
Report of the Director of City Development

Report to: Executive Board

Date: 13th March 2013

Subject: Housing Delivery

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

Summary of main issues

In the context of a range of initiatives to boost housing delivery in Leeds and the conclusions of the 2012 Authority Monitoring Report (AMR), this report explores how Leeds' housing land portfolio and housing delivery may be enhanced, including the setting of criteria for the release of a selection of Protected Area of Search (PAS) sites for development.

Recommendations

Executive Board is requested to:

- i) Approve policy criteria for the potential release of PAS sites as set out in paragraph 3.3.

1. Purpose of this Report

- 1.1 Within the context of supporting regeneration objectives, economic growth and to help meet a variety of housing needs, the City Council is proactively seeking to boost housing delivery in Leeds. The purpose of this report is to set out how Leeds will improve its housing offer in terms of broadening its supply of land and promoting housing delivery. Within this overall context and the conclusions of the Authority Monitoring Report (AMR) 2012, this report explores how Leeds' housing land portfolio and housing delivery may be enhanced, including the setting of criteria for the release of some Protected Area of Search (PAS) sites for development.

2. Background Information

- 2.1 A separate report to the Executive Board, relates to the Authority Monitoring Report 2012, which makes reference to the Strategic Housing Land Availability Assessment (SHLAA) and land supply issues.

- 2.2 The following previous Executive Board reports are relevant:

- Report to Executive Board on Informal Consultation on Housing Growth, November 2011.
- Report to Executive Board on Brownfield Land Programme, January 2013
- Report to Executive Board Authority Monitoring Report 2012, March 2013.

3. Main Issues

- 3.1 To support regeneration, economic growth and to help meet housing need, the City Council has been proactive in facilitating a range of actions to help stimulate the housing market. This can be summarised as follows (but is expanded in para. 3.1.2 of the AMR 2012 report to Executive Board):
- the release of UDP phases 2 & 3 housing land allocations for development (June 2011), thereby enabling greater choice in the mix of land available for housing,
 - following consultation (with communities and the development industry), the agreement of a series of housing growth principles to help guide development (November 2011),
 - the introduction of an interim affordable housing policy, to reflect up to date viability evidence,
 - support for individual housing schemes e.g. Kirkstall Forge,
 - working with ATLAS on stalled sites,
 - a major initiative to bring forward City Council brownfield sites,
 - an ambitious Core Strategy Housing target (70,000net to 2028),
 - progression of the Core Strategy (Submission anticipated end of March 2013) and the Site Allocations plan (public consultation on Issues and Options anticipated Spring 2013),
 - positive action to support Neighbourhood Planning (4 pilot areas are being supported, 15 areas currently designated and a further 17 under consideration),
 - On-going dialogue with major house builders (involving the Leader of the Council, Senior Members and Officers).

- 3.2. Within the context of these various initiatives and actions, the City Council is able to demonstrate a range of measures to take forward the aspirations for Leeds to be the 'best city in the UK'. Central to this approach, is the desire to plan for the people and places of Leeds, in a manner which seeks to manage growth in a sustainable way. A key dimension of this strategy also is the need for the city to demonstrate an improved position in terms of overall size and balance of housing supply. As a consequence the council will be in a stronger position to resist proposals on sites that are unsuitable or unsustainable or that are more appropriately considered through the on-going site allocations process. To that end this report is about adding to the range of initiatives to support growth by bolstering the land supply, notwithstanding the existing Leeds' 5 Year Land Supply position and the scope provided by existing allocations and permissions.
- 3.3. The following interim policy will assist Leeds in strengthening its supply of achievable housing land pending the adoption of Leeds' Site Allocations Development Plan Document which will identify a comprehensive range of new housing sites:

In advance of the Site Allocations DPD, development for housing on Protected Area of Search (PAS) land will only be supported if the following criteria are met:

- i) locations must be well related to the Main Urban Area or Major Settlements in the Settlement Hierarchy as defined in the Core Strategy Publication Draft;**
- ii) sites must not exceed 10ha in size ('sites' in this context meaning the areas of land identified in the Unitary Development Plan), and there should be no sub-division of larger sites to bring them below the 10ha threshold; and**
- iii) the land is not needed, or potentially needed, for alternative uses**

In cases that meet criteria (i) and (iii) above, development for housing on further PAS land may be supported if:

- iv) it is in an area where housing land development opportunity is demonstrably lacking; and**
- v) the development proposed includes or facilitates significant planning benefits such as, but not limited to:**
 - a) a clear and binding linkage to the redevelopment of a significant brownfield site in a regeneration area;**
 - b) proposals to address a significant infrastructure deficit in the locality of the site.**

In all cases development proposals should satisfactorily address all other planning policies, including those in the Core Strategy.

