

Report of the Chief Planning Officer

Report to Development Plan Panel

Date: 16th June 2015

Subject: Site Allocations Plan - Publication Draft

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): All .	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. The Leeds Core Strategy was adopted by the City Council on 12th November and takes forward the spatial and land use aspects of the Vision for Leeds, City Priority Plans and the Best Council Plan (in particular, Objective 2: to 'Promote sustainable and inclusive economic growth), in aspiring to be the 'Best City in the UK'. In reflecting these priorities, at its meetings on the 16th December 2014, 6th and 13th January 2015, Development Plan Panel have previously considered site proposals for the Site Allocations Plan (SAP) and Aire Valley Leeds Area Action Plan (AVLAAP) (relating to Housing, Employment, Retail and Green space). Executive Board at its meeting on 11th February, subsequently agreed that these site allocations proposals should form the basis of the preparation of Publication Draft Plans for the SAP and AVLAAP.
2. The focus of this report is the SAP Publication Draft Plan sections in relation to Employment, Retail (Town & Local Centre boundaries and Shopping Frontages) and Green space. The Housing section of the SAP, will be presented to Development Plan Panel on 26th June 2015.

Recommendation

3. Development Plan Panel is invited to consider the SAP Publication draft Plan sections in relation to Employment, Retail and Green space and to

recommend to the Executive Board, that the Plan is agreed for Publication consultation.

1.0 Purpose of this Report

- 1.1 Following consideration by the Development Plan Panel, Executive Board on the 11th February agreed the proposed site allocations for the SAP and the AVLAAP, as a basis to prepare draft Publications Plans. The purpose of this report is to present the Employment, Retail and Green space sections of the SAP Publication Draft Plan, consistent with the overall requirements of the Core Strategy and the scope of the Plan. Members are therefore invited to consider these sections of the Draft Plan and to recommend that this is taken forward for consultation in due course. The Publication draft sections are attached to this report, together with, the draft Sustainability Appraisal (SA) of Policies and site assessments, together with accompanying Plans.

2.0 Background Information

Context

- 2.1 Members will recall that reports were tabled at the 16th December 2014, 6th and 13th January 2015 Development Plan Panels (DPP), which noted that, the SAP and AVLAAP will form part of the Development Plan for Leeds: the Local Development Framework (LDF) (or 'local plan').
- 2.2 Following consideration of the proposed allocations at Executive Board on 11th February, there have been a number of updates and changes, which are identified in the relevant sections below. This is a consequence of further technical work and additional information being received and updates to information on sites with planning permission.
- 2.3 A number of areas of technical and background work are currently being completed in support of the SAP. This includes the Sustainability Appraisal (SA), the Habitats Regulation Assessment (HRA) Screening and further information regarding site requirements. This work will need to be completed prior to Publication consultation and any necessary adjustments made to the draft SAP, for consideration by Executive Board.

3.0 Main Issues

- 3.1 The National Planning Policy Framework (NPPF) requires the Council to have an up to date development plan, or 'Local Plan'. This needs to include both strategic policies and site specific allocations that put the policies into effect. The SAP is part of a process that must ultimately lead to the delivery of new development of an appropriate form and quality, alongside the necessary infrastructure.

Employment

- 3.2 As set out in previous reports to the Development Plan Panel and to Executive Board, the Core Strategy sets out the overall requirements for general employment land and for office floorspace (493 ha and 1, 000,000 m sqm respectively), to be incorporated in the SAP and AVLAAP. Following consideration by the Panel, Executive Board (11th February) agreed the overall approach to the identification and allocation of sites across the District.

This overall approach has been subsequently incorporated into the SAP and AVLAAP Publication draft Plan, with the exception of a number of updates and revisions set out below, arising from further work.

Changes to Employment allocations since Executive Board

3.3 Post Executive Board, a number of technical changes have been made to the following sites. These are:

Outer South West:

- Site EG2-23 Nepshaw Lane – the boundary has been amended to reflect the planning permission but it is shown as an allocation rather than an identified site as the S106 has not yet been signed.
- Site EG2-21 – Thorpe on the Hill. The boundary has been redrawn to exclude the NRWLP allocation. Further representations on this site have been received (including the NRWLP site), proposing it for residential not employment use. Officers consider that it is not considered an appropriate site for housing. It is understood that an application for aggregate recycling is likely to be submitted shortly on the part of the site which is an existing Safeguarded Waste Management site.

