

## **Leeds City Council**

### **Decision Statement – Holbeck Neighbourhood Development Plan**

#### **Planning & Compulsory Purchase Act 2004 The Neighbourhood Planning (General) Regulations 2012**

#### **Regulation 18 Decision Statement**

##### **1. Summary**

- 1.1 Following an independent examination by Tony Burton CBE BA MPhil (Town Planning) HonFRIBA FRSA, Leeds City Council now confirms that it is making modifications to the Holbeck Neighbourhood Plan as set out in Table 1 below. The Plan will then proceed to a Neighbourhood Planning Referendum.
- 1.2 In accordance with the independent examiner's recommendations, the Holbeck Neighbourhood Plan will proceed to referendum based on the Holbeck Neighbourhood Area as designated by Leeds City Council on 11<sup>th</sup> October 2013.
- 1.3 This Decision Statement, the examiner's report and the draft Holbeck Neighbourhood Plan and supporting documentation are available on the Council's website: <http://www.leeds.gov.uk/council/Pages/Neighbourhood-planning.aspx>. They are also on the Holbeck Neighbourhood Plan website <http://www.holbeckneighbourhoodplan.org.uk/>
- 1.4 Hard copies of the Decision Statement and the examiner's report are available for inspection at:
- Leeds City Council, City Development Department, The Leonardo Building, 2 Rossington Street, Leeds, LS2 8HD (Mon, Tues, Thurs, Fri 8.30am –5.00pm, Weds 9.30am – 5.00pm)
  - Dewsbury Road Library, 190 Dewsbury Road, Leeds, LS11 6PF (Mon, Tues 8.30 – 16.00, Weds 8.30 – 15.00, Thurs, Fri 8.30 – 17.00)
  - St Matthews Community Centre, St Matthews St, Leeds, LS11 9NR (during opening hours)
  - Shafton Lane Surgery, Shafton Lane, Holbeck, Leeds, LS11 9RE (Mon, Tues, Weds, Fri 8.00 – 18.00, Thurs 8.00 – 20.00)
  - The Holbeck WMC, Jenkinson Lawn, Holbeck, Leeds, LS11 9QX (during opening hours)

##### **2. Decisions and Reasons**

- 2.1 The examiner has concluded that subject to the specified modifications being made to the Plan, the Holbeck Neighbourhood Plan meets the Basic Conditions stated and other relevant legal requirements.

- 2.2 The Council accepts all of the modifications and the reasons put forward by the examiner for them. The examiner's reasons and recommended modifications are set out in Table 1, followed by the Council's decision.
- 2.3 The examiner has included a number modifications to some parts of the supporting text in the Plan that are not essential for the Plan to meet the Basic Conditions. The Council considers that these modifications, distinguished by [brackets] in Table 1, improve the quality and clarity of the Plan document as a whole and therefore is also making those modifications to the Plan.
- 2.4 There is one recommendation in the examiner's report which contains a minor error with regard to referencing a paragraph in the draft Neighbourhood Plan (M29). This instance is highlighted in yellow in table 1 below and footnoted to explain the error and the Council's decision and reasons with regard to this recommendation.
- 2.5 Modifications M21A and M22A recommend the inclusion of "Shown on Map 8" for Policies E1 and E2. For clarity, the Council has recommended that a reference to Map 4 should also be included as Map 4 is the Policies Map for the Neighbourhood Plan. These instances are highlighted in yellow in table 1 below and footnoted.
- 2.6 There are four recommended modifications (M21c, M22c, M26d and M36c) for which the examiner has not provided a reason. The council considers the modifications appropriate and assumed reasons are given in *italics* in table 1 below.
- 2.7 The Council is making one further modification to the Plan to provide consistency, M40. Throughout the recommendations in the report, the examiner has changed references to "Holbeck Neighbourhood Plan Area" to "Holbeck Neighbourhood Area". Map 2 is titled "Holbeck Neighbourhood Plan Boundary". For consistency, the Council considers that the title to Map 2 be changed to "Holbeck Neighbourhood Area". This further modification is highlighted in green in table 1 below.
- 2.8 The Council is satisfied that subject to the modifications specified in Table 1 below, the Plan meets the relevant Basic Conditions mentioned in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with the Convention rights and complies with the provision made by or under s38A and s.38B of the Planning & Compulsory Purchase Act 2004
- 2.9 In accordance with statutory requirements, a referendum which poses the question "Do you want Leeds City Council to use the Neighbourhood Plan for Holbeck to help it decide planning applications in the neighbourhood area?" will be held in the Holbeck Neighbourhood Area.

