

SUMMARY POLICY REVIEW

LEGISLATIVE CONTEXT OF LOCAL DEVELOPMENT FRAMEWORKS

1. The Planning and Compulsory Purchase Act 2004 sets out the current legislative framework for development planning in England. The Development Plan for each area outside London comprises of a Regional Spatial Strategy (RSS) and a number of Development Plan Documents (DPD's). The RSS is prepared by the regional planning body and sets out the regions policies in relation to development and land use. DPD's are spatial planning documents prepared by district councils, unitary authorities, Broads authority, National Park authorities and by county councils (for minerals and waste DPD's), and are tested through independent examination. The RSS and DPD's form the statutory development plan.
2. The Local Development Framework (LDF) is produced by the local planning authority and replaces the previous system of Local Plans and Unitary Development Plans (UDP's). The LDF sets out a 'portfolio' of Local Development Documents (LDD's) which deliver the spatial strategy for the local planning authorities area. LDD's consist of a variety of documents including DPD's and Supplementary Planning Policy. The combination of the LDF (and its associated DPD's) and the RSS provide the framework for planning in a local authority area.
3. The following DPD's must be included in a Local Development Framework,
 - A Core Strategy,
 - Site-Specific Allocations, and
 - An Adopted Proposals Map.
4. Other DPD's can be included within the Local Development Framework but these are not essential. These could include thematic Development Plan documents or Area Action Plans.
5. The Local Development Framework is also required to include;
 - A Statement of Community Involvement,
 - An Annual Monitoring Report, and
 - A Local Development Scheme.
6. Other documents can be included within the Local Development Framework 'portfolio' and these include Supplementary Planning Guidance and any Local Development Orders or Simplified Planning Zones.
7. Sustainability Appraisal and Strategic Environmental Assessment are undertaken on all DPD's policy and proposals to ensure sustainable development principles are adhered to.
8. Section 19(2) of the Planning and Compulsory Purchase Act 2004 highlights that in preparing LDD's the local planning authority must have regard to a number of documents. In the case of Leeds the following documents are relevant:
 - National policy and guidance issued by the secretary of state,
 - The Yorkshire and Humber RSS,
 - The Community Strategy for Leeds (The Vision for Leeds 2004 – 2020),
 - Other Local Development Documents adopted by the planning authority, and
 - Resources likely to be available to implement proposals in the document.

Guidance on Preparing a Development Plan Document

9. Planning Policy Statement 12 sets out guidelines for the preparation of a local development document. Report preparation is divided into four stages,

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- **Pre-production** – Development of the evidence base,
 - **Production** – Preparation of preferred options, participation on preferred options, preparation of submission development plan document,
 - **Examination** – Independent examination, and
 - **Adoption** – The binding report and adoption.
10. Monitoring systems must then be developed to assess the effectiveness of the DPD; an annual monitoring report should be produced to assess whether policies and targets are being met and the impacts of DPD policy on national, regional and local policy targets.

LEEDS POLICY FRAMEWORK

National Policy and Guidance

11. National planning policy is set out in a number of policy statements and guidance documents. Planning Policy Guidance (PPG's) and their replacements Planning Policy Statements (PPS's), and Minerals Policy Guidance (MPG's) and their replacements Minerals Planning Statements (MPS's) have been reviewed. These explain statutory provisions and provide national guidance. Companion Guides and Good Practice Guides accompany these documents as planning guidance. The White Paper 'Planning for a Sustainable Future' has also been reviewed and provides emerging policy themes and proposed reforms of the planning system.

Regional Planning Policy

12. The current regional planning policy relevant to the Leeds area is the RSS for Yorkshire and Humber (2004 - 2016). This strategy is currently under review and therefore the RSS Review has also been reviewed as this document provides up to date policy themes and evidence. This review document has not yet been adopted and therefore is not yet part of the statutory development plan however it will be monitored to ensure the Natural Resources DPD continues to accord with regional policy.

Local Planning Policy

13. The existing Leeds UDP Review and 'saved' policies set out current adopted policy for the Leeds area. Leeds City Council has adopted a Local Development Scheme which sets out a three-year programme for the preparation of the LDD's which make up the LDF. UDP 'saved' policies will be saved beyond September 2007 for three years during the period of preparation of the LDF.
14. The LDF will replace the existing UDP and will include, as stated above, a number of documents including a Statement of Community Involvement, the Core Strategy, various area action plans and thematic DPD's including a Waste DPD. Subsequently, in recognition of important environmental policy issues Leeds City Council has broadened the theme of the Waste DPD to include the management of natural resources and user demands throughout the area. The Natural Resources DPD will form part of the portfolio of thematic DPD's within the Local Development Framework.
15. A number of associated local documents and strategies have been reviewed alongside the Leeds UDP these include; the Vision for Leeds 2004 – 2020, the Core Strategy Issues and Options Paper, the West Yorkshire Local Transport Plan 2, the Leeds Air Quality Action Plan, the draft Parks and Greenspace Strategy for Leeds and the Integrated Waste Strategy.

PLANNING POLICY APPRAISAL

16. The Natural Resources DPD will have to address a number of themes in order to meet its statutory requirements of complying with national, regional and local policy.

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17. National planning policy advises on the principle of achieving sustainable development to meet the needs of future generation and with regard to natural resources states that,

‘The prudent use of resources means ensuring that we use them wisely and efficiently, in a way that respects the needs of future generations. This means enabling more sustainable consumption and production and using non-renewable resources in ways that do not endanger the resource or cause serious damage or pollution.’ (PPS 1 Delivering Sustainable Development, paragraph 21-22)

18. PPS1 also emphasises the relationship that the effective management of natural resources has with other general policy aims, such as social inclusion and economic growth, and suggests that planning authorities should carefully consider the inter-relationships between these aims (Paragraph 24 of PPS1 refers).