City Centre:

- Site MX2-21 Park Row – mixed use site for housing and office use has been deleted as the site is not available (Loss of 1067m² office).
- Site E02-7, Aireside Centre, Whitehall Road – was an office site. This has been changed to identified mixed use site MX1-8 (600 dwellings and 121175 sqm of office).

SAP and Natural Resources & Waste Local Plan (NRWLP)

3.4 Due to the need to ensure consistency and to avoid any duplication between the SAP Employment allocations and sites within the adopted Natural Resources and Waste Local Plan (NRWLP) (which have an employment use) - further work has been undertaken. This has concluded that NRWLP sites should not be re-presented in a way that invites further comment through the Site Allocation Plan Process and that land supply should be quantified to avoid double counting. In taking forward this approach, there are two categories of sites, NRWLP *allocation* sites quantified as a total contribution toward the Core Strategy general employment (these sites fall within the AVLAAP rather than the SAP). NRWLP *safeguarding* sites will not be quantified to count toward the Core Strategy general employment target. There are a number of identified employment SAP sites that overlap with NRWLP safeguarding sites. In this instance, only the SAP supply quantity only will be counted. This is consistent because many such sites have historic, underused and redundant waste uses which need to be safeguarded for development of a range of modern new waste uses.

Thorp Arch Trading Estate (TATE)

3.5 At the meeting of the Development Plan Panel on 20th May, members considered a report regarding strategic housing and employment issues within Outer North East (ONE). Within this context, the City Council has received further correspondence from Rockspring (the owners of TATE), commenting

that it is not possible to allocate 72ha of the site for general employment uses. It is stated that this is because much of this land is already in employment and retail uses and that the lower value of such uses would not support necessary land decontamination and the provision of infrastructure. Because of this, Rockspring indicate that 8.72ha is a more realistic level of general employment land.

- 3.6 Given this further information, further consideration is needed of the site and its contribution to general employment land. As emphasised previously in reports to Development Plan Panel, this is a major brownfield site which has the potential to make a positive contribution to the priorities and requirements of the Core Strategy. In reflecting on this, opportunities therefore remain for an appropriate mixed use development. In order to advise Executive Board, members views are therefore requested on this.

Leeds Bradford International Airport (LBIA)

- 3.7 Members may recall that following consideration of the SAP material at the Development Plan Panel, Executive Board was made aware of a number of Outstanding Matters, where further work was needed to resolve issues within a number of areas. Included within this, was the need for further consideration of the economic role of Leeds Bradford International Airport (LBIA), the scope for longer term employment growth and an assessment of employment needs for north west Leeds (and their implications for site allocations). Further work has subsequently been commissioned and the following conclusions can be reported.
- 3.8 The BE Group was commissioned to investigate the need for more employment land in the Aireborough and Outer North West areas and the case for additional airport related employment growth. Their conclusions suggest a need for 12-14ha of general employment land in the area, over and above the target requirement in the Core Strategy. This is related to indigenous business growth. They also conclude there is a case to support the aspiration of Leeds to expand business growth at the Airport, but offer no guide to quantification.
- 3.9 Through the Airport Masterplan, LBIA has suggested it needs 40ha of additional employment land as part of a long term plan to 2030 to secure the future standing of the airport. It has identified land to the north, which would relate well to the proposed road link between the A65 and the A61.
- 3.6 In terms of the overall general employment land provision, there are particular issues for the Site Allocations Plan in satisfying the Core Strategy 493ha requirement for employment land District wide and the margin has been narrow. In addition, as noted above there is now some doubt over the potential level of future employment land potential at Thorp Arch Trading Estate. Further provision within the Outer North West area, would therefore help to address any shortfall.
- 3.10 There has been considerable debate through the Core Strategy process and at Issues and Options stage of the preparation of the SAP of the longer term

role and economic potential of LBIA. These matters have also been subject to consideration by full Council, who in March 2014 supported a White Paper Motion that the, *“Council recognises the long term benefits Leeds Bradford International Airport brings to the local and regional economy and fully supports the city region’s proposed infrastructure improvements to improve both its accessibility and connectivity”*.