**This Statement is dated 5<sup>th</sup> December 2017**

**TABLE 1 Schedule of Modifications Recommended in the Examiner’s Report**

Modification Number	Page/Part of the Plan	Examiner’s recommended changes	Examiner’s reason	Leeds City Council’s decision
<b>Introduction and Throughout</b>				
M1	Throughout	Amend all references to designation date of Holbeck Neighbourhood Area to 11 October 2013	The Plan and accompanying documents erroneously refer to the Area being designated at the same time as the Forum although the correct date is provided in the Consultation Statement timeline.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M2	Introduction and throughout	Reference and provide a link to the evidence base hosted on Holbeck Neighbourhood Forum’s website in the Introduction and where indicated in my recommendations to support the policies	Only limited information is provided on the evidence supporting each policy and there is no separate evidence base referenced, although much information is available on the Holbeck Neighbourhood Forum website. There are also a number of unreferenced sources of evidence and I highlight these where appropriate.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M3	Throughout	Amend the Plan to provide consistent wording for each Topic and Objective	There are some inconsistencies in the wording used to describe the Topics and Objectives – an example is the “Respecting and Enhancing Heritage and Local Character” topic included in the Contents on page 2 and described as “Respecting the heritage and local character of the area” in the tinted box on page 3.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M4	Introduction and throughout	Promote the availability of the interactive map more prominently (including a link) and the commitment to it being maintained by Leeds City Council	The interactive map could be more prominently referenced. Leeds City Council has confirmed its intention to host and support the interactive map.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M5	Throughout	Use a distinctive tint for boxes providing information – such as provided on page 60 for pedestrian and cycle links	There are some tinted boxes providing additional information – such as on pubs (page 19) and Views and Vistas (page 55) – using the same tint as for the Plan’s objectives.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M6	Page 15	[Provide a description for the photo on page 15]	The photo on page 15 lacks a description and the sub-headings used in the supporting text for each policy are bold in some topics and not bold in others.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M7	Throughout	[Be consistent in using bold sub-	The photo on page 15 lacks a description and the sub-	Agree to modify the text as

		headings for the text supporting each policy]	headings used in the supporting text for each policy are bold in some topics and not bold in others.	indicated to comply with the examiner's recommendations.
M8	Pages 3 – 4, Page 66	[Recognise the possibility of Holbeck Neighbourhood Forum continuing beyond 2019]	The Plan implies that Holbeck Neighbourhood Forum will be succeeded by other arrangements (e.g. paragraph 11.1.2) which need not be the case if it is re-designated by Leeds City Council within five years (before 26 March 2019).	Agree to modify the text as indicated to comply with the examiner's recommendations.
<b>A Thriving Local Centre</b>				
<b>Policy LC1: A Focus for Holbeck</b>				
M9	Policy LC1, page 14	[Delete "thus creating a thriving new "heart" for Holbeck" at end of Policy LC1]	This is more of a statement of intent towards " <i>creating a thriving new 'heart' for Holbeck</i> " than a planning policy, although the objective is clear.	Agree to modify the text as indicated to comply with the examiner's recommendations.
<b>Policy LC2: Uses in Holbeck Local Centre</b>				
M10	Policy LC2, page 14	[Delete " <i>in principle</i> " at end of Policy LC2]	The Policy is clear and positively worded. Policy LC2 meets the Basic Conditions. Its clarity is reduced by the statement that such development will be encouraged " <i>in principle</i> ". This makes no material difference.	Agree to modify the text as indicated to comply with the examiner's recommendations.
<b>Policy LC3: Supermarket</b>				
M11	Policy LC3, page 15	Amend Policy LC3 to: <ul style="list-style-type: none"> <li>• Replace references to "supermarket" with "<i>convenience retailing</i>"</li> <li>• Insert "<i>suitable</i>" before "alternative sites"</li> </ul>	There is a clear rationale for the intent of this Policy and it supports the Core Strategy. Nevertheless, the Policy lacks definition for "medium sized" and "general food supermarket". Leeds' Core Strategy uses the helpful term "convenience retailing". The Policy should also recognise that it may not be possible to find suitable alternative sites.	Agree to modify the text as indicated to comply with the examiner's recommendations.
<b>A Range of Community Facilities</b>				
<b>Policy C1: Expanding the Range of Existing Facilities</b>				
M12	Policy C1, page 20	[Delete " <i>in principle</i> " at end of Policy C1]	The Policy is positively worded and has clear intent. Its clarity is reduced by the statement that such development will be encouraged " <i>in principle</i> ". This makes no material difference.	Agree to modify the text and maps as indicated to comply with the examiner's recommendations.
<b>Policy C2: Retaining Existing Facilities</b>				
M13	Policy C2, page 21	Amend Policy C2 to read: " <i>Where proposals for development</i>	This Policy lacks clarity and strays beyond land use planning considerations in supporting delivery and use of community	Agree to modify the text as indicated to comply with

