



## CONSULTATIVE MEETING OF MEMBERS OF THE CLIMATE EMERGENCY ADVISORY COMMITTEE

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Meeting to be held remotely\* on 5<sup>th</sup> July 2023

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### MEMBERSHIP

#### Councillors

B Anderson  
J Bowden  
P Carlill  
E Carlisle  
R Downes  
K Dye (Chair)  
M Foster  
A Hannan  
N Harrington  
A McCluskey  
O Newton  
M Rafique  
M Shahzad  
E Thomson  
J Tudor

Note to observers of the meeting: To remotely observe this meeting, please click on the 'To View Meeting' link which will feature on the meeting's webpage (linked below) ahead of the meeting. The webcast will become available at the commencement of the meeting.

<https://democracy.leeds.gov.uk/ieListDocuments.aspx?CId=1210&MId=12413&Ver=4>

\*This is being held as a remote 'consultative' meeting. While the meeting will be webcast live to enable public access, it is not being held as a public meeting in accordance with the Local Government Act 1972.

**Governance Officer  
Cassie Sivapalan  
Tel: (0113) 3783136**

# A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p><b>APOLOGIES FOR ABSENCE</b></p> <p>To receive any apologies for absence.</p>	
2			<p><b>DECLARATIONS OF INTEREST</b></p> <p>To disclose or draw attention to any interests in accordance with Leeds City Council's 'Councillor Code of Conduct'.</p>	
3			<p><b>NOTES OF THE PREVIOUS MEETING</b></p> <p>To note the meeting notes of the Consultative Meetings of Members of the Climate Emergency Advisory Committee held on 23<sup>rd</sup> January 2023.</p>	5 - 10
4			<p><b>OPEN FORUM</b></p> <p>At the discretion of the Chair, a period of up to 15 minutes may be allocated at each ordinary meeting for members of the public to make representations or to ask questions on matters within the terms of reference of the Committee. No member of the public shall speak for more than five minutes in the Open Forum, except by permission of the Chair.</p> <p>Please note: Members of the public are asked to submit a video of their question or statement to <a href="mailto:climate.emergency@leeds.gov.uk">climate.emergency@leeds.gov.uk</a> by 4 p.m. on</p>	
5			<p><b>WORKING GROUPS UPDATE</b></p> <p>To receive a verbal update on the progress of the Committees' working groups to date</p>	
6			<p><b>LOCAL FLOOD RISK MANAGEMENT STRATEGY - CEAC UPDATE</b></p> <p>To receive the report of the Executive Manager for Flood Risk and Climate Resilience which reflects on the year since the Local Flood Risk Management Strategy was launched, and provides a summary of the future planned measures.</p>	11 - 16

7

**UPDATE ON THE LOCAL PLAN UPDATE**

17 -  
24

To receive the report of the Chief Planning Officer which provides an update on the latest work on the Local Plan Update, as well as highlights of the Regulation 19 consultation.

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**DATE AND TIME OF THE NEXT MEETING**

To note that the date and time of the next meeting of the Committee is the 18<sup>th</sup> September 2023 at 2pm.

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## CONSULTATIVE MEETING OF MEMBERS OF THE CLIMATE EMERGENCY ADVISORY COMMITTEE

**MONDAY, 23RD JANUARY, 2023**

**PRESENT:** Councillor K Dye in the Chair

Councillors B Anderson, D Blackburn,  
J Bowden, P Carlill, C Hart-Brooke,  
H Hayden, D Jenkins, M Shahzad,  
P Truswell, J Tudor and P Wadsworth

### **31 Apologies for Absence**

The Committee received apologies from Councillor Garthwaite and Councillor Buckley. Councillor Thomson sent apologies, and Councillor Jenkins attended as her substitute.

### **32 Declarations of Interest**

There were no declarations of interest.

### **33 Notes of the Previous Meetings**

**RECOMMENDED:** The notes of the previous Consultative Meetings of Members of the Climate Emergency Advisory Committee held on 28<sup>th</sup> November 2022 and 12<sup>th</sup> December 2022 were agreed as correct records.

### **34 Open Forum**

There were two submissions to the Open Forum, made in writing ahead of the meeting.

#### **Environmental Considerations of Planning Decisions**

The first submission was regarding the lack of environmental consideration given to planning decisions in a recent development within their local area, and the need for local needs to be met to reduce car emissions. As the next meeting of the Infrastructure working group was due to discuss the Local Plan Update, the Committee agreed to discuss this issue in greater depth there.

#### **Plastic Free Fields**

The second submission was from the group Plastic Free Fields Leeds, a group of community members from south and east Leeds. The group's submission was regarding the installation of plastic sports grounds on natural spaces in Leeds. The submission explained the impact that black crumb can have on both animals and humans. The Committee agreed to raise concerns about the issue of black crumb surfacing with Sports England.

**RECOMMENDED:** That the issues raised be noted and referred to relevant Directorates for consideration.

### **35 Working Groups Update**

Draft minutes to be approved at the meeting  
to be held on Date Not Specified

The Chairs of the Working Groups (WG) provided updates on progress made since the meeting of the Committee held on 28<sup>th</sup> November 2022.

