellings during the plan period (in the medium and long term). It should be noted, however, that the SHLAA report also indicates that the site is unavailable. None of these sites are included in the Council's most recent five year housing land supply calculation.
- 3.5 Members should note that a number of sites considered as part of the SHLAA process were not submitted by the landowner or developer of the site but were identified as potential future housing opportunities by the Council, particularly in and on the edge of the City Centre, on the basis of similar development and proposals in the area. However, whilst such sites may have the potential for housing and may be brought forward in the future, confirmation is needed from the landowner and in a number of instances sites are currently occupied in other uses, which the owner has indicated that they will be continuing for the foreseeable future.

- 3.6 As a result of the amendments outlined in para 3.2 above and in Appendix 1 to this report, it is proposed to make an amendment to Plan 1 (Proposed Allocations & Green Spaces) tabled at the 16 December DPP to show mixed use allocations at sites AVL 98 (Atkinson Street) and AVL 48 (Church Street / Balm Road). The amended Plan 1 is set out in the report.

Capacity of Proposed Skelton Gate Housing Allocation (Site AVL 89)

- 3.7 At the 16th December DPP, Members noted that the identified capacity (at 1,620 dwellings) for the proposed housing allocation at Skelton Gate site (Site AV89 on Plans 1 and 2) shown in the schedule of Part B of Appendix 1 of the report was lower than would be expected. This capacity figure had been derived from the SHLAA 2014 report.
- 3.8 In the light of Members comments, the site capacity has been reassessed, taking into account other uses proposed at the site (a 'through' school consisting of a two form entry primary school together with a four form entry secondary school; office development and a food store) and other known constraints affecting parts of the site such as motorway noise and flood risk (small part of site affected). Using the standard density multiplier from the SHLAA of 40 dwellings per hectare the capacity of the net area available for housing is now considered to be **1,872 dwellings** – an increase of 252 dwellings. A standard allowance for 25% of the site area not being developed has also been applied. It is considered that this will adequately allow for mitigation of motorway noise and flood risk issues. A more detailed explanation of the reassessment of capacity at the site is set out in Appendix 1.
- 3.9 Following the 16th December DPP, a further submission has been received from Commercial Development Projects Limited who have a long leasehold on part of the Skelton Gate site (indicated on Plan 2) and are promoting a motorway service area (MSA) proposal on that land and object to the site being allocated as housing.
- 3.10 The Council have previously written to CDP to indicate that a MSA proposal is not supported and that it is considered to be incompatible with the development of the larger part of the site for housing. In addition, removal of this area of land from the housing allocation would potentially significantly reduce the capacity of the wider Skelton Gate site. A summary of this submission and a more detailed response is set out in Appendix 1 under Issue 2 for the Skelton Gate site.

Revised housing delivery total for the Aire Valley Leeds AAP area

- 3.11 As a result of the amended housing site capacity assumptions proposed above, including the two proposed additional mixed use allocations and the revised capacity for the Skelton Gate site, the total capacity of housing proposals in the AAP area will be increased by 310 dwellings to a total of **6,988 dwellings**. The revised table showing total identified and proposed housing sites in the Aire Valley Leeds AAP area (previously shown in Part C of Appendix 1 of the 16th December DPP report) is set out in Table 1 below:

Table 1: Revised total identified and proposed housing sites in the Aire Valley Leeds AAP area (dwelling capacity)

HMCA	IDENTIFIED SITES	PROPOSED ALLOCATIONS	TOTAL
City Centre	445	1,987	2,432
East	0	2,570 (2,318)	2,570 (2,318)
Inner Area	1,201	785 (727)	1,986 (1,928)
Outer South	0	0	0
AVL AAP	1,646	5,342 (5,032)	6,988 (6,678)

(previous dwelling capacity figure shown in brackets)