- 3.11 On the basis of the further work outlined above and the City Council’s support for LBIA, there is an opportunity to help meet these longer term aspirations through the SAP through an allocation to designate the Airport as an Employment Hub. This would provide an opportunity to contribute toward general employment land within the Outer North West area and secure opportunities for employment uses associated with airport growth (including logistics and freight). This ‘Employment Hub’ in turn would help consolidate and add to the ‘Leeds offer’, at the heart of the City Region and provide an opportunity which is not replicated elsewhere in the District (in major growth locations including the City Centre and Aire Valley Leeds). This approach would need to be underpinned by detailed planning policy requirements (set out in a proposed Supplementary Planning Document - SPD) and provide a step change in infrastructure provision and major public transport improvements), consistent with the requirements of Spatial Policy 12 of the Core Strategy.
- 3.12. As noted above, the Airport Masterplan identifies a need for 40ha of land in question at the airport would need to be taken out of the Green Belt. This significant loss of Green Belt could be justified on the basis of the strategic need outlined above (and in contributing to the overall general employment requirement) and providing that the land is subject to a detailed SPD to set out detailed land uses and planning requirements, which would entail a significant contribution from the LBIA to the provision of infrastructure. The SPD would need to take into account an agreed surface access and car parking strategy, the overall range and configuration of uses, design and landscaping requirements and the managed release of sites consistent with infrastructure requirements (including major public transport improvements). Policy EG3 of the SAP Publication draft sets out this approach in further detail.

Retail

- 3.13 As agreed previously at Development Plan Panel and Executive Board, detailed Retail and Town Centre Policies have been worked up to replace those within the Unitary Development Plan. These policies cover; the designation of centre boundaries, primary shopping areas and protected shopping frontages; detailed policy guidance for developments within protected shopping frontages within the City Centre and within other designated centres; as well as detailed shop front guidance. It was agreed that as part of the detailed guidance for protected shopping frontages within the City Centre detailed guidance would be worked up to cover shopping centres such as Trinity and Merrion. This has progressed as agreed at previous Panels with one notable alteration. Following detailed assessment of The Core shopping centre it became apparent that the proportion of A1 uses

within the centre was too low (below 40%) to justify the centre being covered by protected shopping frontages. Therefore the list of centres covered is The Corn Exchange, Trinity, The Merrion Centre, St John's Shopping Centre and Victoria Gate (Phase 1). Inset plans have been created for these shopping centres, separate from the City Centre shopping frontages plan, and these are detailed within the appendices.

- 3.14 The Designation Policies provide the basis upon which to designate boundaries, frontages and area for the City Centre, Town and Local Centres. The detailed Frontage Policies reflect the adopted Core Strategy, which set out that the Site Allocations Plan would define the detailed policies and boundaries. In a wider context this is in accordance with the National Planning Policy Framework (Paragraph 23) which states that Local Planning Authorities should, "*define the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres, and set policies that make clear which uses will be permitted in such locations*".
- 3.15 Members will recall that previous plans included references to 'Opportunity Sites', as areas where retail and Town Centre uses would be encouraged. Following further considerations of these sites against the proposed and existing policies it was felt that the designation was no longer required. All of the sites fall within either existing or proposed Centre boundaries, which provide the policy rationale for what uses would be supported on these sites, and in any event many of the sites either benefit from permission or have a proposed allocation on them. The "Opportunity Site" designation has therefore been removed.
- 3.16 Following February's Executive Board, it has also become apparent that Kirkstall Primary Shopping Area needed to be reconsidered, in order to more accurately reflect the shopping core as it exists today. As a consequence, the Primary Shopping Area has been expanded to include the Morrison's store and adjacent stores, as well as the under construction Kirkstall Bridge Shopping Park. This is detailed within the North section of the Site Allocations Plan.

Green space

Overview

- 3.17 Leeds is a 'green' city with an extensive network of green spaces and green infrastructure, providing local access to open spaces and a variety of opportunities for outdoor formal and informal recreation on a range of often multi-functional green spaces. The importance and significance of green space and green infrastructure is recognised through specific policies within the adopted Core Strategy, the saved UDP Policies and allocations. These currently provide the strategic planning and policy context for the protection and enhancement of green space in Leeds. For the purposes of the SAP (and the AVLAAP), the green space 'typologies' covered by these proposed allocations are as follows:
- Parks and gardens
 - Outdoor sports provision

- Amenity green space
- Children and young people's play provision
- Allotments
- Natural green space
- City centre civic space
- Allotments
- Cemeteries, disused churchyards and other burial grounds
- Green corridors
- Private provision open to the public – e.g. Harewood House

3.18 These are the typologies used in the Open Space, Sport and Recreation Assessment (OSSRA). These have been used as the basis for the typologies set out in Policy G3 in the Core Strategy.

