

**Report of the Director of City Development**

**Report to Scrutiny Board (City Development)**

**Date: 21<sup>st</sup> December 2016**

**Subject: Leeds Site Allocations Plan (SAP)**

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

**Summary of main issues**

1. The Leeds Site Allocations Plan (SAP) forms part of the Local Plan for Leeds (also known as the Local Development Framework (LDF)). The scope of the SAP was approved by Executive Board on 16<sup>th</sup> May 2012, to provide site allocations for Housing, Employment Green Space and Retail. These requirements are set within the context of the Leeds Core Strategy, which was adopted by the City Council on 14<sup>th</sup> November 2014.
2. The SAP has been prepared in accordance with the LDF Regulations (specifically, the Town and Country Planning (Local Planning) (England) Regulations 2012). This has entailed three separate rounds of public consultation: Issues and Options (2013), Publication draft (2015) and revised Publication draft proposals for Outer North East (2016). It is also intended to advertise a set of consolidated Pre-submission Changes to the Plan (in February 2017), subject to consideration by Executive Board, prior to the formal submission of the Plan for independent examination in April. The Plan is now therefore at an advanced stage and it is crucial that the City Council maintains the momentum behind the process, in order to satisfy Central Government objectives to secure full Development Plan coverage across the country by 2017, to provide certainty for communities and investment decisions and to ensure that Leeds has a sufficiency of land supply to meet the Core Strategy and Best Council Plan requirements.

3. Whilst securing opportunities to meet housing need, promoting job growth through the identification of employment sites and the protection of Green Space, the preparation of the SAP has been a challenging and complex process for the Council (including ward members), local communities and stakeholders. In helping to oversee this process, the Development Plan Panel has performed a crucial role in providing an initial oversight regarding the scope of the Plan, the identification of emerging allocations (and rejected sites) to derive site Issues and Options, the preparation of a Publication draft and via the consideration of Pre-submission changes to the Publication Plan, in response to issues raised via the Publication draft consultation process. The evolution and preparation of the Plan, has been underpinned also by the preparation of a comprehensive evidence base and technical information in support of its proposals. This has entailed considerable cross service and corporate working across the City Council and with external agencies and stakeholders.
4. Notwithstanding the stages of public consultation described above and the preparation of pre-submission changes, a number of matters raised by representors are outstanding and will therefore need to be addressed via the examination process. These include, challenges to the City Council's evidence base (such as the scope of the Green Belt Review) and objections to the inclusion of particular sites (by some local residents concerned about local impacts, or by landowners/developers who are promoting alternative sites). These matters and their merits will therefore need to be considered on an HMCA and site specific basis through the examination process. It is not therefore appropriate at this stage, through Scrutiny to consider the merits of individual sites or to rehearse the Council's detailed position prior to examination.
5. The Plan is now at a very advanced stage and it should be emphasised, that once the SAP has been formally submitted for Examination, the City Council will have no power to formally withdraw the document, without the consent of the Secretary of State (Section 22 (2) Planning & Compulsory Purchase Act, 2004). Moreover any required modifications at this time will be recommended by the Planning Inspector via the examination process.

### **Recommendations**

Scrutiny Board are Recommended to:

- i) consider the proposals that are to be referred to the Executive Board
- ii) report any deliberations and conclusions to the Executive Board

## 1.0 Purpose of this Report

- 1.1 This report provides an overview regarding the scope and preparation of the Site Allocations Plan (SAP). The SAP is now at an advanced stage, having been through three stages of public consultation (the most recent of which has resulted in a set of proposed pre submission changes, subject to Executive Board approval) and due to be advertised for comment in February 2017). The Development Plan Panel has provided oversight of the plan making process since 2012. The Development Plan Panel has made recommendations at all the plan making stages, which have subsequently been endorsed by the City Council's Executive Board (except for Outer North East – see paragraph 1.3 below).
- 1.2 The Publication Draft SAP documents run to nearly 1,000 pages. The Publication Draft SAP (over 600 pages) comprises several individual sections. Sections 1 and 2 are the introduction and overview of the Plan and are attached as **Appendix 2**. Section 3 covers the eleven individual Housing Market Characteristic Areas (HMCAs). These are available to view on-line at the link below:

<http://www.leeds.gov.uk/council/Pages/Site-allocations-plan-publication.aspx>

A Non-Technical Summary of the Sustainability Appraisal is also attached as **Appendix 2a**. The full Sustainability Appraisal (running to over 300 pages) is available on-line from the link below:

<http://www.leeds.gov.uk/SiteAllocationMaps/SAP%20and%20AVL%20Documents/14%20Site%20Allocations%20Plan%20Publication%20Stage%20SA%20Report%20Sept%202015%20Final.pdf>

Members should note that Publication Draft Revised proposals for Outer North East (2016), are available separately. The revised Section 3 individual HMCA chapter is available from the link below:

[http://www.leeds.gov.uk/SiteAllocationMaps/SAP%20ONE%20Revised%20Publication%20Draft/Revised%20Publication%20Draft%20\(Section%203%20Area%20Proposals\)%206.%20Outer%20North%20East.pdf](http://www.leeds.gov.uk/SiteAllocationMaps/SAP%20ONE%20Revised%20Publication%20Draft/Revised%20Publication%20Draft%20(Section%203%20Area%20Proposals)%206.%20Outer%20North%20East.pdf)

A Sustainability Appraisal Addendum for Outer North East is available from the link below:

<http://www.leeds.gov.uk/SiteAllocationMaps/SAP%20ONE%20Revised%20Publication%20Draft/Sustainability%20Appraisal%20Addendum-%20SAP%20Revised%20PD%20ONE.pdf>

- 1.3 Development Plan Panel agreed Pre-Submission changes to the Publication Site Allocations Plan for the approval of Executive Board (February 2017) during June and July 2016. A summary of these changes is attached as **Appendix 3**, which reports on changes agreed by Development Plan Panel on 14<sup>th</sup> and 28<sup>th</sup> June and 19<sup>th</sup> July 2016 relating to the Publication Draft Plan 2015 Sections 1, 2 and 3 (excluding Chapter 6 for the Outer North East) and the Sustainability Appraisal.