19. The Planning for a Sustainable Future White Paper highlights the importance of natural resources and states that:

‘A high level of protection should be given to our most valued townscapes and landscapes, wildlife habitats and natural resources, and those with international and national designations should receive the highest level of protection. Planning should contribute to improving the quality of water, land and air, and the conservation of renewable and non-renewable resources and to sustainable waste management.’ (Planning for a Sustainable Future White Paper, paragraph 1.14)

20. A detailed policy appraisal of relevant national, regional and local policy is provided in Annex 1, the following summary provides details of key issues identified within each theme.

➤ **Waste**

Key to waste policy at all levels is the reduction of waste through reducing, reusing and recycling and reducing the reliance on landfill. Recovering energy from waste should also be encouraged. Both sustainable design and sustainable waste management practices must be considered in both construction and throughout the lifetime of developments to secure a more sustainable approach to waste management.

➤ **Minerals and Aggregates**

All levels of policy ensure the prudent and efficient use of minerals as well as the recycling of suitable materials. Minerals should be safeguarded and the national need to obtain and provide fuel and building materials should be balanced with the need to protect the districts environment from adverse effects that mineral exploitation can create if not properly controlled and monitored.

➤ **Energy and Climate Change**

All levels of policy focuses on the potential for renewable energy, increasing energy efficiency and reducing greenhouse gas emissions. Potential for new technologies and microgeneration is also emphasised by national and local policy and guidance. National Targets set by the government require 10% of the UK’s electricity from renewable energy sources by 2010. The Energy White Paper sets out the aspiration to increase this figure to 20% by 2020.

➤ **Land Use**

All levels of policy emphasise the importance of maximising brownfield development and preventing urban sprawl and use of agricultural land for development. Land with a high biodiversity and landscape value should be protected and enhanced, and the amount of woodland planting should be steadily increased. The policies require that a green infrastructure be established, linking wildlife corridors, habitats and green spaces, which must be accessible. A high quality transport infrastructure should also be established, so that people and goods can move efficiently and with minimum impact on the environment.

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Finally, flood risk management is a key concern for the Leeds area, and development should be managed pro-actively so that development on floodplains is properly mitigated and the risk of flooding is not increased by inappropriate development.

➤ **Water Resources**

National, regional and local policies focus on protecting water resources, reducing pollution and protecting and increasing the water quality. The potential for water-efficient installations such as grey water recycling and rainwater harvesting schemes is identified by national policy.

➤ **Air Quality**

Planning policy focuses on the improvement of air quality and the reduction of harmful emissions. The potential of new fuel technology and sustainable transport options are encouraged by policy alongside the siting of development in appropriate areas to not further enhance or create areas of poor air quality.

ANNEX 2 – DETAILED POLICY REVIEW

DETAILED POLICY REVIEW

WASTE

Regional Planning Policy

1. Policy ENV13 (Provision of Waste Management and Treatment Facilities) of the RSS (Inspectors Report and Modifications) requires that waste planning authorities should ensure that adequate sites and facilities are available to manage the quantities of municipal, commercial and industrial, construction and demolition, agricultural, and hazardous waste shown by the benchmark figures set out. Specifically, waste planning authorities should:
 - **A**, take into account,
 - Capacity of treatment and recovery facilities (including recycling and energy from waste) to deal with municipal and commercial and industrial waste need to double by 2020 in all sub regions to provide the additional capacity identified in Table 15.27A,
 - Capacity to deal with hazardous waste will need to increase by over one third by 2020, and
 - In the short term there is generally adequate landfill capacity, but there may be a need for new capacity to replace existing facilities, particularly in West Yorkshire, before 2020.
 - **B**, take into account,
 - The split between the need to provide facilities to manage the final disposal and recovery / recycling of waste,
 - The need to meet, nationally set targets for recycling and recovery, including those derived from the Landfill Allowance Trading Scheme,
 - The contribution made by new and existing waste facilities and the anticipated lifespan of such facilities,
 - The provisions of policy E3 (the economy and employment land reviews),
 - Annual waste and waste facility monitoring data provided by the Regional Technical Advisory Body (RTAB), and
 - Opportunities to provide treatment facilities for municipal waste streams
 - **C**, consider the specific requirements arising from,
 - Significant transfers of waste across the regional boundary, and
 - The likelihood of significant irregular arisings of hazardous waste from site regeneration / remediation projects during the plan period.
 - **D**, liaise with neighbouring districts, the RTAB, Recycling Action Yorkshire and community stakeholders to consider any requirements arising from,
 - The need to establish an accessible network of civic amenity or other recycles collection public 'bring' sites, and
 - The need to make provision for sites for new waste related businesses (either on a grouped 'park' or individual basis) to encourage their establishment.
2. The following principles as set out within Policy ENV14 (Strategic Locational Criteria for Waste Management Facilities) should also be considered in designating sites or areas where criteria based approaches will apply,
 - **A** - Waste should be managed on the site where it arises, or if this is not possible at the nearest appropriate location. Major sources of waste arising in rural areas should be treated locally, unless specialised facilities are required.
 - **C** - Facilities should be located in accordance with the Core Approach and the proposed distribution of housing and economic growth.
 - **E** - In all areas, identification of sites for facilities should also take account of the following priority order:

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- Established and proposed industrial sites which have potential for the location of waste management facilities and the co-location of complementary activities, such as ‘resource recovery’ or ‘sustainable growth’ parks.
 - Previously developed land, including mineral extraction and landfill sites during their period of operation for the location of related waste treatment activities in sustainable locations.
 - Redundant farm buildings and their curtilages.
- **G** - One-off or non-process related hazardous waste generation from the clear up of contaminated sites should be treated on the basis of the following hierarchy,
- On site treatment (for example bioremediation),
 - On site encapsulation,
 - Off site treatment, and
 - Off site encapsulation.

