Development Plan Panel

Tuesday, 16th July, 2024

PRESENT: Councillor J Garvani in the Chair

Councillors J Akhtar, B Anderson,
C Campbell, P Carlill, J Lennox, J Pryor,
A Lamb and P Wray

1 Appeals Against Refusal of Inspection of Documents
There were no appeals.

2 Exempt Information - Possible Exclusion of the Press and Public
There were no exempt items.

3 Late Items
There were no late items.

4 Declaration of Interests
Members did not declare any interests at the meeting.

5 Apologies for Absence
Apologies for absence were received from Councillor R Finnigan and Councillor J Heselwood.

6 Minutes
RESOLVED- That the minutes of the Development Plan Panel meeting held on the 30th of January 2024, be approved as an accurate record.

7 Update Report on the Local Plan Update: Your City, Your Neighbourhood, Your Planet
The report of the Chief Planning Officer provided Members of Development Plan Panel with an update on the 'Local Plan Update – Your Neighbourhood, Your City, Your Planet', following an interim update given in January 2024 after the close of consultation on Pre-Submission Changes on the 11th of December 2023. This plan had the objective of supporting the Council's Best City Ambition Net Zero Pillar through a range of policies including around design, placemaking, flood risk, green and blue infrastructure, biodiversity and net zero carbon buildings.

The Group Manager for Policy and Plans presented the report, providing Members with the following information:

- As this was the first meeting of the new 2024/25 municipal year, and there were new Members appointed to the Panel, a summary was provided to outline the process for the development of the Local Plan Update (LPU1) and familiarize Members with the context and terminology.
- Members were presented with the documentation that comprised the existing local plan (Unitary Development Plan, Aire Valley Leeds Action Plan, Leeds Core Strategy, Site Allocation Plan and a Natural Resources and Waste Plan), then the plans that were in preparation, which aimed to streamline ease

of access and understanding, through the future adoption of LPU1 and Leeds Local Plan 2040 (LLP2040).

- Policies set a vision for the future of development in Leeds, with a focus on brownfield land and Regeneration and key targets for housing and employment were to be reviewed as part of the updated policy suite.
- LPU1 had been devised in line with the Council's climate emergency declaration of 2019 and associated requirements.
- Officers and the Panel had been working on the new policy suite to address five broad stands – carbon reduction, flood resilience, green and blue infrastructure, placemaking and sustainable infrastructure.
- The five topics had been outlined as part of the regulation 19 consultation and an overview of each was provided as;
    - *Carbon reduction* aimed for whole lifecycle carbon assessments, carbon neutral developments, ambitious sustainable construction standards, renewable energy generation, heat networks and energy storage.
    - *Flood risk* polices were to consider functional flood plains, breach modeling, climate impacts, safe routes of access and escape, drainage and making space for water.
    - *Green and blue infrastructure* set out plans for increased tree planting, enhanced environment protection, green space provision, increased bio-diversity through Bio-diversity Net Gain and local food production.
    - *Placemaking* emphasized increased quality of design, health impacts, resistance to drive thru takeaways, complete, compacted, connected places and sustainable travel options to local amenities.
    - *Sustainable infrastructure* included support for mass transit, new rail infrastructure, development of Leeds Train Station and it was noted that previous digital connectivity policies had been superseded by building regulations.

- The Written Ministerial Statement of 2023 (WMS) was outlined to have impacted the implementation of LPU1, with the notion that new local plans were not to exceed building regulation standards.
- The target emissions rate, set out in the WMS, was not the proposed energy efficiency model proposed for LPU1, which was to use energy use intensity (EUI) targets to achieve energy efficient homes and reduce domestic costs. It was noted that against the WMS, this model may not be possible.
- The impact of the WMS on EUI was disappointing as the Council considers EUI as the best approach for emission control, however, as confirmed by the High Court, the WMS was national policy, and local planning policies must therefore have regard to it and would be examined in light of it.
- Policy Planning Officers had been reviewing the policy suite since the expiry of the consultation exercise in December 2023 and considering responses in respect to the WMS. The draft policies were due for a final round of consultation and further work is being undertaken to better understand viability, prior to further submission of the policies to the Panel.
- The reports to DPP had been accurate during their development, however, due to changes in national Government, changes to national policy had occurred, such as onshore wind policies. Revisions were expected to respond to further revisions of national policy.

- If required, a final round of consultation would be conducted before the end of 2024, before LPU1 was submitted to the Planning Inspectorate for examination.

