

To: Members of the Executive Board

**Resources & Housing Directorate**  
Governance & Scrutiny Support  
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Contact: Gerard Watson  
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Our Ref: A61/GWHG  
Your Ref:

30 August 2019

Dear Councillor

**EXECUTIVE BOARD – WEDNESDAY, 4<sup>TH</sup> SEPTEMBER 2019: SUPPLEMENTARY INFORMATION REGARDING ITEM 5 (LEEDS CORE STRATEGY SELECTIVE REVIEW UPDATE)**

With regard to the above meeting, please find enclosed a cover note which provides an update to the original cover report for item 5, as previously published and circulated, together with appendices 1 -3 which sit alongside the covering report.

I would be very grateful if you could please incorporate these documents into your agenda packs so that they can be considered as part of the Board meeting on 4<sup>th</sup> September 2019.

Yours sincerely

Gerard Watson  
Senior Governance Officer

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## Executive Board Report 4<sup>th</sup> September 2019

### Agenda Item 5 - Leeds Core Strategy Selective Review Update

#### Supplementary Information

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The following information is supplementary to Agenda Item 5 - Leeds Core Strategy Selective Review Update.

#### Main Report

To update paragraph 3.7 as follows:

3.7 The Council received the Inspector's Final Report and Main Modifications to the Core Strategy Selective Review (CSSR) on 27<sup>th</sup> August 2019 and this is attached as Appendix 1.

3.7.1 In assessing the soundness of the CSSR, the Inspector's Report focusses upon 9 key issues. These are:

- a Extending the Plan Period for housing in isolation of other policy areas
- b The methodology for calculating Objectively Assessed Need (OAN) and the resulting housing requirement
- c Housing Distribution
- d Affordable Housing
- e Minimum Space Standards for New Housing
- f Accessible Housing
- g Climate Change Policies (EN1, EN2 and EN4)
- h Electric Vehicle Charging Infrastructure
- i Green Space

The report also concludes that the Plan is legally compliant.

3.7.2 In relation to these issues, the main conclusions reached by the Inspector are summarised as follows:

- a *Extending the Plan Period for housing in isolation of other policy areas.* The Inspector concludes that it is a matter for the Council to decide which parts of the Core Strategy require review noting that the National Planning Policy Framework (NPPF) allows for different parts to be reviewed in isolation emphasising that the differing plan period dates do not make the CSSR unsound. The Inspector also concludes that reviewing the housing requirement in isolation of employment does not make the CSSR unsound. For clarity, the Inspector has recommended a slightly amended Main Modification [MM1] to that which was the subject of MM consultation

between May and June 2019, this is in response to MM consultation responses received. This is set out in full at paragraph 3.7.3 below.

- b *The methodology for calculating OAN and the resulting housing requirement.* The Inspector focusses her conclusions into three topic areas: Sustainability Appraisal (SA), Strategic Housing Market Assessment (SHMA) and monitoring.
  - i Regarding the SA of the housing requirement options she concludes that the four options (i) a low housing requirement at 42,384 derived from the Government's Standard Method; (ii) a housing requirement of 51,952 (derived from a mid-range requirement without any adjustment being made for a return to headship formation rates); (iii) a mid-range housing requirement 55,648 and (iv) a high housing requirement at 60,528 were reasonable alternatives.
  - ii In terms of OAN as determined by the SHMA, the Inspector concludes that it provides a reasonable and proportionate evidence base that reflects the relevant PPG and is thus consistent with national policy.
  - iii In respect of the housing requirement the Inspector concludes that, subject to the recommended MMs to ensure effective monitoring of the delivery and implementation of the housing requirement, this is justified.
  
- c *Housing Distribution.* Here, the Inspector considers the consequential amendments to Policy SP7 which are necessary as a result of a new housing requirement, concluding that the numerical figures would no longer accord with the revised housing requirement so it is entirely necessary and justified to delete these figures. Similarly she concludes that the deletion of Table 2 (which sets out both numerical and percentage targets relating to the settlement hierarchy) will not undermine the delivery of housing in accordance with the settlement hierarchy or preferred locations because other CS policies still set out those locational preferences. However, the Inspector recommends a MM to make the plan effective. This requires regard to be given to past delivery of housing between 1/4/12 and 31/3/17 in different HMCAs when making decisions about future housing allocations.
  
- d *Affordable Housing.* At paragraph 61 of her report the Inspector concludes that the update of Policy H5, including the 5-7% increases in the target requirements for the City Centre and Inner HMCA areas, is justified, effective and consistent with national policy. This is subject to a number of MMs covering the definition of development where affordable housing is required, build-to-rent option ii, consideration of viability and definitions of types of affordable housing.
  
- e *Minimum Space Standards for New Housing.* The Inspector concludes at paragraph 72 of her report that the inclusion of a requirement to meet the

Nationally Described Space Standards (NDSS) is justified subject to her recommended MMs. This includes a MM strengthening the requirement for developers to adhere to the NDSS by replacing the word “should” with “must”. The Inspector has specifically rejected the need for a transition period (for the introduction of the Policy) acknowledging that the MMs introduce flexibility in allowing applicants to submit evidence of viability in cases where the NDSS cannot be met in exceptional circumstances.

- f *Accessible Housing.* The Inspector concludes at paragraph 94, that Policy H10 is sound, stating “*To conclude it is considered that Policy H10 will ensure Leeds City Council is positively working towards providing a choice of high-quality homes for many residents including disabled people and older people. This is clearly desirable. The need for the requirements contained within the policy is demonstrated by the various data produced and analysed...*” For clarity MMs are recommended to clarify instances where M4(3) wheelchair accessible dwellings are required (as opposed to M4(3) wheelchair adaptable dwellings) and to allow flexibility for cases of viability to be considered (including departures from following mix of accessible dwellings to mirror pro-rata the mix of dwellings on the site as a whole).
  
- g *Climate Change Policies (EN1, EN2 and EN4).* The Inspector supports the Council’s decision not to proceed with the changes initially proposed to Policy EN1 as set out in the Publication Draft CSSR which had the effect of emasculating the policy in accordance with the Written Ministerial Statement of March 2015. Now that national planning policy on the matter has changed, it is concluded that “*...the proposed revisions to Policy EN1 would not accord with national policy or be justified and are thus not sound. MMs are therefore required to make the policy sound; the practical consequences of which would be to delete the proposed changes and to revert to the policy and supporting text of the adopted CS.*” With regard to Policy EN2 the Inspector concludes: “*Based on the suite of evidence available, the need for a requirement to meet the optional building regulations requirement of 110 litres per person per day is justified by the evidence. Policy EN2 is sound.*” With regard to the consequential changes to Policy EN4, the Inspector recommends a main modification to the supporting text which clarifies the link to Policy EN1.
  
- h *Electric Vehicle Charging Infrastructure.* Policy EN8 requires provision of electric vehicle charging points at parking spaces of new development. The Inspector concludes that the requirements of the policy are justified, viable and would not compromise the delivery of development schemes.

- i *Green Space.* Regarding Policy G4 which requires green space provision in association with new development on the basis of bedrooms of new dwellings, the Inspector concludes that the requirement is the greatest that could be justified and effective. Recommended MMs to make the policy sound include expressing the policy as a requirement rather than an expectation and clarifying the relative status of site specific green space requirements set out in the Site Allocations Plan and Aire Valley Leeds Area Action Plan. In terms of CSSR changes to Policies G5 (directing spend of commuted sums) and G6 (protecting pedestrian corridors) the Inspector finds these changes sound.

*Legal Compliance.* The Plan has been assessed under the transitional arrangements of the revised NPPF (2019) which means that the Plan must be compliant with the NPPF (2012). The Inspector sets out her conclusions in paragraphs 119-126 of her report. These conclude that the following matters were satisfied:

- i The Plan was prepared in accordance with the Council's Local Development Scheme
- ii Consultation on the Plan was in compliance with the Council's Statement of Community Involvement
- iii Sustainability Appraisal carried out is adequate
- iv Compliance with the Habitats Regulations
- v The Plan includes policies designed to contribute to the mitigation of and adaption to Climate Change
- vi Legal requirements of the 2004 Act (as amended) and the 2012 Regulations have been met
- vii Due regard has been given to S149(1) of the Equality Act 2010

3.7.3 The only MM proposed by the Inspector that is different to the proposed MM issued in April 2019 following the Examination Hearings is as follows:

Amendment to MM1 - To update part (ii) of the introductory paragraph to be inserted by the CSSR at the beginning of the Core Strategy which lists the selected areas of policy that have been subject to review by:

- *deleting reference to Policy SP7 from the first bullet so that what remains only refers to Policy SP6 and*
- *adding a second bullet 'consequential changes to Policy SP7 concerning housing distribution'.*

## **Appendix 1 – Inspector's Report and Main Modifications**

This document is attached to this Supplementary Information

## **Appendix 2 – Adoption Version Core Strategy Selective Review**

This document is attached to this Supplementary Information

## **Appendix 3 – Equality, Diversity, Cohesion and Integration Screening**

This document is attached to this Supplementary Information

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Martin Elliot  
Group Manager  
Leeds City Council

Our Ref: PINS/N4720/429/15

Date: 27 August 2019

Dear Martin,

**EXAMINATION OF LEEDS CITY COUNCIL – CORE STRATEGY SELECTIVE REVIEW: FINAL REPORT**

Thank you for your letter. The Inspector has considered your comments in response to the fact check of the report on the local plan and has amended where appropriate.

Clearly it is now for the Council to adopt the Document at its discretion. The Inspectorate maintains a national database of Local Plans and therefore please advise the Plans Team when you adopt in order that your plan status can be updated.

We will contact you shortly to provide us with a Purchase Order Number so that we can include it on your invoice. Both the fees and expenses will be payable for all duties carried out in examining your Local Plan.

The Council should consider whether adoption could have any effect on appeals currently being considered by the Planning Inspectorate. As you know, appeals must be determined on the basis of the development plan as it exists at the time of the Inspector's (or the Secretary of State's) decision, not as it was at the time of the Council's decision. If adoption changes the policy position, the relevant Inspector(s) will need to take that into account. In addition, please ensure that your new policy position is clearly explained when submitting your Questionnaire in relation to future appeals received after adoption.

If the above circumstances apply, it would be very helpful if the Council could contact the relevant Case Officer(s) in the Planning Inspectorate dealing with any outstanding case(s) at the time of adoption.

Yours sincerely

*Matthew Giles*  
Plans Team



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# Report to Leeds City Council

**by Claire Sherratt DipURP MRTPI**  
**an Inspector appointed by the Secretary of State**  
**Date: 27 August 2019**

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Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

## **Report on the Examination of the Leeds Core Strategy Selective Review Plan**

The Plan was submitted for examination on 22 August 2018

The examination hearings were held between 5 February and 25 February 2019

File Ref: PINS/N4720/429/15

## Abbreviations used in this report

AA	Appropriate Assessment
AHNA	Accessible Housing Need Assessment 2018
CSSR	Core Strategy Select Review
DtC	Duty to Co-operate
EVS	Economic Viability Study
HMA	Housing Market Area
HMCA	Housing Market Characteristic Area
HRA	Habitats Regulations Assessment
LDS	Local Development Scheme
LP	Local Plan
LPEG	Local Plan Experts Group
MHCLG	Ministry of Housing, Communities and Local Government
MM	Main Modification
NPPF	National Planning Policy Framework
OAN	Objectively Assessed Need
OBR	Office of Budget Responsibility
PPG	Planning Practice Guidance
SA	Sustainability Appraisal
SAP	Site Allocations Plan
SHMA	Strategic Housing Market Assessment
WMS	Written Ministerial Statement

## **Non-Technical Summary**

This report concludes that the Leeds City Council Core Strategy Select Review Plan (CSSR) provides an appropriate basis for the planning of the City, provided that a number of main modifications [MMs] are made to it. Leeds City Council has specifically requested that I recommend any MMs necessary to enable the Plan to be adopted.

All the MMs were proposed by the Council and were subject to public consultation over a six-week period. In some cases, I have amended their detailed wording where necessary. I have recommended their inclusion in the Plan after considering all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- Explanation of how policies reviewed as part of this CSSR will integrate with remaining policies in adopted CS and the relevant plan periods;
- Confirmation that regard will be had to past delivery of housing within each HMCA since 2012 for the purposes of Policy SP7;
- Requirement for viability appraisals to justify any departure from the policies requiring technical housing standards to be adhered to;
- Reversion to original wording of Policy EN1; and
- Inclusion of affordable housing definitions table in glossary.

## Introduction

1. This report contains my assessment of the Leeds City Council CSSR Plan in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the Duty to Co-operate (DtC). It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (NPPF) 2012 (paragraph 182) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The revised NPPF was published in July 2018 and further revised in February 2019. It includes a transitional arrangement in paragraph 214 which indicates that, for the purpose of examining this Plan, the policies in the 2012 NPPF will apply. Similarly, where the Planning Practice Guidance (PPG) has been updated to reflect the revised NPPF, the previous versions of the PPG apply for the purposes of this examination under the transitional arrangement. Therefore, unless stated otherwise, references in this report are to the 2012 NPPF and the versions of the PPG which were extant prior to the publication of the 2018 NPPF.
3. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The Publication Draft Plan (CD2/1) dated February 2018, published for consultation in February 2018 is the basis for my examination. The Submission Draft Plan (CD1/2) dated July 2018, submitted in August 2018, incorporates some amendments to the Publication Draft following the consultation exercise. I have considered these amendments and where necessary for the soundness of the plan these are included as main modifications.

## Main Modifications

4. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My report explains why the recommended MMs, all of which relate to matters that were discussed at the examination hearing(s), are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.
5. Following the examination hearings, the Council prepared a schedule of proposed MMs and carried out sustainability appraisal of them. The MM schedule was subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report and in this light, I have made an amendment to the detailed wording of MM1. This amendment does not significantly alter the content of the modification as published for consultation or undermine the participatory processes and sustainability appraisal that has been undertaken.

## Assessment of Duty to Co-operate

6. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.

7. There are no unresolved cross boundary issues that fall within the scope of the CSSR. Neighbouring authorities raised no concerns in relation to the calculation of the objectively assessed need (OAN) for housing or the resultant housing requirement put forward. There is no suggestion from neighbouring authorities that there would be any need for Leeds City Council to accommodate any additional need arising from those authorities. The specific location of development, having regard to the settlement hierarchy already established in the CS, will be a matter for any subsequent Site Allocations Plan.
8. I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the Duty to Co-operate has therefore been met.

## **Assessment of Soundness**

### **Background**

9. One of the key actions for the CSSR is to update the City Council's housing target, currently a requirement for the provision of 70,000 (net) homes between 2012 – 2028. The evidence of the Strategic Housing Market Assessment 2017 (SHMA) and the recent consultation by the Ministry of Housing, Communities and Local Government (MHCLG) generates different housing requirement figures for Leeds ranging between 42,000 and 60,000 homes, based on the latest evidence, over the plan period of 2017 - 2033.
10. The CSSR also includes an update to affordable housing and green space policies, introduces new policies on housing standards (size and accessibility) and updates the sustainable construction / Carbon Dioxide (CO<sub>2</sub>) reduction policies to reflect national advice.
11. Only those policies within the CS that are part of the CSSR can be examined. It was a matter for the Council to decide which policies it wished to review.
12. PPG states a preference for plans to have 15-year horizon. In this case the CSSR relates to a 16-year period from 2017 to 2033. If adopted in 2019-20 then it will have a further 13 years remaining. Whilst this remaining period will be short of the 15-year horizon, this timeframe coincides with the period of the SHMA which provides a key part of the evidence base to support the housing requirement figure between 2017 and 2033. Furthermore, the PPG does not specify that the 15-year horizon must be post-adoption. The timeframe is therefore justified.

### **Main Issues**

13. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified 9 main issues upon which the soundness of this plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy criterion in the Plan.

**Issue 1 – Whether extending the Plan Period to 2033 in relation to housing provision, in isolation of employment land, is justified.**

14. As stated previously, it is for the Council to decide which elements of the adopted CS require review. The NPPF is clear that authorities can review parts of a plan in isolation. It will be a matter for the Council to determine how it addresses the differing end dates that would arise. The differing dates do not, as a matter of principle, make the CSSR unsound.
15. Whilst employment considerations and housing requirements are of course inter-linked and thus require some alignment, it is not a requirement of either the NPPF or PPG that both must be reviewed together. I shall consider what regard has been given to future employment provision within the SHMA later in this report. To conclude, reviewing the housing requirement in isolation of employment would not make the CSSR unsound.
16. For clarity and to ensure the CSSR is effectively incorporated into the remainder of the adopted CS, an introductory paragraph setting out the relevant time frames for each element of the plan is necessary [MM1]. Having considered the responses to the MM consultation I have slightly amended the wording of MM1 in section (ii) that lists the selected areas of policy that have been subject to review by deleting reference to Policy SP7 from the first bullet so that what remains only refers to Policy SP6 and adding a second bullet that lists 'consequential changes to Policy SP7 concerning housing distribution'. This will ensure the implementation and effect of the reviewed policies in the context of the adopted Plan is clear.

**Issue 2 – whether the methodology for calculating the Objectively Assessed Need is consistent with national policy and the resultant housing requirement set out in Policy SP6 is justified?**

Background

17. The PPG states that, 'there is no one methodology approach or use of a particular dataset(s) that will provide a definitive assessment of development need. But the use of this standard methodology set out in this guidance is strongly recommended because it will ensure that the assessment findings are transparently prepared. Local planning authorities may consider departing from the methodology, but they should explain why their particular local circumstances have led them to adopt a different approach where this is the case. The assessment should be thorough but proportionate, building where possible on existing information sources outlined within the guidance'. The PPG recognises that 'establishing future need for housing is not an exact science', although it should be informed by reasonable and proportionate evidence.
18. Leeds administrative area reflects the Housing Market Area (HMA), this being justified given its self-containment on the basis of migration and travel to work patterns. This also reflects the position of the evidence that underpins the adopted CS.
19. The Council commissioned consultants Arc4 and Edge Analytics to undertake a complete SHMA for Leeds in January 2017. Preparation of the SHMA followed the PPG in terms of methodology. In addition, the SHMA 2017 sought to

anticipate the Government's stated intention at that time to introduce a simpler method for calculating affordable housing. It produced a calculation of the housing requirement using the methodology advanced by the Local Plans Expert Group (LPEG) set up to advise the Government on a new simple methodology. The LPEG methodology generated a figure of 55,296 homes (3,456 homes per annum).