3.19 The sites now identified for designation and protection as green space through the SAP have primarily been identified from the UDP and the OSSRA. In many cases the UDP and the OSSRA green space sites were the same, showing a continued and long standing green space use, but there were cases where boundaries were, to varying degrees, different. The presumption has been to identify the more recent boundary as identified through the OSSRA, though further investigations have been undertaken in some cases to ensure boundaries shown on the SAP maps reflect the up to date situation (as at 2014/15). In a few cases UDP green space sites have not been identified in a green space use at all in the OSSRA either due to their size (due to more accurate measurement some sites were found to be below 0.2ha threshold) or because they are no longer in a green space use. These sites are proposed for deletion from the Plan and were previously reported to the Development Plan Panel on 6th January 2015 and Executive Board on 11th February 2015.

3.20 A number of representations were received during the Issues and Options public consultation exercise (June - July 2013) expressing support or opposition to the sites proposed for protection and, in some cases, proposing additional sites. Members will recall, further work was undertaken and amended green space proposals were presented at Development Plan Panel in January and to Executive Board in February. These amendments incorporated:

- Revisions that have been raised through comments made during the public consultation period,
- Revisions that have been made resulting from DPP and ward member comments,
- Amendments to typology to reflect the current characteristics more accurately,

- Deletion of green space which overlaps sites with planning permission as well as proposed housing, employment and Protected Areas of Search/safeguarded land allocations.

3.21 Following Executive Board, officers have continued to update and refine the green space information for clarity and consistency and to reflect consequential changes elsewhere in the emerging Plan. For example, as the housing and employment sites proposed for allocation have become clearer, it has been possible to more accurately identify outstanding anomalies where proposed development sites are also currently fully or partially identified as green space. To ensure clarity and the deliverability of proposed development allocations, a site cannot be allocated for more than one purpose. Therefore changes have been made resulting in the loss of some existing and proposed green space. In total to reflect the proposed allocations, a further 69 green space sites have been deleted since Executive Board and the boundaries of 84 sites have been amended due to housing and employment proposals. In addition, 46 sites have been re-classified to reflect their typology more accurately and to ensure they are fully protected and contribute to the standards set out in Policy G3 of the Core Strategy. A small number of additional green space sites have also been identified over the last few months and have been included. These sites are listed in Appendix 2 to this report, including details of the change made. Of particular note, the extensive new park to be laid out near Thorpe Park (Austhorpe) has been identified for protection as green space even though it has not been delivered to date as it has an extant planning permission and its delivery is secured through requirements embedded in a S106 agreement with specified trigger points. Minor changes have been made to the boundaries of a further 79 sites to correct slight anomalies such as cartographical inaccuracies. Sites will continue to change, some will stop being actively used for recreation and new ones will be laid out, especially as part of approved housing schemes and wider area strategies therefore the sites currently identified are a snapshot in time.

3.22 The OSSRA identified 76 cemeteries, disused churchyards and other burial grounds, only 9 of which are protected in the UDP as N1. These are shown on the plans for protection however there are no standards for provision in Policy G3.

Green space proposed for protection through the SAP

3.23 Following these amendments (following Development Plan Panel 6th January and Executive Board 11th February), the sites in green space use and proposed for designation, are identified in the Publication Draft document (Appendix 1). The table below sets out the number of green space sites and the total area of green space across the District at key stages in the Site Allocations process.

UDP (N1, N1A, N5, N6)		Executive Board (Feb 2015)		Development Plan Panel (16/6/15)	
No of Sites	Area (ha)	No of Sites	Area (ha)	No of Sites	Area (ha)
1131	4,325.5	1763	6486.2	1707	6258.2

Although there has been a reduction in the number of sites and the total area of proposed green space since Executive Board, the current proposals still represent a 45% increase in designated green space in comparison to the UDP.