		<p>would result in the loss of any of the following facilities or services, satisfactory alternative provision should be made elsewhere within Holbeck Neighbourhood Area if a sufficient level of need is identified:</p> <ol style="list-style-type: none"> <li>1. St Matthew's Community Centre</li> <li>2. Etc."</li> </ol>	<p>services per se. The evidence base supporting the conclusion that the nine facilities identified are "particularly valued" and their loss would be "detrimental" is not directly referenced, although there is some information provided in the Consultation Statement and the list was included in the pre-submission draft Plan. I have visited each of the facilities and they have prima facie value. On examining the evidence provided I am satisfied they perform an important role. Policy C2 aligns with Core Strategy Policy P9 but lacks its clarity and strength. It would be helped by aligning the wording more closely.</p>	<p>the examiner's recommendations.</p>
<b>Policy C3: Improving Health and Wellbeing</b>				
M14	Policy C3, page 22	Amend Policy C3 to insert "where appropriate" after "should"	The Policy is clear and positively worded. There will be instances where such measures are not appropriate, including for some small scale development.	Agree to modify the text as indicated to comply with the examiner's recommendations.
<b>Policy C4: Health Hub</b>				
M15a	Policy C4, page 22	Amend Policy C4 to insert "suitable" before "site within"	Policy C4 is positive and supported through community consultation. The need for potential sites in the Local Centre to be "suitable" needs clarification. The intent to seek a location in Holbeck Local Centre as a priority could be strengthened and references to the neighbourhood area clarified.	Agree to modify the text as indicated to comply with the examiner's recommendations.
M15b	Policy C4, page 22	<p>[Amend Policy C4 to:</p> <ul style="list-style-type: none"> <li>• Insert "in Holbeck Local Centre" after "encouraged"</li> <li>• Replace "Neighbourhood Plan area" with "Holbeck neighbourhood area"]</li> </ul>	The intent to seek a location in Holbeck Local Centre as a priority could be strengthened and references to the neighbourhood area clarified.	Agree to modify the text as indicated to comply with the examiner's recommendations.
<b>A Choice of Quality but Affordable Housing</b>				
<b>Policy H1: Affordable Housing</b>				
M16a	Policy H1, page 26	[Amend Policy H1 to delete "Plan"]	This Policy makes a modest refinement to existing planning policy in Core Strategy Policy H5. The Plan should clarify that the definition of "affordable housing" is the same as that used by Leeds City Council. It should also clarify references	Agree to modify the text as indicated to comply with the examiner's recommendations.

			to the neighbourhood area. The Policy meets the Basic Conditions.	
M16B	Page 26	[Amend supporting text for Policy H1 to clarify that the definition of “affordable housing” is consistent with that used by Leeds City Council for the Core Strategy.]	The Plan should clarify that the definition of “affordable housing” is the same as that used by Leeds City Council. It should also clarify references to the neighbourhood area.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
<b>Policy H2: Housing Mix</b>				
M17	Policy H2, page 27	Amend Policy H2 to replace “provided” with “ <i>prioritised</i> ”	The Policy applies the intent of Core Strategy Policy H4 to secure a housing mix appropriate to the neighbourhood area. The Policy is supported by selective references to the Holbeck Housing Market Assessment and acknowledges this may be updated. It is prescriptively worded in stating that such housing “ <i>should be provided</i> ”. There may be instances where this is not appropriate and the Policy should establish priorities not requirements.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
<b>Policy H4: Mixed Use Opportunities</b>				
M18a	Policy H4, page 29	Amend Policy H4 to replace “ingredient” with “ <i>uses</i> ”	The Policy is prescriptive in stating that employment and residential uses “ <i>must</i> ” be compatible and could be more clearly worded. Extra detail for the area south of Sweet Street could be included in a separate Policy.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M18b	Policy H4, page 29	Amend Policy H4 to replace “must” with “ <i>should</i> ”	The Policy is prescriptive in stating that employment and residential uses “ <i>must</i> ” be compatible and could be more clearly worded. Extra detail for the area south of Sweet Street could be included in a separate Policy.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M18c	Policy H4, page 29	[Amend Policy H4 to place the second section in a separate H policy which begins “Development in the area south of Sweet Street which includes the following will be encouraged:”]	The Policy is prescriptive in stating that employment and residential uses “ <i>must</i> ” be compatible and could be more clearly worded. Extra detail for the area south of Sweet Street could be included in a separate Policy.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M18d	Policy H4, page 29	[Amend Policy H4 to replace “Neighbourhood Plan area” with “ <i>neighbourhood area</i> ”]	The Policy is prescriptive in stating that employment and residential uses “ <i>must</i> ” be compatible and could be more clearly worded. Extra detail for the area south of Sweet Street could be included in a separate Policy.	Agree to modify the text as indicated to comply with the examiner’s recommendations.