20. In September 2017, MHCLG published a consultation "Planning for the right homes in the right places". This put forward a simplified methodology which starts with sub-national household projections and makes one adjustment for local house price/income affordability ratios. Using this methodology, a figure of 2,649 dwellings per annum is produced for Leeds which would generate a requirement of 42,384 over the plan period 2017 – 2033. Notwithstanding that methodology, the consultation paper says that local authorities may plan for higher numbers.

#### Sustainability Appraisal of the Housing requirement options

21. The Sustainability Appraisal (SA) considers four possible housing requirement options. These comprise (i) a low housing requirement at 42,384 as referred to above; (ii) a housing requirement of 51,952 (derived from a mid-range requirement without any adjustment being made for a return to headship formation rates); (iii) a mid-range housing requirement 55,648 and (iv) a high housing requirement at 60,528.
22. The mid-range housing requirement of 55,648 and the high housing requirement of 60,528 both come from the SHMA 2017. These two scenarios were fully worked up in the SHMA using a range of adjustments considered necessary to robustly reflect Objectively Assessed Need (OAN). It provides a thorough understanding of the housing needs of Leeds and its relationship with job growth and commuting.
23. The two OAN figures are based on different levels of employment growth. The main difference between them is that the mid-range figure of 55,648 draws upon the standard employment forecast for Leeds of the Regional Econometric Model (REM) Spring 2017, with other adjustments for headship rates and market signals; the high housing requirement draws upon a bespoke high growth employment forecast for Leeds that was created by officers of the West Yorkshire Combined Authority (WYCA). It is a more aspirational forecast of employment growth aligned to the Leeds Inclusive Growth Strategy 2017–22 alongside other adjustments.
24. The 51,952 figure is the proposed CSSR housing requirement. It comprises the mid-range requirement of 55,648 set out in the SHMA, but without any adjustment being made for a return to headship formation rates to those experienced before 2008.
25. I consider these options to represent reasonable alternatives. These alternatives were set out in the Development Plan Panel report of 21st November 2017 for consideration by Council members.



### OAN as determined by the SHMA

26. The SHMA expresses the resultant OAN as a range of between 44,240 and 60,528 homes over the period 2017-2033; that range being consistent with many of the alternative figures being put forward by others. In accordance with the PPG, the starting point for the SHMA was the latest 2014-based household projections. This establishes a baseline annual need of 2,534 dwellings (40,544 over the plan period). This should, the PPG advises be adjusted to reflect local demographic trends, future jobs, past delivery and market signals and other local circumstances not captured by past trends.
27. The SHMA firstly sets out the OAN calculation based on the approach set out in the LPEG report. Secondly, an OAN calculation based on the PPG methodology is undertaken. The key difference between the approaches is that the second approach introduces some economic factors into the calculation. As stated previously, the CSSR is to be examined under the transitional arrangements and so the PPG methodology should be the starting point.
28. The PPG states that it is appropriate to consider 'alternative assumptions in relation to the underlying demographic projections and household formation rates' of the local area. Accordingly, the SHMA considered what adjustments to the baseline figure, if any, would be necessary. Various 'alternative trend' scenarios were developed for Leeds to consider the impact of varying migration histories on population change. The favoured approach in OAN analysis is to consider the PG-10-year scenario<sup>1</sup> output which takes account of several economic and housing market cycles. This approach is also advocated by LPEG. As this would result in a reduction in dwelling requirements (2,282), it is recommended that no adjustment is made for alternative migration assumptions, and the 2014 household projections should remain the starting point.
29. A market signals uplift of 15% of the basic demographic requirement (380 dwellings each year) is also recommended. This represents a blended uplift of 10% based on house price ratio based on median process to median incomes and rental affordability warranting a 20% uplift based on a rental affordability ratio of 30.7% based on lower quartile price to lower quartile rents. This takes into account underlying affordable housing need as evidenced in the 2017 SHMA household survey. A 15% uplift is therefore justified.
30. The SHMA recognises that nationally, younger age groups have been more adversely affected by housing supply and unaffordability issues, which in some areas may have led to 'suppressed' rates of household formation. Therefore, two modified sets of 'headship rates' were generated for Leeds in which the headship rates for the younger 25-44 age groups were adjusted on the basis of headship rates returning to either 2008 based values by 2033 or a partial return whereby headship rates return to a mid-point between the 2008-based and 2014-based headship rates to 2033. A partial return was preferred.

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<sup>1</sup> PG refers to the demographic model known as PopGroup which is explained at p.37 of Leeds SHMA 2017 Demographic Analysis and Forecasts (CD2/7)

31. The OAN needs to take account of employment growth. PPG states that 'plan makers should make an assessment of the likely change in job numbers based on past trends and/or economic forecasts as appropriate and also having regard to the growth of the working age population in the housing market area'. Edge Analytics note that 'alignment of demographic and economic model forecasts is challenging due to different methodologies, data inputs and assumptions'. However, using POPGROUP, it is possible to derive the size and structure of the labour force and the level of employment through the application of three key assumptions: economic activity rates, unemployment rates and a commuting ratio. This approach is in my view proportionate and reasonable.
32. A number of scenarios were considered. The SNPP 2014 baseline scenario supports jobs growth of 3,099 each year. The REM 2017 results in jobs growth of 3,137 each year and the high growth scenario results in jobs growth of 3,650. When the mid-point of OBR/REM economic activity rates are considered along with a headship rate adjustment, under the REM 2017 scenario, this translates to a dwelling need of 3,098. When the market signals adjustment is included, this results in an overall dwelling need of 3,478. This translates to a need for 55,648 dwellings over the Plan period 2017-33.
33. Under the High Growth economic scenario, the dwelling need is 3,403 (including a headship rate adjustment) and when a market signals adjustment is also included this results in an overall annual dwelling need of 3,783.
34. In summary, an assessment of the 'likely change in job numbers based on past trends and/or economic forecasts as appropriate and also having regard to the growth of the working age population in the housing market area' would suggest that an upward adjustment is required to take account of employment trends.
35. PPG advises on how housing needs assessments should take account of affordable housing need, stating that 'the total affordable housing need should be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered by market housing-led developments. An increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes'. The analysis of housing need based on 2017 household survey evidence suggests there is an annual net imbalance of 1,230 affordable dwellings each year. This figure expresses the overall need from household survey evidence compared with the current supply of affordable housing. The 1,230 figure assumes that backlog need is cleared over a 10-year period. If the backlog is cleared over the Plan period, the annual net imbalance reduces to 931 each year
36. The Planning Advisory Service (PAS) guidance provides helpful guidance in interpreting affordable need in the context of OAN. Paragraph 9.6 states 'in practical terms, there is no arithmetical way of combining the two calculations set out in PPG to produce a joined-up assessment of overall housing need'. It is not possible to add together the calculated OAN and the calculated affordable need, because they overlap. The OAN covers both affordable and market housing, but these components cannot be measured separately,

because the demographic projections, which are the starting point for the OAN, do not distinguish between different sectors of the housing market. When paragraph 47 of the NPPF says that plans should meet in full 'the need for market and affordable housing', it is therefore referring to that component rather than the separately calculated affordable need.

37. Overall, the SHMA's assessment of need translates to a total dwelling need in the range of 44,240 to 60,528 over the Plan period 2017-2033. This range takes account of the need to deliver more affordable and market housing for an increasing number of households, takes account of the latest demographic evidence, long-term trends in migration and supports economic growth. It also takes into account potential changes to headship rates amongst younger households and a market signals adjustment.

### The Housing Requirement

38. The Development Plans Panel considered the four options contained in the SA, favouring the mid-range requirement of 55,648 set out in the SHMA, but without any adjustment being made for a return to headship formation rates to those experienced before 2008. This results in the housing requirement of 51,952 set out in Policy SP6.
39. PAS guidance makes a particular comment that 'CLG 2008 rates are no longer helpful because they are based on very old evidence and anyway may not reflect the true long-term trend'. This is borne out in research which concludes that the 2008-based rates never did provide a robust view of long-term trends because societal change is slowing down historical rise in Household Representative Rates and a resulting fall in household sizes.
40. Edge Analytics state in their report that it should be noted that the inclusion of the 'Return' and 'Partial Return' sensitivities is not a recommendation, and that the current evidence is clear that the trend has changed. However, it is sensible to consider the potential impact, and for the SHMA to take a clear and balanced view on whether it is relevant and should be applied in Leeds. The 2014-based 'Partial Return' rates best align with that outlined in the LPEG methodology, however as the recent and latest evidence is not currently indicating that this 'Partial Return' is happening, the outcomes should be considered with caution. Furthermore the LPEG recommendations have no status so the obligation to make a headship rate adjustment no longer exists.
41. As recent trends in Leeds provide no evidence that headship rates will return to the rate of pre-2014, I am satisfied that any uplift to accommodate this is not necessary or justified at this time. The resultant figure of 51,952 is further corroborated because it lies around the mid-point between 42,384 (MHCLG base) and 60,528 (High Growth).
42. The proposed housing requirement, based on the SHMA 2017 scenario with an adjustment to remove an uplift for headship rates, would accord with the most realistic estimates of Leeds' economic growth prospects and ability to meet housing needs. I do not accept suggestions that it is not ambitious enough. The OAN range figure is based on realistic and proportionate evidence. It is acknowledged that the adopted CS supported a higher growth scenario. Whilst the same 2012 methodology is being used to determine a range of

housing requirements, the Council have on this occasion not supported the higher growth scenario, preferring to adopt the 2017 REM option but without the inclusion of any uplift for headship rates. It seems to me that the Council are entitled, within the range given in the SHMA, to determine which is considered to be the most appropriate figure to take forward in its CSSR. The preferred option is considered to be both aspirational but achievable and realistic. Importantly, it is not a ceiling, it remains employment led and is likely to withstand peaks and troughs of economic cycles.

43. Furthermore, Leeds City Council has been unable to demonstrate a 5-year housing land supply for some time. This has, it feels, at least to some extent, been due to the Council's willingness, based on the evidence of the time, to support the more ambitious higher growth scenario in 2012 when setting a housing requirement in the adopted CS which has not been delivered. Accordingly a MM is proposed, which I agree is necessary to ensure the plan remains effective and positively prepared, which sets out that the Council will closely monitor the delivery and implementation of the housing requirement with the intention of ensuring that the City is as resilient as possible in delivering agreed priorities whilst managing unforeseen change against the context of national policy and its penalties for under delivery [**MM5**].
44. Some consider the figure arising from the MHCLG consultation regarding the calculation of OAN of an annual housing requirement of 2,649 should be used. Crucially, this baseline figure does not take into account jobs growth. As Leeds is the economic driver for the wider area it is appropriate that various economic scenarios were considered within the SHMA, in addition to sensitivity testing of the outcomes. Even based on the MHCLG consultation figure, an uplift of the baseline figure of 40% would possibly be recommended, which would result in a revised OAN under the new methodology of up to 3,709; a higher figure than both relevant PPG and LPEG approaches described above. In any event, for plans submitted for examination before 24 January 2019, the OAN should be calculated using the existing methodology set out in PPG.
45. Some correction of the population figures set out in the in supporting text is required [**MM2**] and to the calculated gross housing requirement when accounting for demolitions and other dwelling losses over the plan period along with a consequential amendment once the windfall allowance is applied [**MM4**].
46. To conclude, the SHMA provides a reasonable and proportionate evidence base that reflects the relevant PPG and is thus consistent with national policy. The resultant housing requirement contained in Policy SP6 is justified.
47. A revision to criterion vii of Policy SP6 setting out the sequential preference of avoiding flood risk before mitigation is required to ensure consistency with national policy [**MM6**].

**Issue 3 – whether the revisions to Policy SP7 (housing distribution) are justified and effective?**

48. Spatial Policy 7 (SP7) is concerned with the distribution of housing land and allocations. Table 2 sets out how the housing requirement will be distributed by settlement hierarchy expressed both numerically and as a percentage.

Table 3 expresses how housing should be distributed by Housing Market Characteristic Area (HMCA), again both numerically and as a percentage. The proposed revisions to Policy SP7 are the deletion of Table 2 and the deletion of the numerical figures from Table 3.

49. Clearly the numerical figures would no longer accord with the revised housing requirement and so it is entirely necessary and justified to delete these figures. The deletion of the numerical figures does not in itself raise any soundness concerns. Whilst setting out the corresponding numerical revised figures may make it easier to read across what proportion of the housing requirement the retained percentages in Table 3 equate to, it is not necessary to make the CSSR sound.
50. Whilst Table 2 compliments and supports other policies, in particular, Policies SP1 and SP6, its deletion will not undermine the delivery of housing in accordance with the settlement hierarchy or preferred locations given that other CS policies still set out those locational preferences.
51. In the Report of Consultation (CD1/8)<sup>2</sup>, the Council explains that the original evidence to justify the adopted CS Policy SP7 was not needs based; it was based on a supply picture of potentially deliverable sites drawn from the Strategic Housing Land Availability Assessment that established percentage targets for different areas. As the percentages were based on a picture of supply to support the CS from 2012, the retained percentages should not simply carry forward to only the new plan period (2017-33) as in some HMCAs, significant contributions to housing provision may have already occurred since 2012.
52. A MM is necessary to clearly explain that in considering proposals for new development, regard will be had to the past delivery of housing within each HMCA between 1 April 2012 and 31 March 2017 when seeking to meet those indicative targets, expressed as a percentage, in Policy SP7 [MM3]. In practice, this means that less housing land may need to be allocated for the period 2017-2033 in HMCAs that have already experienced housing development during 2012-17. This will ensure the Policy, in so far as it relates to the CSSR is effective.

**Issue 4 - whether the changes to Policy H5 (Affordable Housing) are justified, effective and consistent with national policy?**

53. Adopted CS Policy H5 stipulates the amount of affordable housing that should be incorporated in developments within each designated zone above certain thresholds. An increase in the amount of affordable housing required within housing developments in the Zones 3 and 4, the City Centre and Inner Area, from 5% to 7% is proposed. The requirements of the adopted CS apply to developments of 10 or more dwellings in Zone 1 and 15 dwellings in Zones 2, 3 and 4. The CSSR simply refers to developments of 10 dwellings or more. However, this omits any clear direction in circumstances where the number of units to be accommodated on an area of land are not specified in an application or proposals relate to floor space created. In order to be effective

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<sup>2</sup> Appendix 7

and consistent with national policy a MM is required to ensure Policy H5 relates to all major housing developments for which a definition shall be provided [MM9].

54. The Economic Viability Study (EVS) initially explores 4 affordable housing requirement options of which options 1 and 2 are of particular relevance. Option 1 reflects the current CS percentage requirements in each zone and Option 2 increases the requirement in each zone by 5%. The impact of Option 2 was found to be unacceptable in some circumstances, particularly in Zone 1 for large greenfield sites, 2a, 2b and Zone 4 (City Centre).
55. The Council requested a finer grain analysis of sites in the City Centre and Inner Area. In doing so, it is accepted that most of the sites within the City Centre and Inner Area will be brownfield. The assessment assumes that all brownfield sites within these areas will be 100% contaminated and will require site preparation across the entire site. This is clearly therefore a worst-case scenario. Within each scenario the level of affordable housing that can viably be delivered was tested whilst also taking into account the cumulative impact of the following policy expectations:
- Policy H10 (housing access standards) based on a requirement for the provision of 30% of dwellings meeting technical standards M4(2) and 2% M4 (3);
  - dwellings are adaptable rather than accessible;
  - A new policy (Policy H9) on minimum space standards is 'switched on';
  - The maximum amount of Green Space being sought per dwelling, through Policy G4 (inner City Area), is capped at no more than 40sq.m. Policy G5 (City Centre) is 'switched on';
  - A new policy on electric vehicle charging infrastructure (Policy EN8) is 'switched on'; and
  - Other existing Core Strategy policy requirements.

This work supports a finding that affordable housing could be increased to 7% within the City Centre and Inner Area whilst maintaining the other policy requirements as set out above (as well as Policy EN1 in its original form and Policy EN2 as modified).

56. There is clearly a need for affordable housing as demonstrated in the SHMA. Only a small increase in the requirements for affordable housing in Zones 3 and 4 can be justified alongside a reduction in the thresholds when the policy will bite. As a high proportion of the development is taking place in the City Centre and Inner Area, this revision will be of benefit to the overall amount of affordable housing delivered.
57. A MM is required to enable a developer providing build to rent development to provide affordable housing at affordable benchmark rents administered by either a registered provider or a management company with appropriate arrangements for identifying households in need, including City Council

nomination rights, which apply in perpetuity [**MM10**]. This is necessary to ensure the policy is effective and consistent with national policy.