Green space

- 3.12 At the 16th December DPP, Members requested that officers consider the need to prioritise green space improvement in the inner city areas of Richmond Hill, East End Park and Hunslet.
- 3.13 The report tabled to Development Plans Panel on the 16th December set out that a key dimension of the AVL AAP is to protect and enhance the strategic green space and green infrastructure network (illustrated in the Core Strategy: Map 16) for the benefit of local communities, business, visitors and investors. As the policies for Aire Valley AAP (publication draft) are worked up, as with other issues, the details of how, where and what in regard to provision and enhancement of existing and new green spaces and the connectivity/linkages to and between spaces; accessibility and overall quality of green space will be set out in policies particular to the Aire Valley AAP. This will provide a localised approach beyond the policy approach set out in the Core Strategy, setting out proposals relating to the improvement of existing green space for the benefit of existing and new communities.

School provision in the Aire Valley AAP area

- 3.14 At the 16th December DPP, Members requested that officers confirm school provision in the Aire Valley AAP area with Children's Services. Details of school provision requirements across the district are set out in Appendix 2 - Schools Provision of the report on Site Allocations Plan – Site Allocations Proposals (Housing & Safeguarded land) to be considered under Item 6 of the agenda.
- 3.15 Paragraph 4.5 of above report sets out the following requirements for the Aire Valley Leeds AAP area:
- A 'through' school (to consist of a two form entry primary school together with a four form entry secondary school at Skelton Gate (shown as Site AV89 on Plan 1);
 - A two form entry primary school at the Copperfields College site (shown as Site AV38 on Plan 1).

4.0 Other considerations

Sustainability Appraisal

- 4.1 As outlined in this report, the Core Strategy provides the overall strategic context for the preparation of the Aire Valley AAP. Proposals contained in the AAP therefore need to be in conformity with the overall approach of the Core Strategy, which has been subject to a Sustainability Appraisal and has appraised the overall level of housing and employment provision for the area.
- 4.2 With regard to the Aire Valley AAP, a Sustainability Appraisal Report was produced to accompany the Preferred Options Consultation in 2007. This report is being updated to include the boundary extension to the plan area and to reflect changes to proposed allocations, new sites and alternative options proposed and has been used to inform the allocations set out in this report. This work includes an assessment of all the sites being considered for housing and employment and changes to green space designations and Town Centre boundaries.
- 4.3 To allow proper consideration of the sustainability of development proposals across the District, the sustainability appraisal of Aire Valley AAP housing options to be combined with those being considered for the Site Allocations Plan in the rest of the District. This is included in Appendix 4 of the report on Site Allocations Plan – Site Allocations Proposals (Housing & Safeguarded land) to be considered under Item 6 of the agenda.

Duty to Co-operate

- 4.4 The Localism Act (2011) and the National Planning Policy Framework (March 2012), provides details of legal and soundness requirements that the Council and other public bodies have to satisfy. This includes a 'duty to cooperate' on planning issues that cross administrative boundaries, especially those that relate to strategic priorities and allocations set out as part of the Core Strategy and related Development Plan Documents (including the homes and jobs planned for). As emphasised in this report, the Aire Valley AAP has been prepared within the context of the adopted Leeds Core Strategy. In finding the Plan sound, the Core Strategy Inspector confirmed that the City Council had demonstrated compliance with the Duty to Co-operate requirements. Within the context of the preparation of the AVL AAP, the broad strategic approach and quantum of development have therefore been accepted through the Duty to Co-operate process. Any further issues will therefore relate to detailed matters set out in the AAP. As a consequence, the City Council will continue to work through the established Duty to Co-operate processes, in the preparation of the Publication draft Plan, although no major issues are anticipated.

5.0 Corporate Considerations

5.1 Consultation and Engagement

5.1.1 The Core Strategy has now been adopted and has been found by an independent Inspector to be sound (this also includes compliance with the Duty to Co-operate and the regulated requirements for public consultation and engagement). There has been extensive consultation with Members in the course of preparing the Issues & Options; Alternative Options and Preferred Options material since 2005. The next round of consultation will take place after the Publication Plan has been agreed by Executive Board at a date to be agreed in early 2015.

