



DEVELOPMENT PLAN PANEL

Meeting to be held in Civic Hall, Leeds, LS1 1UR on
Tuesday, 2nd March, 2021
at 1.30 pm

MEMBERSHIP

Councillors

B Anderson
C Campbell
A Carter
C Gruen
J McKenna
N Walshaw (Chair)
S Arif
D Collins
R Finnigan
L Mulherin
K Ritchie

Note to observers of the meeting: To remotely observe this meeting, please click on the 'View the Meeting Recording' 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=450&MId=10083>

Agenda compiled by:
Natasha Prosser
Governance Services
Telephone: 0113 37 88021

Head of Strategic Planning:
Martin Elliot
Tel: 0113 37 87634

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:</p>	

Item No	Ward	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration.</p> <p>(The special circumstance shall be specified in the minutes).</p>	
4			<p>DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES - 19 JANUARY 2021</p> <p>To agree the minutes of the previous meeting held Tuesday 19th January 2021, as a correct record.</p>	7 - 12
7			<p>LEEDS SITE ALLOCATIONS PLAN (SAP) - SUBMISSION OF 37 PROPOSED MAIN MODIFICATIONS TO THE LEEDS SAP FOR RECONSIDERATION BY THE SECRETARY OF STATE</p> <p>To consider the report of the Chief Planning Officer that seeks endorsement from Panel Members to recommend to Council that the 37 proposed Main Modifications to the remitted part of the Site Allocations Plan be submitted to the Secretary of State for independent examination.</p> <p>(REPORT TO FOLLOW)</p>	

Item No	Ward	Item Not Open		Page No
8			<p>LEEDS LOCAL PLAN UPDATE - PUBLIC CONSULTATION ON THE SCOPE OF THE PLAN</p> <p>The report of the Chief Planning Officer provides the draft material for the forthcoming Local Plan Update public consultation and sets out the proposed scope for the Local Plan Update, with a focus on new or revised planning policy to help further address the climate emergency. The report seeks endorsement to commence consultation on the proposed scope of the Local Plan Update contained within the consultation documents at Appendix 1 and 2.</p> <p>(Report attached)</p>	13 - 144
9			<p>GOVERNMENT CONSULTATION ON CHANGES TO THE NATIONAL PLANNING POLICY FRAMEWORK (NPPF) AND NATIONAL MODEL DESIGN CODE (NMDC)</p> <p>The report of the Chief Planning Officer informs Members of the Government's consultation on changes to the National Planning Policy Framework. The NPPF text has been revised in response to the Building Better Building Beautiful Commission (BBBBC) <i>'Living with Beauty'</i> with additional changes to the text of the NPPF following on from the Government's White Paper <i>'Planning for the Future'</i> consultation 2020. The report sets out an initial draft response to the changes proposed.</p> <p>(Report attached)</p>	145 - 154
10			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note the date and time of the next meeting as Tuesday 11th May 2021, at 1:30 pm.</p>	

Item No	Ward	Item Not Open		Page No
			<p><u>Third Party Recording</u></p> <p>Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.</p> <p>Use of Recordings by Third Parties– code of practice</p> <ul style="list-style-type: none"> a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title. b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete. 	

Third Party Recording

Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.

Use of Recordings by Third Parties– code of practice

- a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.
- b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.

This page is intentionally left blank

Development Plan Panel

Tuesday, 19th January, 2021

PRESENT: Councillor N Walshaw in the Chair

Councillors B Anderson, C Campbell,
C Gruen, J McKenna, S Arif, D Collins,
L Mulherin and K Ritchie

43 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal.

44 Exempt Information - Possible Exclusion of the Press and Public

There was no exempt information.

45 Late Items

There were no formal late items.

46 Declaration of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

Councillor Campbell, Gruen, McKenna and Walshaw informed the Panel that with regard to Agenda Item 7, Members were part of the respective Plans Panel considering the Leeds Bradford Airport, and they would be considering the item with an open mind.

47 Apologies for Absence

Apologies for absence were received from Councillors A Carter and R Finnigan.

48 Minutes

RESOLVED- That the minutes of the Development Plan Panel meetings held on:

- a) Tuesday 3 November 2020, be approved as an accurate record.
- b) Friday 11 December 2020, be approved as an accurate record subject to the following amendments to minute no. 40 to read “whilst the SPD relates to *new applications for HMOs only...*” and “...with effect *from 6 April 2021* that all PD schemes to nationally accord with the Nationally Described Space Standards which are equivalent to Policy H9”.

Matters Arising

Minute no 39 – Site Allocations Plan – Consultation on Remittal of 37 Policies to the Secretary of State. The Head of Strategic Planning informed the Panel that the proposed Main Modifications are currently undergoing consultation for 6 weeks.

49 Local Plan Update

Further to the minutes of the meeting held 3rd November 2020, the report of the Chief Planning Officer updated Members on the emerging position on the scope of a Local Plan Update, which will set out which policy areas should be the focus of a policy update, around an overall broad objective of responding to the Climate Emergency. The meeting discussed policy approaches within the LPU on topics that have so far

Draft minutes to be approved at the meeting
to be held on Tuesday, 2nd March, 2021

not been considered including flood risk, sustainable infrastructure (including HS2, digital connectivity, mass transit and Leeds Bradford Airport) and strategic place-making. It was noted that these are not draft policies at this stage and public views are being sought on whether these are the right policy topics to focus on.

The report contains information that will be included in public consultation on the scope of the Local Plan Update. This includes relevant policy background, possible future policy approaches and questions to be raised at consultation. The report seeks to bring together the draft consultation material in time for the Development Plan Panel to be held in March 2021, before seeking approval for consultation at Executive Board on the 17th March 2021. Consultation is anticipated to commence after the Local Government Elections in May.

Appended to the submitted report lists potential consultation questions.

The Group Manager (Policy and Plans) introduced the report and provided a PowerPoint presentation, with an overview of:

- Policy topics covered at the Development Plan Panel meeting in November 2020;
- An example of a 'Plan on a Page' as a result of streamlining information for members of the public to more easily engage with;
- Benefits of the Policy Options and proposed consultation questions in relation to the topic areas were highlighted as follows:

Flood Risk

Avoiding development in flood risk areas – Strategic Flood Risk Assessments (SFRA) are being updated to be completed by summer 2021
Functional Floodplain – the updated SFRA has a critical role in defining the Functional Floodplain and may impact development in those areas
Surface Water Flooding and Sustainable Drainage – the benefits of Sustainable Urban Drainage Systems (SUDS) in new development and considerations around strengthening existing policy in relation to infiltration rates, identifying source locations for flooding, reducing speed of run-off through tree planting and reviewing minimum standards
Permitted Development Rights (especially for Front Gardens) – considerations around how to keep soft landscaping in front gardens and avoid impermeable paving over of front gardens through options including removing Permitted Development rights in new development

Strategic Place-Making

20 minute neighbourhoods – a new vision that aligns with existing Council priorities, that maximises opportunities for active travel by focusing on hubs and service centres. The consultation will seek to understand stakeholders' views, on how it can be applied to planning policy in Leeds

Sustainable Infrastructure

High Speed 2 and Leeds Station – the proposed policy could help guide growth in Leeds station, identify development opportunities associated with HS2, maximise opportunities for green, key pedestrian and cycle infrastructure

Mass Transit – whilst it is a WYCA led initiative that is in its early stages, a policy on Mass Transit shows strategic support in the LPU and can potentially protect route(s)

Leeds Bradford Airport – views on a review of policy SP12 will be sought as requested by Full Council.

Digital Infrastructure – whilst policy SP8 provides general support in recognising reliable digital connectivity is essential for Leeds' economy, additional detail for new developments is required, particularly in relation to embedding technological infrastructure at the outset

- How the LPU fits together in terms of the climate emergency, updates to the Core Strategy and Natural Resources and Waste Local Plan and the inter-relationship between the 5 topic areas;
- Proposed Next Steps – to bring draft consultation papers to the Development Plan Panel meeting on the 2nd March, prior to seeking approval for consultation at Executive Board on the 17th March 2021.

The Chair highlighted the possibility of the local elections being postponed due to the Covid-19 pandemic, and the Panel shared a general consensus that the Local Plan Update should not be delayed as a result of this. The Chief Planning Officer confirmed that officers are seeking to move the process forward, in terms of the technical work; regardless of whether the consultation period will be deferred.

Members discussed a number of matters including:

- Policy wording in terms of flood mitigation, including the exploration of extending flood risk zones and discouraging development in high risk zones. It was acknowledged that policies required to be easily understood and robust and specific detail in terms of those policies would be considered after the scope of the Plan had been determined. In terms of stopping developments in high risk areas, it was noted that large parts of the city centre were in zones 3a and met aspects of the 20 minute neighbourhoods, a balance needed to be taken when considering these options;
- The removal of permitted development rights for new developments and considerations around the retrofit of existing housing stock. Members were informed that Article 4 directions had not yet been considered, and that views would need to be captured from stakeholders during the consultation period;
- Clarity on 20 minute neighbourhoods, with focus on distances to schools. Whilst acknowledging the difficulties in terms of service delivery across outer areas, 20 minute connectivity included walking, cycling and public transport and promoted active travel;
- The tension between local and national policies with emphasis on the need to provide clarity on powers and resources of Local Government, and other tiers of Government, WYCA and Mayoral Authorities;
- Encouraging developers to meet climate emergency ambitions prior to the policies being implemented;
- Clarity on the legal status on applying weight on the proposed policies. It was noted that full weight could only be applied to policies adopted in the existing Local Plan. However, it was noted that as part of the Local Plan Update fully drafted policies can gain more weight at advanced stages of plan making subject to the level of objection received and their fit with national policy;
- Review of mitigation for water runoff;
- Review of current road networks particularly in terms of main arterial routes. The Executive Member provided an overview of the public transport

improvement programme, the options in terms of schemes seeking funding and consultation in relation to the Transport Strategy;

- Increasing demand for digital infrastructure and recognising the importance in planning policy promoting the need for digital inclusion.

The Panel broadly supported the proposed approaches and noted their comments would be built into additional work, prior to receiving draft consultation material at the Panel meeting to be held March 2021.

RESOLVED-

- a) To note the contents of the report
- b) To note that comments provided during discussions would help form part of the draft policy scope of the Local Plan
- c) To note the intention to receive the draft consultation material at the upcoming Development Plan Panel meeting in March 2021

50 Open consultation - Supporting housing delivery and public service infrastructure and changes to permitted development rights

The report of the Chief Planning Officer informed Members of a current Government consultation on proposed measures to support housing delivery, economic recovery and public service infrastructure. For each of the areas, a number of questions have been set out for consultation response. The consultation focused on three main areas and all relate to permitted development rights:

- Supporting housing delivery through a new national permitted development right for the change of use from the Commercial, Business and Service use class to residential.
- Supporting public service infrastructure through the planning system.
- Consolidation and simplification of existing permitted development rights.

Appended to the report included a draft response from the Local Planning Authority.

The Principal Planner (Policy and Plans) introduced the report and informed the Panel that the consultation is open until 28 January 2021. Members heard the changes relate to the high street and widening of permitted development rights to allow greater flexibility to change uses within town centres, consolidates changes to existing wide ranging permitted development rights and also around Covid-19 and the provision of public infrastructure.

An overview in terms of each of the areas was provided, and the following information had been highlighted:

New 'E' use Class

- This was introduced as of 1 September 2020 and includes retail, restaurant office, financial/professional services, indoor sports, medical and nursery uses;
- Questions set out in the consultation relate to conditions applying to widening of permitted development rights to residential use, including appropriate size restrictions, where the right should apply and local consideration through prior approval;
- Section 106 agreements and affordable housing, concerns remain where a permitted development application would not consider these;

- The impact on current permitted development rights in terms of the uptake in retail – there had only been 22 schemes since 2013, and for the loss of office to residential – 97 applications, 3,877 units since 2013.

Supporting public service infrastructure

- Focuses on proposed planning reforms to speed up the delivery of schools, colleges, hospitals and other NHS buildings, both for existing and new sites;
- Seeks to ensure the expansion of existing sites are streamlined and creates a faster process for applications for planning permission;
- Proposes to amend existing permitted development right to allow schools, colleges, universities and hospitals to expand their facilities by 25% or 250 sqm of their footprint of the current buildings on site;
- 21 day statutory public consultation period proposed to be reduced to 14 days – the Council are not supportive of this proposal.

Consolidation and simplification of existing permitted development rights

- Proposed simplification and rationalisation of all permitted development rights to provide clarity and consistency with the new 'E' class, ;
- The consultation response states that widening of other existing permitted development rights should be subject to further consultation.

Members discussed a number of matters including:

- Emphasis of the concerns reflected in the consultation response in relation to the quality, design and living standards of housing schemes and the eligibility of affordable housing;
- Emphasising the need that nearby greenspace resulting from developer contributions should be usable. Whilst it was acknowledged that Section 106 agreements were not considered through permitted development schemes, the consultation response should be strengthened around the requirements of usable greenspace;
- Concerns raised regarding the protection of retail units and change of use to residential. . It was confirmed that the consultation response set out the Local Authority's stance on protecting high streets and centres;
- Viability of local town centres in relation to the pressures on the removal of retail units;
- Concern about inappropriate buildings changing use to residential;
- Inadequate statutory public consultation period and the delay on planning permissions. The Chief Planning Officer outlined some of the key reasons for delays such as alignment with other public bodies, particularly in relation to school and transport infrastructure issues and other public bodies such as Health bodies and Homes England.

RESOLVED-

- a) To note the contents of the report and the appended draft consultation response

51 Date and Time of Next Meeting

RESOLVED- To note the date and time of the next meeting as Tuesday 2nd March 2021, at 1.30 pm.

(The meeting concluded at 3:15 pm)



Report author: Adam Harvatt Tel:
0113 3787637

Report of the Chief Planning Officer

Report to Development Plan Panel

Date: 2nd March 2021

Subject: Leeds Local Plan Update – Public Consultation on the Scope of the Plan

Are specific electoral wards affected? If yes, name(s) of ward(s): ALL	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has consultation been carried out?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will the decision be open for call-in?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary

- The Local Plan for Leeds comprises a number of Development Plan Documents (DPDs), including a Core Strategy, Site Allocations Plans and Natural Resources and Waste Plan, which together form full statutory planning policy coverage for development within the Leeds Metropolitan District. Government advises that plans are kept up to date and reviewed to see if they need to be updated every five years and whilst these DPDs already contain policies to help deal with climate change they were made before the Council's declaration of a Climate Emergency.
- This report seeks views on the public consultation material on the scope of a Local Plan Update (LPU). The purpose of the public consultation is to seek views from the public, businesses and other stakeholders on what policies the Plan ought to contain.
- Informed by declarations made at Full Council, a review of policies, and detailed discussions with Development Plan Panel it is proposed that the objective of the LPU should be the introduction of new and enhancement of existing planning policies to help address the climate emergency. This

includes policies on carbon reduction, flood risk, green infrastructure, place-making and sustainable infrastructure.

- The first statutory step in plan-making is to consult on this scope and invite views as to whether it is the right focus and what the direction of travel of specific policy areas might be. To aid consultation, 6 papers have been prepared, with an introductory scope and summary paper, accompanied by 5 detailed topic papers. In addition, to assist discussion and help consultees engage with the Council's initial proposed direction of travel on some topics, options are discussed for potential future policies.
- This consultation period provides an opportunity to hear the specific views of a wide variety of stakeholders with key roles to play in planning for the climate emergency e.g. from people young and older about the types of places they want to live, play and move about in, the ways that places can help deliver health benefits and more accessibility to green space; from groups keen to help protect biodiversity and trees; from developers who will be required to build to better standards and layout places that are attractive and resilient and investors who can capitalise on innovative and attractive places to live and work.
- Members will note that the scope of the policy areas within this proposed update do also take the opportunity through better place-making and ideas like 20-min neighbourhoods to align with the Council's ambition for health and well-being and inclusive growth.

Recommendation

Development Plan Panel is requested to:

- (i) Note the contents of this report;
- (ii) Note and provide comment on the proposed content of the consultation material as set out in Appendix 1 and Appendix 2;
- (iii) Recommend to Executive Board that they approve the Local Plan Update for public consultation.

1. Purpose of this report

- 1.1 The purpose of this report is to provide Development Plan Panel with the draft material for the forthcoming Local Plan Update public consultation. As previously discussed at Development Plan Panel, the proposed scope for the Local Plan Update is a focus on new or revised planning policy to help further address the climate emergency. On this basis, the report seeks endorsement to commence consultation on the proposed scope of the Local Plan Update contained within the consultation documents at Appendix 1 and 2.

2. Background information

- 2.1 The Leeds Local Plan sets the land use and spatial planning framework for how Leeds will develop. The current Leeds Local Plan is a set of five Development Plan Documents (DPDs) mainly covering the period between 2012 and 2028, but with some policies covering up to 2033. The Local Plan and 17 Neighbourhood Plans together form the statutory Development Plan, which is used, alongside the National Planning Policy Framework, to help direct decisions on planning applications in Leeds.
- 2.2 The Core Strategy DPD sets the overall strategic framework for development in Leeds and is underpinned by other DPDs covering Natural Resources and Waste and site allocations as well as saved policies in the Unitary Development Plan. A number of years have passed since the Core Strategy (CS) was adopted in 2014. It was subject to an update in 2019, which was selective and focussed largely on housing, leaving much of the remainder untouched. The Natural Resources and Waste DPD was adopted in 2013.
- 2.3 The LPA has a statutory duty to review policies every five years to determine whether they require updating. Within the context of national planning guidance, evidence and local priorities, it is crucial therefore that the Local Plan is kept up to date and subject to regular review and update, to ensure it remains fit for purpose in providing certainty for communities and investors.
- 2.4 Following the declaration of the Climate Emergency in March 2019, in September 2019 Council approved that: *“To reflect the Council’s declaration of Climate Emergency ... Council commits to including measures to address the Climate Emergency in subsequent Core Strategy Reviews. This should include a strategic plan to deliver more trees in the city, a greater emphasis on how new housing developments are accessed i.e. not solely by the private car and a clear commitment to review Spatial Policy 12 of the Core Strategy relating to growth at Leeds Bradford Airport, as a matter of urgency, and notes that the Council has already committed to bringing a timetable to Development Plan Panel this Autumn”*.
- 2.5 Throughout 2020 DPP have considered in more detail the possible scope of an update to the Local Plan, known as the Local Plan Update (LPU). The views expressed by the Panel (including at a dedicated climate change policy workshop) made clear that the priority for the LPU is to consolidate and move beyond existing local planning policies to help address climate change and increase resilience to its impacts, through the establishment of new policies and guidance within the Leeds Local Plan, which helps address the climate emergency declaration to achieve net zero emissions by 2030. Having set the

broad scope of the LPU on 3rd November 2020 Members of DPP considered potential policy approaches on topics related to carbon reduction and renewable energy, green infrastructure and place-making. Issues relating to flood risk, sustainable infrastructure and strategic place-making were considered in January 2021.

- 2.6 The first regulatory milestone in the preparation of a Development Plan Document such as the LPU, is an initial stage of public consultation ('Regulation 18' consultation). The purpose of this stage is to ascertain views on what matters the LPU will need to consider and address i.e. its scope in order to achieve its identified objective. The regulations specify that, as part of the plan preparation process, we must invite representations on what the Local Plan ought to contain. Whilst being mindful of the need not to pre-judge the outcome of that consultation, it is considered that it would be helpful to respondents and speed up the process if the Council's general preferred scope of policies (with initial options for what they could contain) was used as a means of generating responses to the Plan at this early stage. This would help shorten the timescale for preparation, focus comments and in due course help clarify the tests of soundness that are required by national policy.
- 2.7 As the LPU is a statutory plan-making process it is important to note that issues raised during forthcoming formal consultation stages, in addition to the focused input of specialist bodies (for example infrastructure providers and the West Yorkshire Combined Authority - WYCA), will also inform the future direction and content of the LPU. The preparation of the LPU is an iterative process and possible options will narrow and refine in response to emerging information and evidence as work on the plan progresses. This work will also need to take into account new evidence and Government legislation as it emerges.

3. Main Issues

The material for the LPU scoping consultation is set out in Appendix 1 and Appendix 2. What follows below is a consideration of the main issues in relation to that statutory consultation.

Background to the Objective of the Local Plan Update

- 3.1 Leeds City Council has declared a climate emergency and has set an ambition for Leeds to work towards carbon neutrality by 2030. This is a massive task, needing a sustained effort from not just the Council, who aim to lead by example, but for other agencies, businesses and residents of Leeds to take this huge step.
- 3.2 To achieve our ambitions by 2030 and beyond, a rapid period of transition is necessary, along with big step changes. The Council aspires to achieve these because the evidence shows that they are needed now.
- 3.3 In parallel to considering the climate emergency, the Council has also focused on the ecological crisis that is being faced, with a loss of 70% of insects over the last thirty years across Europe. The Council has also sought to align the resilience that Leeds needs to adapt to climate change with its policies for health and well-being and inclusive growth as they are inter-related. A need for resilient places has also been heightened during the past year by the global

pandemic, its localised impacts on communities in “lock down” and its impacts on the economy.

- 3.4 The land use planning system plays a critical role in mitigating and adapting to climate change. Specifically, it can shape places in ways that contribute to reductions in greenhouse gas emissions, it can minimise vulnerability and improve resilience; encourage the more prudent use of existing resources and support the move towards renewable and low carbon energy and associated infrastructure.

Planning Policy Context

- 3.5 The National Planning Policy Framework (NPPF 2019) sets national guidance for planning. Section 14 (¶148 – 154), stresses that the planning system should support the transition to a low carbon future in a changing climate. In particular Planning should, “...*help to: shape places in ways that contribute to radical reductions in greenhouses gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure*”.
- 3.6 It is noted that the Government is committed to updating the NPPF as part of its wider Planning White Paper reforms. The Council’s response to the White Paper (considered by Development Plan Panel and CEAC Panel Members) alerted the Government to the need for stronger national policies on climate change in order to plan for zero carbon in advance of the Government’s target of 2050 and cautioned against setting nationally prescribed development management policies which may impact on the ability of the Council to have stronger local ambitions for tackling climate change.
- 3.7 The Government has begun the process of consulting on amendments to the NPPF with an initial consultation (released on 30th January 2021) focussed mainly on changes which improve the quality of design and beauty, but it is expected that as the Council’s LPU progresses further NPPF changes will be made.
- 3.8 In addition to the statutory requirement to take the NPPF into account in the preparation of Local Plans and in decision taking, there are wider statutory duties on local planning authorities to include policies in their Local Plans designed to tackle climate change and its impacts, including:
- Planning & Compulsory Purchase Act 2004 - Planning must secure that the development and use of land contributes to the mitigation of and adaptation to climate change;
 - Planning Act 2008)- A duty that Plans have climate change targets and policies;
 - Planning & Energy Act 2008 - Powers to require some low-carbon energy generation from new development;
 - Climate Change Act 2008 - Establishes the importance of planning in securing legally binding targets.

The Climate Emergency in Leeds

3.9 The Climate Emergency affects Leeds in a number of ways, some of which are specific to the nature and character of Leeds. Leeds has to be ready to deal with a changing climate (and the associated mitigation and adaption necessary) in the following ways:

- Adapt to a changing climate by preparing for heat waves and their impacts. It is recognised that as a large urban area Leeds will experience an increase in temperature fluctuations. The health impacts of heatwaves can be significant, particularly for vulnerable people, when excess deaths can occur. Therefore it is crucial that we make places ready for extremes of temperature to ensure they are resilient. In Leeds the urban heat island effect will affect those who are most vulnerable within Leeds, including elderly, those with respiratory conditions and those in built up high density areas.
- Plan for flood risk. Leeds is also well aware of the issues that flooding brings e.g. the damage caused by Storm Eva in 2015, will increase as the global and local climate changes.
- Heatwaves also have impacts on infrastructure and water resources which will need to be used more wisely in development and in agriculture.
- Temperature changes won't just affect people and there will be a need to plan for better biodiversity and resilient local habitats for our species.
- Climate change won't just affect the urban area, but also the countryside around our city and our major settlements. This will see a changing role for local food production, tree and woodland planting and opportunities for renewable energy.

3.10 A Climate Conversation was launched in 2019 as a result of the declaration of the Climate Emergency and nearly 8,000 people responded to the Council with the overwhelming majority agreeing with the scientific consensus that the climate is changing due to human activity, that they are worried about it and that tackling the climate emergency, becoming a carbon-neutral city and protecting wildlife diversity should be priorities for the Council.

3.11 The majority of responses also considered that more should be done around the following issues

- transport, especially suggestions for a mass transit system;
- minimising waste and encouraging recycling;
- build 'greener' developments, e.g. requiring stricter energy efficiency standards, the installation of renewables;
- make it harder to develop on green field sites;
- plant more trees.

- 3.12 In addition, the Leeds Climate Change Citizen's Jury was put together in 2019, who made recommendations to the Council on how best to tackle the climate emergency. Their 12 recommendations included taking action to reduce use of private cars, increase the energy efficiency of housing and creating more green spaces in Leeds.
- 3.13 Taken together, these issues have helped set the objective and scope of the LPU and are addressed through the sections on sustainable infrastructure, place-making, carbon reduction, and green infrastructure topics.
- 3.14 It is important to note that Leeds has a Local Plan with existing policies aimed at addressing climate change. These policies range from a spatial strategy which encourages growth in sustainable locations, to detailed policies on carbon reduction, green infrastructure, flood risk, biodiversity, flood risk, heat networks, electric vehicles, renewable energy generation, air quality and tree replacement. However, these policies largely pre-date the declaration of the Climate Emergency and the aspiration to achieve net zero carbon emissions by 2030. In order to ensure that the existing suite of policies is heightened and maximised work has been undertaken throughout 2019 and 2020 on developing training and awareness raising especially on the subject of master planning and place making so that Council decisions are as aligned with the Climate Emergency as they can be using existing policies. This work also forms the basis for Member training on planning, climate change and sustainable development for the coming year.