- 3.24 The increase in green space in comparison to the UDP is mainly as a result of more comprehensive protection of long standing open spaces with recreational value that were not formally protected as such through the UDP SAP. However some new areas have been laid out since the UDP, such as St Aidan's Country Park, near Great Preston and are proposed for protection in the SAP. In terms of the overall level of green space provision District-wide (by HMCA), the position is summarised as follows:

Total SAP green space proposed for protection by HMCA

HMCA	Area of Green space (all typologies except private golf courses)(ha)
Aireborough	214.93
City Centre	12.26 (Civic Space 18.94 ha not included)
East	797.85
Inner	629.12
North	1172.81
Outer North East	293.55
Outer North West	445.89
Outer South	444.04
Outer South East	744.30
Outer South West	748.71
Outer West	754.82
TOTAL	6258.4

Improving green space provision (quantity, quality and accessibility)

- 3.25 As emphasised in previous reports to the Development Plan Panel and Executive Board, Policy G3 of the Core Strategy sets out standards of provision in terms of quantity, quality and accessibility. It therefore sets the targets and strategy for future improvements in green space provision to ensure people have easy access to a variety of safe, high quality open spaces for formal and informal recreation.
- 3.26 As emphasised previously also, in terms of green space quantity, there are a number of key ways to achieve an increase in the amount of green space. These include: Master planning, new housing development & site

requirements, new off-site provision, CIL/other funding, Neighbourhood Plans, specific projects (such as the new City Park on the South Bank, and a new country park in East Leeds).

- 3.27 In addition, green space provision is not purely a matter of how much open space there is across the District. Green spaces should be fit for purpose and provide a high quality environment designed for and enabling recreation. They should be welcoming, safe, secure, clean, well maintained and, where appropriate, conserve important habitats, landscape features and historic structures. All sites were assessed and scored out of 10 using various criteria as part of the OSSRA and subsequent surveys and it is noticeable how many fell below the desired score of 7 as set out in Policy G3. It is therefore important that funding and initiatives are focussed on improving the quality of existing open spaces. The Council's Green space Strategy (prepared by Parks and Countryside) recognises this need and this has shaped the approach taken by the Council for many years. The focus has been on improving existing areas rather than necessarily laying out new areas.
- 3.28 With regard to accessibility, communities also need to be able to get to open spaces as easily and safely as possible. Consequently, the Green space Strategy aims to improve linkages to particularly community parks through working with the planning system, developers and communities. Policy G1 (Enhancing and Extending Green Infrastructure) of the Core Strategy recognises the importance of wider strategic green networks and encourages the extension of Green Infrastructure by linking green spaces. Green spaces and Green Infrastructure play an important role in achieving an extensive, connected network across the District. This network not only serves to enhance local identity and distinctiveness but also contributes to wider City Council objectives to improve public health.

4.0 Other considerations:

Background Papers

- 4.1 In assisting the consultation process, providing further information and evidence for the draft Plan, a number of Background Papers are in the process of being finalised. These will be available as Background papers presented to Executive Board in July 2015. They will form part of the documents available for comment during the public consultation on the Publication Draft Plan and include:
- Background Paper: Retail
 - Background Paper: Employment
 - Background Paper: Green space
 - Background Paper: Housing
 - Background Paper: Green Belt Review
 - Background Paper: Infrastructure
 - Background Paper: Flood Risk Sequential Test

Background Paper: Duty to Co-operate
Background Paper: Environmental designations (tbc)

- 4.2 These Background Papers will help to provide an overview of the Plan preparation process, from scoping the plan, through Issues and Options, to Publication Draft Plan stage and include all sites rejected for allocation for retail, employment, housing or green space. The Background Paper on Infrastructure will include an update on the Core Strategy Infrastructure Delivery Plan and the Community Infrastructure Levy (CIL), the detail on Schools Provision which was appended to Development Plan Panel (January 2015) and Executive Board (February 2015) respectively and is therefore not repeated in the papers today.

Sustainability Appraisal

- 4.3 As outlined in this report, the Core Strategy provides the overall strategic context for the preparation of the SAP. Proposals contained in this Plan, therefore need to be consistent with the overall approach of the Core Strategy, which in itself has been subject to a Sustainability Appraisal and was considered by the Inspector, who found the Plan and supporting City Council evidence to be sound.
- 4.4 The purpose of the Sustainability Appraisal (SA) is to assess a document or plan against the delivery of social, economic and environmental objectives. This is a requirement of the Strategic Environmental Assessment (SEA) Directive, which was transposed into English Law in the form of The Environmental Assessment of Plans and Programmes Regulations 2004.
- 4.5 The SA of the SAP assesses the effects of the site allocations against the SA objectives. An SA Report was prepared to accompany the Issues & Options document and was published as part of the consultation process in 2013. At that stage the SA Report provided an individual assessment of sites being considered for allocation for retail, employment and housing use with an expectation that the SA at the Publication draft would consider the cumulative effects of the proposed site allocations coming forward collectively. In relation to this Panel meeting, members need to take into account the SA conclusions in relation to Employment, Retail and Green space – with matters in relation to housing to be considered at the meeting on 26th June.

