

**Report of Director of City Development**

**Report to Executive Board**

**Date: 16<sup>th</sup> May 2012**

**Subject: Leeds Site Allocations Development Plan Document (DPD) Scoping Paper**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): City wide	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**Summary of main issues**

1. The Local Development Framework Core Strategy Publication Document was approved for public consultation by Executive Board on 10<sup>th</sup> February 2012 and consultation carried out from 28<sup>th</sup> February to 12<sup>th</sup> April 2012. The importance of local community and local ward member in the Site Allocation consultation process was emphasised. Preparation of site specific allocations will enable further consultation on particular sites (see also 4. below) with Members and community organisations.
2. The Site Allocations Development Plan Document (DPD) provides site allocations and details that will help to deliver Leeds Local Development Framework's Core Strategy long term spatial vision, objectives and policies. Work on the Site Allocations DPD therefore needs to follow on closely from the Core Strategy. The Site Allocations DPD is not the same as producing the Unitary Development Plan and proposals map in that it does not need to cover everything at once – it is up to authorities to determine the scope or content of their allocations DPDs, and further DPDs or Supplementary Planning Documents (SPDs) can be produced on specific topic areas where necessary.
3. In order to progress the Site Allocations DPD as quickly as possible, it is critical that the scope of the DPD is focussed. Consequently, it is proposed that Leeds Site Allocations DPD will cover specific topic areas of: Retail, Housing, Employment and Greenspace. Infrastructure (including school provision, highway requirements etc will be considered under specific infrastructure requirements for sites. Due to the overall scale of growth identified in the draft Core Strategy, a selective Green Belt review will be necessary to meet housing and employment requirements. The draft Core Strategy sets out the reasons and methodology for a selective Green Belt

review, and this will also need to be part of the Site Allocations DPD. It is important that the scope of the DPD is kept as focussed as possible to ensure delivery in as short a time frame as possible within existing resources. In reviewing the overall LDF programme, through the Local Development Scheme, further DPDs may be developed as appropriate. The process of producing the DPD will enable a continual process of engagement with the public and ward members, an issue that was raised by Executive Board on 10<sup>th</sup> February, in approving the Core Strategy. For example, as detailed at paragraph 4.1.1 the plan will undergo public consultation throughout the various stages of production prior to adoption in accordance with statutory planning requirements. In addition, ward members will be involved through member workshops, and when neighbourhood plans are in preparation (as detailed in paragraph 3.10), and through progress reports at Development Plan Panel.

## **Recommendation**

4. Executive Board is requested to approve the scope (proposed content) of the Site Allocations Development Plan Document as outlined in the report.

## **1 Purpose of this report**

- 1.1 The purpose of this report is, following consideration by Development Plan Panel on 6<sup>th</sup> March 2012, to request Executive Board's approval to the proposed scope of Leeds Site Allocations Development Plan Document (DPD). Following formal approval of the scope of the DPD, it is proposed to update the City Council's website with the scope of the DPD and initial timetable. The timetable will need to be reviewed depending on progress with the Core Strategy. The current timetable for the production of the Site Allocations DPD is set out in Appendix 1.