Local Planning Policy

3. In accordance with the UDP saved policies proposals for waste recycling collection facilities, waste transfer operations and waste recycling processing facilities to recover and separate waste materials will be encouraged where detrimental environmental aspects can be minimised (Policy N47 Waste Recycling Facilities).
4. Policy N48A (Landfill Operations South Leeds) also seeks to redress the concentration of existing and prospective landfill operations in South Leeds. Leeds City Council will encourage proposals to be advanced for the disposal of inert wastes in all areas other than South Leeds. In determining specific proposals in accordance with Policy N48A or elsewhere, Policy N48B (Landfill Sites the Policy Approach) states that the proximity of other landfill sites and mineral extraction sites in the locality, duration of those operations and cumulative effects upon residents of further activities will be taken into account. Development will not normally be permitted which is contrary to,
- Detailed waste disposal policies contained in Appendix 7 in Volume 2; and
 - Policy N35, which seeks to protect the interests of the best and most versatile agricultural land.

Waste Key Recommendations for Natural Resources DPD

- Policies should ensure that adequate sites and facilities are available to manage the quantities of municipal, commercial and industrial, construction and demolition, agricultural, and hazardous waste.
- Policies should ensure that waste is managed on the site where it arises, or at the nearest appropriate location.
- Policies should ensure that facilities are located in accordance with the Core Approach and the proposed distribution of housing and economic growth.
- Policies should seek to redress the concentration of existing and prospective landfill operations in South Leeds.

MINERALS AND AGGREGATES

National Planning Policy

5. Those of most relevance to Leeds contained in MPS1 are as follows,
- To assess the range, volumes and availability of waste material which may exist within reasonable proximity and which could provide suitable alternatives to primary minerals.

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- To define Mineral Safeguarding Areas (MSAs), in order that proven resources are not needlessly sterilised by non-mineral development.
- To encourage the prior extraction of minerals, where practicable, if it is necessary for non-mineral development to take place in MSAs.
- To safeguard existing, planned and potential rail heads, wharfage and associated storage, handling and processing facilities for the bulk transport by rail, sea or inland waterways of minerals, particularly coal and aggregates, including recycled, secondary and marine-dredged materials.
- To identify future sites to accommodate the above facilities.
- To safeguard existing, planned and potential sites including rail and water-served, for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material.
- Where minerals development is proposed within, adjacent to, or where it is likely to significantly affect a European site (potential and classified Special Protection Areas, candidate and classified Special Areas of Conservation and listed Ramsar Convention Sites), take account of special Government advice to limit any adverse impacts.
- Do not permit major mineral developments in National Parks, the Broads, Areas of Outstanding Natural Beauty and World Heritage Sites except in exceptional circumstances.
- Do not normally grant planning permission for a proposed mineral development on land within or outside a Site of Special Scientific Interest (SSSI).
- To ensure that the statutory protection given to many individual wildlife species under a range of legislative provision, and the special protection afforded to European protected species, is fully taken into account when considering mineral proposals which might affect them.
- To consider carefully mineral proposals within or likely to affect regional and local sites of biodiversity, geodiversity, landscape, historical and cultural heritage.
- To adopt a presumption in favour of the preservation of listed buildings, nationally important archaeological remains (including scheduled ancient monuments) in situ, and their settings, if mineral proposals would cause damage or have a significant impact on them, unless there are overriding reasons of national importance for the development to proceed.
- Do not permit mineral proposals that would result in the loss or deterioration of ancient woodland, not otherwise statutorily protected, unless the need for, and benefits of, the development in that location outweigh the loss of the woodland habitat.
- To take account of the value that existing woodland offers in terms of amenity and habitat, when considering mineral proposals.
- Where significant development of agricultural land is unavoidable, seek to use areas of poorer quality land in preference to that of a higher quality, except where this would be inconsistent with other sustainability considerations.
- To take account of the value of the wider countryside and landscape, including opportunities for recreation, including quiet recreation, and as far as practicable maintain access to land.
- To have regard to the positive or negative effects that minerals operations may have on rural communities and the extent to which adverse impacts of such operations could be moderated, but recognise that such developments can often also offer opportunities for these communities especially at the restoration stage.
- To aim to source mineral supplies indigenously, to avoid exporting potential environmental damage, whilst recognising the primary role that market conditions play.
- Before considering the extraction of primary materials, take account of the contribution that substitute or recycled materials, mineral products and marine dredged aggregates would make to the supply of materials.
- To ensure the best integration of social, environmental and economic costs and benefits is achieved, through applying the principles of sustainable development, by carefully considering how best to maintain an adequate and steady supply of minerals for the economy and society, commensurate with protecting the environment and securing the prudent use of natural resources.
- To identify sites, preferred areas and / or areas of search, having taken account of environmental considerations, to provide greater certainty of where future sustainable mineral working will take place.