58. Unlike the adopted CS policy, as revised, Policy H5 does not include the opportunity to demonstrate that the development of a site would not be viable if the affordable housing requirement is to be met, although such provision remains in the supporting text at 5.2.20 in the Publication Draft CSSR. This is not sufficient for the plan to be effective and a requirement to justify any departure from Policy H5 through viability considerations is required within the policy itself to ensure it is clear to a decision maker how a proposal should be determined, and that the policy is effective [**MM8**]. Furthermore, the supporting text at 5.2.20 in the Publication Draft CSSR needs to be clear that any viability assessments should be produced in accordance with the principles set out in the NPPF [**MM7**]. This is necessary to ensure the policy is flexible, effective and applied in accordance with national policy.
59. Policy H5 requires that affordable units should be a pro-rata mix in terms of sizes and house types of the total housing provision, unless there are specific needs which indicate otherwise. No change is proposed to this part of the policy. There was some discussion about whether the mix should reflect Table 6.1 of the 2017 SHMA. However, Policy H4 stipulates the housing mix that developments should include which is supported by Table H4. No review of Policy H4 is included in the CSSR. To introduce a different table in association with Policy H5 would lead to uncertainty. It is not necessary to make the CSSR sound.
60. It is necessary to include the definitions of the various categories of affordable housing within the glossary to ensure Policy H5 is effective and implemented consistent with national policy [**MM27**].
61. To conclude, with the MMs set out above, Policy H5 as revised is justified, effective and consistent with national policy.

### **Issue 5 – whether new Policy H9 (Housing Standards for Minimum Space Standards) is justified?**

62. The Council measured the size of a selection of dwellings that had been permitted between 2012–2016 to compare against the Nationally Described Space Standards (NDSS). The Dwelling Size Measurement Exercise Background Paper (CD2-10) indicates that for Leeds as a whole 62% of dwellings meet the NDSS and 38% fall below. A geographical variation is identified.
63. NPPF states that LPAs should identify the size of housing that is required in particular locations, reflecting local demand. The PPG confirms that where a LPA wishes to require an internal space standard, they should only do so by reference in their LP to the NDSS. The PPG further clarifies that justification for the inclusion of the NDSS in a LP is required. LPAs should take account of the evidence of need, viability and timing considerations.
64. Turning first to need, the work carried out by the Council to establish the size and types of dwelling currently being built confirmed that since 2012 dwellings of all sizes and located across the Leeds administration area had been built to lesser space standards than those prescribed in the NDSS. It was accepted

that the situation had improved over the past two years since the NDSS were published. This evidence is considered by the Council to be sufficient to justify a need for the Policy.

65. Whilst there was no evidence to suggest that the construction of dwellings with less space than that contained in the NDSS was affecting house sales, that is not to say that the occupants' living conditions are not being compromised. The NPPF is clear that high quality design is of great importance. Although, the impacts of adopting the space standards, is not explained in any detail other than in terms of viability, in Leeds, the evidence clearly demonstrates that the provision of housing below the NDSS has been common place. The need for a policy that applies to all areas is therefore, in principle, justified, subject to viability considerations.
66. The EVS report generally demonstrates NDSS will have little impact on viability as the assumptions contained within it were made on the basis that floorspace would generally be provided over and above the standards set out in NDSS, the exception being 1 and 2 bed apartments. For the purpose of the assessment it has been assumed that those units which exceed the NDSS remain as per the assumptions applied in the base appraisals (i.e. sizes are not reduced to align with the space standards). Therefore, when testing the impact of Policy H9 it has only been necessary to increase the size of 1 and 2 bed apartments.
67. Strategic sites would see a marginal reduction in land values. This is because a small number of apartments were included as part of the overall mix of development on these strategic sites. On this basis it is logical to conclude that the biggest impact of Policy H9 will be witnessed in the City Centre (Zone 4) where nearly all the schemes will be apartment led. However, even in the City Centre (Zone 4) land values only fall by around 3 or 4% which is well within acceptable limits. The land values within the City Centre are also significantly higher than the minimum benchmark land values.
68. I have no doubt that the impact of the revised policy would be a positive one in terms of quality of homes built. As demonstrated, in most circumstances, it is unlikely, given the viability evidence provided, to be of detriment to delivery. Nevertheless, there could be some viability constraints if these minimum standards are to be met in Zone 4 and no separate consideration has been done in respect of Build to Rent schemes. Although the EVS demonstrates that the application of this policy in Zone 2 would be unacceptable, that is the case whether or not the policy is applied; there is no change whatsoever between the base case scenario<sup>3</sup> and the impact of the revised policy
69. In my view, whilst the starting point should be that all developments 'must' (rather than should) adhere to the minimum space standards set out in national policy [**MM13**], the policy should nevertheless allow a developer / applicant to provide evidence to support a departure from the NDSS standards, in light of the findings set out above, if necessary [**MM12, MM14**]. There is no such flexibility within the policy as drafted. The MMs would allow,

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<sup>3</sup> Includes Policy H5 (Option 1), Updated Policies EN1 and EN2 and Index increased CIL



should a particular scheme not be viable, some consideration of local circumstances in a particular area that might warrant a relaxation of this policy requirement in preference to achieving others to make a scheme viable. These MMs are therefore required to ensure the policy is effective. The MMs would not, as some suggest, allow developers to shy away from conforming to NDSS without robust evidence and justification for doing so.

70. Furthermore, a MM confirming that any future changes to government policy and guidance on NDSS will be taken into account will ensure the policy remains effective throughout the lifetime of the plan [MM11]. It is also necessary to delete footnotes that simply duplicate part g and h of the policy and insert a footnote explaining when a reduction in floorspace will be permitted in a bathroom containing a shower rather than bath [MM15].
71. I do not consider a transitional period is required given the additional flexibility that MM14 will permit and the evidence that shows that the NDSS standards have been met to a greater extent since they were introduced.
72. To conclude, subject to the MMs discussed above, the inclusion of a requirement to meet NDSS as set out in Policy H9 is justified.

**Issue 6 – Whether new Policy H10 (Accessibility standards for new housing) which introduces accessibility standards is consistent with national policy and effective?**

73. As a result of the Housing Standards Review the Government announced, via a Written Ministerial Statement (WMS), a new national approach to the setting of technical housing standards in England. This was accompanied by the publication of a new set of streamlined national technical standards, which included 2 optional Building Regulation standards covering accessible housing, creating a 3-tier system of standards which is now contained within Volume 1 of Part M of the Building Regulations and is made up of:
  - M4(1) Category 1 – Visitable dwellings;
  - M4(2) Category 2 – Accessible and adaptable dwellings; and
  - M4(3) Category 3 – Wheelchair user dwellings
74. Only one of the three technical standards can be applied to a single dwelling. M4(1) Category 1 is a mandatory requirement and should be applied to all dwellings to which Part M of the Building Regulations applies, unless one of the optional standards either M4(2) or M4(3) is to apply. These Part M optional technical standards can only be 'switched on' by the imposition of a planning condition.
75. Technical standard M4(2) provides for homes suitable for a diverse population and many of the features of an M4(2) home will benefit disabled people, older people, families with young children and people with temporary impairments or injuries etc. M4(3) states that reasonable provision must be made for people to gain access to and use the dwelling and its facilities and that this provision must be sufficient to allow simple adaption of the dwelling to meet the needs of occupants who use wheelchairs; or meeting the needs of occupants who use wheelchairs.

76. A local authority should only require wheelchair accessible homes (as opposed to wheelchair adaptable homes), where they are responsible for allocating or nominating the end user of the dwelling. Only where Leeds City Council is nominating a wheelchair user as an occupier will wheelchair accessible dwellings be required. This needs to be explained in the supporting text and within the policy through a MM [**MM16, MM19**] to ensure the policy is effective.
77. PPG identifies the type of evidence required to support the introduction of a policy requiring accessible and adaptable homes including the likely future need; the size, location, type and quality of dwellings needed; the accessibility and adaptability of the existing stock, how the needs vary across different housing tenures; and the overall viability.
78. The Accessible Housing Need Assessment (AHNA) 2018 (CD2-11) draws on the Government's national summary data sheet to produce the likely disability levels within the population of Leeds. It finds that:
- 29.8% of all households are likely to contain a person with a long-term illness or disability, and
  - 3.3% of all households are likely to contain one or more wheelchair users.

It also focuses on the population groups who would benefit from the provision of accessible housing, including disabled people (which includes wheelchair users) older people, and families with young children.

79. The SHMA 2017 includes a Household Survey which was undertaken in May 2017 and provides detailed information to help provide a picture and understanding of the real housing needs and aspirations of Leeds residents. Appendix 1 presents data sourced from the SHMA 2017, specifically:
- the number and percentage of households in Leeds containing a disabled person;
  - the number and percentage of households in Leeds containing an older person (65 years +);
  - the number and percentage of households in Leeds containing a younger person (under 4 years of age);

These groups have been identified in the AHNA as they are most likely to benefit from the design features provided by the optional accessible housing standards.

80. The SHMA also provides data on households whose current home has been adapted or purpose built due to someone's disability, households whose reason for previously moving was the need for housing suitable for an older or disabled person, households who felt the reason for them moving in the next 5 years would be to move into housing suitable for an older or disabled person, households which need adaptations for a wheelchair user now and in 5 years

time, and the combined data for households who need adaptations for a wheelchair user now and households which contain a member with a disability.

81. The SHMA data is used to provide a picture of need for accessible housing in Leeds. Given that 3.3% of households cited a need for wheelchair adaptations either now or in the next 5 years, it is reasonable to say that it is likely that at least 3.3% of households in Leeds contain a wheelchair user although this figure may be higher. This is also reflected in the likely disability levels in Leeds (based on national averages) and the national picture.
82. Appendix 2 of the assessment provides data on the potential assumed 'need' via Leeds City Council's adaptation spend records for adaptations which would either not have been necessary or could have been undertaken at a reduced cost if the home being adapted were an M4(2) dwelling. Appendix 3 provides data on the potential assumed 'need' via Leeds City Council's adaptation spend records for adaptations which would either not have been necessary or could have been undertaken at a reduced cost if the home being adapted were an M4(3) dwelling.
83. The information contained within these appendices illustrates significant 'need' in Leeds for accessible housing, whether it be to an M4(2) or M4(3) standard.
84. The national picture states that 29.8% of all households contain a reference person with a long-term disability or illness, which could equate to 100,561 households in Leeds. The SHMA suggests that 15.8% of households in Leeds contain 1 or 2 members who are disabled. The likely reason for this significant difference between the national picture and the SHMA findings is stated to be the differing definitions between the two studies of 'long term disability or illness' and 'disability'. Two total need figures for M4(2) housing in Leeds are produced which have been derived from Leeds SHMA data. Two total need figures have been provided to avoid double counting of some disabled people, the first of which takes into account households containing a young person under the age of 4 and the second of which does not take into account this group.
85. Although many of the design features provided by the optional accessible housing standards would be of benefit to households with children under the age of 4, they would be unlikely to be considered essential for these households to live there. It should however be noted that some double counting will still exist, for example some households will contain both an older person aged 65+ and a young person under 4 years of age. The data presented is therefore to be taken as an indication of need and not strict and definitive figure. Data is also provided to indicate the likely need for wheelchair housing, which has been taken off the two totals as M4(2) housing is unlikely to be suitable for full time wheelchair users.
86. Taking into account households with young children, older people and disabled people 40.2% of households require/ would benefit from M4(2) housing, whereas taking into account just older people and disabled people it is 28.7% households require/ would benefit from M4(2) housing. The AHNA therefore recommended that a mid-point figure between the two totals above is taken as an indication of the current 'need' for accessible and adaptable M4(2) housing in Leeds. By drawing on both national and local data and statistics a

reasonable and realistic assessment of local 'need' for accessible housing can be calculated.

87. Furthermore, to ensure that people who require accessible housing have some level of choice, the lack of existing accessible housing stock could also be taken into account when determining a level of accessible housing to be required by planning policy. Leeds has not had a planning policy requirement for accessible housing before. It is therefore likely that very limited numbers of dwellings will have been built to an accessible housing standard (whether M4(2), lifetime homes standard, M4(3) or the standard provided by the wheelchair housing design guide). To improve the level of choice and bring forward the point in time at which people who require accessible housing will have choice in the housing they can live in, the AHNA suggests that the percentage requirement for new dwellings to be built to an accessible standard could be increased above the basic level of need.
88. Based on the evidence of need presented in this document, it is recommended that the policy requirement is:
- 35% M4(2) accessible and adaptable dwellings
  - 3.5% M4(3) wheelchair user dwellings.
89. In terms of viability, the cost impacts of the Housing Standards Review were considered in a report undertaken by EC Harris (on behalf of Department for Communities and Local Government) in September 2014. It also estimates these costs generated by meeting the NDSS required in Policy H9. It should be noted that for private and intermediate (i.e. sub market housing), the changes / increase in space standards can also have an impact on sales value which may offset some or all of the additional build cost. This fact was recognised within the EC Harris report which concluded that for relatively small areas (i.e. and additional 1 to 2sq.m of floor space) 90% of the additional cost is recovered via sales values. However, the ability to recover the additional costs by sales reduces as the amount of additional space increases. Given that the extra space standards associated with M4(2) are expected to range between 2 and 3 square metres it is assumed that approximately 80% of the extra space related costs can be recovered. Similarly, to meet the M4(3) technical standards, based on the findings within the EC Harris cost report, the EVS assumes that 60% of the additional costs would be recovered through increased sales revenue.
90. The EVS concludes that in isolation the impact of Policy H10 is well within acceptable limits. However, as a result of the cumulative viability testing a lower requirement than that recommended in the AHNA is proposed of 30% of dwellings required to meet the requirements of M4(2) and 2% to meet the requirements of M4(3).
91. On this basis, greenfield land values fall by between 1% and 3% if making provision for 30% adaptable dwellings. The notable exception is Zone 2a where land values fall by 6% but this is because the reduction in land value is being assessed off a much lower base land value meaning the impact (in % terms) is greater. However, even in Zone 2a the actual reduction in land value is still within acceptable limits albeit the land values remain below the minimum benchmark thresholds. The impact of Policy H10 on Brownfield sites

is similar to that witnessed on Greenfield sites. The notable exception is large Brownfield sites for which the land values generated fall below the minimum benchmark land values after the application of Policy H10.

92. Accordingly, some flexibility is required within the policy to ensure viability considerations can be properly considered on an individual site by site basis to reflect the variations highlighted in the EVS. Provided a viability appraisal satisfactorily demonstrates that a particular scheme cannot meet the accessible housing standards set out in Policy H10, without compromising delivery, then a proposal should not be found to be in conflict with the policy. MMs are therefore required to reflect this in both the supporting text and policy wording to ensure the policy is effective [**MM17, MM20**]
93. Where the scale of development would generate more than one accessible dwelling, Policy H10 requires the mix of sizes, types and tenures of accessible dwellings to reflect the mix of sizes, types and tenures of the development as a whole. No substantive evidence has been produced to demonstrate that only certain sizes, types or tenures of dwellings are required. However, it is clear that greater choice is likely to be required given the absence of any policy requirement of this nature before. I therefore consider it reasonable to require a mix of accessible housing that in turn reflects the mix of the overall development. However greater flexibility in the policy is required to allow a departure from this generalised approach in circumstances where the applicant can show an evidenced need locally for dwellings of a particular size, type or tenure, with locally normally meaning the designated neighbourhood area or, if not defined, the relevant settlement, or ward within a main urban area [**MM20**]. The location, in addition to number and mix of these properties should be identified on the drawings that accompany any application. It is not necessary to repeat within the policy itself how a requirement above or below 0.5 dwellings will be applied [**MM19**]. These MMs are necessary to ensure the policy is effective.
94. To conclude it is considered that Policy H10 will ensure Leeds City Council is positively working towards providing a choice of high-quality homes for many residents including disabled people and older people. This is clearly desirable. The need for the requirements contained within the policy is demonstrated by the various data produced and analysed and with the MMs set out above will not prejudice delivery and be effective. Policy H10 is thus sound.

**Issue 7 – Whether amended Policies EN1 and EN2 (new national policy regarding Code for Sustainable Homes) and a consequential change to EN4 are consistent with national policy, justified and effective?**

95. Policy EN1, as existing, requires development to be 20% more energy efficient than the Building Regulations standard and for 10% of the energy needs of the development to come from renewable or low carbon energy sources. To take into account the findings of the WMS in March 2015 the Council began to cap the energy efficiency requirement of adopted CS Policy EN1 for residential development to the standard equivalent to that of Code level 4. The EVS Update included the costs of Policy EN1 within the base case market values

that were then used to determine the impact of the proposed modifications / policy changes within the CSSR<sup>4</sup>.

96. The Government has now confirmed that it has no current intentions to enact Section 43 of the Deregulation Act. In light of this, the proposed revisions to Policy EN1 would not accord with national policy or be justified and are thus not sound. MMs are therefore required to make the policy sound; the practical consequences of which would be to delete the proposed changes and to revert to the policy and supporting text of the adopted CS [**MM23**].
97. Whilst the costs of achieving the 10% on site energy requirement (i.e. Part (i) of Policy EN1) don't change when reverting back to the existing policy the costs associated with achieving 20% above the Building Regulations Target Emissions Rate, Part L 2013 (i.e. Part (ii) of Policy EN1) are significantly less. Based on research undertaken by Evora Edge on behalf of Guildford Borough Council (April 2017), the additional construction costs associated with achieving 20% above the Building Regulation Target Emissions Rate range between 0.41 to 0.49% of the percentage difference in cost.
98. To understand the impact of these costs changes with respect to Part (ii) of Policy EN1 further viability testing has been undertaken. The results of this exercise demonstrate that reverting back to the original CS Policy EN1 will improve overall viability across all areas of the City. Even taking a worst-case scenario (i.e. cost increases of 0.49 %) the Greenfield market values increase by between circa 3% and 10.5%. A similar trend is evident with respect to Brownfield sites with values increasing by between circa 3% and 8%. Land Values in Zone 2a almost double. Reverting back to the existing EN1 Policy will improve viability and actually lessen the cumulative impact of the other suggested policy changes within the CSSR, especially within Zone 3 (Inner Area) and Zone 4 (City Centre).
99. Subject to MM23, Policy EN1 is justified. As a consequence of the MMs to Policy EN1, it is also necessary to delete the proposed amendment to Policy EN4 'District Heating' which refers to Policy EN1, effectively also reverting to the original text of ENV4 [**MM25**]. This will ensure Policy EN4 remains effective.
100. To ensure the relationship and application of Policy EN1 and EN2 'Sustainable Design and Construction' are clear and thus effective, a MM is required to the supporting text to clarify that the requirements for energy efficiency are not simply contained within the Building Regulations but also Policy EN1 [**MM24**].
101. Policy EN2 requires residential developments of 10 dwellings or more to meet a maximum water consumption standard of 110 litres per person per day. All new homes already have to meet the mandatory national standard set out in the Building Regulations (of 125 litres/person/day). However, Paragraph 14 of the PPG states: 'Where there is a clear local need, local planning authorities can set out Local Plan policies requiring new dwellings to meet the tighter Building Regulations optional requirement of 110 litres/person/day'. The PPG goes on to explain how local planning authorities should establish a clear need.