## **2 Background information**

- 2.1 The Core Strategy sets the overall objectives and strategic policies and priorities for Leeds. It is effectively the spatial vision of the Vision for Leeds. The Site Allocations DPD will provide site allocations & details that will help to deliver the Local Development Framework's (LDF) Core Strategy long term spatial vision, objectives & policies, ensuring that sufficient land is available in appropriate locations to meet the targets set out in the Core Strategy. It is therefore a key LDF document in identifying specific allocations for development consistent with the overall strategy of the Core Strategy, to 2028.
- 2.2 Producing the Site Allocations DPD does not mean we have to review all allocations and designations shown on the Proposals Map. The Proposals Map is to be continually updated and 'interactive' and available on line. The Proposals Map will reflect the current adopted policies and proposals of the Council, comprising both saved Unitary Development Plan allocations and designations and future adopted Local Development Framework (LDF) Development Plan Documents (DPDs). For example, once the Natural Resources and Waste DPD is adopted, the Proposals Map will be updated to reflect changes arising from that DPD, and so on, each time a DPD with specific allocations is adopted. Many Unitary Development Plan policies and proposals will be saved until replaced by future DPDs.
- 2.3 The guiding principles for allocating sites (outlined in the CLG Plan Making Manual, the accompaniment to PPS12) are whether it is necessary to do so. If criteria based policy can guide the development of sites rather than a specific allocation, there may be no need to allocate.
- 2.4 In summary:
- Sites should only be allocated if absolutely necessary – if criteria based policies can be used instead, they should be.
  - Flood risk areas and nationally designated environmental sites should be shown on the Proposals Map, but do not have to be part of the specific site allocations DPD. This does not mean that we don't need the evidence and information as to where these sites are. Also, where selective Green Belt review is necessary, this will need to be part of the Site Allocations DPD.
  - The Site Allocations DPD does not need to cover everything at once. Further Development Plan Documents or Supplementary Planning Documents can be produced on specific topic areas where necessary.
- 2.5 Different authorities have different approaches. For example, Wakefield's Site specific proposals DPD does not include policies and proposals relating to retail/town centres and leisure/open space as further work on the evidence base

is needed for these – policies from the UDP will be saved and replaced with later DPDs. The sites DPD includes Housing, Employment, Mixed Use allocations and other designations eg strategic highway routes to be safeguarded and conservation areas. York's Allocations DPD Issues and Options March 2008 includes Green Belt and settlement limits, Housing, Employment, Retail, Transport, Waste and Minerals, and Dover's Site Allocations document Interim Consultation Oct 2010 includes settlement confines, Core Strategy strategic allocations, Housing, Employment, Mixed Use.

- 2.6 Whilst the approach varies from authority, the time involved should be noted – for e.g. Harrogate is a much smaller authority and they commenced work on site allocations in 2009 and it is scheduled for adoption in May 2013 – 4 years. If the Council is to achieve results as quickly as possible, we need to confine the scope of the DPD to essential elements which are critical to Leeds' future prosperity and development. This does not mean to say that certain topic areas will not be covered – for e.g. work on conservation areas is ongoing anyway, and criteria based policies apply. Any further detail/updating can be dealt with via a Supplementary Planning Document (SPD) expanding on Core Strategy policy or a further DPD as necessary.

### **3 Main issues**

- 3.1 It is proposed that the Site Allocations DPD will cover: Retail, Housing, Employment and Greenspace. The process and stages of preparation will involve a continual process of engagement with the public including local Ward Members and communities, developers, town and parish councils. (See also paragraphs 3.10 and 4.1.1).

#### **3.2 Proposed Scope: Retail:**

The retail content will include: updating town centre and local centre boundaries; reviewing and identifying primary shopping areas; identifying primary and secondary shopping frontages; identifying sites where new local centres may be required in conjunction with growth; and allocating specific sites for retail use. The Council has asked the public, known operators and agents if they wish to suggest any sites for retail use (a 'call for sites') in a similar way to that established for the Strategic Housing Land Availability Assessment (SHLAA). The closing date for submissions was 30<sup>th</sup> March 2012.

#### **3.3 Housing:**

The Core Strategy housing requirement will necessitate a selective Green Belt review and sites currently allocated as Protected Area of Search (PAS) will also have to be reviewed. Allocation of housing sites will need to meet the housing target and distribution identified in the Core Strategy. Work will need to consider sites put forward within the Strategic Housing Land Availability Study (SHLAA) and by local communities through the Neighbourhood Planning Process, as well as look at the phased release of sites (in a similar way to the current UDP phasing of housing allocations). The need for housing sites specifically for Gypsy and Travellers will also have to be addressed.