Justification

- 3.4. The National Planning Policy Framework (NPPF), notes that the use of 'safeguarded land' should be considered for development as part of a Local Plan review. However, paragraph 49 of the NPPF, provides that a local planning authority's policies concerning supply of land will be considered "out-of-date", if an adequate supply cannot be identified. The AMR 2012, gives an overview of the City Council's overall housing land supply position. The focus of the above interim policy within this context, is therefore to help boost overall supply, as a further measure to supplement the housing delivery initiatives summarised in para. 3.1 above.
- 3.5. Policy N34 of the UDP, identifies a series of Protected Areas of Search (PAS), as a basis to support the needs of long term development. Within the overall context of this report and prevailing circumstance, regarding the need to facilitate regeneration, economic recover and further boost housing land supply, the above interim policy provides a clear rationale for departing from the approach in the Unitary Development Plan.
- 3.6. Criterion i), of the policy ensures that 'early release' sites will be in sustainable locations. The sites being well related to the Main Urban Area or Major Settlements, will ensure that any new housing would also be well located for public transport and access to employment and reasonably close to existing facilities such as shops, medical facilities and schools. The Main Urban Area and Major Settlements are the focus of most development in the Core Strategy.
- 3.7. The 10ha size threshold is necessary to draw a distinction between smaller sites that will provide sufficient additional housing to bolster housing land supply and the larger sites that should be considered through the Site Allocations Development Plan Document where the principle of allocating such sites (including comparisons with reasonable alternatives) is most appropriately dealt with. The 10ha threshold would provide for a meaningful contribution in that just over half of the sites that qualify under criterion i) would be below the threshold. Using the SHLAA density assumption that 75% of the land would be built on at 30 dwellings per hectare, the threshold would mean excluding sites with capacities of 225+ dwellings. This is reasonable as such a scale of development ought to be considered through the Site Allocations Development Plan Document.
- 3.8. With regard to criteria (iii) in the policy, it should be noted that Policy N34 of the UDP is safeguarding land for the full range of possible future needs, not just housing. Whilst housing needs have increased significantly, there are other pressing needs, not least for new schools. Hence, where local needs are evident, or the position remains uncertain, particular PAS sites will therefore need to be safeguarded for that purpose or otherwise retained as PAS until the potential need to accommodate non-housing uses is resolved.
- 3.9. Criterion (iv) is concerned with further PAS release. It is acknowledged that the housing market requires a broad spread of development opportunity in order for sites to be brought forward in the short term. Whilst many parts of the District already have housing land available for development, other areas have no such

opportunities, and also lack brownfield land for windfall development. It would be inappropriate to release PAS sites for development outside the Plan-led process where suitable alternative opportunities already exist. Hence, in these exceptional circumstances further PAS land release may be appropriate, where these are coupled with other appropriate benefits as set out in Criterion v).

- 3.10. This could for instance relate to circumstances in which the development of PAS sites is used to kick-start redevelopment in regeneration areas. Developers will be encouraged to look at the pairing PAS land with urban brownfield sites to help secure early commencements on those brownfield opportunities. Brownfield land is a key element of Leeds' land supply portfolio that warrants efforts to aid its delivery. Housebuilders that already own or have options on a range of sites in Leeds will be encouraged to broaden their development priorities to include brownfield sites in urban areas. It will be important that there is a clear commitment to bring forward the brownfield site in conjunction with a PAS site. The policy criteria is consistent with Leeds' City-wide Brownfield Land Programme, which has recently been approved by Executive Board.
- 3.11. The policy basis for this aspect of the policy is embedded in Leeds' Housing Growth Principles (Core Strategy para 4.6.2) which in turn were developed through tripartite consultation with communities and the development industry. It is about working in partnership on the release of housing land to ensure that the principles of promoting development of brownfield and regeneration sites are also addressed.
- 3.12. Another option might be where the release of a PAS site could assist in resolving an established and significant local infrastructure problem. For example, if a locality suffers localised flooding or there are deficiencies in the highways network, housing development may provide the means to deal with such an issue.
- 3.13. Finally, it will be necessary for development to address the Council's other standard policy requirements, not least promoting layouts and design that enhance local distinctiveness, and demonstrating the sustainability of the proposals, including meeting the requirements of the Core Strategy.