M18e	Policy H4, page 29	[Amend Policy H4 to delete “where possible” at end]	The Policy is prescriptive in stating that employment and residential uses “ <i>must</i> ” be compatible and could be more clearly worded. Extra detail for the area south of Sweet Street could be included in a separate Policy.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
<b>Policy H5: Housing Regeneration</b>				
M19a	Page 30	[Replace “This could” with “These improvements to the streetscape could” in fourth bullet on Page 30.]	The Policy is clear and positively worded. It does not include direct reference to all the issues raised in the fourth bullet of the supporting text and refers more generically to “streetscape”.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M19b	Page 30	[Delete last bullet on page 30]	The supporting text also refers to work identifying priority areas for improvement in the final bullet of the supporting text. I understand these do not form part of the neighbourhood plan and were removed at an earlier stage and so the reference is a possible cause of confusion.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
<b>Policy H6: Houses in Multiple Occupation</b>				
M20	Policy H6, page 30	Delete Policy H6 and make consequential changes to the supporting text	This Policy is very prescriptive. The evidence base for the thresholds is unreferenced research from the National HMO Lobby and the evidence of impacts draws on national research. No specific evidence for either the concentration of HMOs or the issues they raise for the local community in the neighbourhood area is presented. I consider the Policy to be restrictive and lacking a sound evidence base. It does not meet the Basic Conditions.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
<b>A Variety of Local Job Opportunities</b>				
<b>Policy E1: New Employment Uses</b>				
M21a	Policy E1, page 35	Amend Policy E1 by inserting “ <i>shown on Maps 4 and 8</i> ” after “north of the viaduct”. <sup>1</sup>	To avoid confusion there is a need to reference Map 8 when defining the area “north of the Viaduct”.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M21b	Page 35	[In supporting text include references to Maps 4 and 8 when referring to the area	To avoid confusion there is a need to reference Map 8 when defining the area “north of the Viaduct”.	Agree to modify the map as indicated to comply with

<sup>1</sup> The examiner has recommended that “shown in Map 8” be added to Policy E1 to avoid confusion. The Council considers that a reference to Map 4, the Policies Map for the Holbeck Neighbourhood Plan, should also be included in this Policy to provide consistent referencing (M21b recommends the inclusion of a reference to both Maps 4 and 8) throughout the Plan document to both the Policies Map and individual maps throughout the Plan.

		north of the Viaduct]		the examiner's recommendations.
M21c	Page 35	[In supporting text replace "Croyden Street" with "Croydon Street"]	<i>The Examiner has not given a reason for this recommended modification but it is the correction of an error.</i>	Agree to modify the map as indicated to comply with the examiner's recommendations.
<b>Policy E2: Land at Sweet Street West</b>				
M22a	Policy E2, page 36	Amend Policy E2 by replacing "(south of Sweet Street and west of Marshall Street)" with " <i>shown on Maps 4 and 8</i> " <sup>2</sup>	The Policy is flexibly and positively worded. To avoid confusion there is a need to reference Map 8 when defining the area of the Sweet Street West site. The Policy's clarity is reduced by the statement that such development will be encouraged "in principle". This makes no material difference.	Agree to modify the text as indicated to comply with the examiner's recommendations.
M22b	Page 36	[In supporting text include references to Maps 4 and 8 when referring to the area of Sweet Street West]	The Policy is flexibly and positively worded. To avoid confusion there is a need to reference Map 8 when defining the area of the Sweet Street West site. The Policy's clarity is reduced by the statement that such development will be encouraged "in principle". This makes no material difference.	Agree to modify the text as indicated to comply with the examiner's recommendations.
M22c	Page 36	[In supporting text replace "Croyden Street" with "Croydon Street"]	<i>The Examiner has not given a reason for this recommended modification but it is the correction of an error.</i>	Agree to modify the text as indicated to comply with the examiner's recommendations.
M22d	Policy E2, page 36	[Amend Policy E2 to replace "Neighbourhood Plan area" with "neighbourhood area"]	The Policy is flexibly and positively worded. To avoid confusion there is a need to reference Map 8 when defining the area of the Sweet Street West site. The Policy's clarity is reduced by the statement that such development will be encouraged "in principle". This makes no material difference.	Agree to modify the text as indicated to comply with the examiner's recommendations.
M22e	Policy E2, page 36	[Delete " <i>in principle</i> " in Policy E2]	The Policy is flexibly and positively worded. To avoid confusion there is a need to reference Map 8 when defining the area of the Sweet Street West site. The Policy's clarity is	Agree to modify the text as indicated to comply with the examiner's

<sup>2</sup> The examiner has recommended that "shown in Map 8" be added to Policy E2 to avoid confusion. The Council considers that a reference to Map 4, the Policies Map for the Holbeck Neighbourhood Plan, should also be included in this Policy to provide consistent referencing (M22b recommends the inclusion of a reference to both Maps 4 and 8) throughout the Plan document to both the Policies Map and individual maps throughout the Plan.



