

Development Plan Panel

Tuesday, 16th December, 2014

PRESENT: Councillor N Walshaw in the Chair

Councillors B Anderson, C Campbell,
R Charlwood, P Gruen, T Leadley, J Lewis,
J McKenna, K Mitchell and J Procter

8 Chair's opening remarks

The Chair welcomed everyone to the meeting and asked Members and Officers to introduce themselves

9 Late Items

There were no formal late items, however the Panel was in receipt of revised plans in respect of Plan 1 Aire Valley Leeds AAP Draft Policies Map – December 2014 (proposed allocations and green space) and Hunslet Town Centre – Plan 4 (minute 9 refers). These plans had been sent to Members and published on the Council's website in advance of the meeting

10 Declaration of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests

11 Minutes

RESOLVED - That the minutes of the Development Plan Panel meetings held on 12th May 2014 and 17th June 2014 be approved, subject to the amendment of minute 5 of the meeting held on 17th June 2014, to state 'that sometimes small sites could deliver more than 5 units'

12 Safeguarded Land / Protected Areas of Search (PAS)

Members considered a report of the Chief Planning Officer on issues relating to Safeguarded Land/Protected Areas of Search (PAS), arising from work undertaken in the Member workshops. The Head of Forward Planning and Implementation presented the report which set out the overall methodology for the provision of PAS land as part of the Site Allocations Plan workshop sessions and sought consideration of whether or not existing PAS sites which were not proposed for allocation, could be returned to the Green Belt

As the Core Strategy established that new PAS should account for at least 10% of the total land identified for housing over the Plan Period, consideration had been given as to how to take this forward. As some areas could not accommodate PAS, other areas would need to take more than a 10% share, with Officers using a figure of 19% as a working assumption

Draft minutes to be approved at the meeting to be held on 19th May 2015

Members discussed this with the main issues being raised relating to:

- the percentage rates for PAS and when these would be available
- the figure of 19%; where this had emanated from whether the table in paragraph 3.9 of the submitted report had validity in view of some PAS figures being as high as 30%
- the rationale for the figure of 19%
- the way in which this had been conveyed to Members
- concerns that some Councillors would be surprised at the PAS figures for their wards
- the possibility of finding land to be designated as PAS in many areas
- the need for clarity and transparency
- the information provided to Elected Members in the workshops
- the possibility of considering PAS sites later than the meeting scheduled on 13th January
- the need to consider carefully those Green Belt sites which were close to the boundaries with neighbouring authorities in order to avoid massive coalescence
- the make-up of the figures and that brownfield sites with consents coming forward after the Plan Period should be taken account of

The following responses were provided

- that the PAS figures would form part of the information to be considered by Development Plan Panel at its meetings in January
- that the figure of 19% was an arithmetic calculation by Officers, presented to Members as a response to addressing the fact that some areas could not accommodate PAS land. Whilst a figure of 10% could have been used, there would have been a shortfall (within the context of the definition of safeguarded land set out in national planning guidance)
- that there had been little change since the workshops with Elected Members, other than changes subject to further discussion with Ward Members, so there should be few surprises once the information was made available
- that the fairest and most equitable way, given the limitations of some areas to find PAS land was being proposed
- that consideration of the Housing and PAS sites on 13th January would enable Executive Board to consider the material in the round, with a view to Officers preparing a draft plan for public consultation later in 2015
- the importance of retaining identity and to avoid coalescence; that Green Belt boundaries of neighbouring Local Authorities were being kept under consideration but there were difficulties as some Authorities were at different stages in the Development Plan process, however progress was being monitored in Leeds via the Duty to Co-operate process
- that brownfield sites with consents were implicitly taken into account as there would always be recycling of land in the main urban areas

The Head of Forward Planning and Implementation then outlined the

second part of the report which related to returning PAS land to Green Belt. He outlined the position in respect of the tests set out in national guidance and recent court cases. Members were informed the process was very challenging and that if a site was returned, it would be necessary to replace that site with another one, therefore this would have an impact on the totals in the Housing Market

Characteristic Areas

In respect of the future status of rural land, Members were informed there was some merit in exploring designating the UDP Rural Land area as Green Belt, although it would be necessary to satisfy the tests

The Panel discussed this element of the report, with the key areas of debate concerning:

- Government statements on Green Belt
- the need to review the Green Belt which was a separate process from the Site Allocations process
- that a proper review of Green Belt should be undertaken
- that consideration should be given to revising some sites which were removed by the Inspector and where this had been the wrong decision

At this point the Head of Regulatory and Development outlined the way returning Safeguarded Land to the Green Belt was being viewed by the courts and referred to recent judgements and the high test which needed to be met for a successful outcome