**Biodiversity, Food & Waste:** The topic of the last WG was Circular economy with guest speakers Rob Greenland of Zero Waste Leeds and Cat Hyde from Seagulls Reuse. The discussion focused on how these concepts can be better applied both within the council and in communications to residents. Updates on this work will be provided to the working group

**Infrastructure, Planning & Building:** The WG had received an update on the Net Zero housing plan. There were discussions regarding the West Yorkshire Combined Authorities Better Homes hub and the retrofit hub. An interactive map to showcase work in this area has been developed, and the group discussed how accessibility and engagement work could ensure that the tool was useful for the public to use in case of the tool being made public. The Committee noted some relevant mapping on the Leeds Live website. The Local Plan Update and green jobs were also discussed.

There have been proposals for new national guidelines to phase out gas boilers. The WG will receive a full briefing note at the next session, where a fuller conversation will take place.

The WG intended to distribute information about the Eco Plus government scheme within their wards. The scheme will provide low cost measures within houses to improve energy efficiency.

**Community & Business Engagement:** The WG examined how businesses can be supported. A number of schemes were examined including sustainable and active travel, smaller business schemes, climate ready plans as well as communication. The Committee noted the availability of the schemes would be communicated to local businesses.

**RECOMMENDED:** That the verbal updates from the working groups be noted.

## 36 **Director's Update**

The Director of City Development, Martin Farrington, provided an update to the Committee regarding how the Directorate has responded to the Climate Emergency. This was a part of a year long programme of visits to the Committee by each of the Leeds City Council's Directors.

The City Development directorate includes the service areas of asset management & regeneration, culture & economy, highways & transportation, planning & sustainable development and operations; and Active Leeds.

Some of the key work undertaken within the City Development Directorate included;

### **Economy & Culture**

Draft minutes to be approved at the meeting  
to be held on Date Not Specified

There has been work to integrate the climate emergency agenda into economic development within the city. The Inclusive Growth Strategy refresh, which has a prominent focus on environmental issues was presented to the Committee in November 2022 by the Head of Economic Policy. The strategy will have an emphasis on climate change and mitigation.

Leeds Innovation Vision has developed partnerships across the city to support business adaptation to net zero.

The Destination Marketing and International Relations plan (approved by Executive Board in October 2022) has laid out a strategy for ensuring sustainability within the hotel sector, whilst promoting the city as a tourist destination.

The Sustainable Arts in Leeds (SAIL) has been funded by Leeds City Council as a not-for-profit member's network to help deliver the Net Zero carbon emission and Zero Waste ambitions within the cultural and creative industries.

The Leeds 2023 Year of Culture will have its Sustainable Action Plan monitored over the course of the year. Highlights include a sustainable music event planned for the summer. The programme will explore the theme of climate change and sustainability and continue to exchange best practice with key international partners.

### **Green Skills**

The Future Talent Plan launched in September 2022 and has recruited a green skills lead. The lead will map existing and future needs of the sector to identify gaps within provision. The series of ambitions contained in the plan will support people to develop and maintain the skills required for economic and environmental resilience within the city.

As part of the mayoral pledge to create green jobs for unemployed people, there have been a number of Gainshare funded programmes, working with Leeds City College, Leeds College of Building, LCC Sustainable Energy, businesses, WYCA and skills providers to develop skills provision in the city.

### **Regeneration**

The Our Spaces Strategy key strategic document was adopted in March 2020 to support the delivery of new greening proposals. Green spaces developed include Aire Park, Playhouse Gardens, Meadow Lane, Corn Exchange, Wellington Place, Cookridge Street, Sovereign Square and David Oluwale Bridge and City Square.

### **Housing Growth**

The specifications for the 1200 new build homes programme included the delivery of new homes with no gas boilers with some including Electric Vehicle charging points. Technologies utilised have included Air source and Ground Source Heat Pumps and solar PV panels. The programme has delivered it's first set of homes to be granted an EPC A rating.

## **Highways & Transportation**

The Director noted that the following item on the agenda was regarding Mass Transit, as well as new governance arrangements within this area. This included the establishment of a Climate Emergency Task Group, creation of a Climate Emergency Officer role and a Climate Adaptation Plan. The Council aim is for Leeds to be a city where people do not need to own cars.

Following the presentation, the Director and Members of the Committee discussed the following details.

Carbon reduction will be factored into not only large-scale projects and contracts. A series of frameworks for smaller contracts have been developed to ensure that this work is embedded across the supply chain.

There was discussion regarding the carbon benefits of improving existing council buildings against replacing them, such as at leisure centres. The Fearnville Leisure centre was cited as an example of a building which needs replacing entirely.

The timescales for new build social housing programme were noted as being over a five-year period with further details to be provided.

Further detail on the greening of the city centre were provided, as part of a long-term strategic approach. The priorities were identified as being the quality, quantity and distribution of green spaces. This provided the basis for works such as those around the former Tetley Brewery, including the David Oluwale bridge and Aire Park.