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- To consider the benefits, in terms of reduced environmental disturbance and more efficient use of mineral resources including full recovery of minerals, of extensions to existing mineral workings rather than new sites.
- To take account of the benefit, including the reduction in carbon emissions, which local supplies of minerals would make in reducing the impact of transporting them over long distances by road.
- To recognise the important role that small quarries can play in providing historically authentic building materials in the conservation and repair of historic and cultural buildings and structures.
- To provide for the maintenance of landbanks, i.e. appropriate levels of permitted reserves, for non-energy minerals as far as is practicable from outside National Parks, the Broads, Areas of Outstanding Natural Beauty and World Heritage sites.
- To enable the minerals industry, so far as is practicable, to secure productivity growth and high and stable levels of employment, which are central to long-term economic performance and rising living standards.
- To seek to promote and enable the bulk movement of minerals by rail, sea or inland waterways to reduce the environmental impact of their transportation.
- To safeguard and promote rail links to quarries where there is potential to move minerals by rail.
- To seek to protect and enhance the character of surrounding rural and urban areas by careful planning and design of any proposals for minerals development.
- To encourage mineral operators to adopt sound working practices to prevent, where feasible, or if not to minimise, environmental impacts to acceptable levels during the preparation, working and restoration stages, including the provision of improved transportation within and from sites.
- To encourage mineral operators to incorporate and maintain good environmental management practices into their company procedures and apply them during the operation of their sites.
- To require mineral operators to seek and maintain effective consultation and liaison with the local community before submitting planning applications and during operation, restoration and aftercare of sites.
- To state the criteria to be used in assessing mineral proposals and in formulating planning conditions, to ensure that permitted operations do not have unacceptable adverse impacts on the environment or human health.
- To ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations caused by mineral extraction are in conformity with national guidance and are controlled, mitigated or removed at source, so as to reduce to an acceptable level any potential adverse impacts on neighbouring land and property.
- To encourage the establishment of mineral site transport plans in consultation with the local community, dealing with matters including routeing, off-site parking, considerate driving and complaints procedures.
- To consider in association with the Environment Agency, the potential for mineral developments, individually or cumulatively, to affect the flow, quality and quantity of surface and groundwater supplies and the water table, taking account of best available options in preventing leachate generation and water pollution.
- To ensure, in association with the Environment Agency, that in areas at risk of flooding, mineral extraction proposals do not have a significant adverse impact on flood flows or flood storage capacity.
- To ensure that proposals for mineral extraction and the storage and tipping of mineral wastes are designed, and appropriate monitoring procedures set up, to ensure that the operation and restoration of the site does not create land instability and help prevent pollution of soil, air, surface water and groundwater.
- To encourage the efficient use of all minerals and alternatives to them.
- To encourage high quality materials to be used for appropriate purposes, but taking account of the need to avoid undue delays to site reclamation.
- To minimise the amount of minerals waste produced in extraction, handling, processing and stockpiling.
- To maximise the potential for minerals waste to be used for recycling or in-site restoration, but if not required for these purposes and where practicable, identify a market for its potential use.
- To ensure, so far as practicable, the use of acceptable substitute or recycled materials in place of primary minerals.

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- To take account of the opportunities for enhancing the overall quality of the environment and the wider benefits that sites may offer, including nature and geological conservation and increased public accessibility, which may be achieved by sensitive design and appropriate and timely restoration;
- To consider the opportunities that sites may offer for the development of new woodland areas and for providing networks of habitats.
- In order to avoid the possibility of mineral working resulting in dereliction, ensure land is reclaimed at the earliest opportunity and that high quality restoration and aftercare of mineral sites takes place through the provision of guidance on suitable or preferred after-uses and reclamation standards, and the use of conditions and legal agreements, as appropriate.
- To ensure proposals for restoration and aftercare of sites include details of appropriate phasing of progressive restoration, final landform and landscape and monitoring procedures.
- To develop a strategy for inactive sites with planning permission for future working, which are considered unlikely to be reactivated in the foreseeable future.
- To maintain or improve the Public Right of Way network around restored mineral sites as far as practicable.
- Where restoration of mineral workings is through landfill or to a wetland habitat, consult the owner or operator of civil and military aerodromes within 13km, in order to assess the likelihood of increasing the bird strike hazard; and
- To examine the merits of recycling mineral wastes for productive uses or using them for site restoration, in order to minimise the adverse impact that they could otherwise have on the landscape.

Regional Planning Policy

6. Following the Inspector's Modifications, Policy ENV4 Minerals of the Yorkshire and Humber Plan which is currently in consultation states,
- **A** - Plans, strategies, investment decisions and programmes should safeguard mineral deposits from sterilisation by other types of development and provide for an adequate and steady supply of minerals.
 - **B** - The Region will maximise the use of secondary and recycled aggregates, and where this is not possible, undertake primary extraction as needed.
 - **C** - Mineral Planning Authorities should,
 - Maximise the contribution by secondary and substitute materials wherever possible, and facilitate sites and operations (including those to blend secondary and primary aggregates, reprocessing and the transfer of materials), especially in West Yorkshire.
 - Make provision for the sub regional apportionments as set out in Table 15.7 and maintain landbanks for all nationally and regionally significant minerals.
 - Seek a progressive reduction in aggregate production from National Parks and Areas of Outstanding Natural Beauty, noting that there is no strategic justification for the provision of any new crushed rock sites within these areas within the plan period.
 - **D** - The sub regional aggregate apportionments should be updated in the next review of RSS in particular to take account of the Second Phase of the Yorkshire and Humber Sand and Gravel Study.