5.2. Equality and Diversity / Cohesion and Integration

5.2.1 In the preparation of the Core Strategy, due regard has been given to Equality, Diversity, Cohesion and Integration issues. This has included the completion of EDCI Screening of the Core Strategy and meeting the requirements of the Strategic Environmental Assessment Directive, which has meant that these Plans are subject to the preparation of a Sustainability Appraisal. The purpose of such Appraisals is to assess (and where appropriate strengthen) the document's policies, in relation to a series of social (and health), environmental and economic objectives. As part of this process, issues of Equality, Diversity, Cohesion and Integration, are embedded as part of the Appraisal's objectives. The Aire Valley AAP material reflects the approach set out in the Core Strategy. Nevertheless an Equality Impact Assessment Screening will be undertaken on the proposed site allocations and will be part of the package to be presented to Executive Board. Equality, diversity, cohesion and integration issues are being considered as part of the preparation of the plan and through the sustainability appraisal work which is ongoing.

5.3. Council Policies and City Priorities

5.3.1 The Core Strategy, the emerging Site Allocations Plan and Aire Valley Leeds AAP, play a key strategic role in taking forward the spatial and land use elements of the Vision for Leeds and the aspiration to the 'the best city in the UK'. Related to this overarching approach and in addressing a range of social, environmental and economic objectives, where these Plans also seeks to support and advance the implementation of a range of other key City Council and wider partnership documents. These include the Best Council Plan (2013-17) and Leeds Joint Health and Wellbeing Strategy (2013-2015).

5.4 Resources and value for money

5.4.1 The preparation of statutory Development Plan Documents is an essential but a very resource intensive process. This is due to the time and cost of document preparation (relating to public consultation and engagement), the preparation and monitoring of an extensive evidence base, legal advice and Independent Examination. These challenges are compounded currently by the financial constraints upon the public sector and resourcing levels, concurrent with new technical and planning policy pressures arising from more recent legislation (including the Community Infrastructure Levy and Localism Act). There are considerable demands for officers, Members and the community in taking the Development Plan process forward.

5.4.2 For the Local Development Framework to be as up to date as possible, the Council now needs to produce the AVL AAP as quickly as possible, alongside the Site Allocations Plan, following the adoption of its Core Strategy. This will provide value for money in that the council will influence and direct where development goes. Without an up to date plan the presumption in favour of development by the Government means that any development in conformity with national policy will be acceptable, regardless of any previous positions of the authority, which could have implications in terms of resources and value for money.

5.5 Legal Implications, Access to Information and Call In

5.5.1 The Aire Valley Leeds AAP will follow the statutory development plan process (Local Development Framework). The report is not eligible for call in as no decision is being taken.

5.6 Risk Management

5.6.1 Without a current allocations plan for this geographical area, aspects of the existing UDP allocations will become out of date and will not reflect or deliver the Core Strategy policies and proposals. Early delivery is therefore essential, alongside the Site Allocations Plan, to enable the Council to demonstrate that sufficient land will be available when needed to meet the Core Strategy targets. As identified at 5.4.2 above, without an up to date plan the presumption in favour of development by the Government means that any development or neighbourhood plan in conformity with national policy will be acceptable, regardless of any previous positions of the authority. The more the work progresses, the more material weight can be given to it.

6.0 Conclusion

6.1 In response to a number of issues raised by Members at the 16th December DPP, this report provides further information, clarification and a reassessment of non-employment sites considered in the SHLAA process which were not proposed as housing allocations or mixed use allocations which include housing, a reassessment of the capacity of the proposed housing allocation at Skelton Gate (Site AVL89), and further clarification on proposed green space improvements and school provision in the area. As a result of the reassessment of potential housing sites and capacity an additional 310 dwellings have been identified in the Aire Valley Leeds AAP area to **6,988** dwellings.

7.0 Recommendation

7.1 Development Plan Panel is invited to consider and support the further points of explanation and clarification provided by this report.

8.0 Background Papers

None