Members commented further on this matter, in respect of:

- the need to challenge decisions rather than just accepting them
- that it was possible to return land to the Green Belt
- the need to know when the total review of the Green Belt would commence and conclude

Officers advised that the position was that a review of the Green Belt was required to accommodate development; the scope of the review being in SP10 and that this was being worked through currently

The Executive Member Neighbourhoods, Planning and Personnel thanked Officers for their comments and stated the Inspector had not indicated a review of the Green Belt had to be undertaken at this stage and that if one was undertaken it would be necessary to do this properly with terms of reference, Member involvement and public consultation. On the issue of returning PAS to Green Belt, clear legal advice had been provided. In respect of the extent of PAS land a further report which clarified the issues was required to be presented to Panel in January. In respect of informing Members where different percentage rates were to be considered, Officers had been asked to speak to Members in those wards which would be affected

RESOLVED - To note the report and the comments now made and that a further report setting out the clear position in respect of PAS land be provided to Members at their meetings in January

13 Aire Valley Area Action Plan - Site Proposals

The Panel considered a report of the Chief Planning Officer in respect of site allocations for the Aire Valley Leeds Area Action Plan

Officers presented the report and outlined main issues in respect of housing; housing and mixed use allocations; employment; office sites; green space and retail

Large scale plans were tabled at the meeting

Members discussed and commented on the report, with the key issues relating to:

- a specific Green Belt site and whether that could be retained as PAS land
- possible uses for the Skelton Gate site
- the number of housing units required in this area; where this figure had been derived from and who had proposed sites
- the requirements of the Core Strategy in terms of employment use and job creation and that a lower housing figure would have translated into lower employment and job creation targets
- concerns that potential housing sites were being disregarded and that decisions taken by Plans Panels for sites were also not being reflected in the information before Members
- the SHLAA process and the correct forum for consideration of housing sites
- employment land and the way in which this had been dealt with
- the need for improvements to green space in Richmond Hill
- the need to prioritise green space provision in the areas of East End Park and Hunslet
- the level of masterplanning carried out for the Skelton Gate site and the housing density proposed

In view of the issues raised by Members, further work on the site proposals for the Aire Valley Leeds Area Action Plan was requested to be brought back to Panel, this being:

- clarification of the proposed use of the site at Cross Green, cross hatched on the submitted plan
- including provision of green space for Richmond Hill, East End Park and Hunslet as a key objective
- a review of the sites listed in Appendix D and to contact those landowners with sites listed in this appendix to ascertain if they still wished for their sites to be considered for housing use
- the consistency of the Skelton Gate site and further information on the housing density and the buffer which would be required
- information from Children's Services on school places and how it relates to housing numbers

RESOLVED - To note the report and the information provided and that Officers consider the matters raised, with a view to reporting back to Development Plan Panel Members at future meetings

14 ODD (Otley Development Disgrace) Open Letter & Petition Response

The Panel considered a report of the Chief Planning Officer setting out a response which had now been sent following a petition and letter received from the ODD campaign group in respect of implications for Otley in the Site Allocations Plan. A copy of the letter and response were appended to the report

The difficulties of obtaining statistical data to support Neighbourhood Plans was raised, with the Chair offering assistance with this

The changing nature of communities and population growth was highlighted as was the need for a piece of work to be undertaken at a future date to consider population shifts and project likely future movement

RESOLVED - To note the report and the response to the ODD petition and letter

15 Planning Policy Approach to Hot Food Takeaways (HFTs)

Members considered a report of the Chief Planning Officer which provided an overview of the planning policies in Leeds relating to hot food takeaways, in response to issues raised through the Members workshops

The Core Strategy context was outlined with the requirement to provide a planning policy framework to address health issues and the wider role of local authorities through the Duty to improve Public Health

The relevant planning policy was UDP Policy GP5, with the Head of Forward Planning and Implementation stating that it was necessary for the policy to be applied in order to assess how effective it was and be kept under review

Members discussed issues relating to hot food takeaways in respect of their impact on health, obesity and life expectancy; the numbers of hot food takeaways in particular parts of the city: the frequent siting of these close to schools and the need for Officers to robustly apply and defend the policy

It was suggested that this report be referred to the Joint Plans Panel and Community Committees

RESOLVED - To note the report and the approach to hot food takeaways and the need for the application of relevant policies to be kept under review

16 Closing remarks

The Executive Member, Neighbourhoods, Planning and Personnel, referred to the meetings scheduled for January thanked Officers for their efforts and team work in preparing material for the next stage of the process

A further presentation was offered to the opposition groups in their group meetings, if this would be useful

17 Date and Time of Next Meeting

Tuesday 6th January 2015 at 1.30pm in the Civic Hall, Leeds