The Proposed Scope of the Plan

- 3.15 As set out in paragraph 2.4 Full Council has given a clear instruction that the scope of the Local Plan Update should be focussed on measures to improve and enhance the planning policy framework to help address the climate emergency. This objective has also be informed and endorsed by Development Plan Panel.
- 3.16 Since the declaration of the Climate Emergency work has progressed on focussing on improving the delivery outcomes of existing policies that the Council has, so as to (a) understand what new policies are needed, and (b) ensure that all new development is doing its best to meet the Climate Emergency now.
- 3.17 As a result, it is felt that there are many policy areas that would benefit from further consideration through the Local Plan Update. The scoping consultation is an opportunity for the Council to share its direction of travel on new and updated policies with the public, businesses and consultation bodies.
- 3.18 As part of this consultation, therefore, we are clearly setting out that the proposed subject of this Local Plan Update will be a focus on carbon reduction, flood risk, green infrastructure, place-making and sustainable infrastructure in order to adapt to and mitigate the impacts of climate change and ensure the delivery of sustainable development within Leeds.
- 3.19 It is proposed that this will take the form of new and updated policies within the Core Strategy and may result in consequential changes to the Natural

Resources and Waste Local Plan (2013) and the saved Unitary Development Plan (2006).

3.20 Taking these considerations together, and working in consultation with Development Plan Panel, 5 broad topic areas have emerged, with multiple policy areas sitting underneath. These are set out below:

Topic Area	Policy Areas Covered
Carbon Reduction	<ul style="list-style-type: none"> • Whole life carbon costs for buildings • Reducing carbon emissions from buildings • Sustainable construction • Resilience to Heat • Renewable energy generation • Heat networks • Energy storage
Flood Risk	<ul style="list-style-type: none"> • Flood risk • Functional floodplain • Sustainable Drainage Systems
Green Infrastructure	<ul style="list-style-type: none"> • Strategic Green Infrastructure • Tree Planting • Tree Replacement • Biodiversity • Nature Conservation • Green space • Space for local food growing
Place-making	<ul style="list-style-type: none"> • Strategic Place-making (incl. 20-Minute Neighbourhoods) • Local Place-making
Sustainable Infrastructure	<ul style="list-style-type: none"> • High Speed 2 • Leeds City Station • Mass Transit • Leeds Bradford Airport • Digital Infrastructure

3.21 As a whole they set a scope and a draft direction of travel, which helps address the following 5 headline objectives:

(1) Carbon reduction: For new development, Leeds will seek to minimise energy demand and meet all demands for heat and power without increasing carbon emissions, to allow Leeds to meet its climate emergency commitment of zero carbon by 2030. This is supported by topics concerning:

- Ensuring that the level of embodied carbon in a development is considered and monitored from construction to demolition;
- reducing Carbon Emissions from Buildings for example, by exploring whether all development could be built to a zero carbon standard;
- ensuring Sustainable Construction for example, through setting clear standards;
- Renewable Energy and heat generation and storage infrastructure for example, through consideration of mechanisms to increase the generation and storage of low carbon and renewable heat and power both through stand-alone generation and within new developments.

(2) Flood Risk: Leeds will ensure that new developments are located and designed to avoid, reduce and mitigate flood risk, increase biodiversity and reduce the carbon footprint of risk reduction schemes through natural flood solutions. This is supported by topics concerning:

- ensuring that the Council's policies are supported by up to date evidence on flood risk;
- avoiding development in flood risk areas and managing the functional flood plain;
- reducing the speed of surface water run off through more sustainable and natural drainage systems for example, through standards and limits to the paving over of front gardens.

(3) Green Infrastructure and Biodiversity: Leeds will create new Green Infrastructure (GI) (including Green Space and Natural Environment) through the planning process, and identify, improve, protect and extend existing GI to address the challenges of climate change and create a healthy city. This is supported by topics concerning:

- ensuring a strong, clear and consistent approach to the delivery of new green infrastructure as well as the enhancement and protection of existing GI alongside a better understanding of the roles and benefits of individual GI attributes e.g. for play, for well-being, biodiversity (through hedgerow planting), opportunities for local food growing and more attractive routes to encourage less car use; ensuring stronger protection for trees for example, through new land for trees, tree retention and replacement which considers the carbon sequestration value of trees, in addition to amenity and alongside other considerations;
- ensuring that local wildlife sites and nature conservation designations are effective at protecting species and habitats and that new development delivers appropriate levels of net gain for biodiversity;

(4) Place-making: Leeds will work in the public interest, prioritising the safety and well-being of people within a framework of long-term sustainable development by allowing development that promotes safe, healthy and resilient places, reflects the issues associated with inclusive growth and an

environment which leaves a positive legacy for all people. This is supported by topics concerning:

- ensuring a sustainable strategic pattern of development that helps adapt to the impacts of climate change and balances development needs with environmental constraints for example, through policies on 20-minute neighbourhoods;
- ensuring high quality design of places for example, through good practice, standards and design guides that helps ensure better quality, form and layout.

(5) Sustainable Infrastructure: Leeds will ensure the delivery of an accessible and integrated transport system which focuses on public transport and active travel, is worthy of its role at the heart of the Leeds City Region, and supports communities and inclusive growth. This is supported by topics concerning:

- preparing for and maximising the benefits that the national High Speed 2 rail infrastructure project may bring to the City, if built, for example through shaping the development of Leeds Station, integrating the HS2 line into our city and seeking opportunities for new green and public spaces to be created alongside HS2;
- preparing for any mass transit system that is provided in Leeds so that it can align with wider spatial priorities and deliver wider benefits;
- managing the future development of Leeds Bradford Airport and access to it in a sustainable manner;
- supporting reliable, high-speed data at work, home and whilst on the move, so that Leeds is a modern, resilient and efficient economy which can support increased remote working;
- ensuring a sustainable strategic pattern of development that helps reduce the need to travel by private car and positively promotes active travel for example, through policies on 20-minute neighbourhoods and place-making.

3.22 These topics have been created following engagement across the Council and seek to ensure consistency with documents such as the draft Connecting Leeds Transport Strategy and the White Rose Forest Strategy.

3.23 Consultation material has been created for each of the topic areas (appendix 2), with a summary document as an introduction to the whole consultation material (appendix 1). It is not the intent at this stage of Plan making to present detailed policies. Rather, this first consultation stage is being used to explain the scope of the document and to seek views on the direction of travel.

3.24 As set out above, the consultation will not prescribe what the LPU should conclude on a particular matter as, at this initial stage in the process, consultation will help to clarify the scope, seek support for particular options and continue to develop an evidence base to justify the Council's preferred

options in due course. The work that has informed this consultation material therefore does not seek to prejudge consultation on the scope of the LPU, rather it serves to help inform it.

Timescales

- 3.25 It is intended that public consultation will commence as soon as practicable having regard to the period of heightened sensitivity in accordance with the Code of Recommended Practice on Local Authority Publicity. This is anticipated to be shortly after the Local Elections take place in May 2021.
- 3.26 It is anticipated that following Executive Board approval further work will be undertaken to improve the visuals of the consultation material (including images and relevant case studies), to be agreed by the Chief Planning Officer in consultation with the Executive Member for Climate Change, Transport and Sustainable Development.

4. Corporate considerations

4.1 Consultation and engagement

- 4.1.1 The initial proposed scope of the LPU has been shaped with reference to the Council's Climate Conversation and engagement with cross Council services to ensure alignment with strategies such as the Connecting Leeds Transport Strategy.
- 4.1.2 Initial discussion has also taken place with the West Yorkshire Combined Authority (WYCA). WYCA have ambitions for the sub-region as a whole to be net-zero carbon by 2038 and to have made significant progress by 2030. The ambitions within this LPU align with that and there is support for joint work at a city region level on tackling the climate emergency through planning. This will be through aligning with and helping to shape a Zero Emissions Investment Framework (ZEIF) which was a commitment in the West Yorkshire Devolution Deal and the Leeds City Region Energy Strategy & Delivery Plan.
- 4.1.3 The consultation on the scope of the Local Plan Update will be subject to a 6 week consultation. Due to the current restrictions arising from COVID-19, it will not be possible to undertake face-to-face consultation. The Statement of Community Involvement (SCI) has been revised on an interim basis to allow consultation to take place with a digital emphasis. All consultation material will be publicised and made available digitally on the Council's website. Statutory consultees will be consulted in line with national regulations.
- 4.1.4 In advance of going out to consultation, officers will develop a consultation strategy for the LPU consultation, to be agreed by the Chief Planning Officer in consultation with the Executive Member for Climate Change, Transport and Sustainable Development. This will place an emphasis on inclusion, to ensure that measures are taken to gain the views of all people, including young people, the elderly, minority groups and local community groups.

4.2 Equality and diversity / cohesion and integration

- 4.2.1 An EDCI is not required for this report. Appropriate EDCI screenings / assessments will be undertaken in the course of the next steps noted in the

report. Equality has been a key consideration of the scoping work so far, with each topic area considering the equalities impacts of the scope of the Plan.

4.3 Council policies and the Best Council Plan

- 4.3.1 There is a clear role for planning in delivering against all of the Council's priorities as established through the Best Council Plan. At this early stage of preparation, the contents of the Local Plan Update are not known, however, it is considered that the LPU could contribute positively to the Council's key strategies, as follows:

Health and Well-being Strategy – through policies including the design of places, quality of housing and accessibility to green infrastructure and services;

Climate Emergency – 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

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

4.4 Resources, procurement and value for money

- 4.4.1 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.

4.5 Legal implications, access to information, and call-in

- 4.5.1 Consultation must be in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. This requires that the Local Planning Authority must notify residents, businesses and consultation bodies on the "*subject of the local plan which the local planning authority propose to prepare and invite each of them to make representations to the local planning authority about what a local plan with that subject ought to contain*". Representations received shall be considered prior to the preparation of the publication draft LPU.

4.6 Risk management

- 4.6.1 The proposed direction of travel and initial options that are subject to consultation have not been assessed for their viability. Following public consultation, officers will collate the evidence and views presented by consultees, in order to create detailed policy approaches. Those approaches and alternative options will be subject to detailed viability assessments, in order to inform future versions of the Plan. As such, the service will need to commission technical evidence base in regard to feasibility, deliverability and viability, which is expected to be funded through existing budgets.

4.7 It is also 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 White Paper 'Planning for the Future' 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, this may require the Council to revise documentation and return to earlier stages of consultation, depending on when the changes are introduced. At present however, Local Planning Authorities are being encourage to continue progressing with their Local Plans.

5. Conclusions

5.1 This report and its appendices set out the draft consultation material for the Local Plan Update in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

6. Recommendation

Development Plan Panel is requested to:

- (i) Note the contents of this report;
- (ii) Note and provide comment on the proposed content of the consultation material as set out in Appendix 1 and Appendix 2;
- (iii) Recommend to Executive Board that they approve the Local Plan Update for public consultation.

7. Background documents

7.1 None.

8. Appendices

Appendix 1: Local Plan Update Scoping Consultation material – 'Introduction, Scope and Summary' Paper

Appendix 2: Local Plan Update Scoping Consultation material – Detailed Topic Papers

This page is intentionally left blank

APPENDIX 1: INTRODUCTION AND SUMMARY

DRAFT



LEEDS LOCAL PLAN UPDATE

DEVELOPMENT PLAN DOCUMENT

**INTRODUCTION, SCOPE AND SUMMARY TO THE LOCAL
PLAN UPDATE SCOPING CONSULTATION**

DRAFT

1 What is the purpose of this consultation?

- 1.1 Leeds City Council is updating its planning policies, which will form part of the statutory Local Plan. The focus is on the role of planning in helping the Council deliver its climate emergency commitments. The Council is seeking views on which parts of the existing Local Plan to update and what they should contain.
- 1.2 This update will make changes to the existing Local Plan. The Local Plan sets out development principles for our area and are used to determine planning applications.
- 1.3 There are four formal stages to producing or updating a Local Plan:
 - **Scoping** – the current stage where we seek views from stakeholders about the ideas, options and direction of travel of a Plan
 - **Pre-submission** – the next stage where we carefully consider the comments you've sent us and use these to draft policy wording which is intended to guide development in Leeds – we'll be consulting on these detailed policies towards the end of year
 - **Submission** – taking into account all the comments we have received, and making sure that our final draft policies are sound and legal prior to submitting to the Secretary of State for independent examination by a planning inspector
 - **Adoption** – where, following independent examination (and any proposed modification), the Council receives an Inspector's Report and can formally adopt the policies as part of the statutory Local Plan
- 1.4 At this stage we need your views on:
 - what the Local Plan Update should contain and this 'Scoping Report' explains the range of what may be addressed, including the role of the update, the Council's initial thoughts on the content and how it relates to the wider Local Plan;
 - the direction of travel of the policies – are they the right choices, are they ambitious enough, relevant to Leeds and will they deliver the type of development that you think the City needs and help make the places you would want to live in?
- 1.5 This scoping report and the detailed topic papers that sit underneath it provide information on a range of issues we think should be considered through the Local Plan Update. Throughout the documentation, questions are asked, highlighting where we need your views and opinions.

2 What is the Proposed Scope of the Plan?

- 2.1 The priority for the Local Plan Update is to update and improve existing policies and make new ones to address climate change, and the climate emergency declaration to achieve net zero emissions by 2030.
- 2.2 In addition, closely related topics such as green infrastructure, flood risk, place-making and sustainable infrastructure are also included within the proposed scope of the Plan. These are explained in more detail below.

3 Why is the Local Plan Update focussing on the Climate Emergency?

- 3.1 Leeds City Council declared a climate emergency in March 2019 with an ambition to work towards carbon neutrality by 2030. This is a massive task, needing a sustained effort from not just the Council, who aim to lead by example, but for other agencies, businesses and residents of Leeds.
- 3.2 Leeds has a Local Plan with existing policies aimed at addressing climate change. These policies range from a spatial strategy which encourages growth in sustainable locations, to detailed policies on carbon reduction, green infrastructure, flood risk, biodiversity, flood risk, heat networks, electric vehicles, renewable energy generation, air quality and tree replacement. However, these policies were made before the declaration of the Climate Emergency and the aspiration to achieve net zero carbon emissions by 2030.
- 3.3 To achieve our ambitions by 2030 and beyond, a rapid period of transition is necessary, along with big changes.

Why Leeds declared a Climate Emergency

- 3.4 The Council aspires to be carbon neutral by 2030 because the evidence supports that, as follows:
 - the United Nations Intergovernmental Panel on Climate Change warned that the opportunity to limit world temperatures to under 1.5 °C and avoid the worst climate change impacts will vanish in the next decade
 - the UK government updated the Climate Change Act, committing to, by law, reduce greenhouse gas emissions by at least 100% of 1990 levels (net zero) by 2050, in response to the Committee on Climate Change
 - to reach this target the government has set legally-binding 'carbon budgets' in 5-year periods i.e. the amount of greenhouse gases the UK is permitted to emit for each 5-year period

- the Committee has found that the government's policies and plans are not enough to meet carbon budgets and that the policy gap has widened
- Yorkshire and Humber's share of the 'carbon budget' to 2050 on a per capita basis is estimated at circa 250 mega-tonnes. If we continue business as usual the budget will have been used up within the next 5 years
- climate-related events are continuing to occur in frequency and severity both globally and locally e.g. frequency of storms, such as Storm Eva and the floods caused over Christmas 2015

3.5 Many local authorities across Yorkshire and Humber and the West Yorkshire Combined Authority¹ have now declared climate emergencies with a commitment to carbon neutrality. There are varying dates for achieving carbon neutrality locally, but all commitments are ahead of the government 2050 target. We know this is a challenge, but not trying to achieve zero carbon by 2030 would be worse than doing nothing because:

- we need to plan for the long term to make sure that we are ready for the impacts of Climate Change - the Council's Local Plan looks ahead 16 years
- we need to help influence and inform Government on the steps that are necessary for low carbon cities
- Leeds already has a significant level of development in the pipeline (including almost 40,000 homes) to deliver, which will last beyond 2050 and if not built to higher standards may serve to exacerbate the challenge in the future.

3.6 According to a [carbon roadmap](#) report by Leeds Climate Commission, Leeds could become a carbon neutral city by 2050 – and potentially by 2030. The report demonstrates that it is technically, and to a large extent, economically possible for Leeds to become a carbon neutral city and to meet ambitious carbon reduction targets in line with the global targets set out by the United Nations. The roadmap makes clear that no single innovation will resolve the climate crisis or put Leeds on the right path to zero carbon but that a combination of activities are essential. This means that no-one can afford to not play their part or to leave it to someone else to make the efforts. The report sets out that there are economically viable measures that can be delivered now.

¹ Definition

Leeds Climate Conversation

- 3.7 A Climate Conversation was launched in 2019 as a result of the declaration of the Climate Emergency and nearly 8,000 people responded to the Council with the overwhelming majority agreeing with the scientific consensus that the climate is changing due to human activity, that they are worried about it and that tackling the climate emergency, becoming a carbon-neutral city and protecting wildlife diversity should be priorities for the Council.
- 3.8 The majority of responses also considered that more should be done around the following issues:
- transport, especially suggestions for a mass transit system;
 - building 'greener' developments, e.g. requiring stricter energy efficiency standards, the installation of renewables;
 - making it harder to develop on green field sites;
 - planting more trees.

The Role of Planning

- 3.9 There is a legal duty² to ensure that climate change **mitigation** and **adaptation** is a core objective of a local authorities' planning policy.
- Climate change **mitigation** is about reducing the impact of human activity on the climate, primarily through reducing greenhouse gas emissions, such as carbon (CO²) which are produced in the construction industry, when we travel by cars and when we power and heat buildings
 - Climate change **adaptation** is about adjusting to the impacts of climate change, to lessen harm e.g. increased flooding protection and adapting to hotter weather.
- 3.10 Planning policies help determine planning applications for development that can:
- shape places in ways that contribute to radical reductions in greenhouse gas emissions, e.g. by reducing the need to travel by car
 - minimise vulnerability and improve resilience e.g. by avoiding places that flood and dealing with water
 - encourage more prudent use of existing resources e.g. by making homes more efficient

² under section 19(1A) of the Planning and Compulsory Purchase Act, 2004

- support the move towards renewable and low carbon energy and associated infrastructure e.g. by setting where wind farms and solar farms can be located

3.11 The National Planning Policy Framework (NPPF 2019) is national guidance for planning and all local authorities have to consider policies within it. Section 14 (¶148 – 154), stresses that the planning system should support the transition to a low carbon future in a changing climate. In addition to the statutory requirement to take the NPPF into account in the preparation of Local Plans and in decision taking, there are wider statutory duties on local planning authorities to include policies in their Local Plans designed to tackle climate change and its impacts, including:

- Planning & Compulsory Purchase Act 2004 - Planning must secure that the development and use of land contributes to the mitigation of and adaptation to climate change;
- Planning Act 2008 - A duty that Plans have climate change targets and policies;
- Planning & Energy Act 2008 - Powers to require some low-carbon energy generation from new development;
- Climate Change Act 2008 - Establishes the importance of planning in securing legally binding targets.

How the Climate Emergency Affects Leeds

3.12 The Climate Emergency affects Leeds in a number of ways from the inner city and the City Centre to the outer areas, some of which are specific to the nature and character of Leeds. Leeds has to be ready to deal with and adapt to a changing climate in the following ways:

- **Preparing for heat waves and their impacts.** It is recognised that as a large urban area Leeds will experience an increase in temperature fluctuations. The health impacts of heatwaves can be significant, particularly for vulnerable people, when excess deaths can occur. Therefore it is crucial that we make places ready for extremes of temperature to ensure they are resilient. In Leeds the urban heat island effect will affect those who are most vulnerable, including the elderly, those with respiratory conditions and those in built up high density areas.
- **Planning for flood risk.** Leeds is also well aware of the issues that flooding brings e.g. the damage caused by Storm Eva in 2015, will increase as the global and local climate changes.
- **Protecting our infrastructure** which will need to be built to higher specifications.

- **Protecting our water resources** which will need to be used more wisely in development and in activities such as agriculture.
- **Supporting nature** Temperature changes won't just affect people and there will be a need to plan for better biodiversity and resilient local habitats for our species.

4 What is the Plan likely to contain?

4.1 At this stage we are proposing topic areas and have prepared 5 topic papers to provide ideas for how planning policies could change in the future to take account of the climate emergency. At this early stage, we'd like your views on these topics and the ideas contained within each topic area. The topic areas are as follows:

Topic Area	Policy Areas Covered
Carbon Reduction	<ul style="list-style-type: none"> • Whole life carbon costs for buildings • Reducing carbon emissions from buildings • Sustainable construction • Resilience to Heat • Renewable energy generation • Heat networks • Energy storage
Flood Risk	<ul style="list-style-type: none"> • Flood risk • Functional floodplain • Sustainable Drainage Systems
Green Infrastructure	<ul style="list-style-type: none"> • Strategic Green Infrastructure • Trees • Green space • Biodiversity • Nature Conservation • Local Food Production
Place-making	<ul style="list-style-type: none"> • Strategic Place-making (incl. 20-Minute Neighbourhoods) • Local Place-making
Sustainable Infrastructure	<ul style="list-style-type: none"> • High Speed 2 • Leeds City Station • Mass Transit • Leeds Bradford Airport • Digital Infrastructure

Question: Do you agree that to meet the objective of the Local Plan Update the scope should focus on the Climate Emergency, including the topics of carbon reduction, flood risk, green infrastructure, place-making and sustainable infrastructure?

5 Consultation

- 5.1 We are at an early stage of plan making and your ideas and opinions are crucial in shaping this Plan. In these documents we set out the background to lots of issues and some possible ideas for how planning policy could be used to help address the Council's aspirations for net zero carbon emissions by 2030. There is still lots more work for us to do and your thoughts and ideas on the direction of travel set out in this consultation will help steer and guide that work. This is your Local Plan and your views and ideas are important to us.
- 5.2 It is important to reflect that there are limits to what planning policy can do. Planning policy can only steer development that requires planning permission. We also need to be able to demonstrate that new policies are deliverable. In other words, if we set standards we need to have evidence that shows that they can be complied with. Where there are important limits to what planning can do, we have tried to set that out in the topic papers.
- 5.3 Whilst the topic papers are designed to apply across all of Leeds, we're also keen to know your local challenges and ideas. Are there specific climate change issues in your neighbourhood? Do you have any particular local evidence to support your views that you'd like to share with us?
- 5.4 We'd also welcome your general thoughts on whether the direction of travel we set out is ambitious enough, or whether you think it is unrealistic. Do you have any other comments that you would like to make?

6 A Summary of the Topic Areas

- 6.1 The section below provides the 'key messages' from the 5 topic areas, designed as a helpful summary. For further details please see the 5 topic papers.

Topic Paper 1: Carbon Reduction

Vision: To minimise energy demand and meet all heat and power requirements without increasing carbon emissions, to allow Leeds to meet its climate emergency goal of zero carbon by 2030.

Background

The current Local Plan has numerous policies that help reduce carbon emissions across Leeds and we have seen significant reductions in carbon emissions in Leeds since 2005. However these policies were set before the Climate Emergency declaration and are not aimed at meeting a net zero carbon aspiration by 2030. As such, we'd like to explore ideas for how we might go further than the existing suite of policies

Whole Life-Cycle Carbon Emissions

Whole life cycle carbon emissions or 'embodied carbon' refers to the carbon emissions resulting from the construction and use of a building over its entire life, including the carbon that is emitted from the operation of a building once it is complete and its end of life demolition and disposal.

We're exploring ideas for bringing in new policies that could require developments to measure their whole life-cycle carbon emissions before being granted planning permission.

Question: Do you think that planning policy should seek to reduce the embodied carbon emissions across the whole life cycle of a development?

Question: Do you have any further thoughts on whole life-cycle carbon reduction, such as how quickly it should be used to require zero carbon development, or whether all developments should be required to carry out assessments?

Operational Energy Reduction

We expect our buildings not to waste energy by being built to be as energy efficient as possible. This also helps to reduce household fuel bills (and support initiatives for 'affordable warmth'), improve business competitiveness, create jobs in the energy service sectors and provide resilience in our energy supply. Cost implications are much lower when energy efficiency measures are included in a new building than when they are retrofitted and it would be a waste of resources to construct buildings now that will require retrofitting in the future.

We're keen to explore policy options that will deliver zero carbon developments, in a way that is feasible, realistic and viable. This could include requiring all development to be zero carbon from the outset, or a gradual increase of energy efficiency over time. We're also keen to explore ways that renewable and low carbon energy can be delivered on site as part of new developments.

Question: Do you think we should require new development to achieve a zero carbon energy performance standard for the operational use of the buildings?

Question: Should developments still be required to include on-site renewable energy as well as meeting energy efficiency standards? If so, what proportion of the energy needs of the development should be met by renewable energy?

Sustainable Construction

Sustainable construction concerns the assessment of how environmentally responsible and energy efficient a construction project is. A number of standards exist, with perhaps the most well-known being BREEAM. The standards cover areas such as energy, health and wellbeing, materials, transport, water, waste, pollution and ecology.

The benefit of standards such as BREEAM Residential is that they give an overall assurance of the sustainability of a development (not just energy) and the developer is required to obtain an independent assessment to verify that the standard has been achieved.

Question: Do you think that Leeds should set a standard for sustainable construction of new residential development?

Question: If so, do you think we should use one of the established sustainable construction rating systems such as BREEAM Residential or create our own set of standards?

Resilience to Heat

Currently it is estimated that 2,000 people a year die from over-heating in England and Wales. This figure is expected to increase to 7,000 by 2050 as a result of climate change. Given the importance of adapting to the impacts of climate change we feel it is important that the Local Plan considers how new developments could be made more resilient to the impacts of heat.

These options could include requiring developers to use the 'cooling hierarchy' to avoid buildings being at risk of over-heating. This might involve the use of passive design to minimise unwanted heat gain and manage heat – for example by using building orientation and natural shading. It could also incorporate the use of natural cooling by allowing outside air to ventilate and cool a building without the use of a powered system, for example through windows that can open and ventilation.