The Committee discussed the prospect of congestion charges being introduced, with the current Council position being stated of there being no current plans to introduce this.

The Committee noted that one of the benefits for cities with mass transit systems is that the revenue created can be invested in the bus system should any surpluses from the fair-box arise.

**RECOMMENDED:** The Committee thanked the Director for attending the Committee and noted the verbal update.

### **37 West Yorkshire Mass Transit Update**

The Committee received the report of the Chief Officer, Highways and Transportation which provided a briefing regarding the Climate Emergency planning of the West Yorkshire Mass Transit Programme. The Programme is being promoted by West Yorkshire Combined Authority (WYCA), with Leeds City Council (LCC) as a strategic partner. The report included details of the background and the LCC response to the statutory consultation, 'West Yorkshire Mass Transit Vision 2040'.



The Committee received a presentation on the Programme by Director of Mass Transit at WYCA, Kevin Murray, and LCC Officer Sabby Khaira, Programme Executive Manager of Leeds Public Transport Investment Programme. The presentation briefed the Committee on the current position of the Programme. The Programme has been involved in a number of consultations, alongside the West Yorkshire Connectivity Infrastructure Plan, alongside strategies for a number of transport options including rail, bus, walking, cycling, future mobility and case for change reports. Together these propose a meaningful alternative to car ownership, helping Leeds towards the 2030 deadline to achieve Net Zero Carbon.

The Vision has the following emphasis;

- 1) Focus on public good: people & prosperity
- 2) Evidence led development
- 3) Bold and ambitious investment for future generations

The intention is that for short journeys the default option will be walking or cycling. Buses will remain the heart of the transport system and rail will provide connectivity between centres. The new Mass Transit system will fill gaps within the current provision and compliment the other modes of transport.

The four design principles referenced are;

- 1) People first
- 2) Environmental responsibility
- 3) Better connected
- 4) Celebrating West Yorkshire

The Vision intends to build environmental responsibility into the work by considering biodiversity, the natural landscape and placemaking of the West Yorkshire region.

The Committee discussed a number of issues relating to the Vision, focusing on the environmental aspects of the proposals.

Route planning priorities were discussed, and it was noted that there is balance between prioritising areas with low car ownership and areas with high car ownership and congestion. The intention is to implement routes in the most high demand areas to begin with, learning lessons from cities such as Manchester where the focus was on the simpler areas to implement mass transit, with the more complicated areas developed later on. The Committee considered the impact that a city centre focus has on carbon emissions, such as reducing length travel routes, ease of movement and making public transport an attractive alternative to car ownership. The Committee's views on route planning were noted.

The Committee requested information on the ownership and operation of the Vision, with the likely model being for the system to be publicly run and largely publicly funded, but some potential for private funding may be a part of the funding solution.

The Committee discussed future-proofing, and the need to focus on technology which is deliverable within the short term, whilst allowing developing technology to be integrated when feasible.

The Committee noted that the Net Zero ambition is for 2030, whilst the Mass Transit completion target is 2040.

**RESOLVED:** The Committee thanked Officers from Leeds City Council and West Yorkshire Combined Authority, and noted the contents of the report, in conjunction with the report published under agenda item 14 from the Leeds City Council Executive Board meeting held on the 14th December 2022 titled 'West Yorkshire Mass Transit Vision 2040 Consultation - LCC Response'.

**38 Date and Time of the Next Meeting**

**RESOLVED:** The Committee noted that the date and time of the next meeting is 20<sup>th</sup> March 2023 at 1.00pm.

## Local Flood Risk Management Strategy – CEAC Update

Date: 5<sup>th</sup> July 2023

Report of: **Executive Manager- Flood Risk and Climate Resilience**

Report to: **Climate Emergency Advisory Committee (CEAC)**

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

### Brief summary

Under the Flood & Water Management Act 2010, Leeds City Council as the Lead Local Flood Authority for Leeds is required to have a Local Flood Risk Management Strategy (LFRMS).

This update examines the implementation of the Strategy over the last 12 months and provides a summary of the measures that are set out for the years ahead.

This report allows the scrutiny of the implementation of the Council's Local Flood Risk Management Strategy.

A comprehensive briefing was provided to the Infrastructure, Investment & Inclusive Growth Scrutiny Board on 5<sup>th</sup> April 2023 as part of an annual review process.

Flood risk reduction and increased awareness and climate resilience supports all three pillars of the Best City Ambition – Health and Wellbeing, Inclusive Growth and Zero Carbon. The key outcomes of the strategy are related to improving the resilience of the City's infrastructure and the natural environment by reducing flooding and other risks from future climate change. Through reduced risk of flooding, businesses and jobs are protected in areas of flood risk which promotes inclusive growth and residents health and wellbeing (in particular mental health).

### Recommendations

- a) That the Committee review the implementation of the strategy and provides comments to help inform its further development and be considered at the next strategy update due to take place in 2024.