1.4 Development Plan Panel will consider Pre-Submission changes arising from the recent consultation on Revised Publication Site Allocations Plan for Outer North East, for the approval of Executive Board (February 2017) at their meeting on January 10<sup>th</sup> 2017. A summary of these changes will be made available for reference at the Scrutiny Board meeting. In addition Development Plan Panel will also consider further consequential changes and updates to the remainder of the Plan at the same meeting. These will also be made available for reference at the Scrutiny Board meeting.

1.5 Scrutiny should note that the Pre-Submission Changes comprise:

- detailed technical changes to sites e.g. site requirements, planning status, capacities and boundaries in response to representations received and updating
- new and deleted sites following consultation.

## **2.0 Background Information**

2.1 The key stages in the preparation of the SAP have been as follows:

1. Scope of the SAP (Agreed by Executive Board, 16<sup>th</sup> May 2012),
2. Issues & Options Public Consultation (3<sup>rd</sup> June – 29<sup>th</sup> July 2013) (Agreed by Executive Board, 9<sup>th</sup> May 2013),
3. Publication Draft Consultation (22<sup>nd</sup> September – 16<sup>th</sup> November 2015) (Agreed by Executive Board, 15<sup>th</sup> July 2015),
4. Publication Draft, Revised Proposals for Outer North East (26<sup>th</sup> September – 7<sup>th</sup> November 2016) (Agreed by Executive Board, 21<sup>st</sup> September 2016),
5. Pre-submission Changes (Advertised for comment, anticipated February 2017),
6. Plan submission to the Secretary of State (anticipated April 2017, following Full Council approval).

2.2 Initial work on the SAP and the scoping report to Executive Board, coincided with the preparation of the Core Strategy, which in May 2012 was at an advanced stage and subsequently submitted for independent examination in April 2013. The purpose of this overlap, was to ensure that the SAP could quickly follow on from the adoption of the Core Strategy (November 2014), to ensure that site allocations could be put in place as quickly as possible, as a basis to meet the requirements of the Core Strategy and to ensure that Leeds MD has the benefit of an up to date development plan in place, for local decision making and compliance with national planning guidance (the National Planning Policy Framework – NPPF).

2.3 The preparation of a statutory Development Plan is a challenging process. In a District the size and complexity of Leeds MD, this is compounded. In addition, the 'plan-led' system must be underpinned by a robust evidence base, meet a series of legal requirements (including the preparation of a Sustainability Appraisal reflecting the requirements of the Directive and Regulations governing Strategic Environmental Assessment of plans and programmes, Habitats Regulation Screening Assessment and the Duty to Cooperate) and incorporate key stages of public consultation. Consequently, the preparation of the SAP (and the preparation of Development Plan Documents more generally in Leeds), is a highly resource intensive and technically complex process.

- 2.4 Public consultation and engagement are integral aspects in the evolution and preparation of the Plan. Central to this approach also is the need for a robust and comprehensive evidence base. Consequently, the preparation of the SAP is underpinned by a series of Background Papers. In turn, these address a range of technical and evidential issues and provide further explanation and clarity on the approach taken and conclusions drawn. These include issues in relation to Housing including the Accommodation Needs of Gypsies and Travellers, Employment, Green Belt Review, managing Flood Risk, Nature Conservation, the Duty to Co-operate, Retail and Infrastructure. These are available to view on the Council's web-site from the link below:

*For the Publication Stage Draft Site Allocations Plan*

<http://www.leeds.gov.uk/council/Pages/Site-allocations-plan-publication.aspx>

*Addendums for the Revised Publication Stage Draft Plan for the Outer North East*

<http://www.leeds.gov.uk/council/Pages/Site-Allocations-Plan-Revised-Publication-Draft-Outer-North-East.aspx>

### **3.0 Main Issues**

#### Leeds Core Strategy & Site Allocations Plan

- 3.1 Following reforms to the Planning system, the Local Development Framework (LDF), was introduced via national legislating in 2004. A key dimension of the 'new' system was to promote flexibility in the preparation of Development Plans. In 2008, following further changes to national planning guidance, local authorities were urged to focus on Core Strategies, as lead documents to set out spatial priorities for regeneration and growth (as part of a wider vision for the 'place making' and 'place shaping' of an area). Central to this approach, was the imperative to identify housing and employment requirements for the plan-period, together with addressing economic, environment and social issues via appropriate planning Policies.
- 3.2 In terms of the Leeds context, following the conclusion of the UDP Review process (adopted in 2006), initial work was undertaken under the LDF, on a series of Area Action Plans (to help deliver regeneration and growth priorities), with work commencing on the Core Strategy in tandem with the Yorkshire and Humber Regional Spatial Strategy (RSS). Within this overall planning context, the RSS set a housing requirement for the Yorkshire & Humber Region, apportioned to each local authority District. Within this framework and following the ultimate revocation of the RSS, evidence base work was undertaken in Leeds through a range of technical studies including the Strategic Housing Market Assessment (SHMA), together with an Employment Land Review (ELR), to inform the overall housing and employment land requirements for Leeds for the plan period 2012-2028.
- 3.3 Within this overall strategic planning context and in reflecting the flexible approach advocated under the LDF, the Local Development Scheme (LDS) for Leeds (i.e. the programme and timetable of development plan documents to be prepared by a local authority), Executive Board approved the preparation of the Core Strategy (with

allocation Plans to follow on). Initial work on the Core Strategy commenced in 2008, with the Plan finally Adopted by the City Council on 14<sup>th</sup> November 2014.