Question: Do you agree that the Local Plan should contain a policy designed to increase resilience to the impacts of heat?

Question: How do you think Leeds could ensure that homes are more resilient to overheating?

Renewable Energy Generation

As part of the Local Plan Update we are considering possible options for renewable energy generation in Leeds. There is no requirement for Local Authorities to set targets for renewable energy generation, and with national efforts to decarbonise the electricity grid, it may be considered that such an approach would be unnecessary. In such a scenario it may still be beneficial to set policies for how applications for

renewable energy would be assessed against. Alternatively, by setting targets, we could also identify suitable areas in the district for different types of renewable energy.

The Natural Resources and Waste Local Plan currently includes a criteria based policy that we use for assessing wind farm applications but a similar policy may also be beneficial for other large scale energy generating facilities which have similar issues to those of wind farms. The wind farm policy could therefore be expanded to cover solar farms and energy storage.

Question: Do you consider that Leeds should set targets for different types of local renewable energy generation?

Question: Do you have any views about where facilities for local renewable energy generation should be located?

Heat Network

Leeds City Council and its partners Vital Energi are constructing a heat network, via underground pipes, around Leeds City Centre which re-uses the heat produced from the Recycling the Energy Recovery Facility (RERF) to supply a low carbon form of heat in the urban area to local homes and businesses. When complete, the network will connect nearly 2,000 homes and businesses to provide low carbon heat and hot water, equating to a saving of 11,000 tonnes of carbon emissions per year.

Given the success of the heat network it may be considered unnecessary to update existing policies. Alternatively, it might be beneficial to supplement the existing heat networks policy with a detailed Supplementary Planning Document to match up heat networks with potential customers.

Question: Would you like to see more connections made to the heat network or are there other more effective ways to reduce emissions?

Question: Do you think the existing policy should be updated? If so, do you have any thoughts or ideas about what an updated policy should contain?

Energy Storage

Renewable energy can sometimes result in energy being produced when it is not needed and therefore can be lost. Energy storage can help reduce this loss by storing this energy for future use. Whilst storage can take a number of different forms, the most commonly used for electricity is the chemical battery

Areas suitable for energy storage need to be within good proximity to the grid at locations where the substation has capacity for the connection. Proximity to a power generation source is also useful. Industrial areas offer good potential especially if sites have poor accessibility so as to reduce the impact on the more accessible sites in the employment land supply.

Given that there are currently no policies within the Local Plan on this topic we believe that a new local policy would be beneficial. This could include a target to establish how much energy storage is needed in the district and identify suitable

areas. Or alternatively, it could identify suitable areas for energy storage without setting a target.

Question: Do you think that a new policy is required to guide the location of energy storage proposals?

Question: Do you think that a target should be set for the amount of energy storage in Leeds?

DRAFT

Topic 2: Flood Risk

Background

The Council has rigorous processes in place to ensure that development avoids flood risk where ever possible and that development is only approved when there is adequate mitigation in place. In cities which have developed historically on the floodplain, it is important to consider other factors alongside flood risk, specifically the need to focus investment in sustainable locations, close to services. The Council has a strategy for managing flood risk in the form of the Strategic Flood Risk Assessment (SFRA). This defines the levels of flood risk throughout the whole district and gives detailed advice on how to manage it. The SFRA is currently being updated and we think now is the right time to consider updating our existing suite of flood risk policies, particularly as we know that the frequency of flooding events in Leeds is increasing.

Avoiding Development in Flood Risk Areas

We have a robust set of policies related to avoiding development in flood risk areas in Leeds. The Local Plan Update provides an opportunity to bring all the flood risk policies together and review their effectiveness in the light of climate change, and an updated SFRA (due summer 2021).

As part of the Local Plan Update we want to consider whether policies could be improved to reduce the risk of flooding, and increase our resilience to flooding events.

There is an important balance to be struck between flood risk and other sustainability benefits, such as the need for regeneration, the efficient use of brownfield land and access to services. If policy tests are made tighter to further reduce the number of permissions for 'more vulnerable' development in flood risk areas this could result in people living further away from services and facilities that they need. This would then result in longer journeys and add to emission of greenhouse gases and other pollutant gases.

Question: Do you agree that our policy approach to development in flood risk areas should be within the scope of the Local Plan Update?

Question: Have we got the balance right between locating homes close to the services and facilities that people need whilst avoiding high flood risk areas?

Functional Floodplain

The functional floodplain is the land where water has to flow or be stored in times of flood with a 1 in 20 annual probability of flooding. Most of the functional floodplain is open land and undeveloped. . Leeds is fortunate that much of the River Aire, as it flows through the urban area, will have the benefit of the Leeds Flood Alleviation Scheme and therefore significant parts of the urban area that would have otherwise flooded with a 1 in 20 year probability, will be protected.

For those urban areas that have a 1 in 20 probability of flood risk but don't have the benefit of a flood alleviation scheme the redevelopment potential will continue to be

limited due to the high flood risk probability. The SFRA will explore the extent of these areas and the impact of climate change. The Local Plan Update may consider the policy options for limiting development in those locations.

Question: Do you think that the Local Plan Update should consider limitations on urban expansion in unprotected areas with a very high probability (1 in 20) of flooding?

Surface Water Flooding and Sustainable Draining

Sustainable drainage systems (SuDS) are designed to control surface water run off close to where it falls and mimic natural drainage as closely as possible. One of their uses is to reduce the causes and impacts of surface water flooding (sometimes referred to as flash flooding). The current Local Plan already encourages the use of SuDS but given the many benefits of using SuDS against traditional systems, we believe the Local Plan Update should consider how the existing policy could be strengthened to make the use of SuDS a firmer requirement for new development, particularly given the benefits in addressing climate change resilience, biodiversity, and health and wellbeing objectives.

One potential option we are considering is the mapping of infiltration rates to identify the areas that are most suitable for SuDS and this would support delivery of SuDS in those locations. Another way to help manage surface water flooding is to identify the 'source' locations where heavy rainfall can lead to flooding at a downstream 'receptor' location. Additional measures to reduce the speed of surface water run off at the source location, such as tree planting, can avoid the need for mitigation downstream.

Question: Do you agree that surface water flooding and use of SuDS should be within the scope of the Local Plan Update?

Question: Do you have any thoughts on the potential options raised above, or any alternative options you think we should consider?

Resilience

Flooding has a negative impact on the lives of everyone affected by it. Given the forecasted increases in rainfall we want to consider what we can do to make sure that new development is resilient. There has been a rise in purpose built accommodation for people who are especially vulnerable, such as elderly and disabled. These people may be less able to cope with the impacts of flooding and the effects can be devastating for them.

We currently do this by requiring a flood risk assessment FRA to be submitted to accompany planning applications which sets out mitigation measures to make sure the development will be safe for its lifetime and without making flood risk worse elsewhere for all affected people. We wish to explore whether the Local plan could provide a clearer steer on how developments can be made resilient for all users.

Question: Should the Local Plan set new standards for flood resilient housing?

Question: Should the Local Plan consider where accommodation for more vulnerable people is located?

Permitted Development Rights and Porous Paving

The paving over of front gardens can result in increased flood risk caused by surface water runoff which is unable to drain naturally if impermeable materials are used. Additionally, the loss of vegetation can contribute to increased air pollution in urban areas and can affect the character and appearance of traditional streetscapes.

Permitted development rights are set by the Government and set out types of development that do not require planning consent. Permitted development rights allow for the provision of a new or replacement hard surface (such as a driveway) within the curtilage of the grounds of different buildings, such as houses, offices and industrial buildings.

We're keen to explore what approaches we could take to ensure that where landscaping and gardens provide a valuable function in helping manage flood risk, they are not subsequently lost through permitted development rights.

Question: Should the Local Plan Update consider what approaches could be taken to limit permitted development rights for new developments to ensure open areas that are needed for flood risk management are retained?

Question: Whilst not subject of a grant of planning permission should the Council consider how to control paving over front gardens and loss of soft and natural landscaping in existing development, for example through enhanced guidance for householders?

Topic 3: Green Infrastructure

Background

Protecting, enhancing and increasing green infrastructure (GI) plays an important role in delivering the Council's strategies to improve the health and wellbeing of its citizens and to address the climate change emergency as well as creating high quality, attractive places for people to live, work and relax in. Through this Local Plan Update we are aiming to adopt and improve policies that will help development adapt and mitigate against the impacts of climate change by creating a better more sustainable environment.

Strategic Green Infrastructure

The current Local Plan already contains a broad suite of policies aimed at protected and enhancing Green Infrastructure. However, they are located across a range of different documents and policies. We would like to explore how we might bring this together to form a single strategic policy that would set a clear definition of GI, set out a clear network of uses and provide increased emphasis on improving existing GI and delivering high quality GI through new developments. We are particularly keen to embrace concepts such as ecosystems services and natural capital and apply them to Leeds.

Question: Do you agree that enhanced policy for the protection, improvement and enhancement of GI should be included in the Local Plan Update?

Question: If so, do you have any thoughts or ideas about what you'd like to see included in such a policy?

Trees

Through the White Rose Forest Project the Council is committing to doubling its tree cover by 2050. Trees have multiple benefits for the environment and our mental health. In particular, with regards to the climate emergency, they store carbon dioxide and extract it from the air we breathe.

Whilst the planning system can only provide limited protection for existing trees, we are keen to explore options for how that protection could be enhanced. Equally, planning policies could be used to increase tree planting. Current policies require the replacement of lost trees through development on a 3 new trees for every 1 lost ratio. However, with mature trees, this often doesn't reflect the amount of carbon storage lost. In order to better recognise the role trees have in storing carbon, options for future policy could include increasing this tree replacement ratio to reflect the level of carbon stored within trees to be lost.

Question: How could planning policy be used to increase tree coverage across Leeds?

Green Space

Policy for the delivery of new green space outside of Leeds City Centre was recently updated in 2019 and it is not considered necessary to revise this. However, we're

concerned that our existing policies are not providing enough usable greenspace *within* the City Centre. The City Centre is one of the most sustainable locations for growth across all of Leeds and we want to ensure that current and future residents have good access to green space, particularly in light of the effect Covid-19 restrictions placed on residents within the area.

Question: Do you agree that the Local Plan Update should consider new policies to enhance green space provision within the City Centre?

Nature Conservation

There is widespread recognition of the importance to protect and enhance the natural environment, to ensure biodiversity is fully considered in decisions affecting the use and development of land and to seek opportunities to improve the network of habitats and green infrastructure to increase biodiversity. Sites are identified and formally designated to give protection to habitats, flora and fauna which are important locally, regionally, nationally and internationally.

In Leeds there are a number of such sites which are protected against development and activities that would harm the sites under national and international legislation, as well as local policy. In recognition of the importance of land that does not meet the criteria for formal designation, the Council has identified a broader network of habitats within the Local Plan.

It is considered that existing Local Plan policy on designating local wildlife sites and nature conservation designations is effective at protecting species and habitats and if revised would only require minor changes. This changes could consider updating outdated terms, references and documents; emphasising monitoring and updating policy; and considering whether existing maps could be updated more easily.

Question: Do you agree that the Local Plan Update should consider enhanced policy for nature conservation. If so, what would you like to see a revised policy contain?

Biodiversity

Worldwide we are seeing dramatic losses in the amount and variety of natural life on Earth. Leeds' current Local Plan already reflects this loss by requiring new developments to deliver a net gain for biodiversity. However, we are keen to explore whether this policy should go further by setting higher standards for the amount of net gain that should be delivered on new development sites.

Question: Do you agree that the Council should revise its policies on biodiversity? If so, what would you like updated policies to contain?

Local Food Production

Local food production is an important part of Green Infrastructure because it helps deliver many of the benefits of GI (e.g. for biodiversity and well-being). It is also an important part of cutting carbon in its own right because the travel and processing associated with food generates lots of carbon emissions.

Whilst there is already considerable enthusiasm and commitment to grow food locally the planning system can help remove barriers, such as lack of access to suitable land and through its wider Green Infrastructure policies.

It is proposed that at this initial stage the Plan needs to set a positive framework for local food growing and provide more detail on how this can be achieved within a revised approach to protecting, managing and providing new Green Infrastructure and local place-making policy approaches being advocated elsewhere in this Local Plan Update.

Question: Do you agree that the Council should include policies to positively promote local food production?

Question: Do you think all new housing should deliver such opportunities or do you think they should be more strategically focussed e.g. more allotments?

Question: What else do you think the planning system can do to encourage local food growing?

DRAFT

Topic 4: Place-making

Background

We want to minimise carbon emissions by guiding new development to locations that offer the best opportunity for active travel, for use of public transport and for minimal use of private motor vehicles. To do this we need to capitalize upon a local community's assets, inspiration and potential and create high quality, sustainable and resilient places that people want to live, work and play in and promote people's health, happiness and well-being.

Strategic Place-making

All development plans produced in Leeds, as part of the Local Plan to-date, have sought to provide a framework for sustainable and healthy communities, having regard to quality of life and to protect and enhance the environment. This is achieved through a strategic and spatial approach and a suite of policies relating to the overall scale and distribution of development, location, layout and fabric of places.

The impacts of the Covid-19 pandemic on people's access to services and facilities, coupled with the threat of climate change have placed greater emphasis on a concept known as the '**20-Minute Neighbourhood**'. The purpose of the concept is to ensure that residents have quick access to essential facilities and services via walking, cycling or public transport. This, in turn helps support strong communities and local economies, recognising that easy and safe walking and cycle access to services/facilities is good for health, and that physical activity and less reliance on the private car reduces air pollution and carbon emissions. This approach to local growth and place making around service centres and hubs is gathering support across the world and is an easily understood way of planning for the way places change.

For Leeds to meet its objective of minimising carbon emissions it is considered that spatial growth, in line with the emerging Leeds Transport Strategy, should continue to follow a pattern of concentration particularly around the City and town centres and with less development in relatively unsustainable locations, and promote walkable neighbourhoods. In this context, we think now is the right time to consider whether existing policy needs updating to reflect how best to apply the 20-minute neighbourhood concept to Leeds' Local Plan.

Question: What does a '20-minute neighbourhood' mean to you? Do you agree that Leeds should aim to create 20 minute neighbourhoods?

Question: Should Leeds introduce a presumption against car dependent development?

High Quality, Resilient and Healthy Places

There is also much research on the relationship between planning and good design and health benefits (Healthy by Design, NHS England, 2018) that share the benefits of addressing climate change (mitigation and adaptation) through improvements to the

layout and form of buildings and spaces and better use of resources that has clear health benefits.

Leeds' current Local Plan has sought to provide a framework for sustainable and healthy communities, having regard to quality of life and to protect and enhance the environment. All development proposals are subject to a suite of specific and more detailed place making policies on the layout and fabric of places (covering design, housing, employment, natural environment, green space/public open spaces, transport) to achieve a layout, design and fabric efficiency which both mitigates climate change and addresses impacts, such as flooding.

However, existing design policy P10 of the Core Strategy lacks explicit reference to climate change, health and well-being. It also lacks clear signposting to other technical policies which are directly related to good design. There may also be the opportunity to introduce Sustainable Development Checklists to ensure that health and wellbeing and climate emergency measures are fully addressed in all development proposals.

Question: How would you priorities these users of residential streets, in order of importance? Busses, Cars, Cyclists, Pedestrians.

Question: Do you agree that more emphasis should be placed on climate change and health and wellbeing matters in future design policies and guidance? If so, how would you like to see this happen?

Topic 5: Sustainable Infrastructure

This topic covers a range of different types of infrastructure which all have a role to play in supporting sustainable development and responding to the climate emergency. This includes transport infrastructure, considering the proposed High Speed 2 and West Yorkshire Mass Transit schemes, as well as the growth of Leeds City Station and managing development at Leeds Bradford Airport. It also considers digital infrastructure, and access to reliable and high speed data networks.

High Speed 2 and Leeds Station

It is important to stress that the principle and detailed routes of HS2 will not be decided by planning policy. However, where possible, we want to use the planning system to ensure that the potential social, environmental and economic benefits of HS2 for Leeds, and the areas and communities around the line, are capitalised on, and that any potential adverse impacts are avoided wherever possible, and minimised or mitigated where not.

As such we are considering the creation of new policy to help us consider proposals for the development of Leeds Station and HS2. In the future, we could also look to prepare further guidance that supports the integration of HS2 into the urban fabric of Leeds. This could provide more detailed information about the opportunities, aspirations and expectations for development in particular areas / specific plots under and around the line, and how they relate to the regeneration and development plans for the wider area.

A new policy could provide support for the growth of the station (already the busiest in the north of England) in accordance with design principles; identify the types of uses that would be appropriate alongside (or under) different parts of the new HS2 line; emphasise the importance of new public spaces and connections with the city's existing green space network; maximise the potential contribution to addressing climate change; emphasising the importance of supporting and enhancing pedestrian, cycle and bridleway routes and permeability; encourage temporary greening measures or cultural, community and commercial uses of land during periods when land is not required for construction.

Question: Do you agree that the Local Plan Update should include a new policy on Leeds Station and HS2?

Question: If so, what are your views on the suggestion that this policy could focus on Leeds Station, development opportunities, integration with the Green Space network, climate change, pedestrian, cycle and bridleway routes and temporary uses?

Mass Transit

As reflected in Leeds' draft Transport Strategy, it is acknowledged that for the scale of growth forecast in Leeds over the next 10-15 years there is insufficient urban transport capacity to enable urban communities in the Leeds City Region to access employment opportunities. Alongside facilitating additional capacity, there is a need

to respond to the Climate Emergency declaration and reduce transport related emissions across the city.

Whilst Mass Transit is not a planning initiative it is considered important that up to date local policy is in place to ensure that Mass Transit can be delivered effectively, and that other associated benefits, such as integration with the green space network, future developments, and pedestrian and cycle routes are factored in.

The Local Plan Update could contain a policy that sets out strategic support for the scheme, and that also seeks to ensure that important aspects such as biodiversity, greenspace, active travel and Sustainable drainage systems (SuDS) are integrated into the scheme. There is also the potential for the Local Plan Update to protect the detailed route of Mass Transit from other uses, which if built on or next to the line could impede its delivery.

Question: Do you agree that the Local Plan Update should include policy on Mass Transit? If so, what elements of the scheme would you like to see new planning policy focus on?

Leeds Bradford Airport

As a regional airport, LBA provides a significant role to the Leeds City Region and the City as it forms part of the strategic infrastructure and a major economic driver for the Leeds City Region. The Council's current policy encourages a well-connected and accessible airport by sustainable forms of transport and surface access improvements to support the growth of the airport are one of the City's existing spatial priorities.

Air travel is a major contributor to greenhouse gas emissions, both through flights and travel to and from the airport.

The Leeds Local Plan already contains a policy (SP12 of the Core Strategy) on the airport which is supportive of growth to enable the airport to fulfil its local and regional role, provided that a series of criteria would be met. These criteria address a need for major public transport infrastructure, surface access improvements and a strategy to guide this, environmental assessment and mitigation and management of local issues.

At this early stage of the Local Plan Update we are seeking views from stakeholders on whether policies relating to the airport should be within the scope of the Local Plan Update and what issues an updated policy might address.

Question: Do you agree that the Local Plan Update should contain new or updated policies for Leeds Bradford Airport? If so, do you have any views on how those new or updated policies should make changes to the existing policies?

Digital Connectivity

The Council has an ambition to deliver wider digital connectivity benefits for the city as a whole with an ambition to have the best connectivity in the UK for all across the district, to be able to access gigabit capable services. Access to reliable, high-speed connectivity will allow people to work from home more easily and will give homes fast and reliable connections. The Covid-19 Pandemic has in particular highlighted the

essential need for digital infrastructure, with increasing reliance on remote working, remote communication to include home schooling, online shopping and other services. Digital Connectivity in terms of gigabit connection is now seen as essential infrastructure to facilitate the services and facilities which are now an integral part of our lives.

It is considered that there are benefits to introducing new policy for digital connectivity to focus on providing digital connectivity for new sites and new developments only.

A new policy could provide a policy hook to ensure that developers are incentivised to provide gigabit capable new housing. The benefits of this would be that; (i) we are providing housing which is meeting the needs of our modern lives, (ii) new housing is designed and built with good gigabit connectivity from the outset, (iii) new housing is not retrofitted later with digital connectivity provision, (iv) to future proof new housing, (v) to ensure that digital infrastructure is sympathetically designed as part of site development as essential infrastructure, (iv) to reduce digital poverty, this would ensure that digital connectivity is provided for all.

Question: Do you agree that digital connectivity is essential infrastructure for new housing in Leeds?

Question: Do you agree that a policy should be introduced on digital connectivity?

Question: Should the policy focus on residential development only or commercial development too?

Question: Should a digital connectivity strategy be a requirement for all planning applications?

7 What will the Local Plan Update look like?

- 7.1 If adopted the Local Plan Update will replace policies within the existing Leeds Core Strategy, Natural Resources and Waste Local Plan and saved policies of the Unitary Development Plan by either deleting or superseding them. Upon adoption it will therefore be necessary to update the existing Local Plan documents and the Local Plan Update will be a document which makes amendments to other Local Plan Documents.
- 7.2 The Local Plan Update will be prepared in accordance with national guidance as set out in the NPPF and at its next step, once the precise scope and direction of policies has been informed by this consultation, will include:
- A preferred approach which sets out detailed policies informed by this consultation
 - A Sustainability Appraisal Report, which will assess the social, environmental and economic effects of the DPD to ensure that any decisions made support the principles of sustainable development. The Sustainability Appraisal will build upon the assessment already completed for the wider Local Plan and assess reasonable alternatives to the Council's preferred approach
 - A Habitats Regulation Assessment, which will assess the impact of the DPD on the integrity of sites of European nature conservation importance
 - An evidence base to show that the policies are justified and will be effective. At present the ideas and options presented as part of this consultation have not been tested for their viability. Once we've captured views through this consultation we'll then be able to refine these into more detailed policies, test their viability and consult on them.
 - A monitoring framework to set out how we will ensure that the policies are achieving their stated aims
- 7.3 A series of topic papers supplement this introductory paper which explore the issues in more detail and pose consultation questions.

This page is intentionally left blank

APPENDIX 2: TOPIC PAPERS

DRAFT

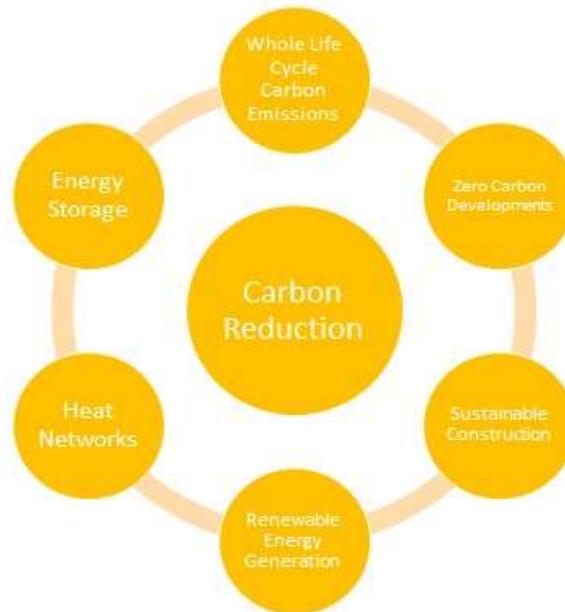
Vision for Carbon Reduction: To minimise energy demand and meet all heat and power requirements without increasing carbon emissions to allow Leeds to meet its climate emergency commitment of zero carbon by 2030

What is this topic about?

As part of our aspiration to make Leeds zero carbon by 2030 we need to make changes to the way buildings are built in Leeds and to how we generate renewable energy.

Page 54

The proposed policy areas



Where do we want to get to?

•We want new developments to measure carbon emissions across the whole life-cycle of a building.

•We want new buildings to be sustainable constructed and be zero carbon

•We want to ensure we've delivered enough renewable and low carbon energy to meet zero carbon aspirations.

Where are we now?

Our current Local Plan has many effective policies on carbon reduction and renewable energy generation and they have seen real improvements in the way development is built in Leeds. However, they don't go far enough to make us zero carbon by 2030, so we think we need to go further.

Have your say

We need your views on whether you think our aspirations for the Local plan Update are correct. If you agree with our vision, how do you think we can get there? If you disagree, what do you think we should be doing instead?

LEEDS LOCAL PLAN UPDATE

REGULATION 18 CONSULTATION TOPIC PAPER

CARBON REDUCTION

INTRODUCTION TO THE TOPIC

‘Right now, we are facing a man-made disaster of global scale.

Our greatest threat in thousands of years. Climate change.’

David Attenborough 2018

OBJECTIVE: Minimise energy demand and meet all demands for heat and power without increasing carbon emissions to allow Leeds to meet its climate emergency commitment of zero carbon by 2030.

Leeds City Council is committed to taking significant action to mitigate and adapt to the impacts of Climate Change. There is a legal duty under section 19(1A) of the Planning and Compulsory Purchase Act 2004 to ensure that climate change mitigation and adaptation is a core objective of a local authorities’ planning policy.

Climate change is also a key concern of Leeds residents. As part of The Big Leeds Climate Conversation, a survey of Leeds’ residents found that **94.8%** are worried about the effects of climate change on future generations and **96.7%** think that public sector organisations have a responsibility to reduce their own carbon footprint and make it easier for individuals to make more environmentally-friendly choices¹.

Section 182 of the Planning Act 2008 puts a legal duty on local authorities to include policies on climate change mitigation and adaptation in Development Plan Documents. Additionally para 148 of the NPPF requires the planning system to help to:

‘Shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.’

It is therefore essential for this legal and policy requirement to be addressed in the Local Plan.