Local Planning Policy

7. There are five key policies within the current Development Plan relating to minerals.

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8. Policy N45 states that minerals workings will only be accepted where proposals satisfy the detailed policies for the extraction of minerals set out within the UDP and take into account proximity of other mineral workings and waste disposal sites in the locality, duration of those operations and cumulative effects upon residents of further activities. Consideration will be given to social, economic and environmental benefits resulting from opencasting proposals.
9. The Council in conjunction with other West Yorkshire Metropolitan District Councils, will encourage the recycling of materials, and endeavour to maintain a landbank of permitted reserves of sand and gravel, and also maintain its contribution to its share of the Regional apportionment on the advice of the Yorkshire and Humberside Regional Aggregates Working Party, unless exceptional circumstances prevail, in accordance with national guidance and contained in MPG6 (Guidelines for Aggregates Provision in England). Proposals for extraction of sand and gravel will only be accepted if they satisfy the detailed mineral policies contained in the UDP (Policy N46).
10. For environmental reasons Policy N46A states that proposals for sand and gravel extraction in the Wharfe Valley within the Special Landscape Area (Policy N37) will be resisted. Sand and gravel extraction, with restoration to agriculture, will be supported in principle within the area shown on the Proposals Map at Midgely Farm in Otley, subject to the detailed site and minerals policies and requirements contained in the UDP (Policy 46B).

Minerals and Aggregates Key Recommendations for Natural Resources DPD

- Policies should safeguard mineral deposits from sterilisation and provide for an adequate and steady supply of minerals,
- Policies should maximise the use of secondary and recycled aggregates, and where this is not possible, undertake primary extraction as needed.
- Policies should make provision for the sub regional apportionments and maintain landbanks for all nationally and regionally significant minerals.

ENERGY AND CLIMATE CHANGE

National Planning Policy

11. National planning policy relating to energy and climate change issues focuses on renewable energy and the reduction of greenhouse gas emissions. The Planning for a Sustainable Future White Paper emphasises that local authorities have a crucial role in tackling climate change and the government wants to see up-to-date development plans to help secure progress against the UK's emissions targets.
12. Planning Policy Statement (PPS) 1 (Delivering Sustainable Development), explains that DPD policies should account for environmental issues and provide mitigation measures that address the effects of, and adaptation to, climate change through the reduction of greenhouse gas emissions; the use of renewable energy and the protection of groundwater from contamination. PPS12 (Climate Change), also provides robust policy on planning's contribution to mitigating and adapting to climate change, setting out how regional planning bodies and local planning authorities are expected to prepare development plan policies which avoid new development in areas of International and National Designated Areas, in areas of flood risk and in consideration to the location and design of the development (also refer to PPS25 Development and Flood Risk and PPS23 Planning and Pollution Control)
13. PPS22 (Renewable Energy) outlines the Governments energy policies in accordance with the Energy White Paper, which emphasise the Government's commitments to both climate change and renewable energy. These policies are aimed at stimulating development of new technologies to improve long-term national considerations of renewable energy and in energy efficiency.

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14. As PPS1 highlights, policies for new renewable development should be integrated with traditional land use planning resulting in local authorities creating strategies for sustainable and renewable on-site projects such as housing development in urban and rural areas (also refer to PPS3 Housing and PPS7 Sustainable Development in Rural Areas).
15. The potential for renewable and low carbon energy supplies and the importance of allocating and safeguarding sites for these is highlighted by the Planning for a Sustainable Future White Paper. Sustainable design issues are also raised including the potential for the installation of micro generation equipment on existing homes and business, and the integration of renewable energy into new building design.
16. Targets for renewable energy in the UK are highlighted in PPS22. The UK is already on the path to cutting its carbon dioxide emissions by some 60% by 2050, with real progress by 2020. The Government has already set a target to generate 10% of UK electricity from renewable energy sources by 2010. The Energy White Paper set out the government's aspiration to double that figure to 20% by 2020, and suggests that still more renewable energy will be needed beyond that date.

Regional Planning Policy

17. Regional Policy, in particular Policy ENV 5 of the RSS, is very much focused on three key aims of reducing greenhouse gas emissions, improving energy efficiency and maximising the use of renewable energy. In particular, plans and strategies should contribute to this by:
 - Requiring the orientation and layout of development to maximise passive solar heating,
 - Maximising the use of combined heat and power, particularly for developments with energy demands over 2MW, and using renewable sources of energy where possible,
 - Providing for new efficient energy generation and transmission infrastructure in keeping with local amenity and areas of demand, and
 - Promoting and securing greater use of local renewable energy in new development, including through Development Plan Documents setting ambitious but viable proportions of the energy supply for new development to be required to come from local renewable sources.

Local Planning Policy

18. Local policy aims to increase the use of renewable sources of energy and improve energy efficiency. The promotion of energy conservation is highlighted in General Policy 5 of the UDP. In terms of renewable energy UDP Policy N54 and associated text recognises the potential and supports the development of renewable energy including, Landfill Gas and Biogas, Municipal and Industrial Waste, Biomass, and Solar Energy in the Leeds area.
19. The Core Strategy Issues and Options Paper highlights locational problems in achieving renewable energy targets to manage fossil fuel demands and recognises the potential for on-site micro-generation as an alternative to larger scale renewable energy in the Leeds area.

Energy and Climate Change Key Recommendations for Natural Resources DPD

- Policies should support renewable and low carbon energy, identify potential for renewable energy in the Leeds area and allocate and safeguard potential sites.
- Policies should identify potential for microgeneration equipment on homes and businesses in Leeds.
- Policies should identify potential for energy from waste sites, possible locations and safeguard potential sites.