			reduced by the statement that such development will be encouraged “in principle”. This makes no material difference.	recommendations.
<b>Policy E3: Spaces Around Buildings</b>				
M23	Policy E3, page 36	In supporting text include a reference to the “Secured by Design” principles	The Policy is specific and clearly expressed. To avoid confusion its support for “Secure[d] by Design” principles needs to be referenced.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
<b>Policy E4: Vacant Sites</b>				
M24	Policy E4, page 37	[Delete “in principle” in Policy E4]	This Policy is clear, flexible and positive in its approach. It meets the Basic Conditions. Its clarity is reduced by the statement that such development will be encouraged “in principle”. This makes no material difference.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
<b>Set in a Green Environment</b>				
<b>Policy G1: Strategic Green Infrastructure and Local Green Corridors</b>				
M25a	Policy G1, page 43	Amend Policy G1 to delete “elsewhere as appropriate”	Policy G1 identifies four areas of Strategic Green Infrastructure and five Local Green Corridors. It also includes additional Local Green Corridors “elsewhere as appropriate”. This creates uncertainty and lacks an evidence base.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M25b	Page 72	Amend supporting text in paragraph 13.2 accurately to describe the area of Strategic Green Infrastructure area SG1 as shown on Maps 4 and 9	There is a mismatch between the description of Strategic Green Infrastructure area SG1 and the boundary on Maps 4 and 9.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M25c	Map 4, page 12 and Map 9, page 46	Provide greater clarity in the boundary of the Core Strategy green corridor in Maps 4 and 9, including by use of a contrasting colour and inclusion in the key. This should show the Core Strategy green corridor extending beyond the neighbourhood area	There is a boundary on Maps 4 and 9 relating to Policy G1 in the Leeds’ Core Strategy that extends around each of the four Strategic Green Infrastructure areas. It is not referenced in the key and the physical relationship is unclear. This is exacerbated by the use of similar colours and the coincidence of having a “Policy G1” in both the Core Strategy and neighbourhood plan.	Agree to modify the Maps as indicated to comply with the examiner’s recommendations.
<b>Policy G2: Local Green Spaces</b>				
M26a	Policy G2, page 44	Amend Policy G2 to delete LGS12 and LGS13 as Local Green Spaces	On the basis of the evidence provided and my own visit to each of the proposed Local Green Spaces I am satisfied that all but LGS12 and LGS13 are appropriate proposals. LGS12 is an area of tarmac with no demonstrable existing value as a Local Green Space. Its future potential is not a relevant	Agree to modify the text as indicated to comply with the examiner’s recommendations.

			consideration. LGS13 could play an important green space function in the future but does not currently do so and the opportunity to strengthen the connection with Hol Beck is addressed in Policy HC1.	
M26b	Pages 73 – 77, Map 4, pag12 and Map 9, page 46	Make consequential amendments to paragraph 13.4.2, the numbering of Local Green Spaces and the maps	On the basis of the evidence provided and my own visit to each of the proposed Local Green Spaces I am satisfied that all but LGS12 and LGS13 are appropriate proposals. LGS12 is an area of tarmac with no demonstrable existing value as a Local Green Space. Its future potential is not a relevant consideration. LGS13 could play an important green space function in the future but does not currently do so and the opportunity to strengthen the connection with Hol Beck is addressed in Policy HC1.	Agree to modify the text and Maps as indicated to comply with the examiner's recommendations.
M26c	Policy G2, page 44	Amend Policy G2 to delete "where development will only be acceptable in very special circumstances"	The National Planning Policy Framework notes that designation will not be suitable for most green spaces. Once designated Local Green Space has protection equivalent to Green Belt. To ensure clarity Policy G2 should simply designate Local Green Spaces to which national policy will then apply.	Agree to modify the text as indicated to comply with the examiner's recommendations.
M26d	Pages 73 – 77	[Amend supporting text to replace reference in 13.4.2 to "para 8.3.3" with "para 8.4.3"]	<i>The Examiner has not given a reason for this recommended modification but it is the correction of an incorrect reference to paragraph number 8.3.3 when, rightly, it should be 8.4.3</i>	Agree to modify the text as indicated to comply with the examiner's recommendations.
<b>Policy G3: Improvements to Existing Green Spaces</b>				
M27a	Policy G3, page 45	Amend Policy G3 to insert " <i>significant</i> " before "visual impact" and " <i>a significant number of</i> " before "additional users"	The Policy is widely drawn and would impact on even small scale development. Its clarity would be supported by more definition of "child friendly activities" and "interactive play" in the supporting text.	Agree to modify the text as indicated to comply with the examiner's recommendations.
M27b	Policy G3, page 45	Amend Policy G3 to delete "local" before "green space"	The supporting text to Policy G3 shows it is intended to apply to all green spaces but the wording limits it to " <i>local green spaces</i> ".	Agree to modify the text as indicated to comply with the examiner's recommendations.
M27c	Policy G3, page 45	[Amend Policy G3 to replace "and" with " <i>including</i> " between "activities" and "interactive"]	The Policy is widely drawn and would impact on even small scale development. Its clarity would be supported by more definition of "child friendly activities" and "interactive play"	Agree to modify the text as indicated to comply with the examiner's