- 3.4 Consistent with this approach, as part of an overall Spatial Development Strategy, the Core Strategy sets out a series of Strategic and Thematic Policies for Housing, Employment Green space and Retail. This includes an overall housing requirement of 70,000 new homes for the plan period (with 66,000 to be delivered via site specific allocations), together with an employment (industrial and warehousing) land requirement of 493ha. Whilst it is for the Core Strategy to set these overall requirements, the key purpose of the SAP is to identify site specific allocations for Housing, Green space and Town & Local Centre boundaries, to meet these policy requirements.
- 3.5 Within the context of the overall housing requirement for Leeds, the Core Strategy (under Spatial Policy 10), sets out the scope and parameters for a Green Belt Review, to be undertaken via the preparation of allocation Plans. The Policy specifically notes that, *“A review of the Green Belt will need to be carried out to accommodate the scale of housing and employment growth identified in Spatial Policy 6 and Spatial Policy 9, as well as an additional contingency to create Protected Areas of Search....”*.
- 3.6 Under this ‘two stage’ approach, the role of the Core Strategy therefore is to set the overall scale and distribution of regeneration and growth across the District, with the SAP and the Aire Valley Leeds Area Action Plan (AVLAAP), identifying site specific allocations to deliver these strategic requirements. Given the scope of the SAP, it is not therefore possible to revisit strategic matters (such as the overall housing requirement), as part of the allocations Plan. As a consequence, such matters need to be addressed via a review of the Core Strategy and related evidence.
- 3.7 In parallel to the progression of the SAP, Development Plan Panel on 22<sup>nd</sup> November 2016 has considered the scope of a Selective Review of the Core Strategy. This is consistent with the approach of the plan-led system, to monitor the effectiveness of the Plan and the evidence base upon which it has been derived. In para. 153, the NPPF states that, *“...each local planning authority should produce a Local Plan for its area. This can be reviewed in whole or in part to respond flexibly to changing circumstances”*. Central to the Council’s considerations, have been revised population projections (which point to lower and slower population growth), since the Core Strategy has been prepared and the implications for these for the overall housing requirement. On this matter Government guidance states that national projections are the starting point for evidence on the identification of objectively assessed needs (OAN) and the focus of a review of these requirements needs to be via a Strategic Housing Market Assessment (SHMA). The purpose of this evidence in deriving OANs, is to take into account a wide range of economic and social factors, as well as demographic projections. At this stage, it is anticipated that initial public consultation on the scope of the review will take place in spring 2017, with a view to the submission of the Plan for examination in winter 2017.
- 3.8 Since 2012 housebuilding in Leeds has not met the Core Strategy requirement of 3,660 per annum and the Council has recently been adjudged (by the Secretary of

State in his appeal decision on land at Grove Road, Boston Spa, May 2016) not to have a five year housing land supply. This leaves the Council in a difficult position regarding pressure (via planning applications) for the development of sites on an ad hoc basis (including safeguarded land), to 'remedy' the five year land supply position. As part of a plan-led approach, a means of strengthening the land supply position is to ensure that the District has up to date allocations plans in place. Within this context the AVLAAP was submitted for independent examination in September 2017 and as outlined in paragraph 2.1 above, the SAP is now at an advanced stage. This follows three stages of public consultation and with pre-submission changes to be Advertised in February, subject to Executive Board approval. At this stage, it is anticipated that the SAP will be submitted for independent examination in April 2017, following consideration by full Council.

### Leeds Site Allocations Plan (SAP) & Forthcoming Public Examination

3.9 The SAP has been in production since 2012 and has followed a rigorous process of briefings with local ward members and consideration via Development Plan Panel (see **Appendix 1**). Moreover, there have been three formal periods of public consultation, agreed by Executive Board, including specific local events and briefings (see **Appendix 1**). In the evolution of these proposals, a number of factors have been central to concerns raised by members and the delivery of sites. These include:

- desire to maximise the use of brownfield/previously developed land in meeting overall requirements,
- need to ensure a clear and consistent approach to the release of greenfield/Green Belt sites,
- need to ensure that proposals are supported by the necessary infrastructure (including schools, public transport, managing flood risk and health),
- need for local site choices
- need to ensure that allocation proposals take into account local community identity and distinctiveness

3.10 As a consequence, the above considerations have been integral to the preparation of the SAP, through its various stages and the presentation of the individual allocations has been a synthesis of these considerations. Within this context, an important aspect of the SAP is the identification of sites for new schools (in meeting the needs of housing growth identified in the Plan) and the incorporation of "site requirements" for specific allocations, to reflect these issues where relevant. In underpinning and driving this approach, the planning service has worked across City Council services (and with external providers), to facilitate and deliver a 'joined up' approach. This has been underpinned also, with a series of background papers, technical work and assessments, which help provide a comprehensive evidence base and a mechanism for identifying the Council's preferred approach. These documents include:

- Sustainability Appraisal
- Habitat Regulations Screening Assessment
- Individual Site Assessments
- Background Papers for: Infrastructure (including schools), Housing, Employment, Green space and Retail, Green Belt Review, Flood Risk Sequential Test, Duty to Co-operate, Nature Conservation

- 3.11 At the heart of the 2004 reforms to the Development Plan system, is the requirement to embed public consultation and engagement, as a key dimension of a 'front loaded' iterative plan-making process. The focus of this approach therefore, is to help support the positive role of planning, to facilitate 'place-shaping' and 'place-making', in partnership with a wide community of interest. Within this context, initial consultation is focussed upon "Issues and Options", prior to formulating "Publication draft" proposals as part of a sound Plan. In Leeds, representations received at both Issues & Options and Publication draft stages, have therefore informed the SAP for submissions (prior to independent examination). This process has added value in a number of respects. These include: reaffirming or challenging sites for inclusion (and highlighted alternative choices for consideration), which has led to the need for further clarity or the need to strengthen the evidence base and identifying areas where additional site requirements have been able to respond positively to issues raised. The process has therefore resulted in the discounting of alternative approaches and the narrowing down of the matters which will need to be considered through the subsequent public examination. It is inevitable however for an area the size of Leeds Metropolitan District and the scale, complexity and range of interests involved, that objections to the Plan remain. Consequently, the purpose of the public examination by an independent Planning Inspector is to consider the merits of these outstanding representations and their implications or not for the soundness of the Plan.
- 3.12 Following public consultation on Issues and Options (June – July 2013), further technical work was undertaken on the Plan, with the Publication draft SAP subject to public consultation in September – November 2015. At Publication Stage, a local authority is required to promote a Plan it considers to be "sound". At this stage, representations were therefore invited on the soundness of the SAP, namely whether or not consultees consider that it is:
- Positively prepared
  - Justified
  - Effective
  - Consistent with national policy.
- 3.13 In response to this consultation, the City Council received over 10,000 responses, which related to 45,000 individual representations. A number of these representations are concerned with wider strategic matters or points of principle (such as site phasing or the development of sites currently in the Green Belt), whilst many other relate to issues concerning individual sites. These include comments from local residents expressing concern about the development, representations from site owners/developers promoting the merits of sites for development, together with responses from statutory bodies – including Historic England. As a result of the analysis of all representations received, the City Council has identified a number of areas where issues raised can be addressed and objections resolved either wholly, or in part. In relation to these, the City Council is advocating a series of pre-submission changes (i.e. suggested modifications to the Plan prior to submission) as a basis to tackle issues of soundness.
- 3.14 Notwithstanding the stages of public consultation described above and the preparation of pre-submission changes, a number of matters raised by representors



are outstanding and will therefore need to be addressed via the examination process. These include, challenges to the City Council's evidence base (such as the scope of the Green Belt Review) and objections to the inclusion of particular sites (by some local residents concerned about local impacts, or by landowners/developers who are promoting alternative sites). These matters and their merits will therefore need to be considered on an HMCA and site specific basis through the examination process. It is not therefore appropriate at this stage, through Scrutiny to consider the merits of individual sites or to rehearse the Council's detailed position prior to examination.

- 3.15 It should be noted also that following the withdrawal of the Headley Hall new settlement proposal (following Executive Board approval for the Publication draft Plan and prior to formal consultation), the City Council has recently concluded a further consultation of revise Publication draft proposals for the Outer North East (ONE) Housing Market Characteristic Area (HMCA). Due to the need to resolve a number of technical matters, the outcome of this consultation is due to be reported to the Development Plan Panel on 10th January 2017, together with any further pre-submission changes for ONE. Following this, the material will then be presented to Executive Board in February 2017, to seek approval of the consolidated set of pre-submission changes (to be Advertised for comment) prior to Plan submission for independent examination.

#### Neighbourhood Plans

- 3.16 Measures included in the Localism Act 2011 are intended to give communities more of a say over planning in their area. This includes a system for the promotion of Neighbourhood Plans which, as and when adopted, form part of the development plan. Key considerations of a Neighbourhood Plan are that they must have regard to national policy and be in general conformity with strategic policies in the Local Plan. In this respect NPs cannot be used to undermine the preparation of the Local Plan. However, a NP can seek to do something different (including allocating more development if they provide sufficient evidence). There are 35 plans being prepared in Leeds currently at various stages of preparation. The most advanced Plan, at Linton, has passed the referendum stage and has survived a legal challenge.
- 3.17 Of the 36 designated Neighbourhood areas in Leeds there are 5 different types of NP in preparation: a) those used to provide policy guidance for sites that the Council is allocating, b) those seeking to do something different, c) inner area plans that are as concerned with promoting neighbourhood stability and community cohesion as they are about 'traditional' land use planning, d) small village plans seeking to allocate sites for local specific needs, e) small village plans promoting design polices for development.
- 3.18 Given this context there have been key issues to be aware of through the progression of the SAP:
- The existence of exemplar plans which set good examples for others to follow
  - Plans which have policies that will directly help to shape large and small site allocations

- There may be some NP policies that are seeking to do something different, for example by allocating different sites which may need to be reflected in the SAP
- The need for the alignment of local and strategic evidence and policies which may be addressed via the Examination
- The emergence of locally distinctive policies which help the implementation of the SAP

3.19 Through the preparation of neighbourhood plans we are working with local communities in a different way. One of the outcomes of this has been a greater sense of trust with local communities which has resulted in measures such as communities commissioning the council to work on their behalf in preparing their plans.