The Local Plan currently has several policies that help reduce and mitigate against the impacts of climate change. However, these policies were written and adopted prior to the Council declaring its Climate Emergency. Therefore it is essential to update and

¹<http://democracy.leeds.gov.uk/documents/s198402/Climate%20Emergency%20Report%20Annex%202%20191219.pdf>

add new policies, using up to date evidence, to the Local Plan which will help Leeds meet its zero carbon goal by 2030.

Existing policies have made positive impacts on carbon reduction but they may not go far enough. The table below shows the trend of CO2 reductions across the whole of Leeds since 2005, the year when Local Authority data was first published by the Government. Figures are recalculated annually and are published 2 years in arrears. The latest data published in 2019 is therefore from 2005 – 2017.

Carbon Dioxide emissions reduction in Leeds District by major emitter							
Year	CO ₂ emissions (m tonnes)	Per capita % reduction	Absolute % reduction	Absolute CO ₂ reduction (m tonnes)	Industry % reduction	Domestic % reduction	Road Transport % reduction
2005	4.973	0.0	0.0	0.0	0.0	0.0	0.0
2006	4.953	0.6	0.4	19.6	-1.3	1.3	2.0
2007	4.799	4.0	3.5	174.1	3.2	5.3	1.2
2008	4.730	5.7	4.9	242.9	4.2	5.6	4.9
2009	4.279	15.0	14.0	694.3	16.3	14.4	8.9
2010	4.456	11.9	10.4	516.6	12.0	8.3	10.8
2011	4.042	20.4	18.7	930.6	21.2	19.4	12.9
2012	4.265	16.8	14.2	707.9	14.7	13.5	14.6
2013	4.131	19.8	16.9	841.9	17.8	16.5	16.1
2014	3.617	30.1	27.3	1355.6	31.7	29.5	15.3
2015	3.424	34.6	31.2	1549.3	39.3	31.4	15.6
2016	3.279	38.0	34.1	1694.2	44.3	34.6	14.4
2017	3.133	41.0	37.0	1840.4	47.9	37.7	15.7

We would like to hear your views on the following suggestions for planning policy intervention as detailed in the following section.

POLICY TOPIC AREAS

WHOLE LIFE-CYCLE CARBON EMISSIONS

Background

Whole life cycle carbon emissions or ‘embodied carbon’ refers to the carbon emissions resulting from the construction and use of a building over its entire life, including the carbon that is emitted from the operation of a building once it is complete and its end of life demolition and disposal.

The net zero carbon construction of a building can be achieved through the use of low carbon products and materials (and their transportation) and the use of carbon offsets or net export of on-site renewable energy to off-set carbon. As the product supply chain includes less and less carbon over time and in response to demand, so less carbon off-setting will be needed.

The net zero carbon operation of a building can be achieved through reducing energy demand through a high level of energy efficiency and by powering the development from on-site and/or off-site renewable energy sources, with any remaining carbon balance offset.

Whole life net zero carbon includes the following elements:

1. Construction products and processes
2. Operation of the building
3. Maintenance, repair, refurbishment and water use
4. Demolition, waste, disposal
5. Carbon savings from material re-use.

The UK Green Business Council (UKGBC) has produced the following summary diagram which identifies the ten key requirements for net zero operational carbon buildings:

<https://www.ukgbc.org/wp-content/uploads/2020/02/UKGBC-Net-Zero-Operational-Carbon-One-Pager.pdf>

Current Policy Position

Our current planning policy approach is focussed on reducing operational energy use but we don’t at present ask for any reduction of the embodied carbon which is emitted through construction materials and the processes used to create them and transport them and the maintenance of buildings, repair and replacement as well as dismantling, demolition and eventual material disposal.

Rationale for an Enhanced Policy Framework

We want to influence the following elements of whole life cycle net zero carbon:

1. Reduce construction impacts – through a whole life carbon assessment

2. Reduce operational energy use – through improvements in the energy efficiency of buildings
3. Increase renewable energy supply – through the identification of suitable areas for renewable energy generation in the district
4. Off-set any remaining carbon – through a carbon off-setting methodology

In order to fully capture a development's carbon impact across the whole of its life, planning applicants would need to calculate the whole life emissions and demonstrate how they can be minimized. This approach would lead to a significant reduction in carbon emissions and support the circular economy (where materials are retained in use at their highest value for as long as possible and are then re-used or recycled, leaving a minimum of residual waste).

Proposed Policy Options

We'd like to explore options for how we can integrate policies related to whole life-cycle carbon emissions, with some of the initial options raised below.

Option 1: Require a whole life-cycle carbon assessment to be submitted in support of all major planning applications to demonstrate how carbon emissions during construction and operation of the development could be reduced to achieve zero carbon across the whole carbon life cycle of the development.

Option 2: Require assessments to be submitted until 2026 but after that date require development to meet a set of benchmarks to achieve zero carbon across the whole carbon life cycle of the development. This would stagger the requirement for development to meet whole life cycle zero carbon so as to give the industry time to prepare for the change.

For both options consideration needs to be given to what the application size threshold should be to trigger a whole life cycle carbon assessment so it avoids placing an undue burden on smaller developers.

The UK Green Building Council has provided guidance² for those who are looking to measure the whole life cycle emissions of a development. The Royal Institute of Chartered Surveyors (RICS) have also published a professional statement on conducting whole life carbon assessment for the built environment³. London's draft local plan includes a policy (Policy SI 2) that sets out a requirement for developments to calculate and reduce WLC emissions and they are currently consulting on their Whole Life-Cycle Carbon Assessments guidance⁴ note for the implementation of this policy.

Are you a developer or builder that has tried this approach? Was it straightforward? Do you think that including this as a requirement will encourage carbon use to be

² <https://www.ukgbc.org/sites/default/files/UK-GBC%20EC%20Developing%20Client%20Brief.pdf>

³ <https://www.rics.org/globalassets/rics-website/media/news/whole-life-carbon-assessment-for-the--built-environment-november-2017.pdf>

⁴ <https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/london-plan-guidance-and-spgs/whole-life-cycle-carbon-assessments-guidance-consultation-draft#Stub-301723>

considered at the earliest stages of design and layout so as to deliver carbon benefits in a viable manner?

Consultation Questions

- 1. Do you think that planning policy should seek to reduce the embodied carbon emissions across the whole life cycle of a development?**
- 2. Do you have any further thoughts on whole life-cycle carbon reduction, such as how quickly it should be used to require zero carbon development, or whether all developments should be required to carry out assessments?**

DRAFT

OPERATIONAL ENERGY CARBON REDUCTION

Background

The Committee on Climate Change recommendations state net zero is only credible if policy to reduce emissions ramps up significantly. The UKGBC have identified that to achieve the Government commitment of zero carbon by 2050, the UK must halve its emissions by 2030. This means that all new development needs to be built to be net zero carbon long before that date.

We expect buildings not to waste energy by being built to be as energy efficient as possible. This also helps to reduce household fuel bills (and support initiatives for 'affordable warmth'), improve business competitiveness, create jobs in the energy service sectors and provide resilience in our energy supply. Cost implications are much lower when energy efficiency measures are included in a new building than when they are retrofitted and it would be a waste of resources to construct buildings now that will require retrofitting in the future.

Section 1 of the Planning and Energy Act 2008 gives local planning authorities the power to set energy efficiency performance standards that exceed those required in Building Regulations. Whilst this power will be amended by Section 43 of the Deregulation Act 2015, the Government has confirmed that it has no current plans to commence Section 43 of the Act. The March 2019 update to National Planning Policy Guidance states:

In their development plan policies, local planning authorities:

- Can set energy performance standards for new housing or the adaptation of buildings to provide dwellings, that are higher than the building regulations, but only up to the equivalent of Level 4 of the Code for Sustainable Homes.*
- Are not restricted or limited in setting energy performance standards above the building regulations for non-housing developments.'*

However, with the Government signalling that radical changes are to be made to the Planning system, through the White Paper and subsequent revisions to the NPPF and NPPG, it is considered appropriate to consider the Council's response to the carbon efficiency of buildings now. There is no similar restriction in national policy on seeking energy needs of the development to be met by renewable or low carbon energy, such as solar panels or air source heat pumps

Current Policy Position

The Council currently has a planning policy that goes further than national building regulations. Core Strategy Policy EN1 requires major development to be 20% more energy efficient than the Building Regulations standard and requires 10% of the energy needs of the development to come from renewable or low carbon energy sources. The objective is also met by Core Strategy Policy EN2 which requires major commercial development to be built to the BREEAM Excellent standard (which includes mandatory energy standards).

Rationale for an Enhanced Policy Framework

The current policy EN1 has helped contribute to significant increases in the energy efficiency of new developments. However, the requirements of that policy will not deliver the Council's climate emergency commitment to make the city carbon neutral by 2030. As such it is appropriate to look at options for achieving zero carbon in new development (including improvements in energy efficiency) as well as increasing the proportion of energy needs that are met by renewable or low carbon energy.

Policy EN1 has the potential to achieve even greater energy savings and this would help residents who are in fuel poverty by reducing the amount of energy they have to use to heat their homes and increase energy security by reducing reliance on fossil fuels that are imported from outside the UK.

Within Leeds there are some good examples of innovative approaches to carbon reduction. The Greenhouse is a development of 166 flats, work spaces, on site gym, café and other amenities which won the RIBA White Rose Award for Sustainability in 2010. The scheme has high levels of insulation, a ground source heat pump, solar panels, roof mounted wind turbines, water recycling systems and sustainable construction materials. Further information on this development can be found within the Council's Building for Tomorrow Today Supplementary Planning Document.

LILAC is a housing community of 20 eco-build households constructed from prefabricated cells of timber and straw all of which are super insulated. Solar water heaters and mechanical ventilation heat recovery units ensure a stable indoor air temperature. Through communal management and a strong community ethic, a LILAC household is projected to have a carbon footprint which is 65% less than a normal household. More can be found within their environmental and social impacts report published in 2020⁵.

Proposed Policy Options

We're keen to explore policy options that will deliver zero carbon developments, in a way that is feasible, realistic and viable. Options for the replacement of Policy EN1 could include the following:

Option 3. Require all development to be built so that carbon emissions associated with the building's operational energy are zero or negative

OR

Option 4. Gradually increase improvements in energy efficiency beyond the current 20% improvement combined with renewable energy use to achieve zero carbon emissions in new development by 2030. This option would need consideration of what the appropriate increases should be.

OR

⁵ [Lilac-Impact-Final-Draft-Compressed-200dpi.pdf](#)

Option 5. Require the energy needs of the development to come exclusively from renewable or low carbon energy sources, either on-site (such as air and ground source heat pumps) or off-site (such as from a solar or wind farm).

Option 5 without energy efficiency measures does not help to meet the objective to reduce energy demand but it avoids potential policy conflicts regarding the cap on energy performance standards in the NPPG associated with Option 4. It may also help to drive the provision of renewable energy in the district and therefore reduce reliance on fossil fuels. It may provide a cheaper way for developers to achieve zero carbon in operational energy but it restricts the freedom of the occupier to choose their energy provider. The Council proposes to identify suitable areas in the district for renewable and low carbon energy generation, and supporting infrastructure (see Option 9 below). Option 3 gives the developer the flexibility to choose the most appropriate solution for them to achieve zero carbon on operational energy which may be through a combination of energy efficiency measures and renewable energy generation.

AND

Option 6. Use carbon off-setting to address any residual carbon reductions needed to achieve zero carbon through a financial contribution to be spent on energy efficiency improvements, renewable energy generation projects, tree planting or carbon capture. Developers would still need to do everything they can to achieve zero carbon in the first instance but this option might be helpful to off-set any remaining carbon.

These options are not an exhaustive list and some of them could be used together.

Consultation Questions

- 3. Do you think we should require new development to achieve a zero carbon energy performance standard for the operational use of the buildings?**
- 4. Should developments still be required to include on-site renewable energy as well as meeting energy efficiency standards? If so, what proportion of the energy needs of the development should be met by renewable energy?**

SUSTAINABLE CONSTRUCTION

Background

Sustainable construction concerns the assessment of how environmentally responsible and energy efficient a construction project is. A number of standards exist, with perhaps the most well-known being BREEAM.

BREEAM sets standards for the following factors:

- Energy: building operational energy and CO2 emissions
- Management: management policy, commissioning, site management and procurement
- Health and Wellbeing: indoor and external issues (noise, light, air, quality, etc.)
- Materials: environmental impacts of building materials
- Transport: transport-related CO2 and location-related factors
- Water: building consumption and efficiency
- Waste: construction and operational waste management
- Pollution: water and air pollution
- Land Use & Ecology: site and building footprint and ecological value and conservation.

All of these factors influence the overall performance of a development and in many cases they reflect the standards that are in other adopted policies, so meeting BREEAM helps the developer address a number of planning policy priorities. Good design standards and adequate ventilation is necessary in combating the effects of an increase in temperature without reliance on high energy alternatives such as air conditioning units and personal fans.

The benefit of standards such as BREEAM Residential is that they give an overall assurance of the sustainability of a development (not just energy) and the developer is required to obtain an independent assessment to verify that the standard has been achieved.

Current Policy Position

Leeds wants all development to be built to a high standard across a whole range of sustainability measures. To achieve this we adopted Policy EN2 in our Core Strategy to require specific construction standard ratings to be achieved and adopted the Building for Tomorrow Today— Sustainable Design and Construction Supplementary Planning Document (SPD) to help developers design and construct sustainable developments within Leeds. For major residential development it was required to be built to Level 6 of the Code for Sustainable Homes and major commercial development to be built to BREEAM excellent standard (Building Research Establishment Environmental Assessment Method).

However, in 2015 the Government abolished the Code for Sustainable Homes and consequently the Council amended Policy EN2 accordingly through the Core Strategy Review. The revised policy still asks for BREEAM Excellent for non-residential

development but for residential development it only asks for a water consumption standard (in line with the Government's Technical Standards).

This has led to development such as at Bridge Street in the city centre where low water consumption measures, photovoltaic panels and a communal heat and power system are visible reminders of the more modern and sustainable approach to construction and design.

Rational for an Enhanced Policy Framework

As set out above, our current policies for sustainable construction have been limited by changes to national guidance and are not as ambitious as was originally intended. Whilst we have not been able to set policy to encourage all development to achieve these standards where we are able (e.g. through our own development) we have sought to go further.

The Council uses The Leeds Standard for its own Council house building programme. This standard prioritises high quality design, space standards and energy efficiency standards in new build Council homes. Regarding energy efficiency, the standard encourages a fabric first approach and energy efficient hot water and heating systems. Based on assessment, Leeds Standard dwellings shall produce an average 0.9 tonnes of carbon dioxide every year (the average household causes circa 6 tonnes per year).

Energy efficiency is a key component of most sustainable construction standards but the options proposed now for development to achieve zero carbon across the whole life cycle of a development need to improve even more. One way of helping to achieve this is through measuring of the improvement through accreditation by a sustainable construction rating method – which provides a standard against all of the different sustainable construction factors. Consideration should be given as to whether we want to introduce another method to measure sustainability for residential development to replace the Code for Sustainable Homes, such as the BREEAM Residential / Home Quality Mark.

In practice the Council already sets high standards for development of its own Council Housing developments. We are suggesting in this consultation that all development meet these higher standards.

Proposed Policy Options

We're looking to explore policy options for how higher environmental standards of construction could be integrated into planning policy. These options could include:

Option 7: Require residential development to achieve a specific sustainable construction rating / standard eg BREEAM Residential

Option 8: Create our own set of standards across a range of sustainable construction measures equivalent to Code for Sustainable Homes Level 6.

Consultation Questions

5. Do you think that Leeds should set a standard for sustainable construction of new residential development?
6. If so, do you think we should use one of the established sustainable construction rating systems such as BREEAM Residential or create our own set of standards?

DRAFT

RESILIENCE TO HEAT

Background

By 2070 the average summer day could be between 1.4 and 5.1 degrees warmer leading to significant impact on people's health and wellbeing due to overheating. Heat stress occurs at temperatures of over 35 degrees centigrade with an impact on productivity and effects on sleep that can lead to illness and it can even lead to death, particularly in people over 65. Currently it is estimated that there are 2,000 heat-related deaths in England and Wales, every year. This figure is expected to increase to 7,000 by 2050 as a result of climate change⁶.

The NPPF tells us to 'avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure.' (para.150 a).

Permitted development rights allow conversion of office development to residential. There is often little consideration of overheating when those changes of use take place. In September 2015 there were rooms in such developments that reached temperatures of 47 degrees centigrade.

Current Policy Position

There are no policies within the Local plan that specifically consider the overheating of homes and buildings.

Rationale for an Enhanced Policy Framework

Given the importance of adapting to the impacts of climate change we feel it is important that the Local Plan considers how new developments could be made more resilient to the impacts of heat.

Proposed Policy Options

We're keen to explore new policy options that could increase the resilience of homes and buildings to the effects of over-heating. These options could include requiring developers to use the 'cooling hierarchy' to avoid buildings being at risk of over-heating. This might involve the use of passive design to minimise unwanted heat gain and manage heat – for example by using building orientation and natural shading. It could also incorporate the use of natural cooling by allowing outside air to ventilate and cool a building without the use of a powered system, for example through windows that can open and ventilation. Alternatively, air conditioning could be included in the mix of solutions. However, given the energy intensive nature of air conditioning systems it may be that the use of such systems could be a last resort when a satisfactory level of cooling cannot be achieved naturally.

⁶ <https://www.theccc.org.uk/uk-climate-change-risk-assessment-2017/ccra-chapters/people-and-the-built-environment/>

Consultation Questions

7. Do you agree that the Local Plan should contain a policy designed to increase resilience to the impacts of heat?
8. How do you think Leeds could ensure that homes are more resilient to overheating?

DRAFT

RENEWABLE ENERGY GENERATION

Background

National policy recognises the role of the planning system to ‘*support renewable and low carbon energy and associated infrastructure*’ (para 148). Consideration needs to be given as to what is the best way for Leeds to do that.

Current Policy Position

Core Strategy Policy EN3 encourages investment in renewable energy and low carbon infrastructure and the NRWLP (Table 5.1) sets minimum targets for installed and grid connected energy for each type with an overall target of 81MW by 2021. Leeds has already granted consent for a total of 77.90 MW, mostly from the Hook Moor Wind Farm at Micklefield and the Council’s Energy Recovery Facility at Cross Green. 26MW of the total will be provided by a private Energy Recovery Facility at Skelton Grange Road. There have been no planning applications for wind energy development in Leeds since 2015. This follows the Government’s 2015 changes to planning policy relating to onshore wind development, combined with the withdrawal of subsidies for renewable energy generation.



Hook Moor Wind Farm, Micklefield

Rationale for an Enhanced Policy Framework

The Government’s 2015 changes have meant that our existing Local Plan maps showing the wind resource across Leeds will not be a sufficient basis for the consenting of wind farm applications. Consequently, if Leeds is to give any further consents for wind turbines the wind speed map in the Core Strategy will need to be replaced with a map showing areas with potential for wind energy development, which would then be shown on the Policies Map. A similar approach could be taken for solar farms. This approach would ensure that Leeds was maximising opportunities for local

renewable energy generation and reduce reliance on fossil fuels ahead of the Government's plans for decarbonisation of the grid by 2050.

Consideration should be given as to whether local renewable generation is the right option for Leeds as projects such as the wind farm at Hornsea provide far more renewable energy than could ever be generated locally. However local renewable energy generation helps Leeds to be more energy secure, it avoids the inefficiencies associated with loss of energy during its transmission (which is greater the further it has to go), it creates local jobs and it can provide opportunities for community benefits. Furthermore local renewable energy generation may provide opportunities for new developments to be directly powered by them and therefore achieve zero carbon in their operational energy use.

Defining an area where there are opportunities for renewable energy generation helps to guide energy providers to the most appropriate locations and reduces speculative applications. It will help the Council to meet its climate emergency commitment by providing local sources of zero carbon energy which can be used to power industry, homes and business in the district and will be a helpful step towards providing spatial guidance for any central government decarbonisation agenda.

Proposed Policy Options

As part of the Local Plan Update we are considering possible options for renewable energy generation in Leeds. There is no requirement for Local Authorities to set targets for renewable energy generation, and with national efforts to decarbonise the electricity grid, it may be considered that such an approach would be unnecessary. In such a scenario it may still be beneficial to set policies for how applications for renewable energy would be assessed against. Alternatively, by setting targets, we could also identify suitable areas in the district for different types of renewable energy.

The NRWLP currently includes a criteria based policy that we use for assessing wind farm applications but a similar policy may also be beneficial for other large scale energy generating facilities which have similar issues to those of wind farms. The wind farm policy could therefore be expanded to cover solar farms and energy storage.

Consultation Questions

- 9. Do you consider that Leeds should set targets for different types of local renewable energy generation?**
- 10. Do you have any views about where facilities for local renewable energy generation should be located?**

HEAT NETWORKS

Background

Leeds City Council and its partners Vital Energi are constructing a heat network, via underground pipes, around Leeds City Centre which re-uses the heat produced from the Recycling the Energy Recovery Facility (RERF) to supply a low carbon form of heat in the urban area to local homes and businesses. When complete, the network will connect nearly 2,000 homes and businesses providing low carbon heat and hot water, equating to a saving of 11,000 tonnes of carbon emissions per year.

Current Policy Position

Core Strategy Policy EN4 asks for developments to connect into the heat network where possible and, in areas that are too far away from the heat network, to create a new district heat network serving the development. In all cases development should be designed to be ready to connect to a future heat network. This policy has been successful and is addressed by developers. The current network is shown on the map in Appendix 1.

Rationale for an Enhanced Policy Framework

However, in most cases the outcome is that developments are designed so as to be ready for connection to a future heat network, rather than being connected to the existing network or a new network. We want to further encourage the use of heat networks by identifying the opportunities for new development to connect in a Heat Networks Supplementary Planning Document (SPD) to which Policy EN4 would be the 'parent' policy. This would bring planning policy on heat networks together in one place.

Proposed Policy Options

Given the relative success of the heat network it may be considered unnecessary to update existing policies. Alternatively, it might be beneficial to supplement the existing heat networks policy with a detailed SPD to help match up heat networks with potential customers.

Consultation Questions

11. Would you like to see more connections made to the heat network or are there other more effective ways to reduce emissions?

ENERGY STORAGE

Background

Electricity storage means a generating station, or any part of a generating station that generates electricity from stored energy. These are often large, industrial looking buildings that would need to be carefully sited to avoid amenity issues for neighbouring uses. Stored energy is energy that is converted from electricity, and then stored for the purpose of its future reconversion into electricity. This covers a wide range of electricity storage technologies. It can support the use of low carbon technologies, reduce the overall costs of operating the system and help avoid or defer costly reinforcements to the networks.

Renewable energy can sometimes result in energy being produced when it is not needed and therefore can be lost. Energy storage can help reduce this loss by storing this energy for future use. Whilst storage can take a number of different forms, the most commonly used for electricity is the chemical battery. Storage has the following benefits:

- Storage of renewable energy for use later when it's needed
- Provide backup power when blackouts occur
- Provide voltage stabilisations or other grid balancing services.

Electricity storage is already being deployed across Great Britain and there is currently around 3GW of storage on the system, the vast majority of which is pumped hydro (BEIS, 2019). National Grid's Future Energy Scenarios (FES) predict that between 12-29GW of electricity storage could be deployed by 2050. It is very likely that Leeds will need to provide some energy storage within the district, particularly to help manage the supply that is generated from renewable energy generating facilities which might not be constantly producing at times of need.

Areas suitable for energy storage need to be within good proximity to the grid at locations where the sub station has capacity for the connection. Proximity to a power generation source is also useful. Industrial areas offer good potential especially if sites have poor accessibility so as to reduce the impact on the more accessible sites in the employment land supply. The Northern Powergrid map of sub stations in the district can be viewed from this link:

<https://www.northernpowergrid.com/generation-availability-map>

Current Policy Position

There is currently no guidance in the Local Plan against which to consider planning applications for energy storage. The Government has committed to providing some planning guidance on this issue but it is not yet available.

Rationale for an Enhanced Policy Framework

Given that there are currently no policies within the Local Plan on this topic we believe that a new local policy would be beneficial. This could include a target to establish how

much energy storage is needed in the district. This will mean that once the target is met, applications in the green belt will no longer be able to demonstrate very special circumstances to justify approval for what is inappropriate development in the green belt.

The Aire Valley Leeds Area Action Plan (AVLAAP) acknowledges the growing need for energy storage and identifies that some of the industrial parts of the Aire Valley may offer potential locations given the nature of sites and locations available within industrial areas such as Cross Green and Stourton, particularly sites which are otherwise difficult to develop for employment or other uses. There may be other similar industrial areas in the district that offer a suitable location for such infrastructure. Energy storage proposals will need to be subject to other planning considerations such as visual amenity and impact on adjoining uses and the landscape setting.