			in the supporting text.	recommendations.
M27d	Pages 44 and 45	[Provide definitions of “child friendly activities” and “interactive play” in the supporting text]	The Policy is widely drawn and would impact on even small scale development. Its clarity would be supported by more definition of “child friendly activities” and “interactive play” in the supporting text.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
<b>Policy G4: Improving the Public Realm</b>				
M28a	Policy G4, page 45	[Amend Policy G4 to relocate “where appropriate” after “the site”]	The Policy has clear intent and is flexible. It meets the Basic Conditions. The Policy could be more clearly expressed to minimise uncertainty.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M28b	Policy G4, page 45	[Amend Policy G4 to start a new sentence after “tree cover” beginning “ <i>Development proposals</i> ” and ending “ <i>where appropriate</i> ”]	The Policy has clear intent and is flexible. It meets the Basic Conditions. The Policy could be more clearly expressed to minimise uncertainty.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
<b>Respecting and Enhancing Local Character</b>				
M29	Map 11, page 57	[Provide a boundary for Holbeck Conservation Area in Map 11 and a reference for the designation by Leeds City Council in <b>section 9.3</b> <sup>3</sup>	The Plan contains information about the existing Holbeck Conservation Area in section 9.3 and referenced in the supporting text to Policy HC1. Map 11 is referenced as providing details of the designation but, as noted by Network Rail, there is no mention of Holbeck Conservation Area in Map 11.	Agree to modify the Maps as indicated to comply with the examiner’s recommendations.
<b>Policy HC1: Holbeck Industrial Heritage Area</b>				
M30a	Policy HC1, page 51	Amend Policy HC1 to delete “preserve or enhance” and add “ <i>respect the Conservation Area and</i> ” after “Maps 4 and 11) should”	The effect of Policy HC1 is to require development in the defined area to “ <i>preserve or enhance</i> ” its character as if it were all designated as a Conservation Area. As a result the Policy does not meet the Basic Conditions and a more nuanced approach is required which recognises some of the proposed area lies within a Conservation Area and some without.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M30b	Policy HC1, page 51	Amend Policy HC1 to replace “area” after “character of the” with “ <i>Holbeck Industrial Heritage Area</i> ”	The effect of Policy HC1 is to require development in the defined area to “ <i>preserve or enhance</i> ” its character as if it were all designated as a Conservation Area. As a result the Policy does not meet the Basic Conditions and a more	Agree to modify the text as indicated to comply with the examiner’s recommendations.

<sup>3</sup> Recommendation M29 (page 27 of the examiner’s report) incorrectly refers to section 5.3, **when it should read section 9.3**. The council has edited the recommendation accordingly.

			nuanced approach is required which recognises some of the proposed area lies within a Conservation Area and some without.	
M30c	Policy HC1, page 51	Amend Policy HC1 to replace “area” after “characteristics which give the” with “ <i>Holbeck Industrial Heritage Area</i> ”	The effect of Policy HC1 is to require development in the defined area to “ <i>preserve or enhance</i> ” its character as if it were all designated as a Conservation Area. As a result the Policy does not meet the Basic Conditions and a more nuanced approach is required which recognises some of the proposed area lies within a Conservation Area and some without.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M30d	Policy HC1, page 51	Amend Policy HC1 to add “ <i>within the Conservation Area or otherwise respect them</i> ” after “heritage attributes”	The effect of Policy HC1 is to require development in the defined area to “ <i>preserve or enhance</i> ” its character as if it were all designated as a Conservation Area. As a result the Policy does not meet the Basic Conditions and a more nuanced approach is required which recognises some of the proposed area lies within a Conservation Area and some without.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
<b>Policy HC2: Holbeck Historic Core</b>				
M31	Policy HC2, page 52	Amend Policy HC2 to replace two instances of “preserve or enhance” with “ <i>respect</i> ”	I visited the proposed Holbeck Historic Core which has significant historic interest. As with Policy HC1 it is not appropriate to introduce policies for a Conservation Area through a neighbourhood plan and no Conservation Area exists in the proposed Historic Core. As a result the Policy does not meet the Basic Conditions without amendment.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
<b>Policy HC3: Holbeck Housing Heritage Area</b>				
M32	Policy HC3, page 53	Amend Policy HC3 to replace two instances of “preserve or enhance” with “ <i>respect</i> ”	The proposed Housing Heritage Area displays a remarkable architectural and townscape integrity, rich in historic interest. As with Policy HC1 it is not appropriate to introduce policies for a Conservation Area through a neighbourhood plan and no Conservation Area exists or is proposed for the Housing Heritage Area. As a result the Policy does not meet the Basic Conditions without amendment.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
<b>Policy HC4: Heritage Assets</b>				
M33	Policy HC4, page 54	Amend Policy HC4 to replace the second bullet with “ <i>protects its historic, archaeological or architectural</i> ”	As with Policy HC1 it is not appropriate to introduce policies for a Conservation Area through a neighbourhood plan and the Policy applies to assets inside and outside a Conservation	Agree to modify the text as indicated to comply with the examiner’s