#### Infrastructure Provision

3.20 As a basis to help define requirements, prioritise and to guide investment decisions, the adopted Core Strategy is underpinned by an Infrastructure Delivery Plan (IDP). The SAP is also accompanied by an Infrastructure Background Paper. This also includes Background papers for 'School Provision and the Implications for School Places' and Transport. These are clearly very complex issues and subject to change but the approach set out in the documentation is intended to help co-ordinate the scale and timing of investment decisions, to support the sustainable delivery of allocations.

3.21 Within the scope of this overall approach the Infrastructure Background paper, sets out the following elements:

#### Infrastructure Delivery

- a) Site Specific Requirements
- b) Neighbourhood Plans
- c) The Community Infrastructure Levy and Section 106 Agreements
- d) Leeds City Region Deal and the West Yorkshire Plus Transport Fund
- e) Other Funding Sources

#### Physical Infrastructure

- i) Transport
  - a) Public Transport Major Schemes
  - b) Buses
  - c) Railways
  - d) Cycling
  - e) Pedestrians
  - f) Airport
  - g) Highways
- ii) Utilities
  - a) Energy – Electricity, Gas, Renewable Energy, District Heating
  - b) Water and Waste Water
  - c) Broadband
- iii) Flood Defences
- iv) Waste Management
- v) Minerals

#### Social and Community Infrastructure

- i) Education
  - a) Early Years
  - b) Primary Education
  - c) Secondary Education

- d) Further and Higher Education
- ii) Health
- iii) Community Centres and Libraries
- iv) Emergency Services
- a) Police
- b) Fire and Rescue
- c) Ambulance Service

#### Green Infrastructure and Green space

The Leeds Infrastructure Schedule April 2013 Infrastructure Delivery Plan Projects Now Completed, Planned Infrastructure Projects 2015 Onwards

- 3.22 A focus of representations has been around the provision of schools, doctors and roads to help support new housing.

#### Schools Provision

- 3.23 It is important that the plan ensures that there are sufficient school places to meet the needs of an expanded population. Children's Services have been involved throughout in the preparation of the plan. Demand for school places in both the primary and secondary sectors arising from population growth is known as existing demand or 'Basic Need'. Children's Services have considered, in addition to existing demand, the needs arising from the housing allocations (both identified sites (sites with planning permission) and proposed new allocations). As a result of this the plan allocates and identifies requirements for school provision arising from the proposed housing.
- 3.24 Where part of a housing allocation is needed to be retained for provision of a new school (or extension to an adjacent school) this is detailed under the site specific requirements in section 3 of the SAP document and identified the supporting plans (hatched yellow). These plans can be accessed via the links included in para. 1.2 above, copies of the document will also be available at the meeting. Some sites that are not allocated for housing also need to be reserved for future school use. The School Provision Background Paper (Appendix 2 of the Infrastructure Background Paper) gives full details of this process.

#### Health Services

- 3.25 The provision of health facilities falls within the remit of NHS England and at a local level, Leeds' 3 Clinical Commissioning Groups (CCGs). Officers have met with representatives from these over the course of the plan preparation, and agreed with them the information and details on health provision provided in the Infrastructure Background Paper and the Site Allocations Plan itself. The amount of new housing identified for Leeds up to 2028 would equate to on average 5-6 new GPs a year across Leeds based on a full time GP, with approximately 1800 patients.
- 3.26 The Site Allocations Plan cannot allocate land specifically for health facilities because providers plan for their own operating needs and local demand. Existing practices determine for themselves (as independent businesses) whether to recruit additional clinicians in the event of their practice registered list growing. Practices can also consider other means to deal with increased patient numbers, including

increasing surgery hours. Practices consult with the NHS about funding for expansion, however funding is limited. Notwithstanding this, proposals for health facilities - including doctors and dentists surgeries - will be supported subject to need, site constraints and location in relation to planning policy. In particular, where development briefs are produced (see paragraph 3.29 below) there will be an opportunity to consider specific health needs on specific sites.

### Highways

- 3.27 A separate report is being presented to Development Plan Panel on 10<sup>th</sup> January 2017 on Highways modelling which has been used, and updated to consider the cumulative impacts of proposed developments in the SAP on the highway network. The Publication Draft Infrastructure Background Paper (Sep 2015) included a Transport Background Paper (Appendix 3) which outlined the forecast transport impacts of the Site Allocations Plan and Aire Valley Leeds Area Action Plan. This work directly influenced the addition of specific site requirements relating to the local highway network for 77 allocated sites in the Site Allocations Plan (SAP). Transport modelling is an ongoing process, and recent updating work has included consideration of pre-submission changes proposed to the plan, updated employment growth forecasts, the cancellation of the NGT trolleybus scheme and the growth aspirations of neighbouring authorities and the impacts of these on cross boundary routes. This has resulted in further work being carried out to update the Transport Background Paper and specific site requirements.