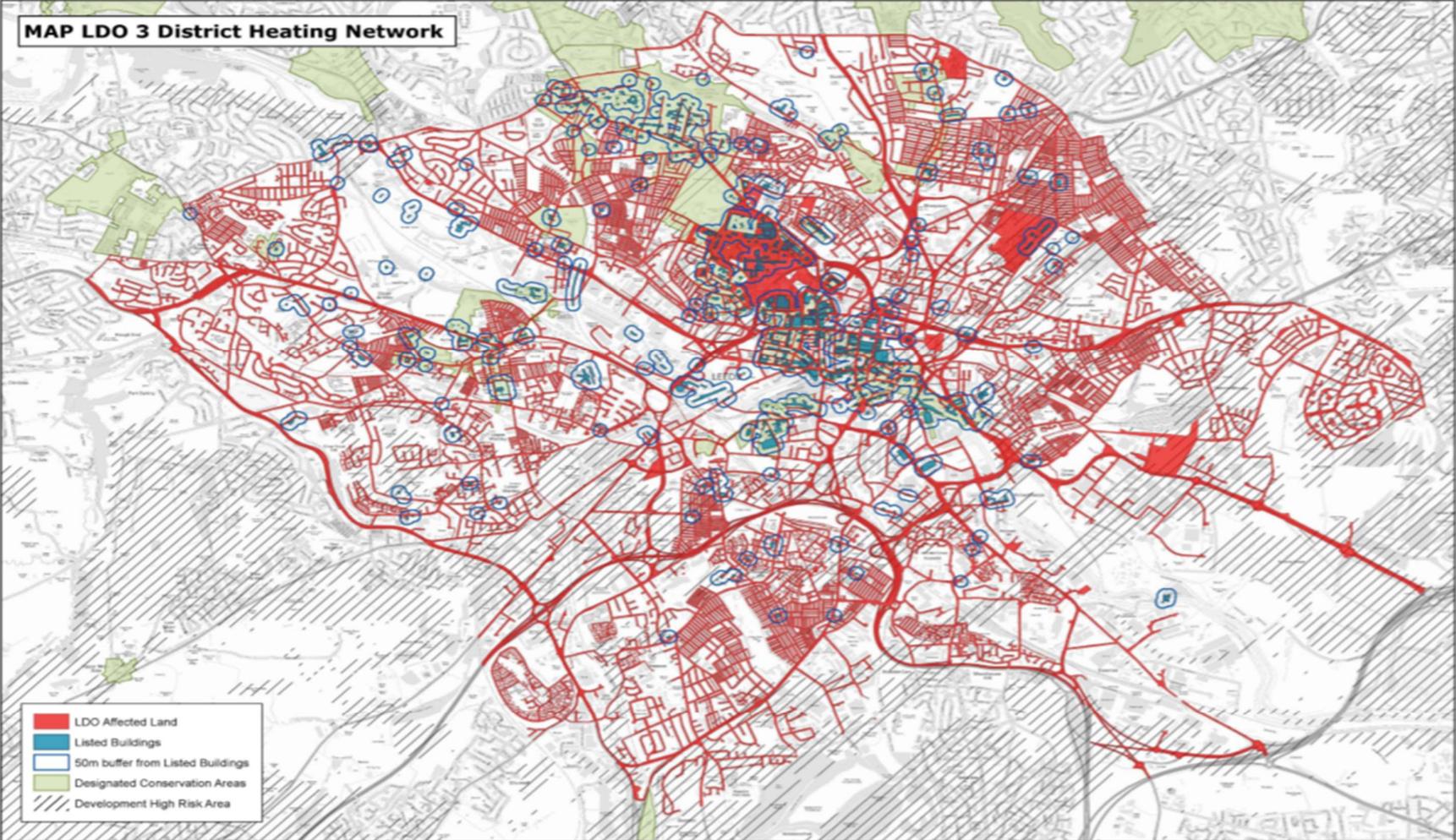
Proposed Policy Options

Whilst there is no requirement to set policies on energy storage, it may be considered beneficial to introduce one. This policy could set a target for energy storage and identify suitable areas. Or alternatively, it could identify suitable areas for energy storage without setting a target.

Consultation Questions:

- 12. Do you think that a new policy is required to guide the location of energy storage proposals?**
- 13. Do you think that a target should be set for the amount of energy storage in Leeds?**

APPENDIX 1: Map of District Heating Network (source Local Development Order 2017)



© Crown copyright and database rights 2016 Ordnance Survey 100019567
YOU ARE NOT PERMITTED TO COPY, SUB-LICENCE, DISTRIBUTE OR SELL ANY OF THIS DATA TO THIRD PARTIES IN ANY FORM
PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL Date: 28/01/2016 Scale: 1:30,000 @ A3



This page is intentionally left blank

Vision for Flood Risk: Leeds will ensure that new developments are located and designed to avoid, reduce and mitigate flood risk, increase biodiversity and reduce the carbon footprint of risk reduction schemes through natural flood solutions.

What is this topic about?

As part of our aspiration to make Leeds zero carbon by 2030 we want to ensure that our communities are resilient to the impact of climate change. Flood risk is one of the most direct impacts of climate change that Leeds faces. It's important that up to date evidence, best practice and guidance are used to avoid, reduce and mitigate that risk.

Page 75

Where are we now?

Our current Local Plan has many effective policies for Flood Risk and through Flood Alleviation Schemes the Council is working with partners and investing in infrastructure help protect communities. But with the impacts of climate change worsening, it's important that we consider options for improving policies on flood risk.

The proposed policy areas



Where do we want to get to

•We want to ensure that all new developments are located and designed to avoid, reduce and mitigate flood risk

•We want to reduce the speed of surface water run-off through increased use of sustainable and natural drainage systems

•We want to ensure our policies reflect up to date evidence, guidance and best practice to help manage flood risk

Have your say

We need your views on whether you think our aspirations for the Local Plan Update are correct. Do you agree that the topic of Flood Risk should be considered. If so, what would you like to see new policies contain?

LEEDS LOCAL PLAN UPDATE

REGULATION 18 CONSULTATION TOPIC PAPER

FLOOD RISK

This topic paper sets out to raise awareness and stimulate discussion about how flooding is considered in planning decisions, what policies the Council currently has to control development in areas at risk of flooding and what the recent Flood Alleviation Scheme means for specific parts of the City. It clarifies that the Council is in the process of updating its facts and figures about flood risk, which will help tell us how to manage land at risk. It also looks at how policies might be improved in the face of a changing climate and how flood risk from rivers and from rain can be better managed in new developments, including through what's known as Sustainable Drainage Systems.

INTRODUCTION TO THE TOPIC

As part of a changing climate MET Office statistics show that winters in the UK have got 12% wetter over the last 60 years and they predict that rainfall is likely to rise by a further 20% by 2070 with an increase in rainfall intensity leading to 20% more flash flooding.

Local rainfall data shows that since July 2019 Leeds has generally been experiencing higher rainfall than the East and North East England average.

Flood risk from rivers and flash floods is clearly a key part of the climate emergency agenda and we propose looking at whether our existing policies are strong enough to protect people and development from flooding and also to make sure that more development does not increase the risk.

The National Planning Policy Framework requires planning authorities to avoid locating development in flood risk areas, however it acknowledges that this is not always possible. In Leeds, which has grown historically along the Rivers Aire and Wharfe, it is important to consider other factors alongside flood risk, specifically the development needs of the City Centre and other town centres and the need to focus investment and regenerate parts of the City. This helps direct investment into places that need it and also to reduce pressure for release of Green Belt land. The planning system therefore has to balance competing conflicts in enabling investment whilst having regard to the effects of climate change.

National guidance also says that where development is necessary, planning authorities should be sure that it will be safe, without increasing flood risk elsewhere. In Leeds the Council has rigorous processes in place to ensure that development avoids flood risk where ever possible and that development is only approved when there is adequate mitigation in place. Some of our flood risk information comes from the Environment Agency but the Council also has a more detailed strategy for managing flood risk in the form of the Strategic Flood Risk Assessment. This defines

the levels of flood risk throughout the whole district and gives detailed advice on how to manage it.

With the climate emergency it is important to consider whether the existing approach is still the best one and whether any development should be allowed in high risk flood areas or whether they can be defended or better designed and laid out. The predicted increases in rainfall could create problems for Leeds and potentially could lead to more people suffering the devastating impacts of flooding. The Boxing Day floods of 2015 resulted in the highest river levels ever recorded on both the River Wharfe and the River Aire notably more than a metre higher than the ‘Great Flood of Leeds’ 1866.

What is flood risk?

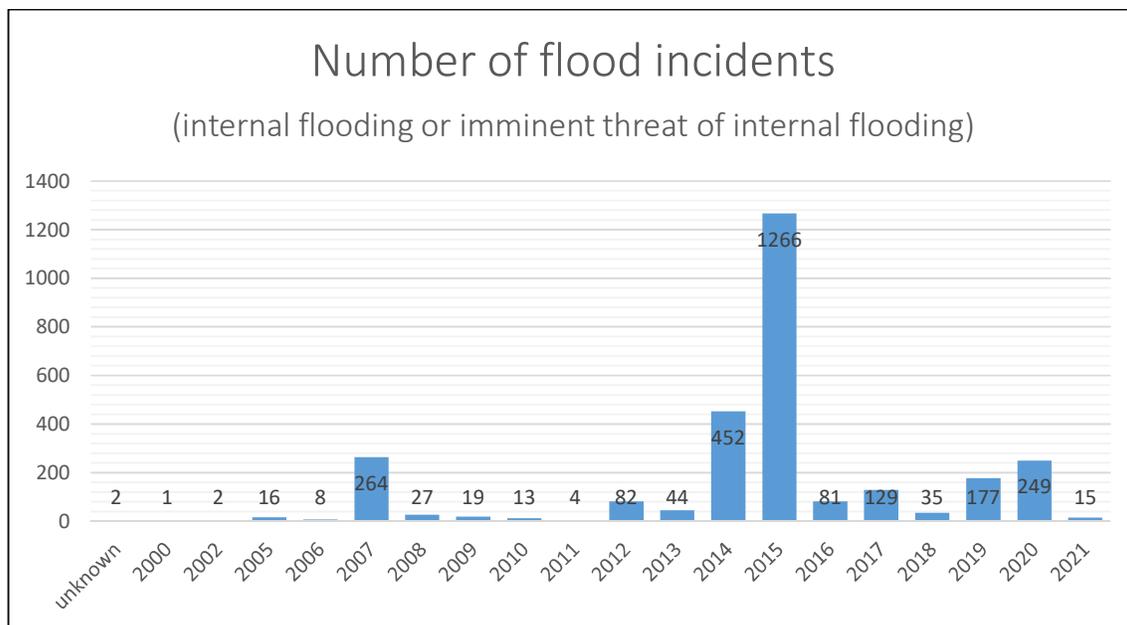
Flood risk in the UK is divided into different zones according to the probability of flooding. These flood zones are set by the Environment Agency and do not take account of any defences and they don’t include the possible impacts of climate change. The map in Appendix 1 gives an indication of the extent of each of these flood zones in the Leeds District, however this information will be updated shortly in the Council’s Strategic Flood Risk Assessment Update. The flood zones are as follows:

Zone 1 Low Probability	Land having a less than 1 in 1,000 annual probability of river flooding.
Zone 2 Medium Probability	Land having between a 1 in 100 and 1 in 1,000 annual probability of river flooding;
Zone 3a High Probability	Land having a 1 in 100 or greater annual probability of river flooding;
Zone 3b The Functional Floodplain	Land where water has to flow or be stored in times of flood. Usually with a 1 in 20 probability of river flooding

FLOODING IN LEEDS

The frequency of flooding events in Leeds has increased in recent years. Winter months have seen excessive rainfall over an extended period of time causing the rivers to exceed their capacity. Summer months have seen an increase in prolonged dry periods where the ground becomes baked and impenetrable followed by short intense downpours which run off quickly leading to surface water flooding.

The bar chart below shows the number of incidents reported to the Council where internal flooding of property took place or there was an imminent threat of internal flooding. This is perhaps the most destructive type of flooding but flooding that affects roads and other forms of transport can also be devastating to people’s lives. The distribution of these incidents across the district can be seen on the map in Appendix 2.



The bar chart shows that there has been an increase in incidents over the last ten years. The large number in 2015 was due to Storm Eva and the storms that took place throughout December which meant that the rivers and water table were already high when Storm Eva took place. Storm Eva led to a 1 in 1,000 annual probability flood risk event on Boxing Day 2015. The number of properties across Leeds that were flooded or affected by the flooding from Storm Eva is shown in the table below:

	Flooded	Affected	Total
Residential	2300	411	2711
- Houses	247	144	391
- Flats	2053	267	2320
Commercial	541	137	678
Other (churches, allotments, sports clubs)	4	3	7
Total	2845	551	3396

DEALING WITH FLOODING

Some flooding can be dealt with through defending land. Leeds is constructing a flood alleviation scheme for the River Aire from Woodlesford up to Newlay Bridge. The first section is already constructed and operational, known as FAS 1. The section from the Railway Station to the Knostrop weirs has a standard of protection of 1 in 100 annual probability of river flooding including a climate change allowance to 2039, whilst the section at Woodlesford has a 1 in 200 level of protection. The

second section (FAS 2) includes measures that will have the effect of upgrading the FAS 1 to a 1 in 200 standard of protection and includes a climate change allowance up to 2039. The second section (FAS 2) includes measures that will have the effect of upgrading the FAS 1 to a 1 in 100 standard of protection. FAS 2 is also looking to identify 'sacrificial' land that is designed to flood which will further help us to make space for flood water. The Council are also implementing flood alleviation schemes on the River Wharfe at Otley, on the Wyke Beck and Wortley Beck. Neither national nor local funding exists to provide defences for all the urban areas at risk across the district.

New development is required to provide mitigation to reduce the frequency of flooding for example ensuring buildings are built to flood resilient standards and that sustainable drainage systems are incorporated where ever possible.

LEEDS SFRA

Leeds Strategic Flood Risk Assessment (SFRA) was completed in 2007 and provides a comprehensive overview of the river and drainage systems across the district and associated flood risks. Since the SFRA was completed there have been significant changes, such as the FAS schemes that means it needs to be updated. The updated version will be used to inform the policies in the Local Plan Update and should be available by early Summer this year. The updated SFRA will provide further technical advice on dealing with the flood risk issues listed below. Until it is available we have sought to scope what the issues are without providing a detailed range of policy options at this stage.

POLICY TOPIC AREAS

AVOIDING DEVELOPMENT IN FLOOD RISK AREAS

Background

To minimise new development in areas of flood risk and in line with current government guidance we use the 'sequential test' to avoid development in flood risk areas as far as possible when allocating sites in the Local Plan and for planning applications for sites that are not allocated in the development plan. The sequential test ensures that areas at little or no risk of flooding from any source are developed in preference to areas at higher risk. The aim is to keep development out of medium and high flood risk areas (Flood Zones 2 and 3) and other areas affected by other sources of flooding where possible. Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3a be considered, taking into account the flood risk vulnerability of the proposed land use.

If the site is proposed for a 'more vulnerable' use such as residential and is in a high flood risk zone (zone 3a), it may also have to pass an Exceptions Test, which shows that the development would provide wider sustainability benefits to the community that outweigh the flood risk and the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Current Policy Position

This approach forms the basis of flood risk policy in our current policies in the Natural Resources and Waste Local Plan (NRWLP). Policies are currently split across different Development Plan Documents with the overarching policy approach in Core Strategy EN5 and a more detailed suite of policies in the Water section of the NRWLP. There is detailed guidance on sustainable drainage in SPG22 Sustainable Drainage. The water consumption policy is in Policy EN2 (ii) of the Core Strategy but there are also policies on water quality and water efficiency in the NRWLP.

Policy Water 4 was adopted in 2013 and has proved to be sufficiently robust as the basis for rejecting applications for inappropriate development in flood risk areas and only giving permission when all the relevant tests have been passed. However, because significant parts of the urban area include land in flood zones 2 and 3 (as shown on Map 1), some development takes place in flood risk areas. Where applications in the urban area have passed the "Exceptions Test" by demonstrating wider sustainability benefits that outweigh the risk (for example, the need for regeneration, efficient use of brownfield land or to ensure our centres remain viable), approvals for planning permission are granted when there is adequate mitigation in place. This includes ensuring buildings are built to flood resilient standards and that sustainable drainage systems are incorporated where ever possible. Developers are also encouraged to lay out development so that open uses are located in the most risky parts of the site and the built development avoids those areas. For sites with flood risk issues or any site which is over 1 hectare in size a Flood Risk Assessment (FRA) is required to be submitted with the planning application. The FRA is

assessed by colleagues in the Council's Flood Risk Management team who advise whether the development will be safe.

INSERT TABLE SHOWING NO. OF PERMISSIONS IN FZ 2 AND 3

Rationale for an Enhanced Policy Framework

The Local Plan Update provides an opportunity to bring all the flood risk policies together and review their effectiveness in the light of climate change.

Possible Policy Options

As part of the Local Plan Update we want to consider whether policies could be improved to reduce the risk of flooding, and increase our resilience to flooding events.

There is an important balance to be struck between flood risk and other sustainability benefits, such as the need for regeneration, the efficient use of brownfield land and access to services. If policy tests are made tighter to further reduce the number of permissions for 'more vulnerable' development in flood risk areas this could result in people living further away from services and facilities that they need. This would then result in longer journeys and add to emission of greenhouse gases and other pollutant gases.

Consultation Questions

- 1. Do you agree that our policy approach to development in flood risk areas should be within the scope of the Local Plan Update?**
- 2. Have we got the balance right between locating homes close to the services and facilities that people need whilst avoiding high flood risk areas?**

FUNCTIONAL FLOODPLAIN

Background

The functional floodplain is the land where water has to flow or be stored in times of flood with a 1 in 20 annual probability of flooding. The extent of the functional floodplain is defined by the Strategic Flood Risk Assessment, which was prepared in 2007, and will shortly be updated. Most of the functional floodplain is open land and undeveloped.

Current Policy Position

The NPPF tells us we should manage flood risk by 'safeguarding land from development that is required, or likely to be required, for current or future flood management' (Para. 157 b). Our current policy in the NRWLP is to safeguard land for flood storage (zone 3b) as shown in the SFRA. In those areas only water compatible uses and essential infrastructure is permitted. Leeds is fortunate that much of the River Aire, as it flows through the urban area, will have the benefit of the Leeds Flood Alleviation Scheme and therefore significant parts of the urban area that would have otherwise flooded with a 1 in 20 year probability will be protected. The SFRA will look at reclassifying those areas so that they are not defined as having a flood storage function.

For those urban areas that have a 1 in 20 probability of flood risk but don't have the benefit of a flood alleviation scheme the redevelopment potential will continue to be limited due to the high flood risk probability. The SFRA will explore the extent of these areas and the impact of climate change. The Local Plan Update may consider the policy options for limiting development in those locations. This is only likely to affect those areas that have a very high level of flood risk and are not protected by a flood alleviation scheme

Consultation Question

- 3. Do you think that the Local Plan Update should consider limitations on urban expansion in unprotected areas with a very high probability (1 in 20) of flooding?**

SURFACE WATER FLOODING AND SUSTAINABLE DRAINAGE

Background

Sustainable drainage systems (SuDS) are designed to control surface water run off close to where it falls and mimic natural drainage as closely as possible. One of their uses is to reduce the causes and impacts of surface water flooding (sometimes referred to as flash flooding). SuDS include a number of different practices or mechanisms designed to drain or soak up surface water in a more sustainable approach to the conventional practice of draining water run-off through a pipe into a sewer. Practical examples include soakaways (draining water through permeable surfaces into the ground) and ponds (draining water into a surface water body).

SuDS capture rainfall, allowing as much as possible to evaporate or soak into the ground close to where it fell, then moving the rest to the nearest watercourse to be released at the same rate and volumes as prior to development. They improve water quality by reducing pollutants, such as metals and hydrocarbons from roads and car parks. Water entering a local watercourse is therefore cleaner and does not harm wildlife habitats. SuDS can provide a valuable amenity asset for local residents and create new habitats for wildlife. Any problems with the system are quicker and easier to identify than with a conventional underground pipe system and are generally cheaper and more straightforward to rectify. SuDS can also provide passive cooling which helps to mitigate the effect of temperature rise due to climate change.

Current Policy Position

The NPPF says that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate (para 164 c)). This is the approach taken in NRWLP Policy Water 7 and echoed in Section 12 of the Sustainable Construction SPD which seek SuDS 'wherever possible'. The NPPG gives further guidance on what "inappropriate" means:

'The decision on whether a sustainable drainage system would be inappropriate in relation to a particular development proposal is a matter of judgement for the local planning authority. In making this judgement the local planning authority will seek advice from the relevant flood risk management bodies, principally the lead local flood authority, including on what sort of sustainable drainage system they would consider to be reasonably practicable.'

The judgement of what is reasonably practicable should be by reference to the technical standards published by the Department for Environment, Food and Rural Affairs and take into account design and construction costs.

The NPPG goes on to set out that expecting compliance with the technical standards is "unlikely to be reasonably practicable if more expensive than complying with building regulations". Similarly, a particular discharge route would not normally be reasonably practicable when an alternative would cost less to design and construct.

This means that, at present, we cannot ask for sustainable drainage if the developer can show that a traditional system will be cheaper.

Rationale for an Enhanced Policy Framework

Given the many benefits of using SuDS against traditional systems, we believe the Local Plan Update should consider how the existing policy could be strengthened to make the use of SuDS a firmer requirement for new development, particularly given the benefits in addressing climate change resilience, biodiversity, and health and wellbeing objectives.

Possible Policy Options

In order to strengthen the requirement to deliver SuDS we're considering a number of potential policy approaches. These are not exhaustive and we would welcome any alternative ideas you may have.

One potential option we are considering is the mapping of infiltration rates to identify the areas that are most suitable for SuDS and this would support delivery of SuDS in those locations. Policy should also ensure that the proposed minimum standards of operation are appropriate and that there are clear arrangements in place for ongoing maintenance.

Another way to help manage surface water flooding is to identify the 'source' locations where heavy rainfall can lead to flooding downstream. Additional measures to reduce the speed of surface water run off at the source location, such as tree planting, can avoid the need for mitigation downstream. We are working with the University of Leeds to identify source locations and it may be appropriate for the Local Plan Update to provide a policy to ask for additional measures in those areas.

Consultation Questions

- 4. Do you agree that surface water flooding and use of SuDS should be within the scope of the Local Plan Update?**
- 5. Do you agree with our suggested approach to increasing the use of sustainable drainage systems in new development?**
- 6. Do you think identifying and implementing additional measures at source locations would be an appropriate approach to managing surface water run off?**

RESILIENCE

Background

Flooding has a negative impact on the lives of everyone affected by it. Given the forecasted increases in rainfall we want to consider what we can do to make sure that new development is resilient. There has been a rise in purpose built accommodation for people who are especially vulnerable, such as elderly and disabled. These people may be less able to cope with the impacts of flooding and the effects can be devastating for them.

Current Policy Position

The NPPF tells us to ensure that development is appropriately flood resistant and resilient and safe access and escape routes are included where appropriate, as part of an agreed emergency plan (para. 163). We do this by requiring a flood risk assessment (FRA) to be submitted to accompany the application which informs the developer of mitigation measures to make sure the development will be safe for its lifetime and without making flood risk worse elsewhere for all affected people. The FRA also has to take account of climate change projections for the future intensity of rainfall. National policy categorizes all residential development as 'more vulnerable' and not appropriate in high flood risk areas unless it has passed the sequential test (described above) but this does not recognise that some groups of people are even more vulnerable than others.

Possible policy options

Guidance is available on building flood resilient development, such as the ADEPT guidance 'How to consider emergency plans for flooding as part of the planning process' but there may be an opportunity to provide a clearer policy steer in the Local Plan. This could include a consideration of policy regarding safe access and escape routes and whether there should be any limitations on accommodation for more vulnerable groups in high flood risk areas.

Consultation Questions

- 7. Should the Local Plan set new standards for flood resilient housing?**
- 8. Should the Local Plan consider where accommodation for more vulnerable people is located?**

PERMITTED DEVELOPMENT RIGHTS AND POROUS PAVING

Background

The paving over of front gardens can result in increased flood risk caused by surface water runoff which is unable to drain naturally if impermeable materials are used. Additionally, the loss of vegetation can contribute to increased air pollution in urban areas and can affect the character and appearance of traditional streetscapes. The intensification of built development through the use of permitted development rights (eg to build extensions and garages) and the impact of climate change further compounds the problem.

Current Policy Position

As stated above, the Council has existing policies related to sustainable drainage systems. However, they do not apply where planning permission is not required. Permitted development rights are set by the Government and set out types of development that do not require planning consent.

Some permitted development rights allow the building of extensions, garages and other structures that reduce the extent of the area available for natural drainage and holding water.

Other permitted development rights allow for the provision of a new or replacement hard surface (such as a driveway) within the curtilage of the grounds of different buildings, such as houses, offices and industrial buildings. These permitted development rights are limited to ensure that permeable materials are used.

Possible Policy Options

We're keen to explore what approaches we could take to ensure that where landscaping and gardens provide a valuable function in helping manage flood risk, they are not subsequently lost through permitted development rights that allow the householder to build extensions, garages or other structures that reduce the extent of the area available for absorption.

One of the options may be to provide further guidance to householders on using porous materials when they are planning to convert front gardens to parking space.

Consultation Questions

- 9. Should the Local Plan Update consider what approaches could be taken to limit permitted development rights for new developments to ensure open areas that are needed for flood risk management are retained?**

- 10. Whilst not subject of a grant of planning permission should the Council consider how to control paving over front gardens and loss of soft and natural landscaping in existing development, for example through enhanced guidance for householders?**

Vision for Green Infrastructure: Leeds will create new Green Infrastructure (GI) through the planning process, and identify, improve, protect and extend existing GI to address the challenges of climate change and create a healthy city for all.

What is this topic about?

As part of our aspiration to make Leeds zero carbon by 2030 we want to ensure that we are making the most of our green spaces and natural environment to help meet our climate change aspirations and improve the health and well-being of our citizens.

Page 87

Where are we now?

Our current Local Plan has many effective policies on green infrastructure and they have seen real improvements in the way GI is delivered in Leeds. However, they don't go far enough to make us zero carbon by 2030, so we think we need to go further.

The proposed policy areas



Where do we want to get to

•We want to plant more trees and strengthen protections for existing trees, where possible.

•We want to ensure that people in Leeds have easy access to high quality, usable green space.

•We want to ensure that development maximises the delivery of biodiversity.

Have your say

We need your views on whether you think our aspirations for the Local plan Update are correct. Do you agree that the topics of Green infrastructure, including green space, tree planting, biodiversity and nature conservation should be considered. How would you like to see existing policies change, if so?

GREEN INFRASTRUCTURE

INTRODUCTION TO THE TOPIC

What is Green Infrastructure?

The purpose of the planning system is to achieve sustainable development, which is about meeting current needs without harming the ability of future generations to meet their own needs. The National Planning Policy Framework (NPPF) sets out that planning authorities should ensure that development meets objectives for the economy, society and the environment at the same time.