Members discussed the following key matters:

- Whether the WMS was backed by law, and the possibility of the new minister overriding or amending its contents was queried. In response it was noted that the WMS was policy and not law, and thus was not able to change legal statute, however, it was considered consistent with law, but could be revoked or reworded by the newly appointed Minister.
- It was confirmed that the new wind farm policies applied to national planning policy framework (NPPF) and was a major consideration for LPU1
- The WMS primarily impacted LPU1 proposed policy EN1B as EUI was central to this policy. There was potential for further impact to sustainable construction policies, although less pronounced, could be considered to go beyond building regulations.
- Members noted the risk posed by the WMS was to the EUI approach, which would have further implications to restricting efficiency and encouragement for reducing carbon reliance which ultimately created barriers for the decarbonisation of the grid.
- As referenced at the previous Panel meeting, Manchester had submitted their policies, using EUI, to the Planning Inspectorate, where EUI had not been full endorsed but had not been dismissed. The High Court has confirmed that EUI was applicable to already adopted local planning policy but the weight against national policy was lessened. However, it is clear that emerging policies should not rely upon EUI in light of the WMS.
- In response to a query related to the market response to the WMS, it was outlined that there was not a consistent viewpoint across developers but there was broad support for the direction of LPU1, however, concerns for EUI had been received and the WMS was somewhat in response to the expression of developer concerns. The UK Green Building Council had noted that EUI was the best method for measuring lifetime energy use.
- In order to provide clarity regarding the new Government's approach to planning policy it was suggested that either the Chair, on behalf of the Panel or the Executive Member for Economy, Transport and Sustainable Development write to the new Planning Minister. Decisions around emerging planning policy can then be made against forthcoming national plans, particularly related to EUI.
- The Executive Member for Economy, Transport and Sustainable Development, noted he had discussed plans to write a letter to the new Planning Minister and thought it to be appropriate for both himself and the Chair of Panel to write separately, in order for personal views and wider views of the Panel to be included. His letter was planned to be sent following outcomes from the King's Speech, scheduled for the 17th of July 2024.
- It was agreed that the Panel and The Executive Member for Economy, Transport and Sustainable Development were to write to the Planning Minister and the letter from the Panel would be provided to Members prior to submission.

- It was suggested that the letter to the Planning Minister should express a keenness to seek clarity on the robustness of policy positions. Officers agreed with this and the suite of polices were considered good quality and were intent on getting the policies adopted in the near future, however, to avoid risk, policies needed to align with national changes in order to carry full weight when adopted.
- Plans and policies for a different approach for residential development within areas within and nearby the city centre were queried with the hope of encouraging gentle density developments that would assist in addressing housing demand needs, finite land and affordability issues. In response, Officers noted this to be sensible as housing around the city centre put less pressure on services and amenities, however, LPU1 had no specific new policy for density, but LLP2040 had considered this.

RESOLVED – That the report, along with Members comments be noted.

8 Progress update for Leeds Local Plan 2040

The report of the Chief Planning Officer provided a progress update for Leeds Local Plan 2040 (LLP2040). This will update planning policies relating to the overall strategy for development across Leeds up to 2040, including the amount, type and location of housing, employment, minerals and waste development needed; the approach to the City Centre and local centres; transport and connectivity; and set standards and criteria against which planning applications can be assessed. The report provided a summary of the key themes and issues emerging from the consultation that was undertaken on the scope of this Plan in early 2023, and the evidence base that had since been and was still being developed to underpin the Plan.

The Principal Planner from City Development, presented the report, providing Members with the following information:

- The plan making process was outlined as the framework for how development takes place and what is required in regard to material considerations. It was a multistage process, with a consultation conducted on the scope of the plan from February to March 2023. The next round of consultation was scheduled to consider the issues and options for the plans.
- LPU1 was focused on the climate emergency, whereas LLP2040 was a wider update of other policy areas.
- The initial consultation responses had focused on seven key topics; spatial strategy, housing, economic development, the role of city and local centres, minerals and waste, transport and connectivity and other policy areas.
- There had been over 4,500 visits to the consultation website and around 1,000 responses had been received, which was considered to be a good level of engagement.
- Alongside the initial consultation, a ‘call for sites’ exercise had been run, where interested parties were able to suggest sites for inclusion into the plan. 508 ‘call for sites’ responses had been submitted for consideration.
- A range of activities had been run across the city, particularly at high footfall areas, to raise awareness and engagement, which were considered to be effective, with LLP2040 being in its earlier stages.