## What is this report about?

- 1 Under the Flood & Water Management Act 2010, Leeds City Council as the Lead Local Flood Authority is required to have a Local Flood Risk Management Strategy (LFRMS). This update examines the implementation of the Strategy over the last 12 months and provides a summary of the measures that are set out for the years ahead. This also allows the scrutiny of the implementation of the Council's Local Flood Risk Management Strategy. A more detailed review of FRM activities was reported to Infrastructure, Investment & Inclusive Growth Scrutiny Board on 5<sup>th</sup> April 2023.

## What impact will this proposal have?

- 2 The report will provide an update to the Committee on the implementation of the Local Flood Risk Management Strategy along with an opportunity for committee members to provide comment and scrutiny.

## How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing

Inclusive Growth

Zero Carbon

- 3 Ongoing work to reduce the risk of flooding is a key activity within sustainable infrastructure and reflects the councils 2019 declaration of a climate emergency and its intention to work towards being a carbon net zero city by 2030. Delivery of the LFRMS will help to reduce the impacts of flooding and therefore deliver managed adaptation to the future impacts of climate change. In delivering the capital programme for flood alleviation the carbon impact of these schemes is considered and we promote lower carbon solutions. Prevention of flooding also positively impacts carbon emissions by avoiding the need to rebuild, repair and refurbish properties impacted by flooding, we are able to demonstrate this using carbon calculator tools developed with the Environment Agency.

Inclusive Growth is promoted by the prevention and amelioration of flooding to properties and businesses and the resilience of the city to flooding is enhanced. Business is confident that its property will be protected, are encouraged to remain and invest. The increased resilience of infrastructure networks and structures also supports inclusive growth.

The threat of and experience of flooding can impact on peoples mental health and general health and wellbeing, schemes to prevent flooding can have a very positive impact on improving peoples mental health by enhancing peoples ability to feel safe in their home and not under threat of flooding.

## What consultation and engagement has taken place?

Wards affected: ALL

Have ward members been consulted?

Yes

No

4. A wide consultation was carried out for the adoption of the Strategy. Further local consultation and engagement has been undertaken across the flood risk management service from the development control functions, day to day investigations, the maintenance of our flood risk assets, to the specific events and updates undertaken by the Strategy and New Works team in relation to the Flood Risk Management Capital Programme. Further information on the service can be found at [How we are reducing flood risk \(leeds.gov.uk\)](https://www.leeds.gov.uk/how-we-are-reducing-flood-risk) .

**Strategy and New Works:** undertake a wide range of consultation and engagement with those residential properties and businesses directly impacted by flooding, ward members, stakeholders

and the general public (including raising awareness of flooding issues). Each scheme develops a consultation plan which identifies key stakeholders and a programme of engagement/ consultation so that ward members and communities can input and have visibility of the scheme as it evolves. This has involved the utilisation of the Commonplace website which allows consultees to have transparency of the engagement. An example of this was on the Wortley scheme last year which enabled consultation on a range of flood risk scheme options. And we have summarised the response in a newsletter circulated in January 2023.

This past year has involved

- Educational events with schools: including working with the EA to deliver presentations to two Otley schools, using funding from the Department for Education.
- Briefings and meetings on flood schemes to the Executive Member and local councillors.
- Newsletter updates to local councillors and residents in 2023 include Otley, Potternewton, Farnley Wood Beck, Wortley and Meanwood.
- Online Consultation for Wortley (August 2022) using the commonplace map tool 105 comments and 76 agreements captured.
- Monthly update for key stakeholders on the FAS2 project – which includes relevant ward members, both through newsletters and social media.
- Senior Stakeholder visits to the city from around the country to learn from recent schemes for example the Otley FAS (March 2022).
- Schemes were nominated for awards and Otley has seen success both in award wins and being successfully utilised in a flood event- <https://news.leeds.gov.uk/news/recently-completed-otley-flood-alleviation-scheme-wins-civil-engineering-award>
- Filming with residents benefitting from Otley FAS (March 2022) <https://www.youtube.com/watch?v=d9E6ape-mao>
- Upcoming engagements in the next year for Sheepscar Beck, Thorner NFM, Farnley Wood Beck NFM, Wortley and Meanwood.

**FRM Development Control:** Are a statutory consultee on planning applications and work closely with Planning and local councillors on planning application issues. Including working with local councillors across the district offering advice on a wide range of issues and planning applications including highway drainage issues associated with residential development, car park flood warning signs and the maintenance and operation of above ground SuDS. Advice on surface water discharge, drainage hierarchy, and minimum DC standards and enforcement issues. The team also manage and engage with our equivalents from the other WY LLFA's as part of a Development Control network group to advise and support work across West Yorkshire. These are normally quarterly meetings, but with the impending implementation of Schedule 3 of the FWMA 2010 they are now meeting monthly to share information, guidance and advice. The Strategic Flood Risk Assessment was also part of the Leeds wide local plan consultation and the Environment Agency have been extensively consulted and engaged with as part of that process.