#### **3.4 Employment:**

The employment content will similarly need to reflect the requirement set out in the Core Strategy and strategic locations for employment. Of the 493ha of

industrial and warehousing land requirement identified in the Core Strategy to 2028, around 350ha currently exists, leaving 143ha to be identified. The Core Strategy supports economic growth and development in key locations including the city centre and Aire Valley and a broad range of opportunities within existing settlements (including town and local centres and Regeneration Priority Areas). Potential locations associated with areas of longer term housing growth, including selective Green Belt review, as appropriate, will be considered, although it is not anticipated that there will be an extensive requirement for employment land from such sources. The approach aims to manage growth in a sustainable way whilst maintaining local character, distinctiveness and environmental quality. As for retail opportunities (the above paragraph 3.2), the Council has asked the public, known operators and agents if they wish to suggest any sites for employment use (a 'call for sites') in a similar way to that established for the Strategic Housing Land Availability Assessment (SHLAA). The closing date for submissions was 30<sup>th</sup> March 2012.

3.5 Infrastructure requirements, including school provisions and necessary highway works will be key to enabling the satisfactory provision of housing and employment uses.. Sites will also need to be assessed for alternative uses – mixed use, employment or housing.

### 3.6 Greenspace:

The greenspace content will update boundaries and changes to existing UDP greenspace allocations, including deletions (sites which have been developed) and additional new sites, and look at surpluses and deficiencies within areas. Inclusion of greenspace within the scope of the DPD will mean strategic greenspace sites and other locations of quality greenspace and potentially new parks can be identified along with areas of deficiency where greenspace improvements are needed. In particular, specific types of greenspace, including designation of public parks and allotments, will be accommodated where appropriate, as opportunities arise. This again could include the investment needs of existing parks. Within this context, opportunities may exist to identify areas of surplus where some sites may be appropriate for development. Such an approach would need to be in accordance with draft Core Strategy Policy G6 and have regard to any Local Neighbourhood Development Plans and local Planning Frameworks. In allocating sites for housing the need for on site provision of greenspace will also be considered.

### 3.7 Other designations/proposals:

It is proposed that the Site Allocations DPD will not specifically allocate sites for the following: transport/highways proposals, environmental designations (including Special Landscape Areas, Sites of Special Scientific Interest (SSSIs), Local Nature Reserves, Sites of Ecological and Geological Importance (SEGIs), Leeds Nature Area, Washlands), Leisure and Tourism proposals, conservation areas, ancient monuments. These proposals will remain on the UDP Proposals Map (where they are currently shown) until further updated.

3.8 Scheduled ancient monuments, and nationally protected nature designations are national protections and these designations are not open to scrutiny/public consultation in considering site allocations – it is a fact that they exist. Other local designations such as conservation areas change over time, and undergo their

own designation procedures, so are not proposed to be included within the Site Allocations DPD.

3.9 Transport/highway indicative proposals are shown on the Core Strategy Key Diagram and supporting plans and information. Many transport/highways proposals are dependent on funding and exact locations for schemes have yet to be determined. Details are also provided within the Local Transport Plan, to which the Core Strategy refers. Requirements for highways and transport infrastructure arising from new development will be listed within the site specific proposals, but this will not necessitate specific sites to be allocated for such uses.

3.10 Neighbourhood Planning:

The Site Allocations DPD will be produced by the Council and cover the whole of the authority area. The Localism Act also allows for local communities to produce their own Neighbourhood Development Plans (NDPs). Neighbourhood Development Plans need to be in conformity with LDF documents. However, emerging ideas from the neighbourhood planning process will help inform the Site Allocations DPD. NDPs can allocate additional, but not less than set out in the Core Strategy and Site Allocations DPD. There are four Neighbourhood Development Plans which were submitted to and have received confirmation of funding from the DCLG Neighbourhood Development Plan Front runner Pilot Grant Scheme. These pilots are Otley, Kippax, Holbeck and Boston Spa. Work implications and resourcing of a potentially large number of similar local initiatives will be an issue that will need future consideration in a further report to the Executive Board. It will be important to afford all local communities opportunities to input their ideas and proposals from a bottom up perspective into the Site Allocations DPD and the Council will engage proactively in this process. However, it should be noted that neighbourhood plans cannot in themselves remove allocations or amend Green Belt boundaries.