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<sup>4</sup> Section 5 (paras 5.46 to 56.54 inclusive of Tables 9 and 10) of the EVS Update 2018 (CD2/8)

It refers to various primary sources of evidence to support higher / lower water consumption requirements of which water stress classification is one. All of the other sources referred to are contained in the Council's evidence. Since the Environment Agency water stress classifications of 2013, Yorkshire area has suffered drought. In particular unusual high and prolonged demand for water over a number of weeks was experienced in the area in 2018, suggesting an increase in the levels of water stress over and above those classified in 2013.

102. Based on the suite of evidence available, the need for a requirement to meet the optional building regulations requirement of 110 litres per person per day is justified by the evidence. Policy EN2 is sound.

### **Issue 8 – Whether new Policy EN8 (electric vehicle charging infrastructure) is effective and justified?**

103. Paragraph 35 of the NPPF states that applications for development should 'incorporate facilities for charging plug-in and other ultra-low emission vehicles'. Consistent with national policy, Policy EN8 requires applications for all new residential development that include provision of parking spaces, to provide electric vehicle charging points.
104. In December 2015 Leeds was identified by DEFRA as one of six locations in England that is not expected to meet air quality standards by 2020. Leeds has to take action to improve air quality and is committed to the introduction of a suite of measures to do this, including a Clean Air Zone and electric vehicle charging points. The Government's Clean Air Zone Framework, May 2017 sets out the role of the local planning authority in delivering the Clean Air Zone which states that land use planning can 'encourage more sustainable behaviour, for example in the way people use electric vehicles'. To achieve this the Council wants to ensure that the infrastructure is in place to encourage more people to choose to drive electric vehicles and to ensure that the provision of charging infrastructure keeps pace with electric vehicle uptake. This accords with the Leeds Best Council Plan ambition to provide 21st Century infrastructure, including for improving air quality and reducing emissions.
105. Nationally, the number of electric vehicles on UK roads is increasing. Projections from Go Ultra Low (Part of the Government's Office for Low Emission Vehicles) see 50% of all new vehicles being plug in by 2027, which is well within the life of the EN8 policy. The Government has announced its intention for no more petrol and diesel cars to be sold by 2040. Leeds City Council therefore recognises that it needs to be ready for this by ensuring that the charging infrastructure is in place as the stock of homes which are built now will have a life beyond the plan period and it will be more expensive and inefficient to retro-fit the necessary infrastructure once dwellings are built. At present, 70% of all charging is done at home, 10% at the workplace and 20% is done using public chargers (Tom Callow, Chargemaster, 2018), the EN8 Policy will increase provision for home-charging reflecting the desire for home-owners to be able to charge at home. The National Infrastructure Commission (NIC) is guiding the installation of electric vehicle charge points. The NIC provides recommendations for Local Authorities regarding electric vehicle charging points and has ambitious targets.

106. There is a clear need and justification for a policy that requires electric vehicle charging points to be provided at dwellings, to enable home charging, given in particular the air quality mandate applicable to Leeds.
107. Policy EN8 requires one charging point per parking space and 1 charging point per 10 visitor spaces. However, the EVS assessed the impact of this policy on the assumption of 1 charging point per dwelling and 1 charging point for 10 apartments finding the impacts to be negligible. In addressing the difference, it was argued that the EVS was conservative in its approach and that at a strategic level not all developments would have more than one car parking space in any event; indeed, some would have none. Apartments will require one vehicle charging point per 10 apartments but again, in reality, some apartment schemes won't provide any car parking spaces. Accordingly, the assessment may well have taken a cautious approach as suggested by the Council with respect to Policy EN8 particularly within the City Centre (Zone 4). The viability assessment of 1 vehicle charging point per 10 apartments therefore remains valid.
108. A further assessment of how the costs might change for non-apartment schemes (i.e. traditional housing developments) when the costs are based on the assumption of 1 charging point per space rather than 1 charging point per dwelling has been undertaken. The EVS assumed a cost of £100 per charging point.
109. This additional work concludes that whilst the costs associated with Policy EN8 will inevitably increase if a charging point is required for every parking point, these additional costs will not impact on the overall viability considerations set out in the EVS for two reasons. Firstly, the additional costs are significantly less than the cost savings created by reverting back to the existing Policy EN1. The net impact is therefore still a cost saving. Secondly, the costs included for Policy EN2 within the EVS update are significantly inflated. The EVS assumed a cost of £220 per property reflecting water elements of Code Level 3. This was based on research undertaken by Waterwise. The Housing Standards review Consultation - Impact Assessment (August 2013)<sup>5</sup> suggest costs of £43 per flat and £68 per dwelling. The Environment Agency estimates the cost of achieving 110 l/p/d compared to achieving the baseline building regulations standard (125 l/p/d) to be between £0-£9 per dwelling. Therefore, the cost savings associated with Policy EN2 (which could remove all of the costs included within the EVS update (£200 per dwelling) could mitigate a significant proportion of any cost increases associated with Policy EN8.
110. The original viability assessment did show some difficulties within Zone 2 (& 2a on larger sites). The Council submit that a scheme would not be unviable even though the bench mark land value contained in the EVS would not be met because the bench mark land value is set low - the viability of Zone 2a is based solely on a low value beacon settlement (Middleton) which does not represent the whole zone.
111. The policy wording requires some modification to ensure it is expressed clearly and thus effective [MM26]. I am otherwise satisfied that the requirements of

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<sup>5</sup> Table 12 (Page 23)



Policy EN8 are justified, viable and would not compromise the delivery of schemes.

### **Issue 9 - whether the revised approach to policies G4, G5 and G6 (Green Space) is justified?**

112. Evidence gathered by the Council shows that the current adopted Policy G4 'New Green Space Provision' that requires 80 square metres of green space per unit for schemes of 10 units or more, is not delivering effectively. It is therefore appropriate to review the policy. The proposed policy sets out the amount of green space required per unit for developments of 10 dwellings or more, based on an increasing scale commensurate with the number of bedrooms. Where this quantity is unachievable or inappropriate on site, equivalent off-site provision, financial contribution or combinations thereof should be sought.
113. The Council initially viability tested four options of 20, 40, 60 and 80 square metres of green space provision; the proposed policy resulting in an outcome almost identical to 40 square metres. Not surprisingly, viability improves as the amount of open space per dwelling decreases. At 40 square metres of open space per dwelling the reduction in greenfield land values ranges between 14% and 18%, still well within acceptable limits (outside of zone 2a). However, the land values generated for large sites in Zone 2b become marginal. This therefore appears to be the greatest requirement for green space that could be justified and be effective.
114. The policy wording requires some modification to ensure it is expressed clearly and is, thus, effective [**MM21**, **MM22**]. In addition, to ensure there is no tension with green space site requirements that are specific to sites in the Site Allocations Plan (SAP) or Aire Valley Leeds Area Action Plan, a MM is required to confirm that the site-specific requirement will take precedence [**MM21**]. Subject to these modifications, revised Policy G4 is justified.
115. The proposed revision to Policy G5 'Open Space Provision in the City Centre' relates to commuted sums in lieu of on-site provision. At present, contributions are prioritised for the City Centre Park and new pedestrianisation. The revision will broaden this to contributions towards identified open space and public realm projects.
116. This is justified, the Council submits, because in the context of a dynamic City Centre with considerable levels of housing development identified and allocated through the SAP, it will be important for the Council to have flexibility in how in-lieu contributions may be spent. It is also relevant to note that when the CS was adopted in November 2014 the Community Infrastructure Levy (CIL) had not been adopted in Leeds. The wording of Policy G5 reflected an intention to pool development contributions that could be prioritised on the City Centre Park and pedestrianisation. The introduction of CIL essentially caps the pooling of those contributions. It is therefore necessary and appropriate to broaden the definition of open space improvements that contributions can be directed to. Policy G5 applies to the whole of the City Centre whereas pedestrianisation is focussed on limited locations and the City Centre Park is in one location, which whilst a Council

priority, is focussed on the south of the City Centre. Therefore, broadening the definition of types of in-lieu provision will make it easier to ensure that projects can be reasonably related to development schemes that are making a contribution.

117. I consider the changes to the Policy G5 reflect the most reasonable and appropriate strategy to ensure that the City Centre contributions are spent where they are needed the most in relation to current priorities. It is therefore justified.

118. Finally, turning to Policy G6 'Protection and redevelopment of existing Green Space' the revision adds "pedestrian corridors" to City Centre Open Space falling under the control of this policy. This continues the protection of pedestrian corridors in the City Centre consistent with still extant Unitary Development Plan policies. In ensuring consistency with the other parts of the adopted development plan the revision is therefore justified.

## **Assessment of Legal Compliance**

119. My examination of the legal compliance of the Plan is summarised below.

120. The CSSR has been prepared in accordance with the Council's Local Development Scheme.

121. Consultation on the CSSR and the MMs was carried out in compliance with the Council's Statement of Community Involvement.

122. Sustainability Appraisal has been carried out and is adequate.

123. The Habitats Regulations Appropriate Assessment Screening Report (as revised) in June 2018 justifiably sets out why an AA is not necessary.

124. The CSSR includes policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change such as Policies EN2 and EN8.

125. The CSSR complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

126. I have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included my consideration of several matters during the examination including the provision of accessible and adaptable housing.

## **Overall Conclusion and Recommendation**

127. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.

128. The Council has requested that I recommend MMs to make the Plan sound and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Core Strategy Selective Review Local

Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

*Claire Sherratt*

Inspector

This report is accompanied by an Appendix containing the Main Modifications.

## Appendix – Main Modifications

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the Publication Draft Plan (CD2-1) and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification
MM1	1	New	<p><u>Updating the Core Strategy</u></p> <p>i. <u>The Core Strategy was originally adopted in November 2014</u></p> <p>ii. <u>An update of the Core Strategy was adopted in 2019, which focussed on the following selected areas of policy:</u></p> <ul style="list-style-type: none"> <li>• <u>Reviewing the housing requirement in Policy SP6, with a Plan period of 2017 – 2033</u></li> <li>• <u>Consequential changes to Policy SP7 concerning housing distribution</u></li> <li>• <u>Introducing new minimum space standards for new housing in Policy H9 and new accessibility standards in Policy H10</u></li> <li>• <u>Updating policy requirements for affordable housing by amending Policy H5</u></li> <li>• <u>Reviewing the requirement for Green Space in new housing developments by amending Policy G4 and making minor amendments to Policies G5 and G6</u></li> <li>• <u>Incorporating new national policy regarding Code for Sustainable Homes by updating the wording of Policy EN2</u></li> <li>• <u>Introducing a new Policy for Electric Vehicle Charging Infrastructure Policy EN8</u></li> </ul> <p>iii. <u>The updated policies and text have been incorporated into this single updated Core Strategy Document</u></p> <p>iv. <u>It should be noted that the Plan period of 2017 - 2033 applies to Policy SP6. The percentages relating to the distribution of housing land and allocations contained in Policy SP7 apply to the period 2012 to 2033. Other Policies of the plan adopted in 2014 continue to work to the original plan period of 2012 - 2028. These include policies SP9 and EC2 which set out the required quantities of general employment and office space; policy H7 which sets the quantity of accommodation required for Gypsy and Travellers and Travelling Showpeople and policy EN6 which sets out quantities of waste to be planned for.</u></p>
MM2	3	Para 4.6.1	<p>It is anticipated that the population of Leeds will rise from <u>784,458 in 2017 to 856,819 in 2033</u> <del>755,136 in 2010 to 860,618 in 2028.</del></p>

Ref	Page	Policy/ Paragraph	Main Modification
MM3	3	Para 4.6.3	Spatial Policy 6 sets out the housing requirement for Leeds over the period 2017 – 2033. The requirement draws upon evidence of the Strategic Housing Market Assessment 2017 and Government consultation paper “Building the Right Homes in the Right Places”. The policy will be implemented through the identification of land supply in the Site Allocations Plan and a Housing Implementation Strategy. <u>Regard will be had also to past delivery of housing within each HMCA between 1st April 2012 and 31st March 2017.</u>
MM4	3-4	Para 4.6.4, Para 4.6.5 and Policy SP6	<p>Para 4.6.4: The net requirement of 51,952 dwellings is converted to a gross requirement by taking account of the anticipated loss of dwellings over the plan period, estimated as 150 dwellings per annum based on recent trends of demolition in Leeds. To account for demolitions and other dwelling losses of 150 dwellings per annum (2,400 over the plan period) the gross housing requirement for the plan period of 2017-2033 is <u>54,352</u> <del>53,856</del> dwellings.</p> <p>Last sentence of Para 4.6.5: This stock of supply reduces the level of land to identify from <u>54,352</u> <del>53,856</del> dwellings (gross) to <u>46,352</u> <del>45,856</del> dwellings (gross).</p> <p>Third sentence of Policy SP6: Guided by the Settlement Hierarchy, the Council will identify <u>46,352</u> <del>45,856</del> dwellings (gross) to support the distribution in Spatial Policy 7</p>
MM5	4	After Para 4.6.5 insert a new paragraph	<p>New paragraph 4.6.6: <u>In reflecting the wider and longer term aspirations of the District (and its City Region role) the housing requirement takes into account the benefits of economic uplift. However, the Council will need to closely monitor the delivery and implementation of the housing requirement, including the roles and responsibilities of house builders throughout Leeds, seek to ensure effective build-out rates and assess any causes of under-delivery. Notwithstanding this, departure from the European Union, could potentially impact upon these aspirations, requiring a local solutions approach. This overall approach is intended to ensure that the City is as resilient as possible in delivering agreed priorities whilst managing unforeseen change against the context of national planning policy and its penalties for under delivery.</u></p>
MM6	4	Policy SP6	<p>Revision to criterion vii: <u>Avoiding areas of flood risk and only where this is not possible, then mitigating flood risk</u>  <del>Generally avoiding or mitigating areas of flood risk.</del></p>
MM7	8	Para 5.2.20 – Publication Draft CSSR	<p>Applicants may choose to <del>submit</del> <u>demonstrate via</u> individual viability appraisals <del>to verify that there are exceptional site circumstances which mean the affordable housing target cannot be met on specific schemes.</del> In such cases, <u>where evidence in accordance with the National Planning Guidance principles for carrying out a viability assessment is submitted, a departure from the affordable housing provision may be reduced accordingly policy may be justified.</u> Where developments are expected to take more than five years to complete, the Council will normally expect</p>

Ref	Page	Policy/ Paragraph	Main Modification
			permitted schemes to make provision for a review of the scheme's viability, to determine whether the level of affordable housing being provided across the scheme as a whole is appropriate. The Government currently expects Local Plan policies to be reviewed after 5 years and the minimum targets set out in Policy H5 are likely to be reviewed in any event as part of this process.
MM8	9	Policy H5	Add a paragraph after iii) <u>Departures from this policy should be justified by evidence of viability considerations</u>
MM9	9	Policy H5	POLICY H5: AFFORDABLE HOUSING; On <del>major*</del> housing developments <del>of 10 or more new dwellings</del> , affordable housing provision should be provided on-site at the target levels specified in the following zones: And insert foot note; * Major development means either: <ul style="list-style-type: none"> <li>• <u>provision of 10 or more dwellings (or where the number of dwellings is not known, development is to be carried out on a site having an area of 0.5 hectares or more) or</u></li> <li>• <u>provision of a building or buildings where the floor space to be created would be 1,000 square metres or more;</u></li> <li>• <u>or development on a site having an area of 1 hectare or more;</u></li> </ul>
MM10	9	Policy H5	Change policy wording below as follows: ii) on-site, the percentage of affordable housing specified for zones 1-4 and mix of Intermediate and Social Rented types of affordable housing set out in the first paragraphs of this Policy <u>at affordable housing benchmark rents administered by either a registered provider or a management company with appropriate arrangements for identifying households in need, including City Council nomination rights, which apply in perpetuity or</u>
MM11	11	Insert at end of para 5.2.46 – Publication Draft CSSR	Insert ' <u>Any future changes to Government Guidance on NDSS will be taken into account in decision making in planning applications'</u>
MM12	12	New paragraph after 5.2.46 – Publication Draft CSSR	<u>Applicants may choose to demonstrate via individual viability appraisals that there are exceptional site circumstances which mean the minimum space standards cannot be met on specific schemes. In such cases, where evidence in accordance with the National Planning Guidance principles for carrying out a viability assessment is submitted, a departure from Policy H9 may be justified.</u>
MM13	12	Policy H9 wording	Change policy wording as below: POLICY H9 MINIMUM SPACE STANDARDS All new dwellings <del>should</del> <u>must</u> comply with the following standards:

Ref	Page	Policy/ Paragraph	Main Modification
MM14	12	Policy H9 wording	Insert paragraph after criteria a. – i. <u>Departures from this policy should be justified by evidence of viability considerations</u>
MM15	12	Policy H9 table column 3, row 2 and footnote	Replace 39 (37) <sup>2</sup> with 39 (37)* Insert footnote reference*; <u>*Where a one person flat has a shower room rather than a bathroom, the floor area may be reduced from 39m<sup>2</sup> to 37m<sup>2</sup>.</u>
	13	Policy H9 note iii	Delete footnote iii <del>Any other area that is used solely for storage and has a headroom of 900-1500mm (such as under eaves) is counted at 50% of its floor area, and any area lower than 900mm is not counted at all</del>
	13	Policy H9 note iv	Delete footnote iv <del>Built-in wardrobes and en-suite bathrooms count towards the Gross Internal Area and bedroom floor area requirements, but should not reduce the effective width of the room below the minimum widths set out above. The built-in area in excess of 0.72m<sup>2</sup> in a double bedroom and 0.36m<sup>2</sup> in a single bedroom counts towards the built-in storage requirement</del>
MM16	15	Insert at end of paragraph 5.2.52 Publication Draft CSSR	Insert at end of para 5.2.52, <u>In most cases it is expected that market housing for sale and specific affordable dwellings provided through planning requirements will be wheelchair adaptable. Only where Leeds City Council is nominating a wheelchair user as an occupier will wheelchair accessible dwellings be required.</u>
	16	Policy H10	Change policy wording as below: <u>2% of dwellings meet the requirement of M4(3) 'wheelchair user dwellings' of Part M volume 1 of the Building Regulations wheelchair user dwellings', wheelchair adaptable or accessible dwellings. Wheelchair user dwellings should meet the M4(3) wheelchair adaptable dwelling standard unless Leeds City Council is responsible for nominating a person to live in the dwelling</u>
MM17	16	New paragraph after 5.2.57 – Publication Draft CSSR	<u>Applicants may choose to demonstrate via individual viability appraisals that there are exceptional site circumstances which mean the accessible housing requirements cannot be met on specific schemes. In such cases, where evidence in accordance with the National Planning Guidance principles for carrying out a viability assessment is submitted, a departure from Policy H10 may be justified.</u>
MM18	16	Policy H10	<u>30% of dwellings meet the requirements of M4(2) volume 1 of Part M of the Building Regulations 'accessible and adaptable dwellings' of Part M Volume 1 of the Building Regulations.</u>

Ref	Page	Policy/ Paragraph	Main Modification
			2% <u>of</u> dwellings meet the requirement of M4(3) <del>of Part M volume 1 of the Building Regulations 'wheelchair user dwellings', wheelchair adaptable or accessible dwellings of Part M Volume 1 of the Building Regulations.</del>
MM19	16	Policy H10	<p><del>Any requirement above 0.5 would require a single dwelling for both M4(2) and M4(3)</del></p> <p>Where the scale of development would generate more than one accessible dwelling, the mix of sizes, types and tenures of <u>M4(2) and M4(3) dwellings</u> <del>accessible housing</del> should reflect the mix of sizes, types and tenures of the development as a whole as closely as possible (unless there is evidenced need for additional accessible housing in one particular tenure).</p> <p>The required number <del>and</del>, mix <u>and location</u> of accessible dwellings should be clearly illustrated on drawings and via planning condition.</p>
MM20	16	Policy H10 wording	<p>Change policy wording as below:</p> <p>Where the scale of development would generate more than one accessible dwelling, the mix of sizes, types and tenures of M4(2) and M4(3) dwellings should reflect the mix of sizes, types and tenures of the development as a whole as closely as possible <del>(unless there is evidenced need for additional accessible housing in one particular tenure). (unless the applicant can demonstrate an evidenced need locally to provide accessible housing in dwellings of a particular size, type and / or tenure). Locally will normally mean the Designated Neighbourhood Area, or where this is not defined, will mean relevant settlement, or ward if the site lies within the main urban area.</del></p> <p><u>Insert paragraph at end of policy:</u> <u>Departures from this policy should be justified by evidence of viability considerations</u></p>
MM21	22	Policy G4 text	<p>Add footnote to end of paragraph. 'Residential developments of 10 dwellings or more will be <u>required</u> <del>expected</del> to provide the following quantities of on-site green space per residential unit or where this quantity of green space is unachievable or inappropriate on-site, equivalent offsite provision, financial contribution or combinations thereof should be sought<sup>1</sup>:</p> <p><u>1. Where conflict arises between the requirements of Policy G4 and any specific green space site requirements in either the Site Allocations Plan or Aire Valley Leeds Area Action Plan, then the specific site requirements within the Allocations Plans will take precedence</u></p>
MM22	22	Para 5.5.14	<p>5.5.14 Factors <del>favouring</del> <u>requiring</u> on-site provision include <u>one or more of the following</u>:</p> <p>i) Local deficits of existing green space,</p>



Ref	Page	Policy/ Paragraph	Main Modification
		Policy G4	<p>ii) Sufficiently large, suitably shaped and reasonably level sites to accommodate green space,</p> <p>iii) Distances from existing green spaces exceeding the standards of Policy G3. The quality of existing green space will also need to be taken into account,</p> <p>iv) Lack of other residential development sites nearby that could deliver green space,</p> <p>v) The development generating a need for play facilities that does not currently exist in the locality, <u>or</u>,</p> <p>vi) Potential to combine green space provision with requirements for Sustainable Urban Drainage Systems.</p> <p>Where the factors of paragraph 5.5.14 <u>require</u> <del>expect</del> green space to be provided on site:</p>
MM23	28-34	Para 5.5.38 – 5.5.45.	<p>Delete proposed amendments to Policy EN1 and supporting text of the Core Strategy Selective Review (proposed paras 5.5.38 to 5.5.44 of CD2/1) so that Core Strategy remains as follows (showing current Adopted CS numbering):</p> <p><u>Climate Change</u></p> <p><u>5.5.31 The Climate Change Act 2008 established a new approach to managing and responding to climate change in the UK. The Act created a legally binding target to reduce the UK's emissions of greenhouse gases to at least 80% below 1990 levels by 2050. This is delivered through a series of five year 'carbon budgets', designed to ensure that the Council make steady progress towards this long term target. A carbon budget is a cap on the total quantity of greenhouse gas emissions emitted in the UK over a specified time. Under a system of carbon budgets, every tonne of greenhouse gas emitted between now and 2050 will count. Where emissions rise in one sector, corresponding falls in another sector will have to be achieved</u></p> <p><u>5.5.32 In May 2009, the Government introduced legislation creating the first three legally binding carbon budgets. The budgets are 2008-2012 (22% reduction in CO<sub>2</sub> emissions below 1990 levels), 2013-2017 (28% reduction) and 2018-2022 (34% reduction).</u></p> <p><u>5.5.33 These carbon budgets, whilst owned and delivered at a national level, will have a profound effect on all activities at a local level. Policy tools and financial incentives have been put in place to drive down emissions from transport, housing and business across the country. Building Regulations have introduced tighter CO<sub>2</sub> targets and a trajectory has been put in place to reduce emissions from new housing to zero by 2016, and from non-domestic development to zero by 2019. As Leeds is forecast to grow both in terms of housing numbers and new business premises, it is particularly important to ensure that these are as close to zero emission as possible, as soon as</u></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>possible, to avoid the need for deeper cuts in other sectors.</p> <p><u>5.5.34 The Leeds Climate Change Strategy (2009) was developed through the Leeds Initiative in partnership with the public, private and third sector. This contains a target to reduce emissions from Leeds by 80% between 1990 and 2050. In 2010, the Council adopted a further target to reduce emissions by 40% between 2005 and 2020. In the four years to 2009, the City reduced emissions by 14.4%, requiring a further reduction of approximately 2.5% per year until 2020. Leeds is a growing City and all new development that is not carbon neutral adds to total emissions from Leeds (both on site emissions and emissions associated with transport). Therefore, there is a strong policy imperative to constrain emissions from all development as soon as possible.</u></p> <p><u>5.5.35 The Core Strategy climate change Policies are designed so that new development contributes to our ambitious carbon reduction targets. However, the Council aim to do this in a flexible way that supports developers to achieve carbon reductions at lowest cost and in a way that benefits future building occupants. Building Regulations set a minimum energy efficiency standard applicable to all buildings, and in order to keep on track to achieve the 2050 target, the Government will increase this standard over the next decade. Developers currently have to demonstrate that proposed developments are within the Target Emissions Rate. However, because of the need to maintain a decent standard of living in the face of significant growth, the Council is seeking a 20% CO<sub>2</sub> reduction beyond the Building Regulation standard. Energy efficient buildings also reduce household fuel bills (and support initiatives for 'affordable warmth'), improve business competitiveness and create jobs in the energy service sectors. Economies of scale mean that energy efficiency measures are less costly on larger developments, and the policies are, therefore, only applied to 'major development.'</u> It is important to note that Policy EN1(i) is highly flexible, allowing developers to choose the most appropriate and cost effective carbon reduction solution for their site. We would expect developers to take a 'fabric first' approach and, over time, supplement this with increasing levels of on-site District heating and low/zero carbon technologies. It must be remembered that the cost implications of installing carbon reduction measures are much lower when included in a new building than when they are retrofitted.</p> <p><u>POLICY EN1: CLIMATE CHANGE – CARBON DIOXIDE REDUCTION All developments of 10 dwellings or more, or over 1,000 square metres of floorspace, (including conversion where feasible), will be required to: (i) Reduce total predicted carbon dioxide emissions to achieve 20% less than the Building Regulations Target Emission Rate until 2016 when all development should be zero carbon, and (ii) Provide a minimum of 10% of the predicted energy needs</u></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p><u>of the development from low carbon energy. Carbon dioxide reductions achieved through criteria (ii) will contribute to meeting criteria (i). Criteria (ii) will be calculated against the emissions rate predicted by criteria (i) so reducing overall energy demand by taking a fabric first approach will reduce the amount of renewable capacity required. If it can be demonstrated that decentralised renewable or low carbon energy generation is not practical on or near the proposed development, it may be acceptable to provide a contribution equivalent to the cost of providing the 10%, which the council will use towards an off-site low carbon scheme. The opportunity to aggregate contributions to deliver larger scale low carbon projects would be implemented independent of the development. Wherever possible, the low carbon projects would be linked with local projects that would bring local benefits. It is likely that the approach of pooling off-site contributions through planning obligations will be replaced by CIL in April 2014. Applicants will be required to submit an Energy Assessment with their application based on expected end user requirements to demonstrate compliance with this Policy. Where end user requirements change significantly, an updated EA should be submitted prior to construction.</u></p>
MM24	32	<p>Para 5.5.45- Publication Draft CSSR</p> <p>New paragraph after para 5.5.46 – Publication Draft CSSR</p>	<p>Amend para 5.5.45 of CD2/1 to read as follows:  <u>"...For residential development, requirements for energy efficiency are contained within the Building Regulations and Policy EN1 of the Core Strategy."</u></p> <p>Insert the following paragraph after paragraph 5.5.46 of the Plan</p> <p><u>'5.5.47 Growth in Leeds means extra demand for water. Additionally, climate change predictions indicate an increasingly erratic weather pattern which is likely to lead to extreme weather events including droughts. For these reasons Leeds expects all major residential development to meet the tighter optional water standard in building regulations as required by Policy EN2.'</u></p>
MM25	34	Policy EN4	<p>Delete proposed amendment to Policy EN4 which makes reference to Policy EN1 so that the final part of Policy EN4 is unchanged from the Adopted CS and reads as follows:  <u>Carbon savings and renewable energy generation achieved under this policy will contribute to EN1(i) and EN1(ii).</u></p>
MM26	36	<p>Policy EN8 i)</p> <p>Policy EN8 iii)</p>	<p>i) Residential: 1 charging point per <del>dedicated</del> parking space and <del>where parking spaces are unallocated (for example visitor parking)</del> 1 charging point per 10 <u>visitor</u> spaces</p> <p>iii) Motorway Service Stations: charging points for 10% of parking spaces <u>ensuring that electricity</u></p>

Ref	Page	Policy/ Paragraph	Main Modification														
			<u>infrastructure is sufficient to enable further points to be added at a later stage</u>														
MM27	146	Para 5.2.13  Appendix 2 Glossary (Affordable Housing only)	<p>Add wording "See definitions in Affordable Housing Definitions Table at the end of glossary" after the wording "...defined in the NPPF" in paragraph 5.2.13 of the CSSR</p> <p>Add the following Table to the Glossary:</p> <table border="1"> <thead> <tr> <th colspan="3">Affordable Housing definition Table</th> </tr> <tr> <th>Policy H5 (Broad Definition)</th> <th>Policy H5 (Detailed Types)</th> <th>Conformity with NPPF 2018 Annex 2 Glossary</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Social Rent or equivalent tenures. This is housing rented at rates which are generally affordable to households in the lower decile of earnings. Benchmark transfer prices and rents are published annually to reflect affordability for lower decile earners in Leeds</td> <td>Social rent</td> <td>a) Affordable housing for rent. (a) the rent is set in accordance with the Government's rent policy for Social Rent</td> </tr> <tr> <td>Equivalent tenures.</td> <td>a) Affordable housing for rent. (a) the rent is set in accordance with the Government's rent policy for Affordable Rent</td> </tr> <tr> <td>Intermediate or equivalent tenures. This is housing made available at below market rents or prices which are generally affordable to</td> <td>Intermediate or submarket rent – the intermediate affordable units are rented out at rents above those of social rent but below market rents.</td> <td>a) Affordable housing for rent. (a) .... Or is at least 20% below local market rents (including service charges where applicable)</td> </tr> </tbody> </table>	Affordable Housing definition Table			Policy H5 (Broad Definition)	Policy H5 (Detailed Types)	Conformity with NPPF 2018 Annex 2 Glossary	Social Rent or equivalent tenures. This is housing rented at rates which are generally affordable to households in the lower decile of earnings. Benchmark transfer prices and rents are published annually to reflect affordability for lower decile earners in Leeds	Social rent	a) Affordable housing for rent. (a) the rent is set in accordance with the Government's rent policy for Social Rent	Equivalent tenures.	a) Affordable housing for rent. (a) the rent is set in accordance with the Government's rent policy for Affordable Rent	Intermediate or equivalent tenures. This is housing made available at below market rents or prices which are generally affordable to	Intermediate or submarket rent – the intermediate affordable units are rented out at rents above those of social rent but below market rents.	a) Affordable housing for rent. (a) .... Or is at least 20% below local market rents (including service charges where applicable)
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	Equivalent tenures.	a) Affordable housing for rent. (a) the rent is set in accordance with the Government's rent policy for Affordable Rent															
Intermediate or equivalent tenures. This is housing made available at below market rents or prices which are generally affordable to	Intermediate or submarket rent – the intermediate affordable units are rented out at rents above those of social rent but below market rents.	a) Affordable housing for rent. (a) .... Or is at least 20% below local market rents (including service charges where applicable)															

Ref	Page	Policy/ Paragraph	Main Modification		
			households in the lower quartile of earnings. Benchmark transfer prices and rents are published annually to reflect affordability for lower quartile earners in Leeds.	Shared equity/shared ownership – the occupier buys part of the house and pays a discounted rent on the remaining part, which is owned by a RSL.	c) Discounted market sales housing: is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households. d) Other affordable routes to home ownership: is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at
				Low cost homes for sale / discounted sale – the occupier buys the house at a fixed percentage below its cost on the open market. When the house is sold on, this same percentage discount is passed on to the next buyer	

Ref	Page	Policy/ Paragraph	Main Modification		
					<p>least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.</p>

# Core Strategy Selective Review

Adoption Version  
Leeds Local Plan  
Development Plan Document  
11<sup>th</sup> September 2019



**Proposed Policy and Paragraph Changes to the Adopted Leeds  
Core Strategy 2014**



**Text for insertion after the Contents Page**

## Updating the Core Strategy

- i. The Core Strategy was originally adopted in November 2014
- ii. An update of the Core Strategy was adopted in 2019, which focussed on the following selected areas of policy:
  - Reviewing the housing requirement in Policy SP6, with a Plan period of 2017 – 2033
  - Consequential changes to Policy SP7 concerning housing distribution
  - Introducing new minimum space standards for new housing in Policy H9 and new accessibility standards in Policy H10
  - Updating policy requirements for affordable housing by amending Policy H5
  - Reviewing the requirement for green space in new housing developments by amending Policy G4 and making minor amendments to Policies G5 and G6
  - Incorporating new national policy regarding Code for Sustainable Homes by updating the wording of Policy EN2
  - Introducing a new Policy for Electric Vehicle Charging Infrastructure EN8
- ii. The updated policies and text have been incorporated into this single updated Core Strategy Document
- iv. It should be noted that the Plan period of 2017 - 2033 applies to Policy SP6. The percentages relating to the distribution of housing land and allocations contained in Policy SP7 apply to the period 2012 to 2033. Other Policies of the plan adopted in 2014 continue to work to the original plan period of 2012 - 2028. These include policies SP9 and EC2 which set out the required quantities of general employment and office space; policy H7 which sets the quantity of accommodation required for Gypsy and Travellers and Travelling Showpeople and policy EN6 which sets out quantities of waste to be planned for.