**Investigations and Maintenance:** Are both very actively engaged with local Councillors, MPs, residents and businesses on the reporting of flooding issues (which are often related to Highways or Yorkshire Water) either via email, round table discussions or meetings on site.

## **What are the resource implications?**

- 5 The implementation of the LFRMS will continue to have an impact in the Council's revenue budgets but the LFRMS will ensure that any expenditure is prioritised. Furthermore, it will allow stronger cases to be built for future externally funded grant applications. A case has been made to the Strategic Investment Board for capital funding which has been shown to attract external funding at a rate of at least 1 to 7 (for every £1 of the council capital funding we have attracted at least £7 of external funding).

## **What are the key risks and how are they being managed?**

- 6 **The Strategy allows the Council to prioritise its work on Flood Risk, leading to reduced overall risk of flooding.**

The Significant Risks identified are:

- Financial pressures on the Flood Risk Management Revenue Account and wider Council and how this may impact on future service levels.
- Shared Corporate risk of not being a net zero carbon city by 2030
- Impact of changing climate risk, flooding is the greatest climate risk the city faces
- Recruitment and retention of skilled technical staff

## **What are the legal implications?**

- 7 The F&WM Act places a requirement on Leeds to prepare and manage the LFRMS. The Act requires Scrutiny of the Council's activities in this area.

## **Options, timescales and measuring success**

### **What other options were considered?**

- 8 This is not a decision report and so consideration of other options was not required.

### **How will success be measured?**

- 9 Eight key monitoring indicators are used in the Flood Risk Management Strategy and are listed below and are reported on in more detail in Appendix 2.

1. The number of measures in the 'List of Measures' which have been completed.
2. Are there active measures in the 'List of Measures' which cover each of the six 'Objectives for managing flood risk'?
3. Improving engagement on flood risk - How many public engagement events have taken place? (School events, flood action group meetings).
4. The number of new developments where Sustainable urban Drainage Systems (SuDS) have been installed? Such as, green corridors, rainwater harvesting, green roofs, land management (tree planting).
5. Are Property Flood Resilience (PFR) schemes reducing flood risk.
6. Number of Leeds City Council staff engaged in flood risk management activities.
7. Reliability of public transport – Number of Metro bus and train routes disrupted by flooding/drainage problems?

8. Is the LFRMS consistent with the plans and actions of partner organisations?

**What is the timetable and who will be responsible for implementation?**

10 The implementation of the LFRMS is a continuous process. The next refresh of the LFRMS is scheduled for 2024, preparation for commissioning that work will begin in 2023.

**Appendices**

N/A

**Background papers**

- Leeds, Local Flood Risk Management Strategy 2018 Update.

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## Local Plan Update – Update Report

Date: 5<sup>th</sup> July

Report of: Chief Planning Officer

Report to: Climate Emergency Advisory Committee

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

### Brief summary

The report provides members of the Climate Emergency Advisory Committee with an update on progress with the Leeds Local Plan Update ('Your Neighbourhood, Your City, Your Planet'), and gives highlights of responses received to the Publication draft consultation, actions underway in response and an update on next steps.

### Recommendations

Members of the Climate Emergency Advisory Committee are requested to note the contents of the report.

### What is this report about?

- 1 This report seeks to update members of the Climate Emergency Advisory Committee (CEAC) on the latest work on the Local Plan Update ("Your Neighbourhood, Your City, Your Planet"), following Regulation 19 consultation which closed in December 2022.
- 2 The Plan, (whose objectives were endorsed by Development Plan Panel (DPP) and agreed by Executive Board in June 2021 as part of the consultation on the scope of the Plan, and whose draft policies were endorsed by DPP and agreed for consultation by Executive Board in September 2022), seeks to introduce new or revised planning policies to help further address the climate emergency. The Local Plan is one of the key ways that the Council has to influence development in Leeds and ensure that it is in line with our net zero ambitions. It seeks to do this through mitigating carbon through the way we build and the way we travel and adapting to climate change through improved place-making and attention to green and blue infrastructure, health and well-being and ecology.

### The Publication Draft consultation

- 3 The draft plan, including draft policies, evidence base and sustainability appraisal was consulted on for 8 weeks from the 24<sup>th</sup> October to the 19<sup>th</sup> December 2022. The consultation was designed to be inclusive and accessible, including a series of drop-in sessions across the City, daytime and evening webinar sessions, as well as summaries and videos to accompany the material.
- 4 550 representations were received as part of this consultation, including over 400 smartsurvey responses, 90 emails and 45 young persons surveys. In accordance with targets adopted through the Council's new Statement of Community Involvement, the consultation received a

comment from every ward in Leeds and gained an 86% approval rating of those who completed the digital survey. Below a summary of some of the main issues raised at consultation have been highlighted. An update has also been provided on what actions are being taken to remedy issues raised, where relevant or appropriate.