LAND USE

National Planning Policy

20. **Sustainable Forms of Development and Infrastructure** - The overarching principle for sustainable development is outlined in PPS1 (Delivering Sustainable Development). PPS1 requires the prudent use of natural resources, which means ensuring more sustainable consumption and production and using non-renewable resources in ways that do not create pollution. This reflects the Government's primary objective of promoting sustainable development patterns, which include concentrating most development in and around existing towns and villages and preventing urban sprawl. The planning system should also discourage the development of greenfield land and promote the re-use of land thereby ensuring it is not used wastefully (PPS7 Sustainable Development in Rural Areas).
21. In addition, the Planning for a Sustainable Future White Paper stipulates that local authorities should take a strategic and proactive approach to planning for and managing land use. They should therefore consider all the land use pressures, the land available to meet those pressures, the consequences of using land for different purposes and the objective of achieving multiple benefits. Planning Policies and development policies should facilitate a positive framework for sustainable development, with adequate attention given to the protection of the natural resources, wildlife and habitats.
22. **Housing** - PPS3 (Housing), advises that LDDs should set out a strategy for new sustainable housing development with local planning authorities and stakeholders, setting objectives for specific sites as referenced in the Sustainable Community Strategy and Regional Spatial Strategy.
23. **Brownfield / Greenfield** - The Planning for a Sustainable Future White Paper emphasises that the planning system must make full use of brownfield opportunities highlighting the national target of at least 60% of new housing to be provided on previously developed land.
24. The re-use of derelict and other urban land within the green belt is necessary to maintain the greenbelt resource as outlined in PPG2 (Green Belts). National planning policies (PPS7) promote brownfield and greenfield development with the priority being the re-use of previously developed brownfield sites as opposed to the development of greenfield sites. Regional and local planning authorities must provide Annual Monitoring Reports with permissions on urban and rural re-used land and greenfield development.
25. **Ecology / Biodiversity and Environmental Landscape** - The Planning for a Sustainable Future White Paper highlights the importance of protecting areas of land with high landscape and biodiversity value as well as enhancing the quantity and quality of landscapes, habitats and natural resources. The Planning Response to Climate Change (2004) in particular highlights that plans and frameworks can safeguard buffer zones or wildlife corridors and promote the designation and creation of new habitats.
26. Local planning authorities should also promote the conservation of woodlands. The Government's forestry policy, England's Forestry Strategy (1999), examines the sustainable management of existing woods and forests and aims to steadily expand the amount of woodland area. National Policies also state that new developments in the countryside or outside areas allocated for development in development plans should be strictly controlled. This is in order to fulfill the Government's aim to protect the countryside and preserve its intrinsic character, diversity of its landscapes, heritage, wildlife and the wealth of its natural resources and biodiversity (PPS10 Planning for Sustainable Waste Management).
27. Local landscape and conservation designations should have specific criteria for the consideration of renewable energy projects. LDD's should include and discuss with developers and planning authorities what has been used previously and screen land uses (both urban and rural) for potential renewable energy sites.

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28. Sites of Special Scientific Interest (SSSIs) will be strongly protected under the planning system through appropriate policies in plans (PPS9 Biodiversity and Geological Conservation). Local planning authorities should make use of planning conditions to mitigate the harmful aspects of developments and to ensure the conservation and enhancement of the site's biodiversity or geological interest. Local authorities should also conserve other important natural habitat types that have been identified in the Countryside and Rights of Way Act 2000 section 74 list, as being of principal importance for the conservation of biodiversity in England and identify opportunities to enhance and add to them. This extends to policies relating to natural habitat preservation and for the protection and extension of open space, agricultural lands, canals and rivers.

Regional Planning Policy

29. **Sustainable Forms of Development and Infrastructure** - Policy ENV7 requires that development on agricultural land be avoided unless it is of a beneficial nature such as tourism, wildlife, renewable energy, flood alleviation or recreation.
30. Policy ENV15 requires that areas of green infrastructure are created and protected throughout the region to ensure that a healthy environment is available for the benefit of present and future communities whilst protecting the integrity of internationally important biodiversity sites. In addition, policies should ensure that they have regard to the economic and social as well as environmental benefits of green infrastructure assets.
31. **Brownfield / Greenfield** - The RSS states that *'the Green Belts in North, South and West Yorkshire have a valuable role in supporting urban renaissance, transformation and concentration, as well as conserving countryside, and their general extent as shown on the Key Diagram should not be changed'*. The policy also states that strategic reviews of the green belt in West Yorkshire may be required in order to deliver longer-term housing growth.
32. **Ecology / Biodiversity and Environmental Landscape** - Policy ENV6 requires that Forestry, Trees and Woodland in the area are protected and enhanced in line with the Regional Forestry Strategy, and to increase the total woodland area by approximately 500ha per year.
33. In particular, woodland planting should be increased in upland catchments and most parts of functional floodplains and in urban areas, especially on previously developed land and on land by motorways and railways.
34. Policy ENV8 deals with Biodiversity and aims to maintain and restore natural processes, protect geological and geomorphological features, support the recovery of priority species, restore and enhance priority habitats, and encourage networks of greenspace and ecological corridors.
35. **Contamination** - Policy ENV10 is concerned with the protection of the landscape, and states that plans, strategies, investment decisions and programmes should safeguard and enhance derelict and despoiled urban fringe landscapes, especially in the former coalfield and older industrial parts of the area.
36. **Flood Risk** - Policy ENV1 is concerned with Development and Flood Risk and requires that flood risk is managed pro-actively by reducing the causes of flooding to existing and future development, especially in tidal areas, and avoids development in high flood risk areas where possible. Reference is made to the lack of development land available outside of high flood risk zones and the importance of carrying out effective flood management to facilitate development in these areas.