3.11 Cross boundary issues – Duty to cooperate:

The National Planning Policy Framework produced by the Department for Communities and Local Government in March 2012 provides guidance on a legal requirement that all public bodies have to satisfy; a duty to cooperate on planning issues that cross administrative boundaries, especially those that relate to strategic priorities set out in the Core Strategy (including the homes and jobs needed in the area). Whilst neighbouring authorities have always had to consult each other on their planning documents, the duty requires joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities. In producing the Site Allocations DPD any cross boundary issues will need to be identified and considered – for example whether any proposed allocations near adjacent authorities will generate pressure on schools in other areas and conversely whether proposals of adjacent authorities will affect infrastructure within the authority area. Close working with neighbouring authorities will therefore be necessary. A working group of officers from neighbouring authorities has been established to consider implications of the Duty to Cooperate in producing Core Strategies and Site Allocation and other plans as part of the City Region governance process.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

4.1.1 The Site Allocations DPD will form part of the statutory development plan process/the Local Development Framework and will be subject to public consultation throughout the various stages of production prior to adoption in accordance with statutory planning requirements. In addition, ward members and community organisations will be involved through workshops, and when neighbourhood plans are in preparation (as detailed in paragraph 3.10 above), and through progress reports at Development Plan Panel.

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

4.2.1 An Equalities Impact Assessment (EIA) screening has been completed and no EIA is required. The EIA screening is referenced in background documents.

### **4.3 Council policies and City Priorities**

4.3.1 Policies and proposals/site specific allocations within the Site Allocations DPD will need to reflect the City priorities identified in the Vision for Leeds and the Local Development Framework, in particular the delivery of the Core Strategy long term spatial vision, objectives and policies.

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

4.4.1 For the Local Development Framework to be as up to date as possible, the Council needs to produce the Site Allocations DPD as quickly as possible following on from production and adoption of its Core Strategy. This will provide value for money in that the council will influence and direct where development goes. Without an up to date plan the presumption in favour of development by the Government means that any development or neighbourhood plan in conformity with national policy will be acceptable, regardless of any previous positions of the authority, which could have implications in terms of resources and value for money.

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

4.5.1 The Site Allocations DPD will follow the statutory development plan process (Local Development Framework).

### **4.6 Risk Management**

4.6.1 Without an allocations DPD, aspects of the current existing UDP allocations will be out of date and will not reflect or deliver the Core Strategy policies and proposals. Early delivery is therefore essential to enable the Council to demonstrate that sufficient land will be available when needed to meet the Core Strategy targets. As identified at 4.4 above, without an up to date plan the presumption in favour of development by the Government means that any development or neighbourhood plan in conformity with national policy will be acceptable, regardless of any previous positions of the authority. Early agreement to the scope of the Site Allocations DPD and commencement of the work will help manage the risk. The more the work progresses, the more material weight can be given to it.

- 4.6.2 A further potential risk is that recent changes in planning legislation may affect LDF processes – for example, the Council may not yet fully appreciate the implications of the Localism Act and the National Planning Policy Framework.

## **5 Recommendations**

- 5.1 Executive Board is requested to approve the scope of the Site Allocations Development Plan Document as outlined in the report.

## **6.0 Appendices**

- 6.1 Appendix 1: Initial Draft Timetable

## **7.0 Background documents<sup>1</sup>**

- 7.1 Vision for Leeds
- 7.2 Draft Core Strategy
- 7.3 Equalities Impact Screening
- 7.4 National Planning Policy Framework

---

<sup>1</sup> The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.



## **Appendix 1: Initial Draft Timetable for Leeds Site Allocations DPD**

NB. This is dependent on progress with the Core Strategy, which will set the overall strategy and parameters for the Site Allocations DPD. Any delay in the overall process and timetable for adoption of the Core Strategy will have implications for the Site Allocations DPD timetable, which has to be in conformity with the Core Strategy.

Scope considered by Development Plan Panel	6.3.12
Scope to be established by Executive Board	16.5.12
Sustainability Appraisal Scoping Report	Spring/Summer 2012
Issues and Options	Autumn 2012
Sustainability Appraisal of Issues and Options	Autumn 2012
Public consultation on Issues and Options and Sustainability Appraisal	Winter 2012/2013
Consideration of representations	Spring 2013
Publication Draft DPD	Summer 2013
Final Sustainability appraisal	Summer 2013
Submission, examination	Autumn/Winter 2013/2014
Adoption	2014