- Headline consultation responses outlined that 87% of contributors thought it important to meet local needs for development, 63% were concerned about new developments within their locality and 75% outlined that there were more supportive of development on brownfield sites. Support for more affordable housing and opposition to considering changes to the green belt were common responses.
- General support for LLP2040 was noted, with a wide range of views expressed and the next round of consultation would allow comments on the previous iteration's results.
- Five workshops had been held between January and March 2024 to assist in clarification for the development of evidence for consultation options and to outline the focus of the plans to engage with wider services and developing strategies for local needs, employment and transport.
- A strong evidence base was required for the development and justification of the plan, including a robust understanding of future population needs. Relevant studies were noted as the Strategic Housing Market Assessment (SHMA), Employment Land Needs Assessment, Urban Capacity Study, the Green Belt Review, Mineral Needs Assessment, Waste Needs Assessment, Infrastructure Study and a Sustainability Appraisal.
- An area based approach was outlined in order for policies to be considerate of different areas and communities within Leeds, to encourage planning applications to align with local needs. Eleven areas had been defined, against Community Committee areas, in addition to separate considerations for city centre developments. The evidence base, including SHMA data, was to inform distinctions between areas and tailor the approach.
- Plans needed to allocate specific sites for development in order to meet needs, however, the process was not yet at this stage to make full decisions. Previous work on the Site Allocations Plan (SAP) and Aire Valley Leeds Area Action Plan, as well as approved planning permissions weren't to be re-assed, except for capacity considerations. Site options were to be devised from a range of sources, such as, the 'call for sites', safeguarded land and the Urban Capacity Study. Initial data had shown that capacity exceeded needs.
- To inform site allocations, a consistent approach to assessment was based on a range of indicators relevant to suitability. This included a scoring system on a scale of -3 to +3, enabling understanding for viability, as well as the opportunity to reassess.
- As part of the next round of consultation, a map detailing the viability of sites was to be published in order to fact check, seek public views and preferences and understand how to improve landowner and developer proposals.
- Next steps were outlined as continuing to refine the evidence base, completing site assessments, engaging with schools and to develop engagement strategies for the Issues and Options consultation.
- Prior to commencing the next consultation, area based consultation with Ward Members, further discussions with the Panel in September 2024 and a submission to the Executive Board in November 2024 were planned.

Members discussed the following key matters:

- On the topic of housing size and tenure, it was queried as to how prescriptive relevant policy could be, as in Plans Panels difficulties had been noted for

resolving suitable housing mix; it was hoped new policies would hold more weight. In response it was noted that policies on housing mix had broad parameters and to provide evidence, a new SHMA had been commissioned so policies could be tailored to address specific needs of an area.

- Members were supportive of the evidence-based approach to be more responsive to the needs of inner city versus outer areas and specific examples would provide decision makers and developers a clearer picture as to what was appropriate housing type and tenure for different communities.
- Given the 63% of consultation responses noting concern for development within their area, the geographical nuance of this was queried as there may be less opposition to new developments in areas where services and amenities were available. In response it was noted that the survey had requested respondents to include where they live and the reasons for concern, but it was agreed that a more granular breakdown of responses was needed.
- The nature of development held weight as to whether local communities were to be supportive of new developments, particularly if supporting infrastructure was included in plans, as to not add more pressure on local services and amenities.
- Improvements to the quality of development was a driving factor for LLP2040 as national support for new development in existing communities was low and new policies aimed to increase trust of developers and the planning system.
- With new Government announcements regarding differentiations for the hierarchy of green belt land, including the new term ‘grey belt’, it would be helpful for decision makers to have better definitions for new designations. Officers noted this wasn’t clear yet, but grey belt was considered to be disused land or old development sites within green belt land and the differentiations were to identify low quality green belt areas. It was noted more was to be known after revisions to the NPPF came to fruition.
- A green belt review within Leeds was ongoing, assessing land against the purposes of green belt designation and the Local Planning Authority was in a good position to respond to any changes to national policy. Existing national policy required exceptional circumstances for green belt land to be released and re-designated and urban capacity and brownfield land study was used to identify development capacity within the district, prior to any considerations of green belt land.
- A distinction of green belt quality was noted, and best use of land analysis worked well on a site by site basis. It was preferred for options to be explored, in both site allocation and development plans, by the Panel and Policy Officers rather than by developer proposals. Robust checks and processes were required for any changes to green belt, but many submissions of the ‘call for sites’ were on green belt land and a balanced approach was needed.
- Members queried the process for mapping brownfield sites, within the context of the land review, and the available technology for proactively identifying viable sites. In response, the process for the Urban Capacity Study had utilised Ordinance Survey maps to decipher layers which fed into a digital map, as well as manually looking for sites against vacancy data. The results had not identified many sites that were not previously known within the SAP.