### CIL and other sources of funding.

- 3.28 The Infrastructure Background Paper explains that S106 legal agreements can still be used to deliver on site benefits, such as affordable housing and green space, but the Community Infrastructure Levy (CIL) provides a source of funding for delivery of some of the infrastructure needs as a result of the allocations in the SAP. CIL cannot deliver all the infrastructure required however, and other funding sources are outlined in Leeds Infrastructure Schedule, including the Department of Transport, rail operators, Yorkshire Water, grants etc. The Government has also recently announced in the Autumn statement that housing delivery and provision of affordable housing is a priority and it will be publishing a National Infrastructure and Construction Pipeline and make funding for infrastructure available. The operation of CIL has also been the subject of an independent review and changes to the system may well result from this.
- 3.29 In addition to the above and as a basis to complement a range of City Council initiatives to promote regeneration and growth, the Development Plan Panel at the 22<sup>nd</sup> November 2016 meeting have also considered a paper regarding Models of Housing Delivery. The focus of this approach sets out what additional areas the City Council can facilitate, *'to assist in bringing forward housebuilding in the context of creating strong and sustainable communities in line with the LDF as a whole – providing the right tenure, mix and affordability of new housing which is well served by infrastructure'*. Central to this approach is the preparation of Development Briefs (for key allocations identified in the SAP and Aire Valley Leeds Area Action Plan), to be developed in conjunction with site owners/developers and local communities.

## Sustainability Appraisal

- 3.30 Sustainability appraisal has been carried out to inform all main stages of plan preparation and to comply with the SEA Directive. This identified the reasons for choosing the approach that was adopted and considered reasonable alternatives to that approach, dealt with the main economic, social and environmental effects of the plan and suggested mitigation for any negative effects that were identified. Mitigation was then fed back into the plan for example as site requirements for specific site allocations.

### **4.0 Corporate Considerations**

- 4.0.1 As noted above, the SAP forms part of the Local Development Framework and as such forms part of the development plan for Leeds. It cannot be considered to be part of the development plan until it has been examined and found sound and will then need to be formally adopted by the Council.

### **4.1 Consultation and Engagement**

- 4.1.1 The SAP has been subjected to three formal stages number of public consultation exercises as part of its preparation and as required by the LDF Regulations. In addition it is also planned to advertise (for public comment) pre-submission changes for public comment, prior to Plan submission. As highlighted in para. 3.13 above, at Publication stage, the SAP has generated a considerable level of response (45,000 individual representations). For such a Plan and the potential site specific implications for local residents, developers and other stakeholders, so a high level of response is perhaps not unexpected and reflects the level of engagement in the plan-making process in Leeds. It should be noted also, that whilst 45,000 individual representations were received in response to the 2015 SAP consultation, a significant number of these were in relation to sites in particular Housing Market Characteristic Areas of Leeds, with major parts of the District (including the HMCAs for the City Centre and Inner) receiving relatively few representations in relation to the scale of development proposed. In capturing the consultation activity, at each consultation stage and the nature and level of response received, a Report of Consultation will be required for submission of the Plan. This in turn will be tested by an independent examiner to ensure that the plan is legally compliant.

### **4.2 Equality and Diversity / Cohesion and Integration**

- 4.2.1 An Equality Impact Assessment Screening was carried out on the Publication Draft of the SAP. This report has been updated in the light of further changes to the Plan but has not resulted in any material change to the EIA Screening conclusion.

### **4.3 Council Policies and City Priorities**

- 4.3.1 The SAP plays a key strategic role in taking forward the spatial and land use elements of the Vision for Leeds and the aspiration to be 'the best city in the UK'.

Related to this overarching approach and in addressing a range of social, environmental and economic objectives, this Plan seeks to implement key City Council priorities. These include the Best Council Plan (2015-20) (in particular Objective 2: to 'promote sustainable and inclusive economic growth') and Leeds Joint Health and Wellbeing Strategy (2013-2015, currently being updated).

#### **4.4 Resources and value for money**

4.4.1 The SAP is being prepared within the context of the LDF Regulations, statutory requirements and within existing resources. Substantial work has been undertaken to ensure that the Plan represents a consensus of all the relevant stakeholders (both internal to the Council and external). This should help to reduce time and money needed for the Council to take the Plan through examination and on to adoption.

#### **4.5 Legal Implications, Access to Information and Call In**

4.5.1 The final decision as to whether to submit the SAP to the Secretary of State is being referred to Full Council, this report is being brought before this Scrutiny Board as part of the Budget and Policy Framework.

#### **4.6 Risk Management**

4.6.1 The SAP is being prepared in accordance with the LDF Regulations and therefore this reduces the risk of it being unsound. Policies in the Plan are founded on a robust and credible evidence base however, the extent to which an evidence base can be considered to be sufficient is subjective and it will be up to the Inspector to examine this issue. Even after examination by an independent Inspector there is a risk that someone could mount a High Court Challenge however the Council has taken all necessary steps to reduce this risk.

#### **5.0 Conclusion**

5.1 Following a substantial period of plan preparation, sustainability appraisal and public consultation in accordance with the LDF Regulations, the City Council is intending to proceed to submit the SAP for independent examination (prior to adoption), following the consideration of pre-submission changes by Executive Board.

#### **6.0 Recommendations**

Scrutiny Board are Recommended to:

- i) consider the proposals that are to be referred to the Executive Board
- ii) report any deliberations and conclusions to the Executive Board

#### **7.0 Background Documents**

7.1 The Main Background Documents comprise:-

1. Publication Draft Site Allocations Plan (2015)
2. Sustainability Appraisal of the Publication Draft Site Allocations Plan (2015)
3. Publication Draft Revised proposals for Outer North East HMCA (2016)

#### 4. Sustainability Appraisal Addendum for Outer North East HMCA (2016)

7.2 The main Publication Documents have been supported by a suite of technical background papers containing the methodology, evidence base and lists of sites (including those discounted by the process), together with site assessments for individual sites. These are available to view on the Site Allocations Plan web-site as follows:-