## **Policy SP6: Review of Leeds' Housing Requirement**

[The following text will replace section 4.6 of the Core Strategy 2014]

## **4.6. Housing Development**

- 4.6.1. It is anticipated that the population of Leeds will rise from 784,458 in 2017 to 856,819 in 2033. This raises major challenges for Leeds in seeking to meet the complex demographic needs of the existing population, together with the implications of an ageing and growing population over the Plan period. It is important that planning for such growth forms part of an overall strategy, which gives emphasis not only to a sufficient housing land supply in appropriate locations but also the quality, type and affordability of homes in meeting local needs. This needs to be achieved within an overall framework, which gives priority to delivering sustainable development, promoting regeneration and job growth, whilst maintaining local character, distinctiveness and environmental quality.
- 4.6.2. Within this context, the following Housing growth principles have been established.
- i. Ensure housing growth is linked to the creation of sustainable neighbourhoods throughout the City (see Spatial Policy 1),
  - ii. Set a realistic target for the delivery of new homes (see Spatial Policy 6),
  - iii. Ensure housing growth targets reflect local housing needs, now and in the future, in terms of tenure, type and size, (see Spatial Policy 6 and Policy H4),
  - iv. Enhance the distinctiveness of existing neighbourhoods and quality of life of local communities through the design and standard of new homes (see Policies H9, H10, P10 and EN2),
  - v. Facilitate the development of brownfield and regeneration sites, (see Spatial Policies 1, 3 and 6),
  - vi. Agree a range of mechanisms to deliver additional affordable homes, (see Policy H5),
  - vii. Work in partnership to find ways to facilitate housing growth (see Section 6 Implementation and Delivery).
- 4.6.3. Spatial Policy 6 sets out the housing requirement for Leeds over the period 2017 – 2033. The requirement draws upon evidence of the Strategic Housing Market Assessment 2017 and Government consultation paper “Building the Right Homes in the Right Places”. The policy will be implemented through the identification of land supply in the Site Allocations Plan and a Housing Implementation Strategy. Regard will be had also to past delivery of housing within each HMCA between 1st April 2012 and 31st March 2017.
- 4.6.4. The net requirement of 51,952 dwellings is converted to a gross requirement by taking account of the anticipated loss of dwellings over the plan period, estimated as 150 dwellings per annum based on recent trends of demolition in Leeds. To account for demolitions and other dwelling losses of 150 dwellings per annum (2,400 over the plan period) the gross housing requirement for the plan period of 2017 – 2033 is 54,352 dwellings.
- 4.6.5. As a large post-industrial city Leeds will continue to experience continual urban regeneration and renaissance involving the recycling of previously developed land (PDL) for windfall housing and other uses. Leeds has a long and well

recorded history of windfall housing being delivered as a source of land for development. Windfall comprises two components: dwellings of schemes of less than the SHLAA threshold (less than 5 dwellings in most cases) and dwellings of schemes that were unpredicted in the SHLAA. This has been continuously monitored by the City Council since the 1980s. There is no evidence to change the allowance of 500 dwellings per annum set out in the original Core Strategy; the equivalent of 8,000 dwellings over the plan-period. This stock of supply reduces the level of land to identify from 54,352 dwellings (gross) to 46,352 dwellings (gross).

- 4.6.6. In reflecting the wider and longer term aspirations of the District (and its City Region role) the housing requirement takes into account the benefits of economic uplift. However, the Council will need to closely monitor the delivery and implementation of the housing requirement, including the roles and responsibilities of house builders throughout Leeds, seek to ensure effective build-out rates and assess any causes of under-delivery. Notwithstanding this, departure from the European Union, could potentially impact upon these aspirations, requiring a local solutions approach. This overall approach is intended to ensure that the City is as resilient as possible in delivering agreed priorities whilst managing unforeseen change against the context of national planning policy and its penalties for under delivery.

#### **SPATIAL POLICY 6: THE HOUSING REQUIREMENT AND ALLOCATION OF HOUSING LAND**

The provision of 51,952 (net) new dwellings will be accommodated between 2017 and 2033, with a target that 3,247 dwellings per year should be delivered.

Delivery of 500 dwellings per annum (8,000 over the plan period) is anticipated on small and unidentified sites.

Guided by the Settlement Hierarchy, the Council will identify 46,352 dwellings (gross) to support the distribution in Spatial Policy 7, using the following considerations:

- i. Sustainable locations (which meet standards of public transport accessibility – see the Well Connected City chapter), supported by existing or access to new local facilities and services, (including Educational and Health Infrastructure),
- ii. Preference for brownfield and regeneration sites,
- iii. The least impact on Green Belt purposes,
- iv. Opportunities to reinforce or enhance the distinctiveness of existing neighbourhoods and quality of life of local communities through the design and standard of new homes,
- v. The need for realistic lead-in-times and build-out-rates for housing construction,
- vi. The least negative and most positive impacts on green infrastructure, green corridors, green space and nature conservation,
- vii. Avoiding areas of flood risk and only where this is not possible, then mitigating flood risk.

## Distribution of Housing Land

- 4.6.7. The Strategic Housing Market Assessment (SHMA) 2017 shows there are unmet housing needs for affordable housing and for a range of types and sizes of market dwellings in all parts of Leeds. The Strategic Housing Land Availability Assessment (SHLAA) 2017 shows that Leeds has a large stock of brownfield housing sites within the Main Urban Area. However, in providing a choice and competition in the market for land and to meet local needs throughout the District the delivery of the spatial strategy of the Core Strategy will depend upon having a wide portfolio of sites in different housing markets.
- 4.6.8. Policy SP7 provides an indication of the overall scale and distribution of development that will need to be planned for (combining information from the SHMA and SHLAA) in different Housing Market Characteristic Areas. The percentage figures in the second column, are intended as a guide rather than rigid targets. These areas were agreed through the SHMA 2011 and reflect functional submarkets. The distribution reflects the quantum of housing growth that accord with the housing growth principles and overall spatial strategy (the focus upon opportunities within the Settlement Hierarchy) and the potential availability of suitable sites (derived from the SHLAA). Areas with the highest potential include the City Centre, Inner Areas, North Leeds and East Leeds where opportunities for development of previously developed land and regeneration are greatest. Major growth can also be accommodated in the outer areas of Outer South East and Outer South West including a combination of previously developed land opportunities in the Major Settlements but urban extensions too. These provide sustainable locations in terms of public transport connections, proximity to jobs and avoidance of special landscape. The other areas provide opportunity for modest growth, including urban extensions where appropriate.

### **SPATIAL POLICY 7: DISTRIBUTION OF HOUSING LAND AND ALLOCATIONS**

The distribution of housing (excluding windfall) will be planned based on Housing Market Characteristic Areas as follows:

<b>Housing Market Characteristic Area</b>	<b>Percentage</b>
Aireborough	3%
City Centre	15.5%
East Leeds	17%
Inner Area	15%
North Leeds	9%
Outer North East	8%
Outer North West	3%
Outer South	4%
Outer South East	7%
Outer South West	11%
Outer West	7%

## **Policy H5: Review of Affordable Housing Policy**

[The following text will replace paragraphs 5.2.12 – 5.2.17 of the Core Strategy 2014.]

### **Affordable Housing**

- 5.2.12 In conformity with national planning guidance, affordable housing will be required to meet local needs informed by the Leeds Strategic Housing Market Assessment (SHMA 2017) and the Economic Viability Study 2017.
- 5.2.13 The Strategic Housing Market Assessment (2017) identifies an annual need of 1230 affordable housing dwellings across Leeds. It also suggests that 67.2% of affordable dwellings are needed for affordable or social rent (as defined in the NPPF. See definitions in Affordable Housing Definitions Table in the Glossary.), and 32.8% are needed for intermediate tenures as defined in the NPPF Policy H5 translates this need into requirements for affordable housing that have been viability tested. It should be noted that Leeds City Council is investing heavily to improve the City Centre and Inner Areas of Leeds and it is expected that progressive regeneration activity will improve the strength of these housing markets so that higher affordable housing targets can be achieved through Plan Review in the early 2020s. Targets are set for provision of affordable housing in the 4 affordable zones with a mix of affordable types relating to low earnings of households.
- 5.2.14 The 40% and 60% requirement for a mix of Intermediate and Social Rented affordable dwellings (as defined by the NPPF), means that developers are expected to provide a mix of affordable dwellings that will be affordable to households on low and very low earnings or income. Social Rented (as defined by the NPPF) is the label for types of affordable housing typically rented by registered providers which is affordable to very low earning and low income households. Intermediate affordable housing sits between the price of market housing and the price of social rented affordable housing. Typically intermediate affordable housing will include shared ownership and other discounted sale products. The City Council calculates benchmark prices to establish the price at which Social Rented and Intermediate dwellings should be made available by developers. In practice this means that dwellings should be made available by developers to Registered Providers at prices which are affordable enough for households on these earnings: households on lower quartile earnings for Intermediate affordable housing; households on lower decile earnings for Social Rented affordable housing. Registered Providers are then expected to make the affordable dwellings available for the tenures expected.
- 5.2.15 For affordable dwellings to be suitably integrated throughout the development this means that the affordable dwellings ought to be mixed in with the corresponding size and type of market dwellings on a site. For example, in a development with a mix of houses and flats, the affordable provision should be partly mixed in with the houses and partly with the flats.
- 5.2.16 Build to rent developments in Leeds can either provide affordable housing on-site as advised in national guidance or in line with the first paragraphs of Policy



H5. If developers prefer to pay a commuted sum in lieu of on-site provision, this should be calculated on the basis of paragraph 5.2.17.4. Regarding requirements in national guidance, consultation currently suggests 20% of total dwellings as “Affordable Private Rent” dwellings with rents to be 20% lower than market rents in the local area and agreement of eligibility criteria with secure arrangements that continue in perpetuity.

- 5.2.17 For development schemes led by Registered Providers for social housing the Council will take a flexible approach to determining the appropriate quantity and type of affordable housing taking into account the needs of the area and the wider benefits of development.
- 5.2.17.1 Purpose built student accommodation will not be required to provide affordable housing.
- 5.2.17.2 Secure arrangements in the form of S106 agreements, must be agreed to ensure delivery and that affordability embodied within affordable housing is maintained for future people of Leeds in housing need in perpetuity.
- 5.2.17.3 Applicants may choose to demonstrate via individual viability appraisals that there are exceptional site circumstances which mean the affordable housing target cannot be met on specific schemes. In such cases, where evidence in accordance with the National Planning Guidance principles for carrying out a viability assessment is submitted, a departure from the affordable housing policy may be justified. Where developments are expected to take more than five years to complete, the Council will normally expect permitted schemes to make provision for a review of the scheme’s viability, to determine whether the level of affordable housing being provided across the scheme as a whole is appropriate. The Government currently expects Local Plan policies to be reviewed after 5 years and the minimum targets set out in Policy H5 are likely to be reviewed in any event as part of this process.
- 5.2.17.4 As a general principle, commuted sums should be calculated to ensure that the required quantity and type of affordable dwellings can be delivered in the locality of the development, assuming involvement of Registered Providers. This will be equivalent to the differential between affordable price and market price (free of restrictions) with adjustment for any locality delivery costs. Locality can be defined as the surrounding streets or whether the site is within a defined settlement or established neighbourhood but this will be a matter of judgement depending on size of site and character of the area; postcode sector boundaries may be helpful indicators. Locality is important for calculating sums not necessarily for determining where commuted sum money is spent, which may include strategic priorities elsewhere in Leeds. Provision that results in 4 or less affordable dwellings may be converted into an equivalent financial contribution.

## **POLICY H5: AFFORDABLE HOUSING**

On major\* housing developments, affordable housing provision should be provided on-site at the target levels specified in the following zones:

<b>Zone</b>	<b>Minimum Target</b>
1	35%
2	15%
3	7%
4	7%

The mix of affordable housing should be designed to meet the identified needs of households as follows:

- 40% affordable housing for Intermediate or equivalent affordable tenures
- 60% affordable housing for Social Rented or equivalent affordable tenures

The affordable units should be a pro-rata mix in terms of sizes and house types of the total housing provision, unless there are specific needs which indicate otherwise, and they should be suitably integrated throughout a development site.

Affordable housing provision should be on site, unless off site provision or a financial contribution can be robustly justified.

Build-to-rent developments shall provide either:

- on-site, according to national policy advice, currently 20% Affordable Private Rent dwellings at 80% of local market rents administered by a management company with appropriate arrangements for identifying households in need, including city council nomination rights, which apply in perpetuity, or
- on-site, the percentage of affordable housing specified for zones 1-4 and mix of Intermediate and Social Rented types of affordable housing set out in the first paragraphs of this Policy at affordable housing benchmark rents administered by either a registered provider or a management company with appropriate arrangements for identifying households in need, including City Council nomination rights, which apply in perpetuity, or
- a commuted sum in lieu of on-site provision of affordable housing of option ii).

Departures from this policy should be justified by evidence of viability considerations.

\* Major development means either:

- provision of 10 or more dwellings (or where the number of dwellings is not known, development is to be carried out on a site having an area of 0.5 hectares or more) or
- provision of a building or buildings where the floor space to be created would be 1,000 square metres or more;
- or development on a site having an area of 1 hectare or more;

**Policy H9: New Policy on Minimum Space Standards-Nationally Described Space Standard**

[The text below should be inserted after Policy H8 of the Core Strategy 2014]

### **Minimum Space standards for new dwellings**

- 5 2.40.1 There has been growing concern that the internal space of new dwellings is getting smaller with implications for accessibility, for sustainability and for quality of life including health. This section seeks to improve the quality of housing provided in Leeds to create a healthy and sustainable living environment for current and future generations.
- 5 2.40.2 Policy H9 covers internal space within new dwellings setting requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. These reflect exactly the Nationally Described Space Standards (NDSS) of 2015.
- 5 2.40.3 The standard Gross Internal Areas set out in Policy H9 are organised by storey height to take account of the extra circulation space needed for stairs to upper floors, and deal separately with one storey dwellings (typically flats) and two and three storey dwellings (typically houses). These are set out in the table below.
- 5 2.40.4 Individual dwelling types are expressed with reference to the number of bedrooms (denoted as 'b') and the number of bedspaces (or people) that can be accommodated within these bedrooms (denoted as 'p'). A three bedroom (3b) home with one double bedroom (providing two bed spaces) and two single bedrooms (each providing one bed space) is therefore described as 3b4p.
- 5 2.40.5 This allows for different combinations of single and double/twin bedrooms to be reflected in the minimum Gross Internal Area standards. The breakdown of the minimum Gross Internal Area therefore allows not only for the different combinations of bedroom size, but also for varying amounts of additional living, dining, kitchen and storage space; all of which are related to the potential occupancy.
- 5 2.40.6 Regarding development of Purpose Built Student Accommodation, the NDSS were not designed with student housing in mind. There are clear differences between student and general housing in that students live in student accommodation for only a fixed period of time, other accommodation (communal rooms) is often provided and there are no standards for dwellings with 7 or more bedrooms. Provision of reasonable space standards is still important for student accommodation, and this will need to be judged on a case by case basis, and via the application of any national standards that might be created in the future. Houses in multiple occupation (HMOs) are not dwellings (class C3 of the use class order), so the space standards of Policy H9 will not apply to proposals for new HMOs. Nevertheless, it is reasonable for HMOs to provide adequate levels of amenity for residents in terms of space, light and ventilation. Further guidance will be provided through supplementary planning guidance. Any future changes to Government Guidance on NDSS will be taken into account in decision making in planning applications.

- 5 2.40.7 Applicants may choose to demonstrate via individual viability appraisals that there are exceptional site circumstances which mean the minimum space standards cannot be met on specific schemes. In such cases, where evidence in accordance with the National Planning Guidance principles for carrying out a viability assessment is submitted, a departure from Policy H9 may be justified.

## **POLICY H9 – MINIMUM SPACE STANDARDS**

All new dwellings must comply with the following standards: The standard requires that:

- a. the dwelling provides at least the gross internal floor area and built-in storage area set out in Table 1 below
- b. a dwelling with two or more bedspaces has at least one double (or twin) bedroom
- c. in order to provide one bedspace, a single bedroom has a floor area of at least 7.5m<sup>2</sup> and is at least 2.15m wide
- d. in order to provide two bedspaces, a double (or twin bedroom) has a floor area of at least 11.5m<sup>2</sup>
- e. one double (or twin bedroom) is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide
- f. any area with a headroom of less than 1.5m is not counted within the Gross Internal Area unless used solely for storage (if the area under the stairs is to be used for storage, assume a general floor area of 1m<sup>2</sup> within the Gross Internal Area)
- g. any other area that is used solely for storage and has a headroom of 900-1500mm (such as under eaves) is counted at 50% of its floor area, and any area lower than 900mm is not counted at all
- h. a built-in wardrobe counts towards the Gross Internal Area and bedroom floor area requirements, but should not reduce the effective width of the room below the minimum widths set out above. The built-in area in excess of 0.72m<sup>2</sup> in a double bedroom and 0.36m<sup>2</sup> in a single bedroom counts towards the built-in storage requirement
- i. the minimum floor to ceiling height is 2.3m for at least 75% of the Gross Internal Area

Departures from this policy should be justified by evidence of viability considerations

Minimum gross internal floor areas and storage (m<sup>2</sup>)

Number of bedrooms	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built in storage
1b	1p	39 (37)*			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

\*Where a one person flat has a shower room rather than a bathroom, the floor area may be reduced from 39m<sup>2</sup> to 37m<sup>2</sup>.

Development of student accommodation and houses in multiple occupation (HMOs) will not be subject to the space standards as set out in the Table above. Instead such development should reflect the NDSS with appropriate adjustments to address the particular characteristics of these types of development. They should also meet standards of general amenity for occupiers to include adequate space, light and ventilation. Further guidance will be provided through a Supplementary Planning Document.

#### Notes

- i. The Gross Internal Area of a dwelling is defined as the total floor space measured between the internal faces of perimeter walls that enclose the dwelling. This includes partitions, structural elements, cupboards, ducts, flights of stairs and voids above stairs. The Gross Internal Area should be measured and denoted in square metres (m<sup>2</sup>).
- ii. If the area under the stairs is to be used for storage, assume a general floor area of 1m<sup>2</sup> within the Gross Internal Area
- iii. The standards are organised by numbers of storeys to take account of extra circulation space needed for stairs between floors.