- A more balanced approach to housing mix within and nearby the city centre was suggested in order for to provide a wider range of options for different living models, with a focus on family home provision. High density housing did not have to be exclusive for single people or small groups, and if plans were more thoughtful in terms of size of units, amenity space and services, larger family groups may be more inclined to live in the city centre.
- Creating sustainable, well served and accessible neighbourhoods was at the forefront of LLP2040, with projects such as Aire Park and Meadow Lane and the intent to build social infrastructure offering more inviting and diverse housing options.
- Members commented that, as much as new local policies were supported, there remain issues to resolve within the development industry and high profit margins that were hindering the planning system from achieving well rounded housing options. It was outlined that policy alone was unable to change the fundamentals of development, like cost of materials and workforce capacity.
- As there was an aging population within the district, working with housing adaptations and allowing them greater input into the planning system, was suggested, in order to future proof housing, retain sustainability and reduce reliance on support and care systems. It was outlined that a policy on adaptations was included within LLP2040, with targets reported to relevant Scrutiny Boards.
- Notional consultations with wider partners and input from relevant Council departments were noted to assist with filling gaps and better understanding the needs of the public and the best practise for inclusive housing models, with access to key services and amenities. In response it was noted that specialist housing types of requirements were identified through the SHMA and in consultation with relevant partners, such as Unipol for student accommodation provision.
- Work had been conducted with the Regeneration team and Asset Management to develop a well considered housing strategy, as well as with Age Friendly Leeds, to encourage developers to deliver a wider range of specialised products. There was the intention for the next Panel meeting to consider, in depth, the evidence base for housing type and mix, prior to the next round of consultation.
- As discussed at one of the workshops, a session or workshop to discuss transport strategy and associated sensible locations for development was suggested, particularly in light of the recent WYCA Mayoral announcement on mass transit, in order for the Council to have a prepared response and to understand the potential effects on development strategies. Officers agreed to try to re-schedule a workshop to consider this and economic and spatial plan considerations.
- It was confirmed that WYCA mass transit plans were not yet weighted within site assessments as the local mass transit plans were in development and not yet signed off, with a balance needed as plans were needed to be based on evidence and not expectations.
- How the Council's plans and WYCA's plans interacted and corresponded was queried as they were separate decision making bodies but working within the

same areas. From a place-based perspective, the Leeds Planning Authority were aware of WYCA's plans which are considered consistent with ambitions within Leeds and partnership working was conducted.

- With WYCA planning on facilitating the provision of 5,000 affordable homes, Leeds' contribution was noted to fit within these plans as Leeds fed into WYCA housing strategy, with the SHMA noting a needed increase in affordable housing. Each West Yorkshire Local Authority plans were statuary framework within WYCA's affordable housing plans.
- Impacts of new developments increasing pressure on energy and waste facilities, without feeling the need to increase capacity or seek alternative provision were queried. It was outlined that existing facilities had significant remaining capacity but were to be regularly reviewed and district heating zone policy was expected to continue under the new Government.
- It was confirmed that work regarding minerals use, and capacity was ongoing to determine regional supply and demand. Additional need for minerals were not anticipated and further clarifying information was to be brought back to the Panel when available.
- Members noted that the city centre was complex and dynamic, in terms of residential requirements, as well as hospitality and student accommodation. A partnership approach with departments, such as Public Health, will assist with identifying less heard from people and better understanding needs and also create the right housing mix, type and tenure.
- The area based approach was supported, but how the hierarchy of settlement model fit into it was queried, along with consideration of natural limitations impacting housing growth. Data from the SHMA had fed into options for development distribution, with more details expected from the results of the next round of consultation.
- Members noted that the proposal to not re-assess the approach for considering specific sites required an element of flexibility in light of forthcoming data. If a site was no longer viable capacity could be re-assed to be zero and feed into future allocations.
- In order to avoid a challenge from the Planning Inspectorate, the process for specific sites required legal input, but the approach was considered best practise within finite resources and required comprehensive study. The NPPF allowed de-allocations if sufficient evidence was provided to support a site being undevelopable.
- Members requested that for any area based Ward Member consultation at Community Committees, that were within the city centre, two reports were provided to address specific requirements.
- Shared, supported, living options for younger adults with specific needs were noted to hold great benefit, however, provision was minimal, and it was hoped these types of developments could be explored. Officers noted that there had been some discussion of this for the SHMA and data for this type of provision was to be captured, however, it was noted that the Council may hold limited weight of influence.
- Proposals for developing policies to influence development that won't exclude by age was agreed to be explored by Officers. It was noted that a recent