#### General comments on whole Plan

- 5 Overall, the draft Plan has been positively received with 85% of Smartsurvey responders being supportive of the Plan as a whole. Individually, the policies have gained strong support from the public and stakeholders with all receiving over 80% support. However, there are a range of objections to the policies, particularly from the development industry, which are summarised below, per topic area.

#### Topic: Carbon Reduction

##### **6 Policy EN1 Part A: Embodied Carbon – getting developers to think more about the way they build and the materials they use**

- There are some concerns around the additional burdens of carrying out Whole Life Cycle (WLC) assessments and concerns that the Council's consideration and monitoring of WLC assessments is not clear.

- 7 Action: Clarify how the Council will assess and consider WLC assessments by producing further guidance and stress testing that guidance. Update policy justification if necessary.

##### **8 Policy EN1 Part B: Operational energy – making sure that new developments are energy efficient and won't need retrofitting in the future**

- Many concerns that the net zero policy is not viable due to costs of implementation and wider industry costs, along with concerns the policy is not feasible due to wider supply chains and lack of a national drive for specific technologies at scale. Some comments have identified that the carbon offset financial contribution is set too high.

- 9 Action: Carry out further evidence base work as well as discussions with stakeholders to further understand concerns. Consider if further flexibility is required in the policy and what this might look like.

##### **10 Policy EN2: Sustainable Construction Standards – getting better build quality consistently across all developments with a focus on sustainability**

- Concerns that BREEAM Outstanding is too high a standard to set for all development given relatively few developments have achieved it nationally. Concerns that BRE Home Quality Mark offers no flexibility to developers and there is a lack of BRE assessors.

- 11 Action: Subject to further review to ensure that these standards offer the right requirements for Leeds.

##### **12 Policy EN3: Renewable Energy – promoting renewable generation by identifying places where it can happen**

- Natural England are concerned that the opportunity mapping does not sufficiently take account of bird migratory routes.
- Concern that the policy prevents single turbines in appropriate locations that are not in wider opportunity mapping but which may be acceptable
- Concerns raised that the policy will in effect ban solar and wind development outside the identified opportunity areas.

13 Action: Closer working with Natural England to resolve evidence base issues, as well as further review and consideration of whether further flexibility can be introduced in accordance with the National Planning Policy Framework (NPPF).

**14 Policy EN4: District Heating – making the most of Leeds Pipes infrastructure and encouraging more uptake of low carbon heat**

- Concerns have been raised by the development industry on the lack of skilled installers for renewable heating technologies and the lack of flexibility around heating technologies.
- Concerns that the policy promotes connections to District Heating Networks over technologies that may be more sustainable.

15 Actions: Carry out further evidence base work with reference to experiences of other local authorities, where feasibility has not been seen as a material consideration. Consider whether existing policy already includes sufficient flexibility as to the technologies to be used.

**Topic: Flood Risk – using the latest data to ensure that Leeds is resilient to flooding, does not build in inappropriate locations and takes account of future climate driven scenarios**

- The Environment Agency have objected to the policies, seeking alterations to policy wording for clarity and consistency, as well as further detailed consideration of the Strategic Flood Risk Assessment evidence base.
- Other comments seek clarity and consistency on the use of terms and definitions across the policies.
- Further concerns were raised that policies repeated elements of national policy and were therefore not necessary.

16 Actions: Further detailed discussions are underway with the Environment Agency to address the concerns raised. Policies are being reviewed and amendments made to ensure clarity and consistency where necessary.

**Topic: Green and Blue Infrastructure**

**17 Spatial Policy 13: Protecting, maintaining, enhancing and extending green and blue infrastructure - creating a clear framework for an improved network across Leeds and requiring developments to support that**

- Suggestions that the Green and Blue Infrastructure (GBI) map should be updated and provided as an interactive map. Some concern that policy duplicates G1 and does not allow for the loss of GBI with replacement allowed elsewhere.

18 Actions: mapping has been updated and policy wording is being reviewed to avoid any duplication.

**19 Policy G1: Protecting, maintaining, enhancing and extending green and blue infrastructure within and outside areas of GBI – providing detailed guidance on how new development is expected to support GBI**

- Concerns that the policy is overly burdensome to new development and is not sufficiently flexible. Suggestions that supplementary guidance is necessary to help implement the policy. Further clarity on reference to Public Rights of Way is required.

20 Actions: Further review of policy is underway.

**21 Policy G2A: Protection of trees, woodland and hedgerows – seeking to improve protection and the value placed on trees**

- Concern that the policy applies to all trees (including e.g. dying or dangerous) and therefore development will be constrained