**Policy H10: New Policy on Accessible Housing Standards**

### **Accessible housing**

- 5.2.40.8 Changes to national planning policy and the Building Regulations in 2015 enable Local Authorities to require the provision of accessible dwellings as part of new residential developments to meet the needs of residents. In Leeds there is an evidenced need for housing which is suitable for disabled people, older people and families with young children. The provision of dwellings which meet the optional accessible housing standards provided in Part M volume 1 of the Building Regulations can help meet this need.
- 5.2.40.9 The optional accessible housing standard M4(2) 'accessible and adaptable dwellings' contained within Part M volume 1 of the Building Regulations provides a higher level of accessibility and adaptability than standard dwellings ('standard dwellings' are those which meet the requirements of M4(1) of Part M volume 1 of the Building Regulations). The optional accessible housing standard M4(3) 'wheelchair user dwellings' provides a standard for dwellings which are accessible for wheelchair users or can easily be adapted to be suitable for wheelchair users.
- 5.2.40.10 15.8% of households in Leeds contain 1 or 2 members with a disability, 23.2% contain a member aged 65 years or over and 11.8% contain a child aged 4 years or younger, 3.3% of households contain a wheelchair user who requires adaptations to their home to ensure it is more accessible for them now or anticipate they will need adaptations in the next 5 years (SHMA Household Survey 2017). All of these residents could benefit from the design features of M4(2) accessible and adaptable dwellings, or M4(3) wheelchair user dwellings.
- 5.2.40.11 Under the Building Regulations the housing standards contained within Part M volume 1 only apply generally to new-build dwellings. The Building Regulations define student accommodation as hotel accommodation in relation to Part M, with accessible hotel accommodation, and therefore student accommodation, is covered by Part M volume 2 of the Building Regulations. For this reason, planning policy requirements for accessible housing do not apply to purpose built student accommodation.
- 5.2.40.12 M4(3) of Part M volume 1 of the Building Regulations 'wheelchair user dwellings' provides 2 standards:
- wheelchair adaptable dwellings,
  - wheelchair accessible dwellings.

Wheelchair adaptable dwellings are homes that are designed to be easily adapted to meet the needs of wheelchair users. Wheelchair accessible dwellings are homes which are readily usable by wheelchair users at the point of completion, and provide all the necessary fixtures and fittings specified by the standard. National policy states that planning policy requirements for wheelchair accessible homes should only be applied to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling. Unless the Local Authority has this responsibility, wheelchair user dwellings required by this policy should be M4(3) wheelchair *adaptable* dwellings. In most cases it is expected that market housing for sale and specific affordable dwellings provided through planning requirements will be wheelchair adaptable. Only where Leeds City Council is nominating a wheelchair user as an occupier will wheelchair accessible dwellings be required.



- 5.2.40.13 Where M4(2) and M4(3) dwellings are to be provided within the same block or share the same approach route, the approach route and block communal arrangements from the highest category of dwelling served should be provided.
- 5.2.40.14 Where the size of development means that the percentage requirements for M4(2) or M4(3) dwellings generate less than 1 dwelling, if the figure generated is 0.5 of a dwelling or more this should be rounded up to 1 dwelling, if it is below 0.5 then the dwelling does not need to be provided.
- 5.2.40.15 To provide choice for people who require accessible housing, the breakdown of size, type and tenure of M4(2) and M4(3) dwellings should reflect the breakdown of housing proposed overall as closely as possible, unless there is evidenced need for additional accessible housing in one particular tenure.
- 5.2.40.16 Whilst dwellings in accordance with the optional accessible housing standards should be agreed in terms of their size and form on submitted drawings, the provision of accessible housing should be secured via planning condition. This allows the building control body to check dwellings compliance against the provisions of the applicable optional building regulations standards (M4(2) or M4(3)).
- 5.2.40.17 Planning conditions should specify:
- Which and how many dwellings within the development are required to satisfy M4(2)\* accessible and adaptable dwellings standards
  - Which and how many dwellings within the development are required to satisfy M4(3)\* wheelchair adaptable dwellings standards
  - Which and how many dwellings within the development are required to satisfy M4(3)\* wheelchair accessible dwellings standards
- \*contained within Part M volume 1 of the Building Regulations
- 5.2.40.18 Applicants may choose to demonstrate via individual viability appraisals that there are exceptional site circumstances which mean the accessible housing requirements cannot be met on specific schemes. In such cases, where evidence in accordance with the National Planning Guidance principles for carrying out a viability assessment is submitted, a departure from Policy H10 may be justified.

## **H10. ACCESSIBLE HOUSING STANDARDS**

New build residential developments should include the following proportions of accessible dwellings:

- 30% of dwellings meet the requirements of M4(2) 'accessible and adaptable dwellings' of Part M Volume 1 of the Building Regulations.
- 2% of dwellings meet the requirement of M4(3) 'wheelchair user dwellings' of Part M Volume 1 of the Building Regulations. Wheelchair user dwellings should meet the M4(3) wheelchair adaptable dwelling standard unless Leeds City Council is responsible for nominating a person to live in the dwelling.

Where the scale of development would generate more than one accessible dwelling, the mix of sizes, types and tenures of M4(2) and M4(3) dwellings should reflect the mix of sizes, types and tenures of the development as a whole as closely as possible (unless the applicant can demonstrate an evidenced need locally to provide accessible housing in dwellings of a particular size, type and / or tenure. Locally will normally mean the Designated Neighbourhood Area, or where this is not defined, will mean relevant settlement, or ward if the site lies within the main urban area).

The required number, mix and location of accessible dwellings should be clearly illustrated on drawings and via planning condition.

Departures from this policy should be justified by evidence of viability considerations.

**Policy G4: Review of Green Space in Residential Development Policy**

[The text below should replace paragraphs 5.5.9 – 5.5.18 of the Core Strategy 2014.]

## **Green Space**

### Introduction and Aims

- 5.5.9 The overall aim of the Core Strategy green space policies is to use the development process through the Local Plan to strategically deliver the best type and the best quality of green space to where it is most needed in Leeds.

### Standards (Surplus and Deficiencies)

- 5.5.10 Leeds is a City which benefits from good overall provision of green space. However, this is not distributed evenly across the City and as a result, some areas have very little local green space and some of it is of a poor quality. Policy G3 sets standards for the quantity, accessibility and quality of green space to be expected in Leeds derived from evidence of Leeds' Open Space and Recreation Assessment. Whilst it is recognised that the existing urban form of Leeds offers limited scope to achieve all of the standards, particularly in the inner areas, the most needs to be made of the development opportunities that do arise to optimise quantity, accessibility and quality as appropriate.

*[Nb Policy G3 which was not part of the CSSR.sits here.]*

### New Housing Development

- 5.5.11 People moving into an area or general increases in population place a greater burden on existing green space. Therefore it is appropriate that new housing development makes provision to address this burden by
- providing green space on-site,
  - providing green space off-site,
  - providing commuted sums in lieu of on-site provision. Sums can be used to provide green space, to enhance existing green space or to improve connections to existing green space or
  - a combination of these options.

The calculation of green space provision in Policy G4 is based upon a green space requirement for different sizes of dwellings. Where it is agreed that only part of this requirement is provided as new green space (on or off-site) the remainder should normally be provided as a commuted sum (see below for calculation).

### Eligible Development

- 5.5.12 Green space will be sought from developments of 10 or more dwellings (class C3 of the Use Class Order). Residential institutions (Class C2 of the Use Class Order) will not be expected to provide green space. Any other developments (sui generis or mix of C2 and C3 use classes) will need to be judged on their merits.

Determining if on-site or off-site provision (including contributions) will be appropriate

- 5.5.13 Different parts of Leeds have different needs and opportunities for green space provision. Inner city areas often have the highest needs and the least opportunities for new provision. There will also be a number of individual site circumstances that will need to be considered in deciding when green space ought to be provided on-site or not.
- 5.5.14 Factors requiring on-site provision include one or more of the following:
- i) Local deficits of existing green space,
  - ii) Sufficiently large, suitably shaped and reasonably level sites to accommodate green space,
  - iii) Distances from existing green spaces exceeding the standards of Policy G3. The quality of existing green space will also need to be taken into account,
  - iv) Lack of other residential development sites nearby that could deliver green space,
  - v) The development generating a need for play facilities that does not currently exist in the locality, or
  - vi) Potential to combine green space provision with requirements for Sustainable Urban Drainage Systems.

Provision of Green Space

- 5.5.15 Provision of new green space needs to be appropriate to the needs of the development and locality. The key consideration will be the surpluses and/or deficiencies of different types of green space in the local area. The standards of Policy G3 including accessibility distances can be used identify particular deficiencies applicable to each development site and this can help determine what types of green space ought to be provided.
- 5.5.16 Determining the appropriate location of green space within a development will be a matter for discussion depending on the circumstances of the locality, site and development proposed. Aggregated, fragmented spaces, scattered across development sites will not be acceptable due to their limited functionality. However, it is recognised that there is a role for smaller areas of green space like 'pocket parks' in densely developed areas, subject to suitable management arrangements being in place.
- 5.5.17 It is important that any new green space of any typology is planned, situated and designed to make a positive contribution to the overall design concept and character of development.
- 5.5.18 As the green space requirement is expressed as an amount of green space per dwelling, high density developments (65dph (net)) usually found in or on the edge of town centres may generate requirements for green space that cannot be delivered on-site. For such schemes an expected level of 20% of green space should be provided on-site, with the residual being provided off-site or in the form of a commuted sum. However, it is accepted that there may be particular site circumstances to justify a higher or lower quantity than 20% on-

site.

- 5.5.18.1 Any provision of new green space will need to be accompanied by appropriate arrangements to secure the on-going maintenance of the space. Where the City Council is asked to adopt spaces, a financial contribution will be required to cover maintenance. Where independent or private arrangements are to be used the Council will need to be satisfied that these are robust, efficacious and legally enforceable. In particular the Council will be need to be satisfied as to the quality of the maintenance and that any legacy arrangements associated with the private company passing on their obligations or becoming insolvent do not result in the Council accepting the extra maintenance cost burden.
- 5.5.18.2 Where new green space is provided it should be openly accessible to the public. Exceptions may be for operational reasons such as security of allotments or membership of sports clubs.
- 5.5.18.3 Where a need for play facilities is identified careful consideration should be given to safety and security issues. If security cannot be ensured through appropriate siting of play facilities, it may be appropriate to seek a different type of green space irrespective of need.
- 5.5.18.4 Some forms of green space suffer in terms of usability due to poor drainage (for example sports pitches). Any new green space should have acceptable and appropriate levels of sustainable drainage.
- 5.5.18.5 Where green space provision is to be accepted off-site it needs to be reasonably related to the development. In most cases this should mean within the accessibility distances specified in Policy G3, but exceptions could include sites connected by high frequency public transport corridors or green space additions to City Parks or strategic facilities that would be used by residents of the development.

#### Financial Contributions

- 5.5.18.6 As an alternative to provision of green space, financial contributions may (where appropriate and in compliance with the policy) help meet the demands of new residents on existing green spaces. Leeds has calculated green space contributions in the same way for many years based on the costs of laying out space, maintenance and a factor for the expected number of children in a development:
- Agreeing the quantity of the green space requirement that will be converted into a commuted sum, ie the remainder not delivered on-site or off-site.
  - Laying out costs. Standard laying out costs for Green Space.
  - The established practice is to add a per-child contribution factor, of which ten percent will be required for flats and 62% for houses (thus 10%/62% of number of flats/houses multiplied by per-child contribution amount).
  - A 10 year maintenance sum for the relevant quantity of green space.
  - A maintenance cost for on-site play space if other arrangements are not made.
  - All of the above will be adjusted annually using a SPONS index figure.

The Council will provide a detailed calculation on its website updated annually with the latest SPONS figures. If green space is to be laid out by the developer for adoption by the City Council, a 10 year maintenance sum should be calculated.

- 5.5.18.7 As long as national planning policy specifies that not more than 5 S106 contributions can be pooled toward particular projects, it will be necessary for planning obligations to be specific about the green space improvement that is to be made. Leeds City Council, having regard to local need and opinion, will advise developers what green space improvement (including improving access to green space) projects require funding. Schemes must be reasonably related to the development site; in most cases this should mean within the accessibility distances specified in Policy G3, but exceptions could include schemes connected by high frequency public transport corridors or improvements to City Parks or strategic facilities that would be used by residents of the development

## **POLICY G4: GREEN SPACE IMPROVEMENT AND NEW GREEN SPACE PROVISION**

Residential developments of 10 dwellings or more will be required to provide the following quantities of on-site green space per residential unit or where this quantity of green space is unachievable or inappropriate on-site, equivalent off-site provision, financial contribution or combinations thereof should be sought<sup>1</sup>:

1 bedroom dwelling	23sqm
2 bedroom dwelling	33sqm
3 bedroom dwelling	44sqm
4 bedroom dwelling	54sqm
5 or more bedroom dwelling	66sqm
Student bedspaces	18sqm

In determining whether this quantity of provision should be delivered on-site, off-site or as a commuted sum, consideration of the circumstances set out in paragraph 5.5.14 will indicate whether green space should be provided on-site.

Where the factors of paragraph 5.5.14 require green space to be provided on site:

- a) The *type* of green space provided should be decided taking account of the following factors:
  - i) Calculations of local surplus and deficiency
  - ii) Mix of dwellings and need for play facilities
  - iii) Practicality of on-site delivery
  - iv) Policy & proposals of an applicable Neighbourhood Plan
- b) Arrangements for on-going maintenance must be agreed
- c) Green space should be accessible to members of the public
- d) Green space should positively contribute to the overall design and character of development (see paragraph 5.5.17)

If off-site financial contributions are to be accepted the core components of the calculation are as follows:

- The costs of laying out space
- Maintenance (general and play facilities) and
- A per-child factor (see paragraph 5.5.18.6 above)

Financial contributions will be used effectively to meet local needs for green space.

1. Where conflict arises between the requirements of Policy G4 and any specific green space site requirements in either the Site Allocations Plan or Aire Valley Leeds Area Action Plan, then the specific site requirements within the Allocations Plans will take precedence



## **Policy G5: Open space provision in the city centre**

[A minor amendment in italics is made to G5 regarding on-site commuted sums in lieu. The italicisation will be removed when the text is consolidated into the Core Strategy]

## **POLICY G5: OPEN SPACE PROVISION IN THE CITY CENTRE**

...

In areas of adequate open space supply or where it can be demonstrated that not all the required on site delivery of open space can be achieved due to site specific issues, *contributions in lieu of provision will be required towards identified open space and public realm projects.*

**Policy G6: Protection and redevelopment of existing green space**

[A minor amendment in italics is proposed to G6 to continue the protection of pedestrian corridors in the City Centre protected in the UDP. The italicisation will be removed when the text is consolidated into the Core Strategy]

## **POLICY G6: PROTECTION AND REDEVELOPMENT OF EXISTING GREEN SPACE**

Green space (including open space and pedestrian corridors in the City Centre) will be protected from development unless one of the following criteria is met:

- i There is an adequate supply of accessible green space/open space within the analysis area and the development site offers no potential for use as an alternative deficient open space type, as illustrated in the Leeds Open Space, Sport and Recreation Assessment, or,
- ii The green space/open space is replaced by an area of at least equal size, accessibility and quality in the same locality, or
- iii Where supported by evidence and in the delivery of wider planning benefits, redevelopment proposals demonstrate a clear relationship to improvements of existing green space quality in the same locality.

**Policy EN2 Review of Policy to reflect Written  
Ministerial Statement of 25<sup>th</sup> March 2015**

[The text below should replace paragraphs 5.5.36 – 5.5.38 of the Core Strategy 2014.]

### **Sustainable Design and Construction**

- 5.5.36 The Vision for Leeds (2011–2030), City Priority Plan (2011–2015) and Council Business Plan (2011-2015), commit the City as a whole and the Council specifically, to make Leeds a lower carbon City. City carbon reduction targets are to reduce CO<sub>2</sub> emissions by 40% between 2005 and 2020. At the same time climate change adaptation needs to be addressed systematically and progressively in regard to the built environment and development across the City. To ensure there is a consistent approach to development improvements the Building Research Establishment’s (BRE) approach has been identified as an independent and systematic methodology based on a robust environmental weighting system that covers a wide range of sustainable construction issues yet allows flexibility in relation to site and developer options for non-residential development. For residential development, requirements for energy efficiency are contained within the Building Regulations and Policy EN1 of the Core Strategy.
- 5.5.37 The Council will require developers to apply the Building Research Establishment Environmental Assessment Method (BREEAM), to major non-residential development in the District. As the additional costs of attaining improved sustainable construction outcomes are best met by economies of scale, this requirement applies only to major development of over 1,000 square metres. In cases involving conversions, refitting, refurbishment, and historic buildings, a pragmatic approach will be taken with the expectation that the BRE methodology will still be applied, with agreed areas of lower achievement if shown to be appropriate. The BRE methodology allows for flexibility across a wide range of environmental areas, and consistently improves key environmental issues, covering improvements to; energy and CO<sub>2</sub> emissions, water use, materials, surface water run-off, waste, pollution, health and well-being, management and ecological value. For residential development, requirements for energy efficiency are contained within the Building Regulations and Policy EN1 of the Core Strategy.
- 5.5.38 Growth in Leeds means extra demand for water. Additionally, climate change predictions indicate an increasingly erratic weather pattern which is likely to lead to extreme weather events including droughts. For these reasons Leeds expects all major residential development to meet the tighter optional water standard in building regulations as required by Policy EN2.
- 5.5.38.1 The term in the policy “where feasible” means that where it is not technically possible to meet the standard or if it would be harmful to heritage objectives then the policy requirements will not be sought.

#### **POLICY EN2: SUSTAINABLE DESIGN AND CONSTRUCTION**

Non-residential developments of 1,000 or more square metres (including conversion) where feasible are required to meet the BREEAM standard of ‘excellent’.

Residential developments of 10 or more dwellings (including conversion) where feasible are required to meet a water standard of 110 litres per person per day.

## **Policy EN4: DISTRICT HEATING**

[A consequential minor amendment deleting one sentence to Paragraph 5.5.49 to reflect changes to Policy EN2 and deleting duplicate text.