Local Planning Policy

37. **Sustainable Forms of Development and Infrastructure** - The 'Vision for Leeds 2004 - 2020' aims to promote the regeneration of disadvantaged areas and attract private investment into inner city neighbourhoods. This would involve improving the quality of and access to local parks and green spaces.
38. The Leeds Core Strategy Issues and Options Paper highlights the importance of protecting and enhancing the quality of the city's natural and built environment. The strategy's environmental aims include safeguarding and enhancing biodiversity and combating the effects of climate change.
39. **Housing** - It is proposed to develop a Greenspace, Housing and Employment DPD within which policies will be developed relating directly to housing issues. However the issue of land use is an important aspect of the Natural Resources DPD and relevant overarching policies will be addressed.
40. **Brownfield / Greenfield** - Local policy emphasises the importance of developing on brownfield land to protect the land resource. Policy N31 of the UDP highlights that the re-use of derelict land should be given priority in certain areas of Leeds, for example areas of coalfield dereliction in south and east Leeds, areas of industrial obsolescence, especially where inner urban areas can be used for new land-uses. Policy H3 of the UDP highlights the delivery of housing land release. The majority of the Phase 1 (12,814 – 13,553 dwellings) land requirement is to be met from brownfield land requirements.
41. Demands on greenfield land are highlighted in Policy H3 of the UDP with Phase 2 (8,829 – 9,839 dwellings) and Phase 3 (9,139 – 10,179 dwellings) land requirements to be met from greenfield land supplies. However this land should be kept in reserve and used only in the event of brownfield land being unavailable.
42. A strategic policy of the UDP is to protect and enhance greenspace as an important land use. The greenbelt in particular should be protected as a land resource and assist in safeguarding the countryside from encroachment (see Policy N32). Policy N1 emphasises the importance of protecting greenspace as a land resource in the Leeds area. Policy GC1 of the Leeds Countryside Strategy seeks to protect, enhance, extend and create green corridors.
43. **Ecology / Biodiversity and Environmental Landscape** - UDP Policy highlights the importance of protecting the character and appearance of special landscape areas. Nature conservation and protected sites should not be threatened by development and, where appropriate, new development should enhance wildlife habitats (Policy N49, N50 and N51). The Leeds area encompasses several designated areas including SSSI's and Local Nature Reserve's (LNR's).
44. The Green Space Strategy for Leeds (2006) aims to promote parks and green spaces as accessible places for everyone to experience and enjoy. This will offer lasting social, cultural and environmental benefits for the people of Leeds improve health and wellbeing and prevent disease through physical activity. Local policy also aims to develop a high quality transport system which enables people to travel and goods to be moved efficiently, safely and with minimum adverse impact on the environment (Leeds Economic Development Strategy, 2000).
45. The Countryside Strategy (1994) emphasises the importance of woodland as a resource, promoting the development of new woodlands and encouraging the sustainable management of woodlands. It supports the protection, creation and management of habitats (Policy NC2). Management of the countryside should therefore aim to conserve existing character of landscape features, restoration of landscape character where lost, and enhancement by creation of new landscapes.
46. **Contamination** – The Core Strategy Issues and Options Paper states that regeneration priority should be given to areas where there are high levels of derelict and contaminated land. The de-contamination of land, renews it as a natural resource, and lessens the need for development on greenfield sites.

47. **Flood Risk** - Policy N38 of the UDP Review ensures that appropriate measures are taken to protect floodplains from inappropriate development and to help ensure that flood risks are not increased. Flood risk is a key concern for the Leeds area and increased development demands together with pressure on the land resource exacerbate this issue. The Core Strategy Issues and Options Paper emphasises that planning has a role in ensuring that development takes place in a way that does not increase flood risk and to provide a framework to adapt and mitigate over the longer term and highlights that development should be managed alongside encouragement of waterfront regeneration.
48. Sustainable Drainage should be implemented where appropriate, which as addressed in Policy N39A of the UDP, can assist in reducing the volume and rate of surface water runoff potentially reducing downstream flood risk. The Towards a Leeds Forest Strategy 2006 also highlights the potential of woodland in reducing flood risk.

Land Use Key Recommendations for Natural Resources DPD

- Policy should address flood risk alongside creating new development opportunity.
- Policy should encourage the active increase of the woodland resource for both biodiversity reasons and to assist in reducing flood risk.
- Policy should include locational policies for new development to encourage use of more energy efficient transport.
- The re-use of contaminated land should be encouraged to minimise the use of the land-resource.
- Policy should protect the greenbelt and greenfield land.
- The use of brownfield land should continue to be encouraged.

WATER RESOURCES

National Planning Policy

49. The national guidance, Planning Response to Climate Change highlights that water is a scarce resource in England and Wales and recognises that the availability of water resources should be recognised in development plans. The document highlights that policies should promote water efficient development and minimise demand on existing water resources as well as encouraging water-efficient installations, grey water recycling and rainwater harvesting schemes and attenuation of surface water drainage. PPS 25 also emphasises importance of protecting water resources as well as identifying how to screen for the suitability of locations that are subject to flooding.
50. With regard to water quality and pollution control, PPS23 asserts that local authorities should set out principles and policies to deal with cumulative impacts when drawing up their LDD's relating to potential water resource impacts. Additionally, local authorities and pollution control authorities should work with the Environment Agency and other relevant bodies. Ultimately local authorities must be satisfied that planning permission can be granted on land use grounds taking full account of environmental impacts to water quality.
51. PPS23 considers the potential impacts of development on the quality of water and land which could impact human health as a material planning consideration and emphasises the need for compliance with statutory environmental quality standards or objectives pertaining to water quality as prescribed in EU legislation include the Water Framework Directive, the 1991 Urban Waste Water Treatment Directive and Nitrate Vulnerable Zones identified under the 1991 Nitrates Directive.
52. In preparing planning strategies in relation to water quality local authorities should consult the Environment Agency and other relevant bodies (including adjacent local authorities), when preparing policies in their LDD's on flood risk management and in relation to areas potentially identified as at risk of flooding.