The environmental objective is defined by the NPPF¹ as:

“to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

This paper looks at the role of the Leeds Local Plan in supporting Green Infrastructure, which forms a fundamental part of the natural environment and a means of achieving more sustainable development.

Green Infrastructure (GI) is defined by National Planning Policy Framework as

“A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.”

GI therefore includes a network of parks, green spaces, gardens, woodlands. It can also include street trees, hedges, green walls and green roofs.

These are important assets for local communities and places; on their own they make places to play or enjoy and improve well-being and together they make places attractive to live in and invest in.

They are also natural climate change assets, because GI:

- reduces greenhouse gas emissions, such as carbon dioxide, associated with new development
- benefits public health from removing and reducing air pollution
- if well managed and protected, captures and stores carbon dioxide from the atmosphere (sequestration)
- improves the resilience of places, thereby helping communities adapt to increases in flooding and heat

¹ Ref

- helps use scarce resources e.g. water more efficiently
- helps provide strong ecosystems and habitats for plants and animals to reduce biodiversity loss and help species adapt to changes in the climate

The NPPF recognises that these things have a value and recommends assessing the wider benefits of the natural environment / GI using two approaches:

- eco-systems services - the benefits that flow from nature to people
- natural capital – a way of thinking about the natural environment as an asset

In order to achieve net gains in sustainable development, it is therefore important to plan for Green Infrastructure in a way that

- clearly sets out its underpinning importance to sustainable development in Leeds
- maximises its natural climate change role
- places a value on its management, creation and loss

GI often works hand in hand with “blue infrastructure” which includes rivers, streams, canals, lakes and other water bodies. It is also multi-functional, for instance a well-designed pond that acts as a sustainable water management system for drainage of a new housing estate may also act as a natural habitat for species, a means of soaking up carbon, a leisure destination and improve people’s well-being.

GI doesn’t just exist at the individual development scale. A well designed environment throughout Leeds and beyond can connect these green areas and assets to create green routes and corridors. These allow for more pleasant environments to encourage cycling and walking over large distances. In the Leeds area it is possible to walk to Saltaire along National Route 66 from Leeds City Centre, and from Woodhouse Moor (next to the University of Leeds) to Ilkley through uninterrupted greenery along the Dales Way Link. Ultimately these GI connections extend to Windermere in the Lake District, over 90 miles away, helping to support a better variety of animal and plant populations.

The pandemic, climate change and the desire to see a healthier society are all key drivers that reinforce the importance of the natural environment to be available to everybody at a neighbourhood level and for those with limited mobility at the street and individual home level.

Elsewhere in the Local Plan Update there are topic papers which also consider interlinked issues around better place-making and 20-minute neighbourhoods. GI plays a key role in these planning areas.

Green infrastructure can also be a catalyst for economic growth and many cities across the world are promoting themselves as attractive, green centres for investment.

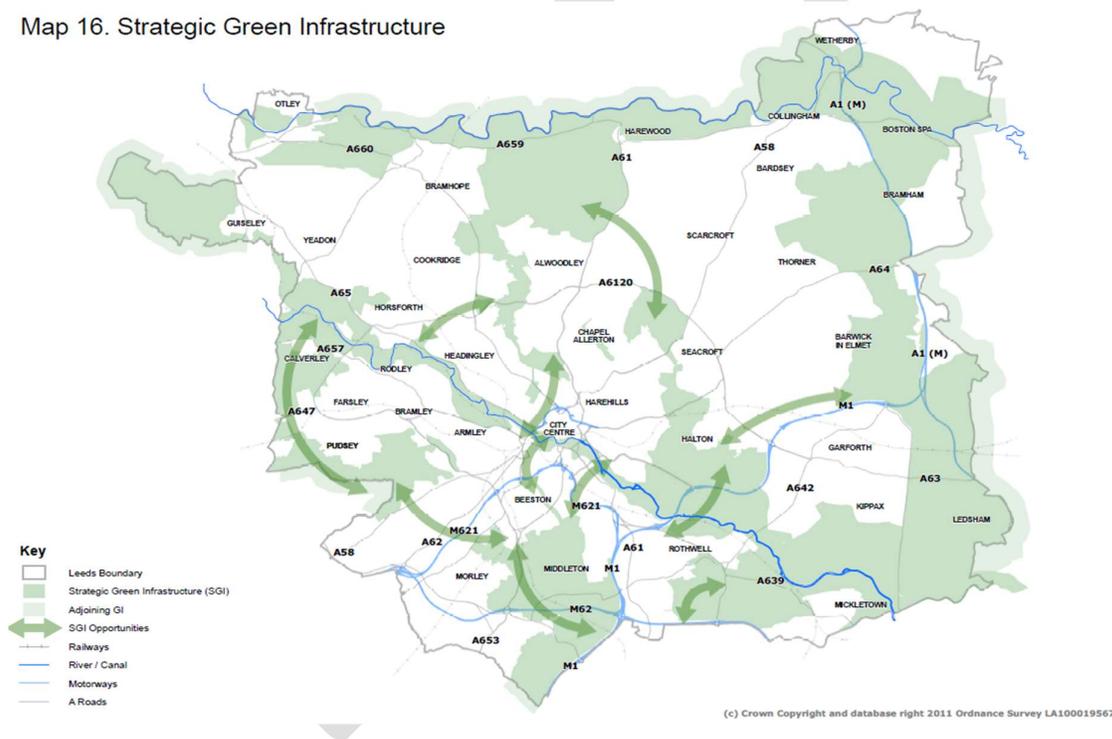
GI is also usually cheaper than traditional “grey” infrastructure², and creates sustainable jobs.

What do our policies currently say?

Protecting, enhancing and extending the network of green infrastructure has been a fundamental element of the Leeds Local Plan for many years. Indeed green infrastructure forms part of the overall Core Strategy Spatial Vision (bullet 9) and managing environmental resources makes up 5 of the 24 Core Strategy objectives. Furthermore, there are many existing policies that fulfil this function (see Appendix 1) which provide an invaluable and much needed statutory basis to require protection, enhancement and extension of the natural environment.

The Local Plan currently contains policies which establish key strategic GI and ambitions to improve the gaps between key corridors.

Map 16. Strategic Green Infrastructure



This sets the framework for GI management and also more detailed plans e.g. the Aire Valley Leeds Area Action Plan (2017) which sets a GI network for a discrete area of the City experiencing transformational growth.

² See section in flood risk on SuDS

Instead we want GI to be at the heart of new development as a key underpinning asset like this:



This helps recognise the multiple benefits and roles green infrastructure can provide, such as at Killingback Meadows where the planting of 8,000 trees and the delivery of new ponds and seasonal wetlands will help reduce flooding and provide natural habitats, as part of the Killingbeck Meadows Flood Alleviation Scheme.

National Changes

Whilst detailed Government planning guidance on GI is limited, it is clear that at a legislative and departmental level the direction of Government policy has shifted recently and creates a more positive context for improved GI policies.

A Natural Capital Committee (NCC) was an independent committee which advised the government on natural capital, including ecosystems, species, freshwaters, soils, minerals, the air and oceans, as well as natural processes and functions. It led to a number of changes which support a strong direction of travel on embedding GI into planning policy at the local level as follows:

- a 25 year Environment Plan (2018) which sets the Government's goals for improving the environment, within a generation, and leaving it in a better state than we found it
- an Environment Bill (initially laid before parliament in 2019) setting out how the Government plans to deliver its commitment to protect and improve the natural environment in the UK in light of evidence and public concern around biodiversity and habitat loss, climate change and environmental risks to public health
- guidance (2020) for policy and decision makers to help them to include natural capital, ecosystem services and the value of these into policy (including changes to HM Government Green Book guidance on how

appraisals are done)

The main issues pertinent to the Local Plan Update are:

- setting targets for improving the natural environment and people's enjoyment of it and a duty to meet and report on the targets set
- a new system for biodiversity and nature protection including a register of biodiversity gain sites-land which is subject to a conservation covenant or planning obligation and which is to be managed for the purpose of habitat enhancement-and establishing a system of biodiversity credits-enabling developers to 'purchase' credits in biodiversity gain sites
- measuring net gain and eco-systems services at the development level

Vision:

Through this Local Plan Update we are aiming to adopt and improve policies that will help development adapt and mitigate against the impacts of climate change by creating a better more sustainable environment. With regard to Green Infrastructure our Vision is as follows:

Leeds will create new Green Infrastructure (GI) (including Green Space and Natural Environment) through the planning process, and identify, improve, protect and extend existing GI to address the challenges of climate change and create a healthy city.

This topic paper sets out the sorts of areas to be considered in taking this proposed vision forward and whether you think it's the right one.

POLICY TOPIC AREAS

IDENTIFICATION, PROTECTION, ENHANCEMENT AND EXTENSION OF GREEN INFRASTRUCTURE

Background

The value and importance of open land is widely recognised for a number of reasons such as giving us opportunities to visit and enjoy nature, to giving homes to wildlife, to providing much valued open views, to protecting the special character of the landscape. The restrictions due to Covid-19 have brought into focus the importance of accessible land and nature close to our doorsteps and this, along with the important role open land and the natural environment has in addressing the climate emergency, only increases the need to continue to protect, enhance and extend the existing network of green infrastructure within Leeds.

Policy Aims

- To clearly identify existing land which currently merits protection and state robust reasons why protection is necessary
- To provide statutory protection for all identified green infrastructure through formal designation and a policy presumption against the loss of GI.
- To seek improvements and high quality enhancements
- To seek the extension of the green infrastructure network through the identification and protection of additional open land.

Existing Policies and rationale for potential change

Whilst the Local Plan contains an effective suite of policies relating to GI, these policies are spread across a variety of Local Plan documents. This can be confusing and they could benefit from being strengthened and consolidated to help address the pressing challenges of the climate emergency. We have therefore been thinking how best the Local Plan can do this by setting a clear, strong, high level framework and containing more detailed policies with robust and justified requirements, directions and targets which will ensure protection and facilitate improvements and extensions. Any new policies should still recognise the different values of land, whether it be for agriculture, recreation, wildlife habitats or the visual beauty of the landscape.

Within this somewhat broader framework of GI sit other more specific issues which are considered later in this document, such as trees, areas protected for nature conservation and biodiversity.

Identification and Designation

As highlighted above there are a number of current policies which recognise the importance of open land. These illustrate clearly the value of these areas of land for

a variety of reasons but may be a little confusing and a single classification of open land which brings these together would simplify things. Care would be needed to ensure the different qualities of these areas are not lost but this could be embedded in a new, comprehensive policy or revisions of existing policies. Areas meriting designation would need to be carefully assessed and be clearly defined.

Currently the designation of land as specifically green space is dealt with through Policy GS1 in the Site Allocations Plan and that document formally identifies areas that function as green space whilst Core Strategy Policy G6 gives them protection from development. Whilst green space is an element of wider green infrastructure, it is proposed to keep separate, specific green space policies in recognition of its importance and the need to protect and lay out new green space as development occurs and additional needs arise.

Protection

Green infrastructure is currently protected, however the climate emergency and Covid have increased its importance and necessitated a rethink of the mechanisms and levels of protection. A “presumption in favour of retaining green infrastructure” could offer increased protection for GI, however this must be balanced against the needs for wider sustainable development, whereby some development could be appropriate. Therefore there needs to be ways in which development can be accepted, subject to detailed and compelling reasons and the remediation of any detrimental effects. It is especially important to extend the recognition and protection into more highly built up areas where open space is at a premium.

Extension of network

We should be maximising the amount of GI to make the most of its benefits to the climate emergency and our wellbeing. Therefore we should be promoting and seeking additional GI to increase the size of the current network. We are seeking views on how we can best do this through planning policy, in particular whether areas should be specifically identified and earmarked for future GI or/and whether a more flexible approach should be taken to maximise opportunities as and when they arise through, for example, development, landscaping schemes, biodiversity improvements, greening features on buildings and projects to improve the provision of open spaces such as the White Rose Forest and the Council’s Woodland Creation Scheme. There would also be benefits to new policy measures to protect any new areas created.

Quality and Enhancement

It is important that areas of GI are of good quality to provide beneficial habitats for nature, opportunities for carbon sequestration and attractive, accessible locations for outdoor activities. Not all GI provided through development is of a high quality and there is a continued need for policy and practice to seek quality spaces.

Proposed Policy Options

Currently the key policies are Core Strategy Policies SP13 and G1 (see Appendix 1) which identify areas of land in Leeds which are considered Strategic Green Infrastructure. Policy G1 then takes the defined areas and applies 'controls' to development within them. It is felt that the Policy SP13 in conjunction with Policy G1 would benefit from enhancement, especially in the context of the Climate Emergency and Covid-19.

One option would be to have an over-arching strategic policy (an improved Policy SP13) and then have a number of more detailed policies sitting underneath which give more information, requirements and guidance relating to specific matters. A further supplementary planning document would provide more guidance and useful information as well as examples of good practice.



Spatial Policy 13 and Policy G1 could therefore be re-drafted to strengthen existing designations, clarify areas that would benefit from increased provision and clearly set out the role and function of GI in addressing the climate change agenda. Key elements could be:

- Improving and expand Spatial Policy 13 to set a more holistic, strategic direction and provide consideration of all green infrastructure. This policy could set a clear definition of “Green Infrastructure”, the framework for the delivery of new green infrastructure as well as the enhancement and protection of existing and potentially new designations. This could also include a presumption against the loss of any GI.
- Revising Policy G1 to set out more clearly how the green infrastructure network could be protected, enhanced and expanded.
- Exploring new green infrastructure, with the potential for the designation of wild belts, on land that has little development value but does not currently benefit from green infrastructure designation or protection.

- There is also the opportunity for localised pockets of GI through green roofs, green walls, roof gardens and hedges that would help mitigate the urban heat island effect in built up urban areas and provide additional greenspace in high density areas.
- Explore producing a supplementary guidance document containing additional details, advice, support, examples of good practice etc to assist those who want to or are involved in the protection, enhancement and expansion of GI.

Questions for consultation

1. **Do you agree that enhanced policy for the protection, improvement and enhancement of GI should be included in the Local Plan Update?**
2. **If so, do you have any thoughts or ideas about what you'd like to see included in such a policy?**

DRAFT

TREES

Background

Trees provide many benefits to our environment. They store carbon emissions and take pollutants out of the air. They provide shelter and shade and valuable habitats for flora and fauna. They soften the built environment and bring colour and texture to the places where we live and work. They provide opportunities for us to reconnect with nature and help to support our physical and mental wellbeing which has been brought into particular focus by the restrictions due to Covid-19.

The Council is a key partner in the White Rose Forest Project to develop a community forest for North and West Yorkshire (part of the wider Northern Forest). This is a partnership between local authorities, landowners, businesses and communities to increase tree cover across the region and improve the natural environment. The project will plant millions of trees in urban centres and countryside that will help manage flood risk, combat climate change, create jobs and provide happier and healthier places. The overall White Rose Forest Plan is expected to be launched in August 2021 whilst Leeds City Council's White Rose Forest Strategy has [been endorsed by Executive Board](#) and is nearing completion. This Strategy aims to significantly increase the existing 17% tree canopy cover across the District to 33% by 2050 in partnership with business, residents, institutions, communities, landowners and farmers, building on the substantial work that the Council already carries out around the planting and management of trees as well as encouraging planting and protection of trees through the planning process. Leeds City Council has [committed to planting 5.8 million trees](#) over the next 25 years as part of the city's contribution to the UK net-zero targets.

Trees have many benefits but a key one is that they extract and store damaging carbon from the air by what is called carbon sequestration (Fig 1)³. As trees photosynthesise and grow they absorb carbon dioxide that would otherwise rise up and trap heat in the atmosphere and contribute to global warming.

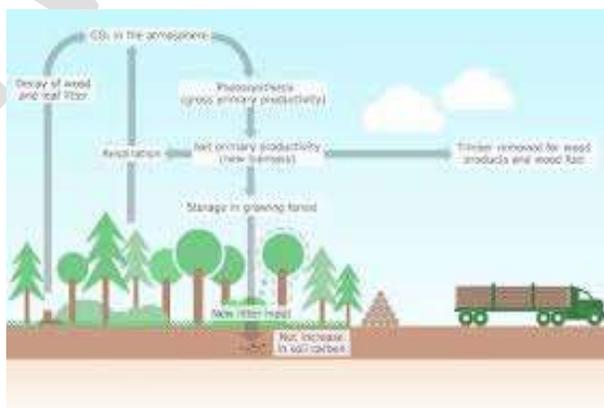


Figure 1 - Source Forestry Commission

In turn they release large quantities of oxygen. It is therefore vitally important that we protect existing trees and plants as they are an extremely valuable natural way of reducing carbon dioxide in the atmosphere.

³https://www.google.com/url?sa=i&url=https%3A%2F%2Fwww.forestryresearch.gov.uk%2Fdocuments%2F5267%2Fch4_climatechange_FS2018.pdf&psig=AOvVaw1rTAt-7um2SVkRvByxCytt&ust=1608313485471000&source=images&cd=vfe&ved=0CAkQjhxqFwoTCOCnvej1e0CFQAAAAAdAAAAABAQ

Policy Aims

- To establish a “presumption in favour of retaining existing trees” within the existing legal framework
- To establish a comprehensive, detailed replacement planting regime which takes into account age, size, species, carbon storage capacity etc of trees to be lost and planted to ensure no loss of sequestration levels.
- To encourage additional planting and give a strong local statutory foundation for current and future tree planting projects and programmes.

Existing policies and rationale for potential change

There are currently two key policies in the Local Plan that deal with trees (see Appendix 1):

- Core Strategy Policy G2
- Natural Resources and Waste Local Plan Policy LAND2

These are considered to be effective policies, however they were written before the declaration of the climate emergency and therefore they may need to be adapted and strengthened to respond to the current environmental crisis. Recent research from the University of Leeds state that the ratio of tree loss in terms of carbon sequestration is substantially underestimated in LAND 2 (which requires a 3 to 1 ratio to lost trees), and other factors such as tree type, girth, age etc. need to be factored in. This is coupled with new pressures and a strengthening of national agendas with regard to trees that suggest Policy G2 could be made more robust. Whilst we have ideas how we can best do this, we are particularly interested in your ideas and suggestions on how tree protection and planting should be embedded in planning policy. There are fundamentally two aspects which need to be addressed.

Protection

Firstly, we should consider how best to protect the trees we already have, whether they be in large forests, areas of woodland, small numbers in more urban areas or individual trees. Legally there are somewhat limited opportunities to do this. The Council can serve a Tree Preservation Order on particularly visually important trees but these are only appropriate in certain circumstances and do not allow protection in recognition of trees’ biodiversity or carbon sequestration importance. Under separate legislation, trees in conservation areas are protected as are those which are within a statutory designated site or are used by a protected species such as bats. This means most trees are not legally protected and other methods of protection such as the planning system must be fully utilised. The control of development through the application of planning policies and the use of conditions and legal agreements attached to planning permissions provide tangible and robust methods to protect trees through, for example, ensuring buildings are far enough away to protect roots and canopy.

It must be remembered that in some cases the removal of existing trees may be acceptable, when balanced against other wider benefits, particularly wider improvements to Green Infrastructure.

Planting More

Secondly, we should consider how the planning system can help contribute to the planting of more trees. The Local Plan could play a role in helping to deliver more trees by providing a strong framework for planting programmes to work within and potentially designating specific sites for future planting. We must be mindful that there are other demands on land and in more rural areas, where there is the scope for larger scale planting, the desire to plant trees must be balanced with the requirements of agriculture and food production.

Another way of planting trees, and one that falls within the remit of the planning system, is through development. Housing schemes especially are expected to provide open space. Trees should be an integral part of open space and, indeed, the layout and design of any housing development. They can be planted on land that has other functions, such as sustainable draining facilities, play spaces, verges, gardens etc. and therefore ensure these spaces are multi-functional and multi-beneficial. We need to be creative and push the boundaries in how this can be achieved. Tree policies are part of this but we also need imaginative design and solutions to practical issues e.g. drainage, transport infrastructure etc. Careful planting and comprehensive, ongoing maintenance is key to trees growing, flourishing and reaching their full potential in terms of visual quality, carbon sequestration and biodiversity gain.

Proposed Policy Options

Options for future policies could include:

- Strengthening policy to establish a presumption in favour of tree retention, whilst recognising where exceptions may be necessary, such as the delivery of outstanding improvements to wider Green Infrastructure and biodiversity.
- Strengthening tree replacement requirements to fully recognise the role of trees in carbon storage and the need to compensate for any loss of carbon storage through tree removal. This could require applicants to audit the current carbon sequestration contribution made by trees on site, with a requirement to improve that sequestration level through increased tree planting
- Allowing developments to make off-site contributions to these tree planting areas where it is not possible to plant trees on development sites
- Identifying new land for tree planting and protect it from alternative uses, where possible.

Alternatively, options may include:

- Continuing to pursue non-planning solutions to the delivery of increased tree planting across the District, working with major landowners and other partners.
- Retaining the existing policy approach of replacing lost trees on a for 3:1 ratio basis.

Questions for consultation

- 3. How could planning policy be used to increase tree coverage across Leeds?**

DRAFT

Green Space

Background

One of the key elements of Green Infrastructure within Leeds is “green space”. This is open space which primarily has a recreational function, whether that be, for example, outdoor sport, allotments or for more informal recreation. The importance and value of these sites more broadly has been discussed earlier in this document though the fact green space provides access to open space and opportunities for recreation and the enjoyment of the natural environment is particularly key to physical and mental health and the protection of nature close to people’s homes. The current green space sites are formally designated through Policy GS1 in the Site Allocations Plan (2019) and are shown on the Policies Map and in the Site Allocations Plan documentation.

Many of the broader issues and context have been covered earlier under Green Infrastructure, however within the Leeds Local Plan green space has been considered as a distinct element of green infrastructure and therefore has its own suite of policies. These policies give clear requirements for new provision, including amounts per dwelling (Policies G4 and G5 – see Appendix 1) and protection of existing (Policy G6 – see Appendix 1).

Policy Aims

- To ensure new green space is delivered to meet current and future need
- To give existing green space strong protection against loss due to development
- To improve existing Green Space

Existing Policies and rationale for potential change

Green Space Provision

The issue of green space provision outside the City Centre was recently revised through the Core Strategy Selective Review (2019) and the revision of Policy G4. It is considered this Policy is fit for purpose and does not require any changes. However, through this review we would like to consider our approach to the delivery of greens space within the City Centre to ensure that we’re getting the balance right between high density developments in sustainable city centre locations and making sure that those residents have good access to usable greenspace. This is currently addressed by Core Strategy policy G5.

The Council is committed to supporting the delivery of improved green space in the City Centre, as evidenced through the [Our Spaces Strategy](#) which launched in March 2020. Within the Strategy it was acknowledged that Leeds City Centre includes a relatively low quantity and quality of green spaces in relation to the size of the city centre. There is also a lack of nature in the city centre and limited biodiversity corridors between the city centre and the surrounding communities. In addition, the

city centre offers little provision for children's play, physical activity, relaxation and habitat diversity. In response to this, the Strategy sets key principles designed to ensure that Leeds will be a substantially greener and better connected city that is more accessible to more people, creates an environment to thrive and is recognisable as a unique place to be.

Recently approved proposals at [Aire Park](#) on the Leeds South Bank and at the Corn Exchange, and the completion of new green space at Sovereign Square help us deliver on that vision. Moving forward, we're keen to explore what role planning policy could play in supporting the aspirations to increase the quantity and quality of green space in the City Centre.

At present, developments on land less than 0.5 hectares are not required to provide green space on site, within the City Centre. Given the high densities of development in the City Centre, this can result in large developments not delivering green space. However, this must be balanced against requirements to utilise land efficiently, and in the City Centre high density residential development reflects the need to maximise good use of land. However, given the Climate emergency and the local needs exacerbated by Covid-19, it is now seen as timely to revisit this approach to see if it needs changing to reflect different circumstances.

Secondly, where appropriate, developments can make payments to the Council instead of providing new Green Space. These payments are then used to provide green space elsewhere. However, the mechanism for calculating this payment means that developments inside the City Centre contribute less than outside the City Centre. It is proposed to revisit this and assess whether the calculation should be adjusted.

Lastly, commercial developments in the City Centre above 0.5 Ha are expected to provide Green/Open Space. However, this is not the case for commercial developments outside the City Centre and it is proposed to reassess this aspect of the Policy.

Green Space Protection

As with the broader Green Infrastructure, one of the principle concerns is with the protection of Green Space, which is currently expressed through policy G6 of the Core Strategy.

When green space is not maintained it can fall into poor condition. This can affect the usability of green space and make it vulnerable to loss, particularly through development. In some cases it may be appropriate to redevelop sites but in most cases improving existing green space should be the preferred approach. The need for the Green Space is not reduced because of its current condition. Through the Plan we are considering whether to revise our approach to the protection of Green Space to see if this can be improved.

Proposed Policy Options

For City Centre green space, future policy options could include:

- Reviewing the site size threshold for the provision of green space
- Reviewing the methodology for the calculation of sums in lieu of new green space on site
- Considering the principle of commercial sites providing green space in the City Centre.

For wider greenspace protection and improvement consideration could be given to whether protection could be enhanced and whether it could be extended to include all green and blue infrastructure, such as trees, natural green space specific to biodiversity aims, new green space etc.

Questions for consultation

4. **Do you agree that the Local Plan Update should consider new policies to enhance green space provision within the City Centre?**
5. **Do you think the Green Space protection Policy (G6) be extended to all Green Infrastructure.**

Nature Conservation

Background

There is widespread recognition of the importance to protect and enhance the natural environment, to ensure biodiversity is fully considered in decisions affecting the use and development of land and to seek opportunities to improve the network of habitats and green infrastructure to increase biodiversity. Sites are identified and formally designated to give protection to habitats, flora and fauna which are important locally, regionally, nationally and internationally. Many organisations and agencies are involved in the recognition, protection and enhancement of wildlife habitats and geologically important sites.