Implications for affordable housing and independent living

- 3.14. Any PAS sites released will be expected to provide affordable housing in line with council planning policy and it may be expected that this type of site will be free of abnormal development costs so that affordable housing can be maximised.
- 3.15. Also, in accordance with Policies H4 and H8 of the Core Strategy, developments of 50 or more dwellings will be expected to help support independent living. Nearly all of the PAS sites exceed this capacity and those released, would therefore be likely to contribute. Depending on location, larger sites are expected to undertake a local assessment of need to ensure that the particular needs of the locality can be addressed.

4. Corporate Considerations

The meeting of Leeds' housing needs in the most sustainable manner is a matter of corporate importance.

4.1 Consultation and Engagement

- 4.4.1 The policy criteria have not been subject to specific public consultation but reflect the broad issues and principles which have been considered through consultation on housing growth and the Core Strategy.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 Meeting Leeds' housing needs raises equality issues in terms of access of different groups to housing. These issues were assessed in the Equality Impact Assessment screening (attached as an appendix) with the conclusion that there are both positive and negative impacts to different groups. The young and groups lacking access to housing are likely to gain slightly from wider land release. Elderly people and those who already have good access to housing in the vicinity of development sites would be disadvantaged.

4.3 Council Policies and City Priorities

- 4.3.1 Leeds' Core Strategy Policy H1 anticipates releasing enough land to meet Leeds' housing needs. Meeting Leeds' housing needs also forms part of the Vision for Leeds and the aspiration to the 'the best city in the UK'. Other relevant plans include the Leeds Growth Strategy, the City Priority Plan and the Council Business Plan.

4.4 Resources and value for money

- 4.4.1 Whilst the planning merits in terms of sustainability and quality of life of new planning policy and decisions must always be given the utmost regard, Executive Board should also be aware that the City Council would stand to make fiduciary gains from the "New Homes Bonus" as a result of increased completion of dwellings.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 The decision whether to set criteria for the early release of PAS sites is taken against the backdrop of local and national planning guidance and planning legislation and case law. The decision would be subject to "Call-In".

4.6 Risk Management

- 4.6.1 This decision relies on a balance of risks, taking into account the desire to progress a range of housing initiatives in challenging economic circumstances, the conclusions of the AMR 2012 and the desire to manage growth for the people and places of Leeds in a sustainable manner. The criteria based approach advocated in the interim policy, is intended to support development in sustainable locations and linked to a range of objectives, including securing wider planning benefits arising from such proposals. Through these criteria, the prospect of being able to resist unsustainable and unsuitable development proposals on PAS sites is enhanced

5. Conclusions

- 5.1 In aspiring to be 'the best city in the UK' Leeds has major ambitions and is demonstrating leadership, in taking proactive steps to support a range of initiatives, interventions and actions. Central to these is the desire to facilitate regeneration projects, economic growth and to help meet a variety of housing needs, through seeking to boost housing delivery in Leeds. The purpose of this report is to set out how Leeds will improve its housing offer in terms of broadening its supply of land and promoting housing delivery. Within this overall context and the conclusions of the Authority Monitoring Report (AMR) 2012, this report explores how Leeds' housing land portfolio and housing delivery may be enhanced, including the setting of criteria for the release of a selection of Protected Area of Search (PAS) sites for development.
- 5.2 Within the context of an overall strategy to support regeneration and housing investment, this report sets out a positive way forward for further bolstering Leeds' current housing land supply. The release of selected PAS sites subject to criteria should help strengthen the overall housing land supply position and the balance of achievable sites.

6. Recommendations

- 6.1. Executive Board is requested to:
- i) Approve policy criteria for the potential release of PAS sites as set out in paragraph 3.3

7 Background documents¹

- 7.1 None

¹ The background documents Listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.