5.5.49 The Department of Energy and Climate Change's (DECC) document, *The Future of Heating* (2013) says, "Local authorities are in the best position to undertake the Energy Master planning of areas suitable for heat networks and the initial assessment of the feasibility of projects. They are well placed to act as 'brokers', for example putting together prospective promoters of projects with prospective providers and customers for heat." In addition, local authorities are encouraged to consider low carbon and renewable heat networks through the National Planning Policy Framework published in 2012. The framework encourages local planning authorities to identify opportunities for development that can draw their energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers. Future Energy Yorkshire have completed a study which recommends the establishment of a strategic body ('Energy Leeds') whose role would be to take responsibility for the delivery of energy related activities. These activities could include the co-ordination and delivery of heat networks. Heat distribution is most likely to be viable in areas of higher density. Opportunities exist around Leeds City Centre (for example major development proposals for the Victoria Gate area, in the provision of an new energy centre, low carbon heating, cooling, electricity generation and potentially other utilities), the Aire Valley, the universities and St James University Teaching Hospital, as a consequence of high heat loads, which offer the potential for low carbon energy for local communities.



## **Policy EN8: New Policy on Electric Vehicle Charging**

[The text below will be inserted after Policy EN7: Minerals of the Core Strategy 2014]

### **Electric Vehicle Charging Infrastructure**

- 5.5.63 Air quality has become a major area of concern in Leeds. The 2008 Ambient Air Quality Directive (Directive 2008/50/EC) sets legally binding limits for concentrations in outdoor air of major air pollutants that impact public health such as particulate matter (PM10 and PM2.5) and nitrogen dioxide (NO2). This is also transposed into the UK Air Quality Standards Regulations 2010. Leeds was identified in December 2015 by DEFRA as one of six locations in England that is not expected to meet air quality standards by 2020.
- 5.5.64 Air quality problems in the district are mainly attributable to transport and this means that it is necessary for Leeds to implement measures to ensure a reduction in transport emissions. Planning policy has a key role to play in this through a number of policies and mechanisms that interact together, including the appropriate location of development according to a settlement hierarchy. This includes the inclusion of a choice of sustainable means of travel, so that people are encouraged to choose other means of travel than the private car and through the provision of a network of green infrastructure that can help to mitigate poor air quality. However, given the need for action now to prevent air pollution becoming worse, it is necessary to increase provision of EVCPs in new homes and all other premises. These requirements will be monitored and the policy may be updated accordingly as new technologies emerge.

### **POLICY EN8: ELECTRIC VEHICLE CHARGING INFRASTRUCTURE**

All applications for new development which include provision of parking spaces will be required to meet the minimum standard of provision of electric vehicle charging points. This requires:

- i) Residential: 1 charging point per parking space and 1 charging point per 10 visitor spaces
- ii) Office/Retail/Industrial/Education: charging points for 10% of parking spaces ensuring that electricity infrastructure is sufficient to enable further points to be added at a later stage.
- iii) Motorway Service Stations: charging points for 10% of parking spaces ensuring that electricity infrastructure is sufficient to enable further points to be added at a later stage
- iv) Petrol Filling Stations: provision of fast charge facilities.

**Appendix 1a: Core Strategy Policies Adopted in 2014 that are superseded or amended by Policies of the Core Strategy Selective Review**

<b>Core Strategy Policy Adopted 2014</b>	<b>Fully Superseded by CSSR Replacement</b>
SP6 THE HOUSING REQUIREMENT AND ALLOCATION OF HOUSING LAND	SP6 THE HOUSING REQUIREMENT AND ALLOCATION OF HOUSING LAND
SP7 DISTRIBUTION OF HOUSING LAND AND ALLOCATIONS	SP7 DISTRIBUTION OF HOUSING LAND AND ALLOCATIONS
H5 AFFORDABLE HOUSING	H5 AFFORDABLE HOUSING
G4 NEW GREEN SPACE PROVISION	G4 GREEN SPACE IMPROVEMENT AND NEW GREEN SPACE PROVISION
EN2 SUSTAINABLE DESIGN AND CONSTRUCTION	EN2 SUSTAINABLE DESIGN AND CONSTRUCTION
<b>Core Strategy Policy Adopted 2014</b>	<b>Amended by CSSR</b>
G5 OPEN SPACE PROVISION IN THE CITY CENTRE	G5 OPEN SPACE PROVISION IN THE CITY CENTRE
G6 PROTECTION AND REDEVELOPMENT OF EXISTING GREEN SPACE	G6: PROTECTION AND REDEVELOPMENT OF EXISTING GREEN SPACE

## CORE STRATEGY GLOSSARY

	Term	Explanation		
Page 86	Affordable Housing	<b>Affordable Housing Definitions Table</b>		
		<b>Policy H5 (Broad Definition)</b>	<b>Policy H5 (Detailed Types)</b>	<b>Conformity with NPPF 2018 Annex 2 Glossary</b>
		Social Rent or equivalent tenures. This is housing rented at rates which are generally affordable to households in the lower decile of earnings. Benchmark transfer prices and rents are published annually to reflect affordability for lower decile earners in Leeds.	Social rent	a) Affordable housing for rent. (a) the rent is set in accordance with the Government’s rent policy for Social Rent
			Equivalent tenures.	a) Affordable housing for rent. (a) the rent is set in accordance with the Government’s rent policy for Affordable Rent
		Intermediate or equivalent tenures. This is housing made available at below market rents or prices which are generally affordable to households in the lower quartile of earnings. Benchmark transfer prices and rents are published annually to reflect affordability for lower quartile earners in Leeds.	Intermediate or submarket rent – the intermediate affordable units are rented out at rents above those of social rent but below market rents.	a) Affordable housing for rent. (a) .... Or is at least 20% below local market rents (including service charges where applicable)
<p>Shared equity/shared ownership – the occupier buys part of the house and pays a discounted rent on the remaining part, which is owned by a RSL.</p> <hr/> <p>Low cost homes for sale / discounted sale – the occupier buys the house at a fixed percentage below its cost on the open market. When the house is sold on, this same percentage discount is passed onto the next buyer.</p>	<p>c) Discounted market sales housing: is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.</p> <p>d) Other affordable routes to home ownership: is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent</p>			

				to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.	
	<b>SPONS</b>	An External Works and Landscape Price Book which is updated annually to provide costings for hard and soft landscaping and related external works. It is widely used by the industry and provides a national benchmark for the cost of laying out green space.			

**For more information, please contact:**

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**[www.leeds.gov.uk/localplan](http://www.leeds.gov.uk/localplan)**



**Core Strategy Selective Review**

**Adoption Version**

Leeds Local Plan Development

Plan Document

**September 2019**

**APPENDIX 3**

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions.

Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being/has already been considered, and
- whether or not it is necessary to carry out an impact assessment.

<b>Directorate: City Development</b>	<b>Service area: Policy &amp; Plans</b>
<b>Lead person: Nasreen Yunis</b>	<b>Contact number: 0113 3787640</b>

**1. Title: Core Strategy Selective Review (CSSR)**

Is this a:

- Strategy / Policy**
         
  **Service / Function**
         
  **Other**

**If other, please specify: It is a background evidence document to inform preparation of Policy**

**2. Please provide a brief description of what you are screening**

This EIA screening is for the latest stage of the CSSR. The Inspector’s final Report on the Core Strategy Selective Review has been received and this screening examines if there are any equality implications for the Plan before its formal adoption. Previously all relevant stages of the CSSR have been screened and equality considerations have been an integral part of the process.

The Core Strategy was adopted in November 2014. It sets out planning policy and strategy for the overall scale and distribution of future growth across Leeds MD, including targets for how much new housing and new employment is required up to 2028. In February 2017 Executive Board agreed to preparation and scope of a Core Strategy Selective Review (CSSR). Consultation on the scope of the review took place during the summer (June – July) and with Publication draft consultation taking

place 9<sup>th</sup> February - 23<sup>rd</sup> March 2018.

At this final stage of the Core Strategy Selective Review approval is being sought at Executive Board on the adoption of the Plan following the Inspectors Report. The Inspectors report sets out recommendations in relation to modifications following Public Examination. An additional 6 week public consultation was held on the modifications.

At the previous stage the Submission Draft Plan was submitted for independent examination to the Secretary of State The CSSR covers the following Policy areas:

- i) Update the housing requirement of Policy SP6 for the period 2017 – 2033 including consequential amendments for Policy SP7 on the geographical distribution of new housing, and the plan period
- ii) Update Affordable Housing Policy H5
- iii) New Policy H9 applying the nationally described space standards for new housing
- iv) New Policy H10 setting requirements for delivery of accessible dwellings
- v) Update Greenspace Policy G4, minor amendments to policy G5 & G6
- vi) Update Policies in relation to sustainable construction EN1 and EN2 in accordance with Government advice, and consequential change to EN4.
- vii) New Policy EN8 requiring Electric Vehicle Charging Points in new development

### 3. Relevance to equality, diversity, cohesion and integration

All the council's strategies/policies, services/functions affect service users, employees or the wider community – city wide or more local. These will also have a greater/lesser relevance to equality, diversity, cohesion and integration.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation. Also those areas that impact on or relate to equality: tackling poverty and improving health and well-being.

Questions	Yes	No
Is there an existing or likely differential impact for the different equality characteristics?	x	
Have there been or likely to be any public concerns about the policy or proposal?	x	
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?		x
Could the proposal affect our workforce or employment practices?		x
Does the proposal involve or will it have an impact on <ul style="list-style-type: none"> <li>• Eliminating unlawful discrimination, victimisation and harassment</li> </ul>	x	



<ul style="list-style-type: none"> <li>• Advancing equality of opportunity</li> <li>• Fostering good relations</li> </ul>		
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If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to **section 5**.

#### 4. Considering the impact on equality, diversity, cohesion and integration

If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment.

Please provide specific details for all three areas below (use the prompts for guidance).

- **How have you considered equality, diversity, cohesion and integration?** (**think about** the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected)

Equality impacts screenings were considered of the Executive Board decision to approve preparation of the Core Strategy Review in February 2017. It is now possible to consider the equality impacts of specific planning policy changes. These are examined below in terms of a screening which gives consideration to equality, diversity, cohesion and integration.

- **Key findings** (**think about** any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)

At this last stage of the CSSR, modifications have been put to the Inspector, these modifications have been the subject of 6 weeks of public consultation. The main modifications are summarised below in the Inspectors report;

- Explanation of how policies reviewed as part of this CSSR will integrate with remaining policies in adopted CS and the relevant plan periods;
- Confirmation that regard will be had to past delivery of housing within each HMCA since 2012 for the purposes of Policy SP7;
- Requirement for viability appraisals to justify any departure from the policies requiring technical housing standards to be adhered to;
- Reversion to original wording of Policy EN1; and
- Inclusion of affordable housing definitions table in glossary.

In terms of the impact of these modifications due regard has been given to these The modifications are largely related to technical matters and are required to make the plan sound. In terms of affordable housing the inclusion of the glossary of affordable housing, assists in identifying terminology around affordable housing, given that affordable housing provides a positive direct benefit to those on lower incomes, younger people, the elderly and most other protected characteristics, this has a positive impact.

In terms of the general impact of the policies which form part of the CSSR the impact on the protected characteristics has been considered at all key stages. The proposed elements of the CSSR which are reviewed are as below the equality implications of these have been considered at previous key stages and screenings.

- i) Update the housing requirement and extend the plan period to 2033. A Strategic Housing Market Assessment (SHMA) has examined the latest demographic and economic evidence and concluded that the need for new housing in Leeds has reduced from the time when the Core Strategy was originally examined and adopted. The equality implications for access to housing of different groups in need may be an impact. Reduction in housing supply could potentially adversely impact on people who have not yet bought their own homes, which is likely to include young people, and those on lower incomes, but this should not be a problem if the quantity of housing being planned for reflects robust evidence of actual housing need. It should be emphasised that the determination of the CSSR housing requirement, sits with the context of the Council's extensive efforts to improve the level of housing delivery, via the work of the Housing Growth Board. The focus of this work is to put in place a variety of interventions and monitoring arrangements to ensure that priority housing needs are met.

The proposed changes to the housing distribution policy SP7 are consequential of proposing a lower housing requirement. It is considered that the changes will have no material impact on equality, diversity, cohesion and integration in Leeds.

Update Affordable Housing Policy H5. This policy expects new market housing developments to provide an element of affordable housing. A limited change of 5% to 7% for City Centre and Inner areas is proposed. Therefore, the proposed change to Policy H5 seeks to optimise delivery of affordable housing within the constraints of viability testing and national planning policy. It is acknowledged that households in need of affordable and social housing are likely to have stronger representation with certain groups of protected characteristics such as race, age and disability. The Policy can therefore be seen advance the equality of opportunity in certain protected characteristic groups in particular it allows access younger people access to the housing market.

- ii) New Housing Space Standards are proposed in Policy H9 which will mean new dwellings have to meet the nationally described space standards. This sets minimum space standards for dwellings according to numbers of bedrooms and numbers of storeys. The standards are fixed nationally (and local authorities who wish to adopt them need to do so on the basis of evidenced need and viability), so it is not possible for local authorities to set different size standards of their own. Leeds is proposing to adopt the national standards to apply to all new housing with the exception of purpose built student accommodation and houses in multiple

occupation. It is considered that the space standards will improve the overall amenity of new dwellings which will be positive for equality, diversity, cohesion and integration in Leeds. There will be less chance of people with certain protected characteristics having to live in under-sized accommodation which can have a negative effect on their quality of life. The qualitative improvement to housing will benefit all groups improving quality of housing for all. The Core Strategy review by including the Housing Standards improves the quality of housing for all, in particular those with young children, the elderly . Whilst it is accepted that there are practical reasons why the national space standards cannot be applied to new student and HMO development, Policy H9 proposes that this type of development reflects the national standards as closely as possible with allowances for differences in the nature of the accommodation.

- iii) New Housing Access Standards are proposed in Policy H10. This will require proportions of new dwellings to be designed to be more accessible. These standards will bring advantages for older people and disabled people in widening the availability of dwellings suited to their needs but will benefit all protected characteristics to include younger people. The Policy can therefore be seen advance the equality of opportunity in certain protected characteristic groups.
- iv) Green space Policy G4 is proposed to be amended. This policy seeks provision of green space in association with new housing developments. The review is proposing that the quantity of green space required is reduced to improve delivery. Reduced provision of green space will impact differentially on equality groups. Older people and families with young children will benefit from green space close by, within easy walking distance. Children benefit from availability of play-space. Green space can also be important for inclusion, providing a resource where people can meet. Quality and usability of green space is also important and can have an impact on all the protected characteristics. Quantity and quality of greenspace can also impact on good mental and physical health and general wellbeing. Minor amendments are being made to G5 and G6 to add clarity to the Plan.
- v) Update Policies EN1 and EN2 in accordance with Government advice, which reduces down the former 'Code for Sustainable Homes' requirement from that which is currently set out in the policies. National policy change in 2015 made this necessary. Wording giving this effect is already available on the Council's website. In terms of equality impacts the impact is similar to that of the existing policy.
- vi) New Policy EN8 promotes the use of electric vehicle charging points and provides a positive benefit to all the protected characteristics. Also a Policy intention behind this is the overall reduction of CO<sup>2</sup> emissions to help air quality as a basis to contribute to the Councils overall commitment to improve air quality and the benefits this bring to public health. Consequently the inclusion of this within the CSSR make a positive contribution to protected characteristic groups that may suffer as a result of poor air quality.

- **Actions**

Due Regard has been given to all the protected characteristics. The changes assessed in

this EIA are those that the Inspector has required are needed to make the plan 'sound' or acceptable. These modifications have also been the subject of a 6 week public consultation. The modifications are largely technical. In addition the general impact of the policies on the protected characteristics are considered above.

The impact of new Policies, in particular H9 and H10, are particularly relevant to the protected characteristic groups of disabled people, older people and young families. In addition policies on affordable housing, and green space also have a direct positive impact. Planning is a process responding to development and ensuring it is designed in such a way that it brings the maximum benefit to society. As highlighted above the changes to the policies are likely to have an impact such that when implemented through the planning process they will benefit the identified protected characteristics. In particular the addition of new policies which are proposed provides a positive impact in terms of due regard, particularly when considered cumulatively.

<b>5. If you are <b>not</b> already considering the impact on equality, diversity, cohesion and integration you <b>will need to carry out an impact assessment</b>.</b>	
Date to scope and plan your impact assessment:	
Date to complete your impact assessment	
Lead person for your impact assessment (Include name and job title)	

<b>6. Governance, ownership and approval</b>		
Please state here who has approved the actions and outcomes of the screening		
<b>Name</b>	<b>Job title</b>	<b>Date</b>
David Feeney	Head of Strategic Planning, City Development	
<b>Date screening completed</b>		25 <sup>th</sup> May 2018

<b>7. Publishing</b>
Though <b>all</b> key decisions are required to give due regard to equality the council <b>only</b> publishes those related to <b>Executive Board, Full Council, Key Delegated Decisions</b> or a <b>Significant Operational Decision</b> .
A copy of this equality screening should be attached as an appendix to the decision making report:
<ul style="list-style-type: none"> <li>• Governance Services will publish those relating to Executive Board and Full Council.</li> <li>• The appropriate directorate will publish those relating to Delegated Decisions and Significant Operational Decisions.</li> <li>• A copy of all other equality screenings that are not to be published should be sent to <a href="mailto:equalityteam@leeds.gov.uk">equalityteam@leeds.gov.uk</a> for record.</li> </ul>

Complete the appropriate section below with the date the report and attached screening was sent:

For Executive Board or Full Council – sent to <b>Governance Services</b>	Date sent:
For Delegated Decisions or Significant Operational Decisions – sent to appropriate <b>Directorate</b>	Date sent:
All other decisions – sent to <a href="mailto:equalityteam@leeds.gov.uk">equalityteam@leeds.gov.uk</a>	Date sent:

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