In Leeds there are a number of such sites which are protected against development and activities that would harm the sites under national and international legislation and Policy G8 in the Core Strategy (see Appendix 1). In recognition of the importance of land that does not meet the criteria for formal designation, the Council has identified a broader network of habitats (statutorily and non-statutorily designated) which is shown on Map 18 (see Appendix 1) in the Core Strategy. It is important that the Leeds Habitat Network is publicly available. However maps within Local Plans remain static, representing a snapshot in time. As such, they cannot easily be revised and updated as the network changes, and therefore they can become out of date.

Policy Aims

- Provide robust and comprehensive protection of sites recognised for their wildlife and geological significance at a national, regional and local level.
- Existing policies and rationale for potential change

It is considered that existing Core Strategy policy G8 on designating local wildlife sites and nature conservation designations is effective at protecting species and habitats and if revised would only require minor changes.

Proposed Policy Options

Future policy options could include:

- Updating outdated terms, references and documents so the policy is more relevant and applicable.
- Adding more explicit provision for monitoring, review and updating in the policy
- Reviewing Map 18 and considering whether a more easily updated version would be more valuable.

Questions for consultation

6. Do you agree that the Local Plan Update should consider a revised policy for nature conservation? If so, what would you like to see a revised policy contain?

DRAFT

Biodiversity

Background

Biodiversity is the term used to describe the amazing variety of life on Earth.. The National Trust described biodiversity as 'Big Nature!'⁴ Biodiversity has a huge role in helping us live healthy and happy lives; it provides us with food, raw materials, medical discoveries and what are called ecosystem services.. There are also many and varied benefits provided by the natural environment and from healthy ecosystems such as natural pollination of crops, clean air, a supply of oxygen, clean water, extreme weather mitigation and human mental and physical well-being, recreation and even tourism.

The Earth's biodiversity is in decline due to human activities such as deforestation, land-use change, agricultural intensification, over-consumption of natural resources, pollution and climate change. A report⁵ from the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) in 2019 stated that nature is declining globally at rates unprecedented in human history and the rate of species extinctions is accelerating. The report contains some hard-hitting statistics including:

- 75% of global environments (excluding marine) have been “severely altered” to date by human actions
- There has been a 47%: reduction in global indicators of the range, scope and condition of ecosystems against their estimated natural baselines, with many continuing to decline by at least 4% per decade.
- More than 85% of wetlands present in 1700 had been lost by 2000. Wetland loss is currently happening three times faster, in percentage terms, than forest loss.
- Up to 1 million species are threatened with extinction, many within decades
- More than 500,000 (+/-9%) of the world's estimated 5.9 million terrestrial species have insufficient habitat for long term survival without habitat restoration

The IPBES report brings sharply into focus the global scale of the destruction of the natural environment and the catastrophic effects this is and will increasingly continue to have on our lives. Biodiversity and climate change are inextricably linked through the intrinsic balance of nature and ecosystems therefore a significant change in biodiversity will inevitably have an effect on climate.

Whilst we haven't seen large scale destruction of rainforests in Leeds, we are seeing incremental loss of our indigenous natural environment through habitat destruction and a resulting loss in biodiversity. It is therefore important that we protect the variety of life locally but also reverse the trend of losing biodiversity and achieve improvements through “biodiversity net gain”.

⁴ <https://www.nationaltrust.org.uk/features/what-is-biodiversity>

⁵ <https://ipbes.net/global-assessment>

The Environment Bill (see para 1.2 above) contains a target of a minimum 10% net gain which, subject to any revisions as the Bill's progress through parliament, will become law in 2021. Developments will then be legally required to deliver a 10% gain for biodiversity. Defra's Biodiversity Metric is the nationally recognised tool to measure and quantify biodiversity on sites and will be used to assess initial biodiversity, guide measure to deliver an improvement and assess the resulting biodiversity to ensure adequate gain is achieved.

There is scope for biodiversity improvements to be delivered on different sites to where development is located and details of these will be embedded in Conservation Covenants (agreements with landowners to deliver the enhancement and management for a minimum of 30 years). The Council will have a duty to show where off-site Net Gain is being delivered, ensure this is achieving the required biodiversity gains and contributing to the Government's Nature Recovery Network. Furthermore, it will need to produce a Local Nature Recovery Strategy (LNRS) which will consist of a "Habitat Map" and "Statement of Biodiversity Priorities".

Policy Aims

- To strengthen the requirement for improvements in biodiversity and set a required level of gain
- To expand the use of recognised methods to assess and determine levels of biodiversity
- To provide a robust policy basis for the delivery of schemes, projects and programmes that will improve biodiversity.

Existing policies and rationale for potential change

The Council has required developments to deliver a gain for biodiversity since 2014 through Core Strategy Policy G9 and identified the Leeds Habitat Network on Map 18. Policy G9 is a valuable policy and establishes the need for development to deliver a net gain in biodiversity. However, the declaration of the climate emergency, the contents of the Environment Bill (see para 1.2 above) and the greater focus on nature close to where we live due to Covid-19 has emphasised its importance and required us to consider whether we need to be more ambitious and explicit in the levels of biodiversity gain required through development.

Possible Approach

Whilst the elements of the Environment Bill are not legally binding yet, the Council welcomes the introduction of a clear mandatory requirement of at least 10% biodiversity gain on development sites and is looking to introduce specific quantifiable requirements in Policy G9. We must be mindful that any figure will have to be fully justified by robust data and evidence to show it is appropriate, proportionate and deliverable.

There also needs to be a system in place to ensure improvements to biodiversity are actually delivered on the ground in the right place, whether that is on development

sites or elsewhere where ecological opportunities and benefits can be maximised. Planning policies need to provide a “hook” of key requirements and criteria and set out clearly how biodiversity issues should be considered during the determination of a planning application, supplemented by guidance. A Strategic Local Recovery Strategy for Leeds could be a key mechanism for effective and successful improvements. We will continue to think how best we can do this though your ideas and suggestions would be most welcome.

Whilst biodiversity net gain is an extremely valuable mechanism to improve biodiversity, planning policy and guidance can use many other ways to reverse the loss of natural habitats and biodiversity. Protection of locally, nationally and internationally important habitats is covered by Policy G8. But we’d like to consider revised policy for those important areas which don’t meet the criteria for special protection. Using a % net gain on sites which already have a low level of biodiversity will not result in noticeable improvements therefore we’d like your views on how the protection and improvement of the range of habitats, flora and fauna can be at the heart of development proposals through a focus on nature and ecological considerations in scheme layout, design and details, including infrastructure and the use of “green” products and technology.

Further consideration should also be given to our approach to biodiversity off-setting. Biodiversity off-setting is a system whereby if one area of natural space is lost to development, another area is created or restored for wildlife with the aim for an overall biodiversity gain. This means economic activity can occur and the environment can continue to flourish.

Proposed Policy Options

Policy options for biodiversity could include going beyond the provisions for biodiversity net gain within the Environment Bill and setting ambitious targets for net gain.

Alternatively the authority could choose to retain its existing approach, either based on the benefits of the existing policy approach or the expected provisions of the new Environment Bill.

Questions for Consultation

7. Do you agree that the Council should revise its policies on biodiversity? If so, what would you like updated policies to contain?

Local Food Production

Background

Local food production is an important part of Green Infrastructure because it helps deliver many of the benefits of GI (e.g. for biodiversity and well-being). It is also an important part of cutting carbon in its own right because the travel and processing associated with food generates lots of carbon emissions. Indeed food is one of the biggest contributors to our individual carbon footprint. It is for this reason that the Leeds Climate Commission have concluded that growing food locally and reducing food waste are important steps in becoming a zero carbon city. Food growing can be on a commercial scale i.e. through farming, and on a local community scale, such as allotments.

From a **commercial** perspective the Government's 25 Year Environment Plan⁶ notes that the UK needs to optimise sustainable national food production for both the climate agenda and also to respond to Brexit and make the UK more self-sufficient.

They note that this can be done through improved land management and that "*Agri-tech developments can significantly improve farm performance, in terms of both profits and the environment.*" They note that this can be achieved through more intensive horticulture, such as polytunnels in the countryside.

Researchers from the University of Leeds recommend that Leeds can also make better use of brownfield sites for vertical farms (agri-tech farms which use modern techniques to grow food indoors).

From a **community** perspective throughout the Big Leeds Climate Conversation local food production was a prime consideration. Growing food was the 5th most popular pro-environmental behaviour change that respondents would make, but say that barriers prevent them⁷.

Researchers from the University of Leeds recommend identifying and making better use of urban green space including parks, housing, ex-allotment sites and allowing better use of and meanwhile uses (which means temporarily using proposed development sites to grow food; possibly in containers).

The Town and Country Planning Association⁸ specifically advocates more community food growing. They define community food growing as "the cultivation of land by groups based on residential estates, faith premises, places of employment, schools or within neighbourhoods." There is a history of this within Leeds with

⁶

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/693158/25-year-environment-plan.pdf

⁷

<https://democracy.leeds.gov.uk/documents/s198402/Climate%20Emergency%20Report%20Annex%20%20191219.pdf> (see page 29)

⁸ https://www.sustainweb.org/news/apr14_planning_sustainable_cities/

places like Meanwood Valley Urban Farm – a larger community farm which also employs paid workers and organisations such as Feed Leeds, (a local version of the national Incredible Edible project) involved with sustainable local food.

Policy Aims

Whilst there is already considerable enthusiasm and commitment to grow food locally the planning system can help remove barriers, such as lack of access to suitable land and through its wider Green Infrastructure policies. The proposed policy aim for local food growing are as follows:

As a key part of the multi-faceted Green Infrastructure in Leeds and recognising its role in the Climate Emergency, the Local Plan encourages local / community food growing, so as to ensure that those who wish to grow food locally have the opportunity to do so within walking distance of their home.

From a commercial perspective it is important to be positive about commercial food growing so that investors know that Leeds will welcome innovation and development of the food growing sector.

Existing policies and rationale for potential change

The current Local Plan policies set the framework for Green Infrastructure and notes in para 2.38 of the Core Strategy that:

“An integral component also of the District’s Green Infrastructure and green space and in contributing to public health, are the networks of allotment gardens across the City. These are important facilities in providing for local food production (close to communities) and in contributing to local amenity and distinctiveness.”

However, a focus purely on allotments for growing food is considered to be too narrow, given the wider opportunities that are available and in line with a more detailed approach on Green Infrastructure policies need to be more explicit and recognise that food growing can occur on land other than allotments.

In terms of commercial agri-tech food growing opportunities the current Local Plan identifies over 400 ha of land for general employment, which would allow for vertical farming on allocated employment land and on other brownfield urban land which was not allocated for other purposes. But it is important to note that commercial agri-tech food growing may also be acceptable in the countryside too. The NPPF requires that *“Planning policies and decisions should enable... inter alia... the development and diversification of agricultural and other land-based rural businesses⁹”* and it also allows buildings for agriculture in the Green Belt¹⁰.

⁹ NPPF para 83

¹⁰ NPPF para 145

Possible Approach

It is proposed that at this initial stage the Plan needs to set a positive framework for local food growing and provide more detail on how this can be achieved within a revised approach to protecting, managing and providing new Green Infrastructure and local place-making policy approaches being advocated elsewhere in this Local Plan Update. The Local Plan update could therefore provide policies that:

- protect existing community food growing spaces
- support the provision of new community food growing spaces in or near existing housing estates
- encourage the temporary use of vacant sites and land awaiting development
- require the incorporation of community food growing space in new residential developments as part of Green Infrastructure delivery
- require all development to incorporate measures that will contribute to on-site sustainable food production as part of Green Infrastructure delivery
- include community food growing in open space assessments and strategies in their own right, distinct from consideration of allotments

Aside from strategic support for local food growing it is considered that there are fewer opportunities to amend or set detailed policies for commercial food growing at this stage of the Local Plan Update and that the current policies are not restrictive. However, it is considered that when employment land policies and employment allocations are updated in the future, the agri-tech food sector should be specifically considered, potentially through the allocation of specific sites for this purpose. To do this now, would also necessitate a wider look at all employment sectors as to ensure that all sectors were considered in the round. This would not align with a focussed scope of the Local Plan Update for the climate emergency.

Questions for Consultation

- 8. Do you agree that the Council should include policies to positively promote local food production?**
- 9. Do you think all new housing should deliver such opportunities or do you think they should be more strategically focussed e.g. more allotments?**
- 10. What else do you think the planning system can do to encourage local food growing?**

Topic 4: Place-making

Plan on a page

Vision for Place-making: To minimise carbon emissions by guiding new development to locations that offer the best opportunity for active travel, for use of public transport and for minimal use of private motor vehicles. To capitalise upon a local community’s assets, inspiration and potential and create high quality, sustainable and resilient places that people want to live, work and play in and promote people’s health, happiness and well-being.

What is this topic about?

As part of our aspiration to make Leeds zero carbon by 2030 we want to ensure that we guide development to the most sustainable places and to ensure that all new development is designed to high standards.

Where are we now?

Our existing Local Plan has strong policies to encourage development in sustainable locations and to support high standards of design. However, these policies pre-date the climate emergency declaration and the well-being impacts of Covid-19. We feel that now is the right time to consider refreshing our Plan to ensure it is suitably ambitious.

The proposed policy areas



Where do we want to get to

•We want to embed the 20-minute neighbourhood concept into planning policy

•We want to ensure that new development is sustainably located.

•We want to ensure that planning policy ensures the highest design standards are being achieved in Leeds

Have your say

We need your views on whether you think our aspirations for the Local Plan Update are correct. Do you agree that the topic of Place-making should be considered? If so, what would you like to see new policies contain?

LEEDS LOCAL PLAN UPDATE

REGULATION 18 CONSULTATION TOPIC PAPER

PLACE MAKING

BACKGROUND TO THE TOPIC

This topic area seeks to explore the policies that guide sustainable patterns of development in Leeds by engaging with concepts such as the 20 minute neighbourhood as well as focus on creating high quality and resilient buildings and spaces designed for carbon reduction and the promotion of people's health, happiness and well-being.

This paper looks at both strategic place-making (spatial patterns of growth, location of development) as well as place making in reference to detailed design considerations at a site, development and building level:

- i. Spatial criteria – strategic infrastructure; reusing land; walkable neighbourhoods, resource efficiency in land-use, reducing emissions, minimising flood risk, improving local services and job opportunities, accessible and safe routes of travel by sustainable transport, mixed-use development, mixed communities, social cohesion, regeneration, neighbourly urban design, safe public spaces, green spaces, digitally connected.
- ii. Place/Site/building criteria - Minimise waste (create space for composting), reduce pollution, sustainable construction, sustainable drainage, energy efficiency, conserve & enhance biodiversity, smart infrastructure and connectivity, walkable communities, green and blue infrastructure (hedges, community gardens, green walls/roofs, ponds), solar gain and tree planting for urban cooling and carbon capture.

Taking these aspects together we propose the following objective:

Objective: to minimise carbon emissions by guiding new development to locations that offer the best opportunity for active travel, for use of public transport and for minimal use of private motor vehicles and to capitalize upon a local community's assets, inspiration and potential and create high quality, sustainable and resilient places that people want to live, work and play in and promote people's health, happiness and well-being.

Policy Topic Areas

Strategic Place-making

Background

The intention of the Local Plan Update is to adopt new planning policy that takes Leeds toward carbon neutrality by 2030. For place-making this means guiding new development to locations that offer the best opportunity for active travel (by foot or cycle) and by public transport so that travel by car is greatly reduced. Seeking the “best opportunity” expresses the desire to optimise carbon reduction through control of the location of new development, use of appropriate density, efficient use of land and the creation of cohesive neighbourhoods.

It has been long considered that the most sustainable urban form is one of concentration of uses, particularly around centres so that people can be closer to work and other services and make use of public transport. Place making at the strategic level is about creating places that support people to live, work and enjoy the environment (incorporating both urban and natural aspects). Done well, place making minimises the environmental footprint of development; it brings environmental, economic and social elements of planning together and allows communities to flourish.

The purpose of the planning system (as expressed through the National Planning Policy Framework – NPPF) is to contribute to the achievement of sustainable development. The NPPF sets out three objectives that broadly contribute to the wider factors that influence sustainable and healthy places:

- a) An economic objective to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
- c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Furthermore, the NPPF specifically sets out that planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social

interaction, safe and accessible spaces and promote healthy lifestyles. It also acknowledges that planning policies and decisions play a key role in the provision of social, recreational and cultural services that meet community needs and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community.

All development plans produced in Leeds, as part of the Local Plan, have sought to provide a framework for sustainable and healthy communities, having regard to quality of life and to protect and enhance the environment. This is achieved through a strategic and spatial approach and a suite of policies relating to the overall scale and distribution of development, location, layout and fabric of places. Primarily, (through the Core Strategy (CS)) the greatest levels of development are directed to the existing main urban area (including the City Centre) and major settlements to minimise travel by private car, as sustainable locations which currently provide the greatest amount of services and facilities.

Impact of Covid-19

The Covid-19 pandemic has impacted on both people and the economy, impacting on the way people work, travel and shop. It's shown a rise in the number of people cycling and resulted in cleaner air quieter streets. However, it's also shown widening inequality for those who have easy access to green space, shops and services, and those who are disconnected from these important facilities. In addition, Covid-19 has generated contradictory views that people need larger homes, space and greater distances to stay safe, and less reliance on centrally located offices given the ability of most people to now work from home. The lockdown restrictions have reminded us all that place making is more important than ever in creating better spaces for everybody.

Twenty minute Neighbourhoods

The 20-minute neighbourhood concept has become a focus for a new vision of locational growth. The purpose of the concept is to ensure that neighbourhoods support strong communities and local economies, recognising that easy and safe walking and cycle access to services and facilities is good for health, and that physical activity and less reliance on the private car reduces air pollution. This approach to local growth and place making around service centres and hubs is gathering support across the world and is an easily understood way of planning for the way places change.

The concept of locating development in sustainable locations is nothing new in Leeds and the accessibility standards set out the Core Strategy go a long way in setting out the criteria for sustainable development. The concept is further explored in the recently published consultation document Leeds Local Transport Strategy which sets out the Council's ambition for Leeds to be a city where you don't need to own a car, where everyone has access to affordable zero carbon transport options.

Whilst beyond the role of Planning, it is important to note the Government's role in actively pursuing funding opportunities, including the recently launched Active Travel Fund which presents real opportunity to create a lasting change to how people move around towns and cities by enabling and installing infrastructure that supports safe cycling and walking with the aim to create safe, healthy spaces where communities can connect and walking and cycling is the easiest most attractive option of movement.

For Leeds to meet its objective of minimising carbon emissions it is considered that spatial growth needs to continue to follow a pattern of concentration particularly around the City and town centres, but with a reflection on the impacts of Covid-19 which highlighted the continued need to promote walkable neighbourhoods.

Role of towns and local centres

The city centre provides high levels of accessibility. It is the centre of the public transport network; it has a high density population within and in adjoining neighbourhoods that offers opportunity for people to walk or cycle to work and in terms of city centre employment, Leeds has a thriving legal, media and financial services sector with a large amount of office floor space. Whilst the role of the City Centre may evolve, feedback from local businesses suggests that it will still have a crucial role to play in the provision of office space, allowing for home working with more flexibility for "collaboration space".

Leeds also has 60 town and local centres designated in the Local Plan. These serve as hubs for local residents to access local shops and services. They can form the base for rolling out the concept of walkable neighbourhoods, whereby residents can access all the facilities that they need within a short walk of 15-20 minutes.

The role of Green and Blue Infrastructure

The importance of integrating the natural environment with the urban environment is a key part of creating successful places, not only in ensuring that places of wildlife and nature conservation value are protected but that new development creates new opportunities to deliver enhanced or new green infrastructure ensuring that the benefits of green and blue infrastructure are integral to healthy spaces.

Current Policy

The current Leeds Local Plan has sought to provide a framework for sustainable and healthy communities, having regard to quality of life and to protect and enhance the environment. This is achieved through a strategic and spatial approach and a suite of policies relating to the overall scale and distribution of development, location, layout and fabric of places.

Core Strategy policy is structured around a Settlement Hierarchy of City Centre, Main Urban Area, Major Settlements and Smaller Settlements; through this, new

development is channelled toward the urban areas, to avoid travel by private car, as sustainable locations because these places have access to a range of services via public transport and walking. Policy SP1 of the Core Strategy is the principal policy which guides development toward previously developed land, town centre uses to centres and economic development towards identified and suitable locations. It also expects regard to be given to the character of place and the role of infrastructure including waterways, and protection of European environmental designations.

The existing Site Allocations Plan already provides for a range of housing and employment allocations and these “in principle” locations for development will not be amended through the Local Plan Update. However, Policy H2 sets locational criteria for non-allocated (i.e. windfall) housing sites. It expects new development to be of a scale appropriate to the capacity of local infrastructure and is to be read alongside Policy T2 which sets accessibility requirements for new development with particular standards set out in Table 1 of Appendix 3 of the Core Strategy. Additional criteria are applicable to green field sites concerning their intrinsic environmental value.

For new employment uses, Policy EC1 sets out preferential locational criteria to guide the making of allocations for general employment land. These follow Policy SP1 in giving priority to urban areas of the settlement hierarchy, to regeneration areas, to existing employment areas and to complement housing in major urban extensions. Policy EC2 sets out locations for offices, which focusses on the City Centre and town centres, in accordance with national policy recognising office as a town centre use.

Rational for an Enhanced Policy Framework

For Leeds to meet its objective of minimising carbon emissions it is considered that spatial growth, in line with the emerging Leeds Transport Strategy, should continue to follow a pattern of concentration particularly around the City and town centres and with less development in relatively unsustainable locations, and promote walkable neighbourhoods. It is also considered that this should also apply to the location of general employment in appropriate locations. In this context, consideration needs to be given to how best to successfully integrate the 20-minute neighbourhood concept into the Leeds Local Plan and to guide the determination of planning applications

The role of the Local Plan Update is to consider how the Council’s ambition for Leeds to be a city where you don’t need to own a car, where everyone has access to affordable zero carbon transport options can be addressed and supported through planning policy.

There is also an opportunity to ensure that the key principles of sustainable development and strategic place making, supporting the Climate Emergency targets and ambitions aligned with health and well-being and inclusive growth are further highlighted, front and centre in the Local Plan.

Future Policy Options

Focused on strategic place making the focus of the consultation is to consider a policy framework which either alters policies SP1 and H2, or introduces a new strategic policy on this topic. It is not considered necessary to alter policies relating to the making of allocations (SP6, SP7, SP10, H7, EC1 and EC2). It is considered that the review of these policies would be best to take place when new allocations are required.

Consultation Questions

Does Leeds need a local policy definition of sustainability?

What does a '20-minute neighbourhood' mean to you? Do you agree that Leeds should aim to create 20 minute neighbourhoods?

How might planning policy support living in a City where you do not need to own a car?

How would you prioritise the users of residential streets? (Pedestrians, cyclists, cars, buses)

Should Leeds introduce a presumption against car dependent development?

HIGH QUALITY, RESILIENT AND HEALTHY PLACES

Background

The vision for Leeds is to have a strong policy framework that ensures planning policy and decisions achieve healthy, inclusive, safe, resilient and adaptable places (spaces and buildings); that Leeds is designed to achieve a better and more sustainable future for all, reflecting the 17 interlinked Sustainable Development Goals (SDGs).

The evidence needed on a policy for high quality and sustainable places is qualitative however the many reports on climate mitigation and adaptation return to quality of place being central to achieving well designed places that respond to the impacts of climate change through mitigation (reducing greenhouse gas emissions and minimising embodied energy) and adaptation (such as rising temperatures and increased risk of flooding).

The Ministry for Housing, Communities and Local Government (MHCLG) published the National Design Guide – Planning practice guidance for beautiful, enduring and successful places in October 2019. This makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. The guide illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice.

In August 2020 the Government published a White Paper Consultation on Planning Reform which introduces discussions on a radical transformation of the planning system including recognition that *“there is not enough focus on design, and little incentive for high quality new homes and places: There is insufficient incentive within the process to bring forward proposals that are beautiful and which will enhance the environment, health, and character of local areas”*. It further identifies that the planning system needs a new focus on design and sustainability, with a greater focus on ‘place making’ and ‘creation of beautiful places’.

The MHCLG have followed this with publishing (29th January 2021) their consultation on changes to the National Planning Policy Framework (NPPF). The text has been revised to implement policy changes in response to the Building Better, Building Beautiful Commission “Living with Beauty” report¹. The consultation is also seeking views on the draft National Model Design Code, which provides detailed guidance on the production of design codes, guides and policies to promote successful design. The government believes *“that design codes are important because they provide a framework for creating healthy, environmentally responsive, sustainable and distinctive places, with a consistent and high-quality standard of design. This can*

¹ Living with beauty: Report of the Building Better, Building Beautiful Commission – an Independent report on how to promote and increase the use of high-quality design for new build homes and neighbourhoods. Published 30 January 2020 (MHCLG)

provide greater certainty for communities about the design of development and bring conversations about design to the start of the planning process, rather than the end”.

There is also much research on the relationship between planning and good design and health benefits (Healthy by Design, NHS England, 2018) that share the benefits of addressing climate change (mitigation and adaptation) through improvements to the layout and form of buildings and spaces and better use of resources that has clear physiological and psychological health benefits. This is reflected locally in the Leeds 2014 Director of Public Health Report “Planning a Healthy City: housing growth in Leeds” which considered the detailed ways that Leeds could plan a healthy city around housing growth reflecting on the need to connect the public health benefits of good urban design and planning to people, place and the planning process.

Leeds Local Plan has sought to provide a framework for sustainable and healthy communities, having regard to quality of life and to protect and enhance the environment. As covered in the first part of this paper, this is achieved through a strategic and spatial approach and policies relating to the overall scale, distribution and location of development. Further, as will be covered in this second part of the paper, all development proposals are subject to a suite of specific and more detailed place making policies on the layout and fabric of places (covering design, housing, employment, natural environment, green space/public open spaces, transport) to achieve a layout, design and fabric efficiency which both mitigates climate change and addresses impacts, such as flooding but also has clear physiological and psychological benefits on health and well-being.