1. Housing
2. Employment
3. Retail
4. Green space
5. Green Belt Review
6. Infrastructure
7. Habitat Regulations Screening Assessment
8. Flood Risk Sequential Test
9. Duty to Co-operate
10. Nature Conservation

**APPENDIX 1: CHRONOLOGY OF KEY MILESTONE DECISIONS BY DEVELOPMENT PLAN PANEL, BRIEFINGS WITH WARD MEMBERS AND PUBLIC CONSULTATION EVENTS**

| <b>Stage</b>   | <b>Date</b> | <b>Consultation/Milestone</b>  |
|--|-------------|--|
| Scope of the Site Allocations Plan (SAP) – Retail, Housing, Employment, Green space  | 6.3.12      | Development Plan Panel – scope of plan agreed                                |
| Scope of the Site Allocations Plan (SAP)   | 16.5.12     | Executive Board – scope of plan agreed                                       |
| Site Assessment Pro-forma agreed   | 2.7.12      | Development Plan Panel   |
| Pro-forma presented again under the minutes from the previous meeting  | 7.8.12      | Development Plan Panel   |
| Ward member briefing to consider specific sites within ward and initial thoughts on ‘traffic light’ system   | 25.9.12     | Calverley and Farsley ward meeting   |
| Member workshop – outlined scope of plan and proposed methodology including ‘traffic light system’ for Issues and Options and green belt review assessment                             | 25.9.12     | Workshop for Dev Plan Panel and Chairs of Plans Panels                       |
| Member workshop – same as above  | 28.9.12     | Workshop – open to all members   |
| Ward member briefing (as above)  | 1.10.12     | Otley and Yeadon ward briefing   |
| Ward member briefing (as above)  | 1.10.12     | Adel and Wharfedale ward briefing  |
| Ward member briefing (as above)  | 4.10.12     | Moortown ward briefing   |
| Ward member briefing (as above)  | 5.10.12     | Farnley and Wortley ward briefing  |
| Ward member briefing (as above)  | 9.10.12     | Farnley and Wortley ward briefing  |
| Ward member briefing (as above)  | 10.10.12    | Rothwell ward briefing   |
| Ward member briefing (as above)  | 15.10.12    | Horsforth ward briefing  |
| Ward member briefing (as above)  | 16.10.12    | Wetherby and Harewood wards briefing   |
| Ward member briefing (as above)  | 16.10.12    | Kippax ward briefing   |
| Ward member briefing (as above)  | 17.10.12    | Burmantofts and Richmond Hill briefing                                       |
| Ward member briefing (as above)  | 23.10.12    | Guiselley and Rawdon ward briefing   |
| Ward member briefing (as above)  | 25.10.12    | City and Hunslet ward briefing   |
| Ward member briefing (as above)  | 26.10.12    | Morley South ward briefing   |
| Ward member briefing (as above)  | 29.10.12    | Ardsley and Robin Hood ward briefing   |
| Ward member briefing (as above)  | 29.10.12    | Kirkstall ward briefing  |
| Ward member briefing (as above)  | 30.10.12    | Ardsley and Robin Hood ward briefing   |
| Ward member briefing (as above)  | 31.10.12    | Armley ward briefing   |
| Ward member briefing (as above)  | 2.11.12     | Beeston Hill and Holbeck ward briefing                                       |
| Ward member briefing (as above)  | 5.11.12     | Headingley ward briefing   |
| Briefing with ward members for the Housing Market Characteristic Area (HMCA) concerned) to review work on Issues and Options prior to Development Plan Panel (DPP) and Executive Board | 21.12.12    | Outer South HMCA member briefing – not completed – set further briefing date |
| As above   | 21.12.12    | Aireborough HMCA member briefing   |
| As above   | 14.1.13     | Outer South HMCA member briefing   |
| As above   | 22.1.13     | Outer NW HMCA member briefing  |
| As above   | 31.1.13     | Outer NE member briefing   |
| As above   | 15.2.13     | Outer SW HMCA member briefing  |
| Issues and Options for 3 Housing   | 25.2.13     | Development Plan Panel   |



|  |                            |   |
|--|----------------------------|---|
| Market Characteristic Areas (HMCAs)<br>– Aireborough, Outer South and<br>Outer North West  |                            |   |
| Briefing with ward members for the<br>HMCA to review work on Issues and<br>Options prior to DPP and Executive<br>Board                           | 6.3.13                     | Outer SE HMCA member briefing   |
| As above   | 14.3.13                    | East HMCA member briefing   |
| As above   | 15.3.13                    | Outer W HMCA member briefing  |
| As above   | 28.3.13                    | North HMCA member briefing  |
| Issues and Options for 4 Housing<br>Market Characteristic Areas (HMCAs)<br>– Outer South West, Outer North<br>East, Outer South East, Outer West | 9.4.13                     | Development Plan Panel  |
| Issues and Options for 4 Housing<br>Market Characteristic Areas (HMCAs)<br>– East, North, Inner area, City Centre                                | 16.4.13                    | Development Plan Panel  |
| Development Plan Panel Site Visits   | 18.4.13                    | Site visits by members of Development Plan<br>Panel                                 |
| Site Allocations Plan – Issues and<br>Options  | 30.4.13                    | Development Plan Panel  |
| Site Allocations Plan – Issues and<br>Options  | 9.5.13                     | Executive Board. Agreed Issues and<br>Options plan to go out to public consultation |
| Statutory Public consultation on<br>Issues & Options   | 3.6.13 to<br>29.7.13       | Public consultation   |
| School Requirements Arising from the<br>Site Allocations Plan  | 12.5.14                    | Development Plan Panel  |
| Briefing with ward members for the<br>HMCA to consider representations<br>received at Issues and Options<br>consultation and draft proposals     | 24.6.14                    | Outer NW HMCA member briefing   |
| As above   | 7.7.14                     | Aireborough HMCA member briefing  |
| As above   | 30.7.14                    | North HMCA member briefing  |
| As above   | 27.8.14                    | Outer W HMCA member briefing  |
| As above   | 8.9.14                     | Outer South HMCA member briefing  |
| As above   | 16.10.14                   | Outer SW HMCA member briefing   |
| As above   | 29.10.14                   | Outer SE HMCA member briefing   |
| As above   | 3.11.14                    | Inner HMCA member briefing  |
| As above   | 4.11.14                    | City Centre and East HMCA member<br>briefings                                       |
| As above   | 4.12.14                    | Outer NE HMCA member briefing   |
| Publication Draft Site Allocations Plan<br>– retail, employment and greenspace<br>proposals (principle of)                                       | 6.1.15                     | Development Plan Panel  |
| Publication Draft Site Allocations Plan<br>– housing (principle of), and<br>supplementary report – Nepshaw<br>Lane employment sites              | 13.1.15                    | Development Plan Panel  |
| Publication Draft Plan sites for<br>allocation agreed in principle   | 11.2.15                    | Executive Board   |
| Preparation of Publication Draft Plan  | Feb to<br>May/June<br>2015 |   |
| - Sites at Weetwood (3378) and   | 20.5.15                    | Development Plan Panel  |