development in Middleton, Gascoigne House may be a good example to build upon.

RESOLVED – That the report, along with Members comments be noted.

9 Leeds Local Plan Authority Monitoring Report 2022-23

The report of the Chief Planning Officer detailed that the purpose of Authority Monitoring Reports (AMRs) was to report on the performance of specific planning policies, summarise progress on the Local Plan against milestones set out in the Local Development Scheme (LDS), and provided up-to date information on the implementation of neighbourhood plans.

The Team Leader from Policy and Plans, presented the report, providing Members with the following information:

- The context and purpose of the report was to track the performance of policies, summarizing the progress of the Local Plan against the milestones set out in the LDS. The LDS was the timetable for monitoring plans and provided up to date information.
- It was a legal requirement to publish the AMR annually, with the document going beyond required criteria to provide detailed information across a wide scope of topics.
- Existing Local Plan documents, including the Core Strategy and monitoring framework set out indicators which reviewed the effectiveness of policies. Some specific policies, such as housing delivery, had set targets.
- As the Local Plan was updated, the monitoring framework opened discussions to determine new, revised or deleted policies, which were to be detailed in future iterations of AMRs.
- This version of the AMR covered progression over 2022/23, with the report noting a time lag between reporting and publication as a period of time was needed to collect and collate data. The report contained a mix of data collected by Council Departments, as well as other bodies, including Government carbon emissions data.
- The AMR was a data heavy document but was useful for accessing information related to evidence bases for Local Plan development. The format had been revised from previous years in order to be more accessible and easier to navigate.
- Performance indicators from year to year fluctuated as substantial developments may raise output figures, so it was useful to identify trends over five years to generate an understanding of general trends.
- The AMR was divided into twelve sections; housing, transport and accessibility, minerals and waste, climate change, natural environment, environmental quality, built environment and infrastructure, population and health, centres and neighbourhoods, economy and historic environment.
- The cover report provided highlighted performance targets against key indicators, including, housing growth, affordability, specialist housing, commercial developments, carbon emissions, renewable energy, air quality and public health.

- The next steps following consideration by Panel was for the AMR to be approved by the Chief Planning Officer and published on the Council's webpage.

Members discussed the following key matters:

- Members requested the inclusion of data for the amount of housing planning permissions which had been granted against those that had been delivered to outline the productivity of internal decision makers versus development that had not come into fruition. This was to provide clarity for expectations of housing stock and to note that the Council was not holding back on provision.
- The information for planning permissions against the number of houses which were then actually built was noted to be useful to present to Parliament to encourage legislation change to hold greater accountability for developers to play their role in housing delivery.
- Officers noted the number of approvals and the number of houses built were contained in the report, but more work was to be done to correspond this data and express the disparity between approvals and development. The date of decision and date of expiry of permissions was also outlined to be relevant information to include.
- It was welcomed to see the number of affordable houses had increased but in relation to policy, the level or target of affordability was queried. In response, the Core Strategy expressed a need and not a target, which was for 1,230 affordable homes, whilst accepting the plan had limited powers to delivery these houses on its own, but improvements were noted.
- With the increase in carbon emissions by 3.7% noted in the report, this was due to the data being from 2021, which was the most recent set available, and compared with the previous year of 2020 where Covid-19 pandemic lockdowns had reduced emissions heavily. This needed flagging in the report and improvements were expected in the new annual AMR.
- Further explanation to clarify the air quality monitoring sites was provided, noting, it required a clearer expression of its meaning. Five out of the six monitoring sites had shown improvements, meeting the standard, and one falling short.

RESOLVED – That the report, along with Members comments be noted, prior to the AMR being approved by the Chief Planning Officer and published on the Council's website.

10 Date and Time of Next Meeting

RESOLVED – To note the date and time of the next meeting as the 17th of September 2024, at 1:30pm.