Regional Planning Policy

53. The RSS aims to safeguard water resources and increase water efficiency through Policy ENV2. Plans should ensure a reliable and efficient supply of drinking water throughout the region whilst safeguarding the integrity of internationally important biodiversity sites and the wider environment.
54. With regard to water quality, Policy ENV 3 aims to prevent development that could pollute surface and underground water resources especially in Source Protection Zones and close to above ground water resources of reservoirs and some rivers. Plans should also provide for adequate sewage infrastructure and treatment capacity.

Local Planning Policy

55. Local policy on water resources is primarily concerned with protecting its quality, so that it does not adversely affect species diversity. It also aims to promote the diversity of water-based resources, such as increasing the transport of goods to Leeds City Centre by water.
56. The Leeds Countryside Strategy seeks to protect and enhance rivers and waterways as 'irreplaceable resources' (Policy RC1) and to ensure development and activity does not effect the quality of rivers and catchment areas (Policy RC4).

Water Resources Key Recommendations for Natural Resources DPD

- Policies should encourage water efficient development, grey water recycling, rainwater schemes and attenuation of surface water drainage.
- Policies should ensure development does not affect the quality of rivers and catchment areas.
- Policies should appraise potential development and choose strategic location based on flood risk analyses.
- Policies should properly screen for pollution and adverse water quality implications in potential development areas.

AIR QUALITY

National Planning Policy

57. Air quality and the potential impacts that arise from development is a major planning consideration. At the International and National level, the Air Quality Strategy (2000) and its Addendum (2003) and the system of local air quality management under Part IV of the Environment Act 1995 offer general policies for the planning strategies of the UK.
58. National planning policy highlights a number of issues to be considered by local authority. Both PPS10 and PPS23 highlight that air quality should be taken into account in planning decisions and in siting development. Local pollution problems should be considered including Air Quality Management Areas or other areas of poor air quality as well as the potential sensitivity of an areas air quality to adverse pollution.
59. PPS10 highlights that pollution control and planning should be complimentary and that preventing pollution through the use of measures to prohibit or limit the release of substances to the environment to the lowest practical level is important. Adverse impacts to air quality may result in the need for planning authorities to institute pollution controls that limit hazardous substances into the environment and air.

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60. The potential for new fuel technologies within transport to reduce harmful emissions is highlighted in PPG13 and these are seen as being particularly important in, or in the vicinity of, air quality management areas or other areas of poor air quality. Examples of new fuel technologies include electricity, liquefied petroleum gas (LPG) and compressed natural gas (CNG). PPG13 states that,
- ‘a key factor in encouraging the wider take-up of these fuels and technologies is the development of the associated recharging or refuelling infrastructure.’*
61. The extent to which adverse emissions can be controlled through the use of appropriate and well maintained and managed equipment and vehicles should also be assessed in accordance with PPS10 improving air quality.

Regional Planning Policy

62. The RSS Policy LCR1 deals with the Leeds City Region and requires that air quality is improved, particularly close to motorways and major roads through the city region. The strategy also highlights that the planting of forest and woodland in urban areas has potential benefits to air quality and should be encouraged.

Local Planning Policy

63. Local policy aims to improve air quality and mitigate transport related Air Quality Management Area's. This involves specific actions to reduce harmful vehicle emissions including: improved highway design; traffic management schemes; emissions testing; speed control measures; and encouraging cleaner technologies.
64. Generally the UDP highlights that new development should seek to avoid pollution and to ensure that potentially polluting development should be situated in appropriate locations (Policy GD5). UDP policies try to minimise the increase of carbon emissions from transport by encouraging the use of alternatives to cars and lorries and by situating transport infrastructure where there is potential for increased public transport use, walking and cycling. Policy T1, T10, T15, T16, and T31 of the UDP Review highlight that provision for alternatives to the car and lorry will be improved alongside facilitating rail and waterways for freight transport. Improvements are to be made to provide effective sustainable transport systems, increase park and ride facilities and sustainable freight.
65. The Stourton / Knowsthorpe area has been highlighted (Policy E10) as a potential area for making use of rail and water transport.
66. The Leeds Air Quality Action Plan highlights six key objectives to improve air quality in the area,
- Traffic demand management – Reducing the overall need to travel and to encourage more sustainable alternatives.
 - Reducing the need to travel – Land use planning to ensure appropriate development to support town centres, to develop brownfield sites and to ensure developments have access to public transport.
 - Improvements to the highways network – Improvements to highway network to reduce traffic in Leeds centre therefore reducing emissions in the city centre.
 - Reducing vehicle emissions – The council to continue to run the diesel fleet on Ultra Low Sulphur Diesel and to fit new vehicles with Continuously Regenerating Traps to reduce particulate emissions. The use of alternative fuels and vehicles will also be investigated.
 - Reducing emissions from industrial and domestic sources – Enforcement action to be increased in the city, energy efficiency measures will be encouraged.
 - Raising awareness – Promoting environmental issues effectively to businesses and the community.

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67. It is proposed by Leeds City Council that a DPD will be prepared focusing directly on transport issues however overarching policies relating to the use of natural resources can be provided by the Natural Resources DPD.

Air Quality Key Recommendations for Natural Resources DPD

- Policies should promote the potential for new fuel technology and associated refuelling infrastructure.
- Policies should ensure that potentially polluting development be situated in appropriate locations.
- Policies should aim to minimise carbon emissions through locational transport infrastructure policies, the facilitation of rail and waterways for transportation and encouraging alternative to cars and lorries.