|   |                    |  |
|---|--------------------|--|
| Tingley 1143B)<br>- Strategic housing and employment issues Outer NE  |                    |  |
| Publication Draft Site Allocations Plan – retail, employment and greenspace proposals   | 16.6.15            | Development Plan Panel                         |
| Publication Draft Site Allocations Plan – housing (plus outstanding issues from previous meeting – airport)                                       | 26.6.15            | Development Plan Panel                         |
| Approval of Publication Draft Plan for public consultation  | 15.7.15            | Executive Board                                |
| Public consultation on Publication Draft Site Allocations Plan, with drop in events at:   | 22.9.15 – 16.11.15 |  |
|   | 22.9.15            | Leeds Civic Hall 2-8pm                         |
|   | 23.9.15            | Guiseley Methodist Hall 2-8pm                  |
|   | 24.9.15            | Otley Resource Centre 2-8pm                    |
|   | 30.9.15            | Pudsey Civic Centre 2-8pm                      |
|   | 3.10.15            | Horsforth Mechanics Institute 10am – 3pm       |
|   | 5.10.15            | East Ardsley Church Hall 2-8pm                 |
|   | 13.10.15           | St Hilda's Church Hall, Cross Green 2-8pm      |
|   | 14.10.15           | Hunslet Parish Hall 2-8pm                      |
|   | 16.10.15           | Rothwell Blackburn Hall Community Centre 2-8pm |
|   | 17.10.15           | Morley Town Hall 10am – 3pm                    |
|   | 19.10.15           | Wetherby Town Hall 2-8pm                       |
|   | 21.10.15           | Crossgates library 2-7pm                       |
|   | 23.10.15           | Garforth Miners Welfare Hall 2-7pm             |
|   | 29.10.15           | Leeds Civic Hall 2-8pm                         |
|   | 30.10.15           | Leeds Civic Hall 2-8pm                         |
| Initial Report of Consultation  | 19.1.16            | Development Plan Panel                         |
| Verbal update re inputting representations  | 1.3.16             | Development Plan Panel                         |
| Outer North East – revised proposals following withdrawal of new settlement at Headley Hall   | 15.3.16            | Outer NE member briefing                       |
| Representations made on retail proposals  | 5.4.16             | Development Plan Panel                         |
| Representations made and pre-submission changes proposed<br>- City centre<br>- East<br>- Inner<br>- Outer North West<br>- Outer West              | 14.6.16            | Development Plan Panel                         |
| Representations made and pre-submission changes proposed<br>- Aireborough<br>- North<br>- Outer South<br>- Outer South East<br>- Outer South West | 28.6.16            | Development Plan Panel                         |
| - Revised Publication Draft   | 19.7.16            | Development Plan Panel                         |

|  |                    |                                       |
|--|--------------------|---------------------------------------|
| For Outer North East <ul style="list-style-type: none"> <li>- Gypsy and Traveller sites</li> <li>- General Issues</li> <li>- Any other outstanding issues for rest of SAP</li> </ul> |                    |                                       |
| Revised Publication Draft for Outer North East agreed to go to public consultation   | 21.9.16            | Executive Board                       |
| Statutory public consultation for Outer North East revised Publication Draft only  | 26.9.16 to 7.11.16 | Public consultation for Outer NE only |
|  | 4.10.16            | Wetherby Town Hall drop in 2-8pm      |
|  | 20.10.16           | Barwick in Elmet drop in 2-8pm        |
| Analysis of representations from Publication Draft consultation for Outer NE   | Nov 2016           |                                       |
| Scrutiny – examination of the process for producing the Site Allocations Plan  | 21.12.16           | Scrutiny Board                        |
| Pre submission changes for Outer NE and any other changes  | 10.1.17            | Development Plan Panel                |
| Agree advertising pre submission changes and to submit plan following this   | 8.2.17             | Executive Board                       |
| Pre submission changes for whole plan advertised   | 13.2.17 – 13.3.17  |                                       |
| Agree to submit plan to Secretary of State   | 29.3.17            | Full Council                          |