		<i>character, including any artefacts of historic interest."</i>	Area. It is also inappropriate for a neighbourhood plan policy to amend national planning policy for development affecting listed buildings. This conflicts with the Basic Conditions and could weaken necessary protections.	recommendations.
M34	Policy HC4, page 54	<p>Introduce a new HC Policy "<i>Non-designated heritage assets</i>" which reads:</p> <p>"Proposals for development involving any <i>non-designated</i> heritage asset (including those identified in paragraph 14.3) outside the areas designated in Policies HC1, HC2 and HC3 should demonstrate:</p> <ul style="list-style-type: none"> <li>• an understanding of the historic significance of the <i>asset</i>; and</li> <li>• how the development will <i>respect</i> its heritage attributes in ways which will be particularly beneficial to the future of Holbeck." </li></ul>	<p>The second part of Policy HC4 addresses non-designated heritage assets found outside the areas defined by Policies HC1 and HC2 (but not HC3). This includes, but is not limited to, some of the 30 heritage assets identified in paragraph 14.3 through the characterisation study, regeneration plan and community consultation. The approach has been informed by Historic England's good practice guide for local listing. While it is not appropriate for such assets to be added to the Local List through a neighbourhood plan policy I am satisfied with the evidence base for identifying these assets.</p> <p>This part of Policy HC4 requires development proposals to demonstrate how they will "<i>seek to enhance</i>" heritage attributes of such assets. This extends a policy approach for designated heritage assets to undesignated ones and is not in conformity with national planning policy. The policy approach also applies to listed buildings and is not in conformity with national planning policy. As a result this part of Policy HC4 does not meet the Basic Conditions.</p> <p>Nevertheless, the intent to recognise the importance of non-designated heritage assets outside the areas designated (including the Holbeck Housing Heritage Area) is valid and supported through community consultation and the evidence base. It should be addressed through an additional Policy.</p>	Agree to modify the text as indicated to comply with the examiner's recommendations.
<b>Policy HC5: History Trail</b>				
M35	Map 4, page 12 and Map 11, page 57	Correct the title used in Maps 4 and 11 from "Heritage Trail" to "History Trail"	This Policy is sufficiently flexibly worded to permit development which would require changes to the History Trail and it meets the Basic Conditions subject to minor changes to the title used in Maps 4 and 11 to ensure	Agree to modify the Maps as indicated to comply with the examiner's recommendations.

			consistency.	
<b>Policy HC6: Positive Design</b>				
M36a	Policy HC6, page 56	Amend Policy HC6 to delete “exceed current standard for minimising the use of non-renewable energy resources and” and insert “ <i>by reducing reliance on nonrenewable resources and</i> ” before “recognising and enhancing”	<p>Policy HC6 requires development to “<i>aim to exceed the current standards for minimising the use of non-renewable energy resources</i>”. The Forum acknowledges this policy is “aspirational”. The Plan lacks an evidence base on the environmental performance of development in the neighbourhood area and how it compares to others to justify this approach.</p> <p>The Written Ministerial Statement of 27<sup>th</sup> March 2015 indicates that plans should not include any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings. These matters are to be addressed in existing and future versions of the Building Regulations. It is not appropriate for a Plan policy to require higher standards.</p>	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M36b	Policy HC6, page 56	Amend third bullet of Policy HC6 to insert “ <i>and the</i> ” after “corner sites” and to delete “particularly those”	The Plan identifies two focal points, three vistas and four views on the Policies map and provides some additional information in a tinted box. These are presented as “ <i>examples</i> ” and Policy HC6 would apply to other unidentified focal points, vistas and views and also to “ <i>corner sites</i> ”. No specific evidence of the results of public consultation on these proposals is provided. For policies to be effective in protecting such features they also need to identify the positive attributes within each view, vista or focal point that should be considered.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M36c	Page 55, Map 4, page 12 and Map 11, page 57	Amend Maps 4 and 11 and the tinted box on page 55 to delete focal point “b” and north/south views “f”	<p>Focal point – Stocks Hill, Balm Walk, St Matthew’s St, Pleasant St junction: This junction lacks identity. It is characterised by low rise development which is set back from the junction and also includes a vacant site. This is in marked contrast to the Holbeck Moor focal point and I do not consider it to be a sufficiently distinct focal point to warrant recognition.</p> <p>Views – north and south within Housing Heritage Area: There</p>	Agree to modify the Maps as indicated to comply with the examiner’s recommendations.