- Concerns current site owners will be punished for previous owner's actions (i.e. tree removal) and condition of removed trees will be unclear.
- 22 Actions: further review of the use of available evidence to establish a reliable 'line in the sand' for the timing of past tree removal.
- 23 **Policy G2B: Ancient woodland, long established woodland, ancient trees, veteran trees – specific detail on those trees and woodlands which provide carbon capture and habitat**
- Concerns that the inclusion of "long established woodland" goes beyond irreplaceable habitats in national policy and that the specified buffers are too onerous.
- 24 Actions: Further review of evidence to ensure robustness of data and policy position.
- 25 **Policy G2C: Tree replacement – improving the current 3 for 1 policy by linking it to carbon sequestration value of trees**
- Concerns that the replacement ratios are too onerous, inflexible, undeliverable and unviable
- 26 Actions: Review with viability evidence but consider that at this stage responses do not provide compelling evidence to justify altering the policy.
- 27 **Policies G4A, B, C: Green Space improvement and new green space provision; quality; maintenance – clarifies how greenspace should be multi-functional and of sufficient quality to deliver significant adaptation and health and well-being benefits as well as a focus on children and older people**
- Concerns and some misunderstanding of how the policy deletes existing policy G5 and applies to the City Centre.
  - Questions over the viability of increasing green space provision within the City Centre.
- 28 Actions: Review viability evidence and alter policy wording to clarify how it applies to the City Centre.
- 29 **Policy G8A: Protection of important species and habitats – updates the planning policies to provide a stronger footing for ecology**
- Concerns that the policy does not provide sufficient protection to nationally and internationally designated sites.
  - Concerns that the policy is not consistent with mitigation hierarchy in NPPF
- 30 Actions – further review to ensure that the policy wording provides the necessary protections and is consistent with the NPPF.
- 31 **Policy G8B: Leeds habitat network – updates the Leeds Habitat Network**
- Concerns that extent of the Leeds Habitat Network has not been published
  - Clarity sought on what type of impacts and compensation are expected as part of this policy
- 32 Actions: The Leeds Habitat Network has now been mapped and that mapping is being checked for accuracy.
- 33 **Policy G9: Biodiversity net gain – implements the Environment Act 2021 and clarifies how development finance can be used to improve nature on and off site**
- More clarity on how residual biodiversity units will be delivered – purchasing credits or commuted sums?
- 34 Actions: Further review in conjunction with regional work on Biodiversity Net Gain before its formal introduction in November 2023.
- 35 **New Policy: Swift Bricks**

- Request to mandate 'Swift Bricks' [bricks that encourage Swifts to nest] in all new builds or new build homes.

36 Action: To review and consider whether new policy is necessary or whether existing suite is already sufficient to allow for 'Swift Bricks'.

Topic: Placemaking

**37 Spatial Policy 1A - Achieving 20 minute neighbourhoods in Leeds – fostering walkable neighbourhoods by setting a framework for how new housing should seek to integrate with existing services and/or provide new services**

- Concerns as to how this applies to employment sites, undermines rural development and rural growth.
- Further issues raised with the robustness and accuracy of the evidence base
- Clarity sought on how it will be used to guide development (decision taking and plan making).

38 Actions: Amend the policy for clarity and re-examine the evidence base.

**39 Spatial Policy 1: Location of development – seeks to limit development in smaller settlements**

- Concern over tighter controls of development in smaller settlements and "lack of necessary growth" in rural areas.

40 Actions: Consideration to be given to whether issues surrounding the location of development are best addressed through Leeds Local Plan 2040.

**41 Policy EN9 – New drive thru' development – seeks to restrict this type of development out of centre**

- Concerns that policy conflicts with national policy retail tests and ignores how drive thru's are part of linked trips.

42 Actions: Consider implications of any conflict with NPPF and justification for the proposed approach.

**43 Spatial Policy 1B: Achieving well-designed sustainable places & P10: Development principles for high-quality design and healthy place making – sets clear approach to better design and place making**

- Concerns that the policy is additionally burdensome.
- Concern that policy is confusing and that it overlaps with other policies seeking quality e.g. greenspace

44 Actions: Further consideration of the clarity of the policy, including signposting.

**45 Policy P10A: The health impacts of developments**

- Concerns that it is overly onerous for developers to assess health impacts of development and that only if a significant adverse impact on health and wellbeing is identified should a Health Impact Assessment (HIA) be required and some stating that development only has a modest impact on health.
- Concerns also expressed on threshold proposed to residential & non- residential development

46 Actions: Consider comments and update if needed.

**47 Spatial Policy 11a – Mass Transit – sets framework for Mass Transit at the strategic level**

- Policy omits the ‘Wakefield and Five Towns’ route and some concern around impacts of parking if stations are attractive for Park & Ride

48 Action: revise policy to address omission.

**49 Policy DC1: Digital Connectivity – encourages new development to be digitally connected**

- Policy will be superseded by changes to Building Regulations.

50 Action: New Building Regulations have come into force after the consultation which largely superseded the policy, so it is noted that this policy will need to be re-considered.

Current and Next Steps

51 Officers within Strategic Planning are currently working to prepare an updated draft of the Local Plan Update which takes account of the necessary changes proposed through the consultation. For some topic areas this includes an update of evidence base, and where significant changes are proposed this will also result in changes being made to the sustainability appraisal. It is anticipated that an updated draft of the Plan will be available for pre-submission consultation in the Autumn and be submitted to the Secretary of State before the end of the year.