Work Undertaken Since Consultation on the Issues & Options SAP

- 4.6 Following the Issues & Options consultation in Summer 2013, further work has been undertaken to progress the Sustainability Appraisal of the SAP. This has included:
- Completing site assessments following receipt of outstanding site information from consultees and infrastructure providers;
 - Undertaking site assessments of new sites submitted during the Issues & Options consultation and subsequently through the Strategic Housing Land Availability Assessment (SHLAA) process;
 - Reviewing and revising the scoring criteria used for assessing sites against the SA objectives, for example as a result of consultee comments,

checking for consistency, introducing new evidence sources and making scoring easier to understand;

- All of the SA assessments have been moved onto the SAP database, enabling improved data application and analysis;
- Updating and expanding the baseline data so the information is presented at a City wide and HMCA level;
- Updating the summary of plans, policies and programmes relevant to the SAP at a European, national and local level;
- Summarising the SA effects of the SAP based on the proposed allocations presented in the Publication draft;
- Identifying mitigation measures to offset negative effects identified through the SA process.
- Assessing the proposed SAP policies against SA objectives

SA Report

- 4.7 Following the work undertaken as outlined in paragraph 4.6 above an SA Report has been prepared to accompany the SAP Publication draft, which will be subject to public consultation. One of the main differences from the SA Report prepared for the Issues & Options document is the assessment of the overall effects of the proposed allocations coming forward as a whole, i.e. the cumulative effects and the identification of mitigation measures where negative effects are identified for individual sites or sites as a whole.

Other Outstanding Work

- 4.8 The SA Report and accompanying appendices are substantively complete. It has been a very complex and iterative process in coordinating material, assessments and supporting data and comments to finalise the whole document and has been dependent on the resources of other officers in the Council and external consultees. In finalising the material for Executive Board, there are however a number of areas where technical work will need to be completed. These include: SA of any changes to site proposals arising from Development Plan Panel's consideration (such as allocations in relation to LBIA), completing gaps in updates to baseline data including the presentation of demographic information for each HMCA and greenspace provision city wide and for each HMCA.

How has the SA informed the Site Allocations Process?

- 4.9 The SA process has been undertaken alongside the production of the SAP. Work on the SA started in early 2012 and has continued through to the preparation of the Publication draft document. The assessment work for the SA has been informed by evidence provided from a number of data sources and consultees both within and external to the Council. This has informed the assessment of sites on for example, transport and accessibility, flood risk, pollution, and natural resources and waste. This information has been used to consider the suitability of sites for the proposed use. It has also identified where mitigation measures would be needed to offset negative impacts identified through the SA process or further assessment work needed at planning application stage, such as detailed ecological assessment, flood risk

measures or consideration of effects on the historic environment. This is reflected in the site requirements identified for proposed allocations.

Habitats Regulations Assessment (HRA) Screening

- 4.10 In reflecting the requirements of Article 6.3 of the Habitats Directive 92/43/EEC, a draft Screening Assessment has been carried out to determine if the Policies of the Leeds Site Allocations Plan (SAP) and Aire Valley Leeds Area Action Plan (AVLAAP) documents require an Appropriate Assessment, under the Habitats Regulations (Conservation of Habitats and Species Regulations 2010, SI no. 2010/490). It should be noted that a HRA Screening of the Core Strategy has previously been undertaken and a number of amendments to Policy wording were made, to strengthen the reference to the management of any adverse impacts upon Special Protection Areas (SPAs) and Special Area of Conservation (SAC).
- 4.11 Following the preparation of an initial draft HRA Screening Assessment for the AVLAAP and SAP, a response from Natural England has now been received. In response to these comments, further technical work is being undertaken by officers to address the issues raised. In the main these relate to the need to update and the presentation of technical information, further analysis of any potential recreational impacts on the South Pennine Moors (arising from SAP housing allocations) and their mitigation by recreational opportunities within Leeds MD. At the time of preparing this report this technical work was still underway, members will therefore be updated on progress at the DPP meeting.