			is considerable variation in the nature and quality of the view along the north/south running roads (e.g. Crosby Road and Crosby Avenue) and the overall impression is frequently one of distant trees. I do not consider the view or its location to be sufficiently distinct.	
M36d	Page 55	Retitle the tinted box “Views, Vistas and Focal Point” and label the contents to match the labels on Map 11 and make the identified deletions	<p>Focal point – Stocks Hill, Balm Walk, St Matthew’s St, Pleasant St junction: This junction lacks identity. It is characterised by low rise development which is set back from the junction and also includes a vacant site. This is in marked contrast to the Holbeck Moor focal point and I do not consider it to be a sufficiently distinct focal point to warrant recognition.</p> <p>Views – north and south within Housing Heritage Area: There is considerable variation in the nature and quality of the view along the north/south running roads (e.g. Crosby Road and Crosby Avenue) and the overall impression is frequently one of distant trees. I do not consider the view or its location to be sufficiently distinct.</p>	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M36e	Policy HC6, page 56	Amend Policy HC6 to insert “by” after “excellence in design”	<i>The Examiner has not given a reason for this recommended modification but the Council considers that this recommendation includes the clarity of the Policy.</i>	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M36f	Policy HC6, page 56	[Amend Policy HC6 to delete “throughout Holbeck Neighbourhood Area”]	It includes a superfluous mention of the neighbourhood area.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
<b>Well Connected to the City Centre and Adjoining Neighbourhoods</b>				
<b>Policy T1: Increasing Opportunities for Walking and Cycling</b>				
M37a	Policy T1, page 61	Amend Policy T1 to delete “where appropriate” after “safe routes to schools” and insert “area” after “neighbourhood”	The Policy is not prescriptive and meets the Basic Conditions subject to some small grammatical changes.	Agree to modify the text as indicated to comply with the examiner’s recommendations.
M37b	Pages 61 – 62	Add a new T policy “Development which supports a new foot and cycle bridge across the railway connecting Nineveh	The links include proposals for a “potential foot and cycle bridge across the railway connecting Nineveh Parade and Marshall Street”. This is a significant proposal which should	Agree to modify the text as indicated to comply with the examiner’s

		<i>Parade and Marshall Street shall be supported."</i>	be considered separately from the other nine existing links with an enabling Policy.	recommendations.
M37c	Map 4, page 12 and Map 12, page 63	Amend Maps 4 and 12 to include the green bridge over the A643	I have visited each of the 10 links and note that the green bridge over the A643 has been omitted from Maps 4 and 12.	Agree to modify the Maps as indicated to comply with the examiner's recommendations.
M37d	Page 60, Map 12, page 63	Provide labels for each of the links in the tinted box on page 60 and use these on Map 12	The links provide very important connections beyond the neighbourhood area and all are appropriate. Their inclusion on Map 12 addresses the representations of the Leeds Local Access Forum	Agree to modify the text as indicated to comply with the examiner's recommendations.
M37e	Page 60	Clearly label the new foot and cycle bridge as a proposal in the tinted box separate from the other existing links and address it in the supporting text	The links include proposals for a " <i>potential foot and cycle bridge across the railway connecting Nineveh Parade and Marshall Street</i> ". This is a significant proposal which should be considered separately from the other nine existing links with an enabling Policy.	Agree to modify the text as indicated to comply with the examiner's recommendations.
<b>Policy T2: Reducing Air Pollution and Congestion</b>				
M38	Policy T2, page 62	[Amend Policy T2 by inserting "Holbeck" before "Local Centre"]	This Policy is not prescriptive and meets the Basic Conditions. It should clarify the reference to Holbeck Local Centre.	Agree to modify the text as indicated to comply with the examiner's recommendations.
<b>Policy T3: Movement in Local Residential Areas</b>				
M39	Policy T3, page 62	Amend Policy T3 to replace "designs for, or improvement to the layout of the public realm which" with " <i>measures to</i> " and to add " <i>where appropriate</i> " after "road design"	This Policy needs to recognise there will be instances where such measures are not appropriate and can be worded to allow a wider range of possible measures.	Agree to modify the text as indicated to comply with the examiner's recommendations.
<b>Additional Modification to the Plan</b>				
<b>Modification Number</b>	<b>Page / Part of the Plan</b>	<b>Leeds City Council's Modification</b>	<b>Leeds City Council's Reason</b>	<b>Leeds City Council's Decision</b>
M40	Map 2, page 6	Change title of Map 2 to "Holbeck Neighbourhood Area"	The examiner has recommended throughout the Plan that references to "Holbeck Neighbourhood Plan area" be changed to "Holbeck Neighbourhood Area". For consistency, the Council considers that Map 2 should also be changed.	Change the Title of Map 2.