**What impact will this proposal have?**

52 This report does not seek a decision on a proposal and is instead a progress update on the Local Plan Update. There are no impacts of this update at this stage. Any implications will be reflected in further reports as the updated Local Plan Update proceeds through approval mechanisms through Development Plan Panel and Executive Board.

**How does this proposal impact the three pillars of the Best City Ambition?**

- Health and Wellbeing       Inclusive Growth       Zero Carbon

53 There is a clear cross cutting role for planning in delivering against all of the Council’s pillars as established through the Best City Ambition. The draft policies within the Publication draft of the Local Plan Update will contribute positively to the Council’s Best City Ambitions, as follows:

54 Zero Carbon – by managing the transition to zero carbon via policies including: increasing the energy efficiency of buildings, the design of places, the location of development, accessibility to public transport, renewable energy supply and storage;

55 Health and Wellbeing – through people-centred policies including the design of places (including integration of the 20 Minute Neighbourhood concept into planning policies), the quality of housing and accessibility to green and blue infrastructure and services; requirements for Health Impact Assessments as part of large-scale development.

56 Inclusive Growth Strategy – through policies including the links between homes and jobs, the location of development, green and infrastructure and connectivity.

**What consultation and engagement has taken place?**

Wards affected: ALL		
Have ward members been consulted?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

57 The Local Plan Update (‘Your Neighbourhood, Your City, Your Planet’) has had two formal rounds of consultation. With the first (Scoping draft - Regulation 18) consultation commencing

on 19th July 2021 for 8 weeks until 13th September 2021, and the second (Publication Draft – Regulation 19) taking place from 24th October to 19th December 2022. The consultation material for both consultations was informed through detailed discussion at Development Plan Panel and ultimately endorsed and approved for consultation by Executive Board. Scrutiny Board have also been consulted at both rounds of consultation.

58 As detailed in the preceding sections, support for the proposed plan and its focus on the climate emergency has been positive, however, significant objections have been received from the development industry and key stakeholders.

59 Following the most recent consultation members of Development Plan Panel took part in an informal workshop (April 2023) to discuss consultation comments and consider next steps.

### **What are the resource implications?**

60 The preparation of the Local Plan Update and accompanying evidence base is a resource intensive endeavour which incurs additional cost, in terms of evidence base preparation and consultation, at a time of increased budget pressure. In general, costs will be met from within existing budgets.

### **What are the key risks and how are they being managed?**

61 It is recognised that there are risks to pursuing a Local Plan Update focussed on the climate agenda. Changes to the planning system as proposed within the Government's Levelling Up and Regeneration Bill may result in national Development Management policies (as expressed through a revised NPPF) not giving local authorities flexibility to set their own policies on the matters proposed to be in scope for the Local Plan Update. In addition, proposed changes to the building regulations may result in local authorities having no scope to prescribe carbon emission rates from new development. It is also possible that the Government will change how Local Plans are consulted on and the stages of consultation and preparation required. Should this happen, it is likely that the plan may progress under transitional arrangements. However, it may require the Council to revise documentation and return to earlier stages of consultation, depending on when the changes are introduced. At present however, LPAs are being encouraged to continue progressing with their Local Plans.

62 The policies have been viability assessed by Avison Young as part of the Strategic Viability Assessment required of Development Plan Documents. The outputs indicate that the overall suite of policies is viable across a range of locations and development types and scenarios. The evidence does, however, suggest 3 build scenarios that may not be viable. Firstly, Build to Rent schemes outside of the City Centre core are unlikely to be viable with the suite of policies as currently drafted. This would include locations such as the South Bank. Secondly, development in Middleton will be under significant viability pressures, across all residential build types – however this is a known anomaly within the viability evidence which can be further contextualised. Finally, smaller residential schemes (less than 15 units) in the north of the District will also see some viability pressures (owing largely to the high proportion of affordable housing such schemes may already have to deliver).

63 In terms of strategic viability, this represents a small proportion of development, so the Council can have a degree of confidence that, as a whole, the plan is viable. However, viability will be a matter of 'soundness' that will be tested at any future Local Plan Examination.

### **What are the legal implications?**

64 The preparation of the Local Plan Update as a development plan document is in compliance with the provisions of the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) Regulations 2012 (as amended).

## **Options, timescales and measuring success**

### **What other options were considered?**

65 This report does not seek a decision on the matters contained within and therefore does not raise 'options' at this stage.

### **What is the timetable and who will be responsible for implementation?**

66 The expectation is that consultation on pre-submission changes will begin in the Autumn, in advance of submission to the Secretary of State thereafter. Should a pre-submission draft be approved for consultation by Executive Board that consultation and any further work will be implemented by the Chief Planner in consultation with the Executive Member for Sustainable Development and Infrastructure.

## **Appendices**

- None

## **Background papers**

Local Plan Update "Draft Policies and Text" - [LPU1 Policies and text draft changes.pdf](https://leeds.gov.uk/LPU1_Policies_and_text_draft_changes.pdf)  
([leeds.gov.uk](https://leeds.gov.uk))