Duty to Co-operate

- 4.12 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). The SAP (and AVLAAP) has been prepared within the context of the adopted Leeds Core Strategy. In finding the Core Strategy sound, the Inspector confirmed that the City Council had demonstrated compliance with the Duty to Co-operate requirements. Within the context of the preparation of the SAP, the broad strategic approach and quantum of development have therefore been accepted through the Duty to Co-operate process. Any further issues, relating to detailed matters set out in the SAP are have been considered through the established Duty to Co-operate processes and via specific meetings with authorities directly adjacent to Leeds MD.
- 4.13 Following consideration by Development Plan Panel and Executive Board, in January/February 2015 the City Council identified and agreed which sites should be proposed for allocation. At the February 2015 meeting of the LCR Strategic Planning Duty to Cooperate Group, Leeds officers presented maps and tables of proposed allocations that fit the criteria previously agreed through the DtC process, to target the consideration of individual sites. These sites concerned housing and employment allocations on corridors identified in Leeds' Core Strategy Duty to Cooperate Background Paper and housing sites

of 100+ dwellings within 500m of a local authority boundary. These included also very large sites, such as East of Garforth. The lists were categorised by the relevant adjacent local authority. Where sites were close to boundaries of more than one adjoining authority they were included on the list of both authorities. Authorities were invited to highlight those Leeds allocations they believed may generate issues of concern in their areas. They were also asked to highlight any proposals or sensitivities in their areas – for example housing allocations or historic monuments – that ought to be taken into account. The following meetings have subsequently taken place to consider the ‘cross boundary’ impacts:

5 th March 2015	Kirklees MBC
6 th March 2015	City of Bradford Council
11 th March 2015	Harrogate BC, North Yorks CC, Selby DC, City of York Council
24 th March 2015	Wakefield MDC

- 4.14 Overall, the meetings established that there are no sites where there is a fundamental objection to the principal of development. Where concerns were raised this was generally due to traffic generation and some raised impacts on local school capacities and attendance patterns. Cases were also identified where there will be a cumulative impact with proposals in neighbouring authorities. In all cases, options for mitigation are being explored.

5.0 Corporate Considerations

5.1 Consultation and Engagement

- 5.1.1 The Core Strategy 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). Following independent examination, the Plan was subsequently adopted by the City Council in November 2014. Following on from the Core Strategy, there has been extensive public consultation on the SAP Issues & Options (June – July 2013) and engagement with members in preparing the site allocation proposals and Draft Plan. Subject to consideration by Executive Board, a further formal stage of public consultation will take place in autumn 2015, within the context of an overall consultation strategy. Whilst it is possible that some comments may be received on the emerging material for Panel and Executive Board, public representation should be made at the formal consultation stage, once all of the material has been completed and presented for this purpose.

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 SAP material follows on and reflects the approach set out in the Core Strategy. Nevertheless, an Equality Impact Assessment Screening is being 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 SAP and AVLAAP, play a key strategic role in taking forward the spatial and land use elements of the Vision for Leeds and the aspiration to be the 'the Best City in the UK'. Related to this overarching approach and in addressing a range of social, environmental and economic objectives, these Plans seek to implement key City Council priorities. These include the Best Council Plan (2013-17) (in particular Objective 2: to 'promote sustainable and inclusive economic growth') 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 a necessary 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 SAP and AVLAAP as quickly as practicable, 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 sustainable 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 SAP 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 current allocations Plans for Leeds MD being in place, aspects of the existing UDP allocations will become out of date and will not reflect or deliver the Core Strategy Policies and proposals (including District wide requirements for Housing and General Employment Land) or the requirements of national planning guidance. Early delivery is therefore essential, alongside the SAP, to enable the Council to demonstrate that sufficient land will be available when needed to meet the Core Strategy targets. Without an up to date Plan the 'presumption in favour of sustainable 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 The SAP has been prepared within the overall context of the adopted Core Strategy, emerging SAP (and the AVLAAP) and City Council priorities set out in the Best Council Plan. The draft Publication Plan seeks to reflect these commitments through the SAP, in identifying allocations and site requirements.

7.0 **Recommendation**

7.1 Development Plan Panel is invited to consider the SAP Publication draft Plan sections in relation to Employment, Retail and Green space and to recommend to the Executive Board, that the Plan is agreed for Publication consultation.

Appendices

Appendix 1 – Leeds Site Allocation Plan – Publication Draft Publication Draft Plan
Retail, Employment & Greenspace

Appendix 2 – Schedule Green space changes since Exec Board Feb 2015

Appendix 3 – Sustainability Appraisal Report -Site Allocations Publication