To that end, planning for sustainable place making is embedded within Leeds Local Plan as part of an integrated approach. The detailed design principles of place making reflects the origins between health and planning in the ‘Housing and Town Planning Act of 1909’ (and subsequent re-writes) when urban planning was being advanced to mitigate the consequences of the industrial age to provide healthy living spaces and environments. In this context, well designed places have layouts, forms and mix of uses that:

- reduce the requirements on resources (land, energy and water) - assisting in increasing the ability for Co2 absorption, sustaining natural ecosystems and minimising flood risk and potential for flooding and reducing overheating and pollution;
- take advantage of topography and layout - achieving passive solar gain, retaining and planting new trees for shade and urban heating and carbon capture and other biodiversity opportunities such as hedgerows, green walls/roofs and ponds;
- are fit for purpose and are adaptable - providing and linking to sustainable transport, walking and cycling and promotion of walkable developments and 15/20-minute neighbourhoods where daily needs are met locally – critical not only for a low carbon and healthy future but also for resilient places in light of the pandemic.

Place making integrates all of these policy strands but this paper focuses only on design and quality. For more detail on the other topics of this Local Plan Update please refer to the other background documents on Carbon Reduction, Flood Risk, Green Infrastructure and Sustainable Infrastructure.

Current Policy

Leeds' current Core Strategy Policy P10 and Saved UDP policy GP5 set out the requirements of all development to consider normal development management considerations and design principles. These are well established and well used policies and are supplemented by detailed design guidance in the Neighbourhoods for Living and Building for Today Tomorrow Sustainable Construction Supplementary Planning guides.

The reasoning for Policy P10 is set out in the supporting text of the Core Strategy at paragraph 5.3.41 and is worth repeating here:

“Good design is a key aspect of sustainable development and essential in creating places in which current and future generations can enjoy a high quality of life which is fulfilling and healthy. Good design goes beyond aesthetic considerations and should address the connections between people and places and the integration of new development into the built environment. Design can also assist in tackling the most cross cutting issues of sustainable development such as climate change, car dependence, community cohesion and health and wellbeing. The vast majority of people who live and work in the Leeds City Region do so in an urban environment. Their quality of life depends heavily upon the quality of their environment. In order to continue its economic success in a sustainable manner, and in order to achieve its aim of being the Best City in the UK by 2030, Leeds must build upon and retain the high quality of its built, historic and natural environment”.

In line with the NPPF the determination of planning applications needs to be considered against the Development Plan and all development control considerations. As such Saved Policy GP5 (UDP, 2006) sets out a high level and general policy against which all development is to be assessed. This provides the relevant policy hooks to other parts of the Local plan on matters such as acceptable provision of vehicular access, surface and foul water sewer disposal, car parking, greenspace, landscape and detailed design considerations.

The Core Strategy further sets out detailed policies as to the mix, type (older peoples accommodation; Gypsy and Traveller accommodation) density, affordability and space standards of new homes, alongside greenspace and green and blue infrastructure, connectivity and accessibility which when read together help to inform and shape 'place making'.

Rational for an enhanced Policy Framework

Policy P10 whilst embedding strong place making principles lacks strategic weight and there are clear opportunities to strengthen and heighten the signposting to other

technical implementation policies that have a clear cross over (i.e. green space; green infrastructure (green and blue); accessibility; space standards, energy and resources). Current policy also lacks explicit referencing to health and well-being and climate emergency.

It is not proposed that this Local Plan Update considers the current Core Strategy Policies on mix, type (older peoples accommodation; Gypsy and Traveller accommodation) density, affordability and space standards of new homes. However please refer to the separate topic papers on Carbon Reduction, Flood Risk, Green Infrastructure and Sustainable Infrastructure which all integrate into good 'place making'.

Future Policy Options

Local Plan Update options include rewriting policy P10 to provide the relevant signposting to other (existing and proposed) Leeds Local Plan technical implementation policies and provide heightened references to "health and well-being", "climate change" and "high quality place making" or introducing a new strategic policy to provide a stronger hook for design and place making upfront in the Local Plan, whilst also championing the importance of 20-minute neighbourhoods, linked with the opportunity to relook at Policy SP1 and H2 and T2 under Strategic Place-making. There is also the opportunity to integrate Saved Policy GP5, thus helping to simplify the Local Plan and the number of policies.

The Local Plan Update provides the opportunity to ensure that the principles of place making are front and centre in the Local Plan and underpin all the thematic/technical policies.

Consultation Questions

The Council's well established and well used Neighbourhoods for Living and Building for Today Tomorrow Sustainable Construction Supplementary Planning guides can also be refreshed as part of the LPU. Should these (or alternative document/policy) introduce the need for a Sustainable Development Assessment /checklist to ensure consideration of health and well-being and climate change issues are fully addressed in all development proposals?

This page is intentionally left blank

Vision for Sustainable Infrastructure: Leeds will ensure the delivery of an accessible and integrated transport and communications system which focuses on public transport and active travel

What is this topic about?

As part of our aspiration to make Leeds zero carbon by 2030 we want to ensure that our communities are resilient to the impact of climate change. This includes policies that aid the delivery of low emissions transport and improved digital connectivity, to help reduce journeys by car.

Page 125

Where are we now?

Our current Local Plan already has policies for the growth of the airport and provides general support for digital connectivity. However there are no detailed policies for HS2, Leeds Station or Mass Transit. Nor are there detailed consideration of digital infrastructure. We feel that now is the time to consider these policy areas.

The proposed policy areas



Where do we want to get to

• We want to consider new policies for HS2, Leeds Station and Mass Transit to maximise the benefits of these schemes.

• We want to improve digital infrastructure provided through new developments to ensure that digital connectivity is given priority.

• We want to review existing policy at the airport to ensure it is effective for managing growth

Have your say

We need your views on whether you think our aspirations for the Local Plan Update are correct. Do you agree that the topic of Sustainable Infrastructure should be considered. If so, what would you like to see new policies contain?

Sustainable Infrastructure Topic Paper

Introduction to the Topic

This topic paper covers a specific range of different types of infrastructure which all have a role to play in supporting sustainable development and responding to the climate emergency. This includes transport infrastructure, considering the proposed High Speed 2 and West Yorkshire Mass Transit schemes, as well as the growth of Leeds City Station and Leeds Bradford Airport. It also considers digital infrastructure, and access to reliable and high speed data networks. Whilst there are other types of infrastructure including health and education. These are not considered to form a part of this LPU because they are not directly provided by the Council or housebuilders, are for the market to deliver and are covered by existing policy.

For each topic, general background is provided, and the current policy position is outlined. The rationale for considering enhancing the planning framework relating to these types of infrastructure, and what a policy could potentially address, is then set out. This includes:

- **Leeds Station and HS2:** preparing for and maximising the benefits that the national High Speed 2 rail infrastructure project may bring to the City should it be built. This includes shaping the development of Leeds Station, integrating the HS2 line into our city and seeking opportunities for new green and public spaces to be created alongside HS2;
- **Mass Transit:** preparing for any mass transit system that is provided in Leeds so that it can align with wider spatial priorities and deliver wider benefits;
- **Leeds Bradford Airport:** managing the development of Leeds Bradford Airport and access to it in a sustainable manner;
- **Digital Connectivity:** supporting reliable, high-speed data at work, home and whilst on the move, so that Leeds is a modern, resilient and efficient economy which can support increased remote working;

Consultation questions for each topic are then set out. These aim to gain insight into the views of residents, businesses and other interested parties about the proposals and what future planning policy should do or say.

As we are at an early stage in the plan making process, the level of detail provided on each topic varies. This reflects that some of the infrastructure schemes that the policies proposed to respond to – such as High Speed 2 and the growth and development of Leeds Station – have been in preparation for a number of years, and so more detailed information about the proposals (and the potential role of planning policy) is known. Other proposals – such as for Mass Transit – are at a much earlier stage of development, and specific details are still being worked on.

It is important to recognise that some of the schemes that the topics in this paper respond to are being advanced by organisations other than Leeds City Council. For example High Speed 2 is being driven forward by central government, and the Mass Transit scheme is led by West Yorkshire Combined Authority. This consultation is not about getting views on the principle of these schemes in themselves, but about how they should be addressed or responded through new or revised planning policies.

Leeds Station and HS2

Background

The railway network is hugely important for Leeds' economy and the decarbonising of transport. Over the next two decades Leeds Station, which is already the busiest in the north of England, is expected to see passenger numbers double as more people choose to travel by more sustainable modes of transport. We will also see substantial investment being made into our railway infrastructure, with the High Speed 2 (HS2) and Northern Powerhouse Rail schemes having the potential to transform our intercity connections.

The Planning System will have an important role to play in supporting this change by helping to guide and manage the implications that it has for buildings and the use of land, so that the benefits are maximised and any potential adverse impacts are limited. This paper sets out some initial ideas about how we might introduce a new planning policy for Leeds that responds to this. It focusses particularly on the redevelopment of Leeds Station and on the implications that HS2 would have for the use of land under and around the line, as this is where we think that there is a particular need to enhance and strengthen the planning policy framework.

There is currently some uncertainty about which combination of rail network improvements the Government will prioritise for funding, including which aspects of Northern Powerhouse Rail will be taken forward and whether the HS2 network will reach Leeds. However, despite this, we believe that it is important for us to consider the implications that the different options may have in terms of land use and planning policy requirements now. This is to make sure that we are on the 'front-foot' when these decisions are made by Government, can quickly respond by getting the necessary policies into place as part of the Local Plan update. This will mean that we are in the best position to maximise the benefits that investment in the rail network and station presents for Leeds, and to minimise any potential adverse impacts that could have.

What is proposed at Leeds Station?

To accommodate the predicted doubling of passenger numbers at Leeds Station significant investment and development is going to be required. This will be phased over a number of years to ensure that the station can continue to function throughout the construction work. To make sure that all of the different phases of development work together to respond to all the various opportunities and challenges that the redevelopment presents, a Leeds Integrated Station Masterplan (LISM) has been prepared¹. This outlines proposals for a £500m development that will create a new station campus. It aims to improve the experience of everyone using the station by increasing pedestrian capacity, supporting the regeneration of the South Bank, and

¹ <https://southbankleeds.co.uk/assets/documents/2017.11.03-Leeds-Integrated-Station-Masterplan-LR-v6-DS.pdf>

incorporating the High Speed Two (HS2), Transpennine Upgrade (TRU) and Northern Powerhouse Rail (NPR) improvements. It will also create opportunities for significant new commercial and residential development in the centre of Leeds.

In October 2020 planning permission was granted² for various improvements and alterations to the station. This enables the creation of a fully accessible multi-modal transport hub, with free flowing pedestrian movement out of the station to the city centre and wider city areas. It involves various improvements to the arrival space to the front of the station, which reduces the flow of vehicular traffic, improves connectivity and creates a safer and more welcoming environment for pedestrians and cyclists using the station and adjacent streets. It also includes the creation of a new purpose built taxi shelter, and environmental enhancements to the area under the Neville Street Bridge and along Dark Neville Street to make these places feel safer and more attractive for users.

Further applications are expected to come forward in the future, to enable the delivery of additional improvements to the station and to increase its capacity.

What is HS2 and how will it be granted consent?

High Speed 2 (HS2) is a new high speed rail line proposed by the Government to link London to Leeds, Birmingham, Manchester. It will serve over 25 stations, connecting around 30 million people. By enabling fast trains to travel on their own dedicated tracks, it will free up space on the existing lines for increased commuter and freight services. In doing so HS2 aims to support the transition to a net zero carbon economy, by providing greater opportunities for people to travel by lower carbon forms of transport.

It is proposed that the HS2 line will be delivered in three phases:

- Phase 1: linking London to Birmingham
- Phase 2a: linking Birmingham to Crewe
- Phase 2b: split into two legs, with the western leg connecting Crewe to Manchester and the eastern leg connecting Birmingham to Leeds.

The new HS2 lines will connect with the existing rail network, enabling HS2 services to run onwards on existing lines, and will also be integrated with other rail investments including Northern Powerhouse Rail and Midlands Engine Rail.

² Application reference no. 20/02048/FU

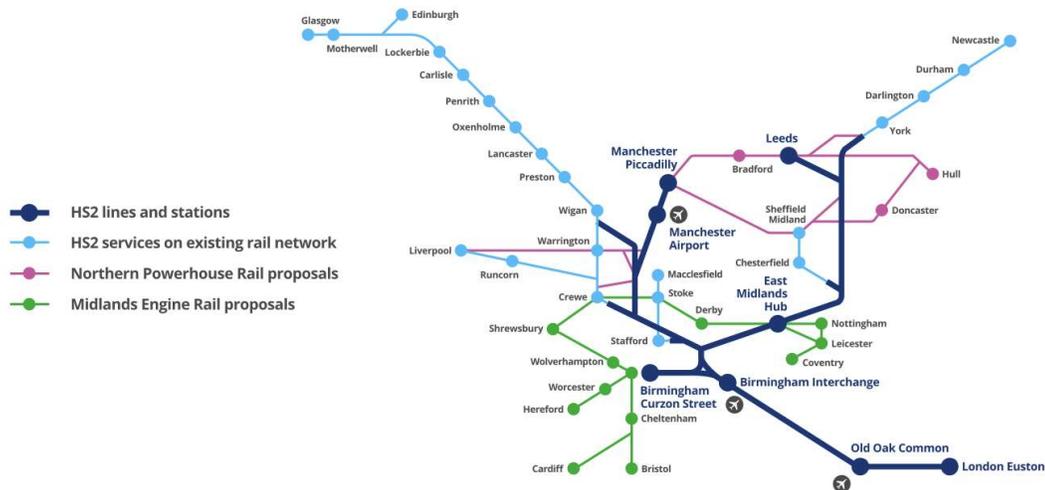


Figure 1 – HS2 route map

Within Leeds, it is proposed³ that the HS2 rail line will enter the district from the South close to M62 J31, with the line of the route splitting to the south east of Oulton. The Leeds spur will enter a tunnel under Woodlesford, before continuing on a viaduct through Stourton and Hunslet and arriving into a new, integrated train station which is connected to the existing station by a common concourse. The mainline continues north between Woodlesford and Swillington, including a 2km viaduct over the River Aire, and then to the north of Garforth before continuing on to Church Fenton. A rolling stock depot (RSD) is proposed in the Temple Green area (part of the Leeds Enterprise Zone), immediately adjoining the western side of the M1.

Progress on the eastern leg of Phase 2b (which is the part of the line that will travel to Leeds) is currently paused pending the publication, by the Government, of an Integrated Rail Plan for the North and the Midlands. This is expected to be published in early 2021.

HS2 is being driven forward by central government. To do this, the Government has established HS2 Ltd, a non-departmental public body, who are responsible for overseeing the development and operation of HS2. HS2 Ltd are funded by the Secretary of State for Transport and are sponsored by the Department for Transport (DfT). They are responsible for deciding the route of the line, preparing all the evidence base studies and assessments underpinning the proposals, seeking the necessary approvals for the scheme and then managing its construction and operation.

Due to the scale of the HS2 project, and the range of statutory powers and authorisations that a project of its size and complexity requires, the Government intends to grant planning permission (and the other necessary approvals) for the construction and operation of HS2 through hybrid Bills. A hybrid Bill is set of proposals for introducing new laws, or changing exiting ones, that address both public and

³ This is based on the route plans published as part of the consultation on the Working Draft Environmental Statement in October 2018, read alongside the revisions made as part of the Design Refinement Consultation in July 2019 and the update to the safeguarding area boundary published in July 2020.

private matters. They are generally used to secure powers to construct and operate major infrastructure projects of national importance, for example the Channel Tunnel Rail Link and Crossrail.

The route and form of the HS2 route, the measures to be taken to minimise or offset any adverse impacts associated with the construction or operation of the line, and the location, boundaries and heights of the new HS2 part of Leeds Station will all be agreed through the hybrid Bill. Through the hybrid Bill, HS2 Ltd will also be given powers to;

- operate and maintain HS2 and its associated works;
- compulsorily acquire interests in the land required;
- affect or change rights of way, including stopping up or diverting highways and waterways (permanently or temporarily);
- modify infrastructure belonging to other organisations (like utility companies);
- carry out work on listed buildings and demolish buildings in Conservation Areas; and
- carry out protective works to buildings and third-party infrastructure.

The planning consent provided by the hybrid Bill is, broadly speaking, similar to an outline planning permission. **Leeds City Council will not have any authority over determining the above matters.**

What role does Leeds City Council have in planning HS2?

As outlined above, HS2 is being led by HS2 Ltd and will be decided on by central government through the hybrid Bill process. Over the last few years we have been actively engaging with DfT and HS2 Ltd to try and secure a scheme design which minimises impacts on our communities, businesses and the environment, and maximises the economic and regeneration opportunities it presents for us. This has included;

- Responding to the HS2 Phase 2 route announcement in 2013 and securing subsequent changes to the design, including an integrated station design and a tunnel rather than viaduct design through Woodlesford,
- Responding to HS2's consultation on the Working Draft Environmental Statement for HS2 (WDES) in December 2018;
- Responding to the DfT's consultation on the design refinement in September 2019, which revised the plans to propose a viaduct based scheme between Woodlesford and Leeds Station.

As part of this, we have sought a number of changes to the HS2 plans, which we hope will be addressed through the final proposals for the line that will be set out in the hybrid Bill.

In the event that HS2 does not make all of the changes or requests we ask when the Bill when it is submitted to Government, there will be a further opportunity for us (and any other interested residents or stakeholders) to respond to a public consultation on

the Environment Statement supporting the Bill. We (and other interested parties) will also be able to petition and seek amendments to be made as the Bill makes its way through Parliament. This gives us the opportunity to make the case to the Select Committee responsible for considering the Bill about why we consider amendments are necessary.

The consent granted by the hybrid Bill is, broadly speaking, similar to an outline planning permission. As part of the Bill, Local Planning Authorities can opt to become a 'Qualifying Authority' which has limited powers to approve detailed matters related to the scheme. It is expected that we (Leeds City Council) would opt to become a Qualifying Authority.

The issues that we would be able to consider when determining applications for detailed elements of the scheme would be likely to include whether the works ought to be modified to preserve the local environment or local amenity, prevent prejudicial effects on the free flow of traffic, or preserve a site or archaeological or historic interest or nature conservation value. It is important to note, however, that refusals can only be justified where the development could reasonably be carried out within the boundary of the scheme as set out in the Hybrid Bill.

The Council will also have direct responsibility for managing non-HS2 development under and around the HS2 line (before, during and after construction of HS2). These applications will be considered through the 'usual' planning application process overseen by Leeds City Council, with HS2 Ltd being consulted on the application where appropriate.

Vision

We want to support the role of Leeds Station as key part of the City Centre. We want to see it redeveloped to make the most of the potential it holds to enhance the experience of those using the station, incorporating the new HS2 line and Northern Powerhouse Rail upgrades and supporting the expected growth in the number of passengers choosing to use more sustainable forms of transport. We want to see the station form a 'world class' and welcoming entrance to our City, which improves connectivity north-south and east-west across the city centre, and complements the offer of the rest of the City Centre and the South Bank. We want the energy efficiency of the station to be maximised, in line with our overarching objective to address the climate emergency.

We want to ensure that the potential social, environmental and economic benefits of HS2 for Leeds, and the areas and communities around the line, are capitalised on, and that any potential adverse impacts are avoided wherever possible, and minimised or mitigated where not. We want to use the planning system to help support this where possible, recognising that consent for the HS2 line itself would be granted through the hybrid Bill process.

We know that to enable the construction of the HS2 line, land along and surrounding the proposed route would be acquired by HS2 Ltd and cleared. Once the construction

phase is complete, this land would no longer be required by HS2 Ltd. We also know that the HS2 line is proposed to travel along a viaduct between Woodlesford and Leeds City Centre. We want to ensure that, when the HS2 line is in operation, best use is made of the land under and surrounding the line. In some areas, this could see the land reverting to its previous use, but in others (particularly in the urban area between Stourton and the City Centre) it could include re-designating it as development land, as land for public space and recreation, for landscaping and ecological enhancements, to provide pedestrian, cycling and vehicular connections, or for uses associated with the operation of the railways. We want all of these uses to integrate well into the surrounding area, supporting regeneration and connecting to, complementing and enhancing our existing green infrastructure and transport networks.

The development of the HS2 line may affect sites which are allocated for development, or which are currently in use by businesses. We want to ensure that the creation of the HS2 line does not adversely affect the ability of Leeds to meet our city-wide needs for employment land, and ensure that provision is made to meet changing needs and displacement impacts.

We have an aspiration for a pedestrian and cycle link to be created along the full length of the HS2 line, though we recognise that in some locations this may be technically challenging. We also want to ensure that the development associated with HS2 and Leeds Station minimises any risk of flooding, with sustainable urban drainage systems that reduce run off and improve water quality to any receiving water courses or sewers. In addition, we would like heritage assets along the HS2 corridor to be protected and enhanced, and for opportunities for their sustainable use and re-use to be taken.

We know that the construction of HS2 would be likely to take around 10 years. As not all of the land within the construction boundary is likely to be used consistently throughout this period, we would like to see temporary 'meanwhile' uses take place. This could include a range of temporary greening measures, cultural, community or commercial uses occur around the line, which help to keep the area attractive and vibrant during the construction phase.

Current Policy Position

Leeds Station is mentioned on multiple occasions within existing policy documents (including the Core Strategy, Site Allocations Plan and Aire Valley Leeds AAP). The important role of the station as a regional transport hub is recognised and supported. However, there is no specific policy to guide the future development of the station.

HS2 is referenced in the Core Strategy, SAP and Aire Valley Leeds AAP. The indicative route is shown on the Core Strategy Key Diagram, and support to the scheme in principle is given by Spatial Policy 12(i). Through the preparation of the AAP and SAP efforts were made to ensure that policies, allocations and designations do not conflict with the safeguarded area of HS2. However, timing of all of these documents meant that plans for HS2 were not sufficiently advanced to enable it to be considered in detail. The South Bank Leeds Regeneration Framework SPD does

contain some guidance relating to the HS2 element of Leeds Station and the integration of the line into the city, but this only covers the South Bank area and does not have full weight as policy.

Rationale for Enhanced Policy Framework

Leeds Station

The existing references to Leeds Station in our Local Plan documents do not specifically recognise or reflect the extent and scale of change that is now proposed at the station to increase its capacity, incorporate rail infrastructure improvements and enhance the user experience. They also do not recognise the potential for significant new commercial floorspace to be created as part of these works. Furthermore, the redevelopment and expansion of the station will be phased over a number of years. This will make it particularly important for all schemes for development in and around the station work together to achieve the overall ambitions for the transformed Integrated Station. Whilst the South Bank Leeds Regeneration Framework SPD does include some masterplanning principles for the Integrated Station, these do not have full weight as policy. Enhancing the policy framework for the station would help support the delivery of our vision and maximise the potential benefits associated with the redevelopment of the station for the City, and the wider sub-region.

HS2

The hybrid Bill for HS2 will be focussed on the construction and operation of the railway infrastructure, and the measures to mitigate or compensate for adverse impacts. It will not include the development of any residual land following construction, or integration into surrounding areas outside of the red line boundary. This leaves a gap which could make the delivery of our vision more challenging, particularly in the urban area where the line and viaduct will have many implications for buildings and the use of land.

It is considered that the potential benefits of strengthening the planning policy framework relating to HS2 are twofold:

- 1) It would ensure that the Council is the best position to manage the consequential development / land use implications that result from HS2 through the planning process. This will ensure that proposals, particularly in the urban areas where HS2 will open up new brownfield development opportunities and/or the potential for changes in land use, relate well to wider regeneration plans and support key council strategies and priorities. It also provides the opportunity to secure appropriate mitigation for the scheme (which may go beyond that currently proposed by HS2 Ltd). This will help to maximise the

potential benefits associated with HS2, and minimise any potential adverse impacts.

- 2) It would provide a clear statement of the aspirations and expectations of Leeds City Council in relation to the detailed design and construction of HS2, with particular regard to its integration into the City. Whilst planning policy documents will not hold the same statutory weight in the hybrid Bill process as they do in the planning application process, they nonetheless would be a relevant consideration that could be signposted to in responding to any future consultations on HS2 and/or the petitioning process to support the Council's case.

Proposed policy options

At this stage, we are looking at creating a new Core Strategy policy, which creates a high level framework for considering proposals that are relevant to the development of the station and HS2. The specific implications that HS2 it has for particular sites (including the need for any new or revised allocations) would be addressed in due course, through the review processes for the AVLAAP and SAP. The phasing of this work reflects that it is likely to be a number of years before any sites affected by the HS2 line would become available for (re)development, and so allocations are not a necessity at the current point in time. This will also minimise the potential for abortive work if changes are made to the HS2 scheme.

In the future, we could also look to prepare further guidance that supports the integration of HS2 into the urban fabric of Leeds. This could provide more detailed information about the opportunities, aspirations and expectations for development in particular areas / specific plots under and around the line, and how they relate to the regeneration and development plans for the wider area.

There are a number of options about what a strategic policy on Leeds Station and HS2 could address. This includes;

- 1) **Leeds Station** – it could provide support for the growth and development of the station. As part of this, it could give formal weight to the design principles that have been devised to guide its development and ensure the redevelopment of the existing station, and the new HS2 station, come together to form a single integrated station. It could highlight the importance of improving access through the station to enhance connectivity and permeability, including through the provision of a second southern entrance. It could also indicate how much new floorspace might be likely to be developed at the station, the uses that would be appropriate, and the importance of this complementing the offer of the wider City Centre and South Bank.
- 2) **Development opportunities** – it could identify the types of uses that would be appropriate alongside (or under) different parts of the new HS2 line, recognising

that uses suitable around the Station may be likely to differ those which are appropriate in Hunslet or in Stourton. It could also highlight the importance of taking opportunities to protect and enhance heritage assets along the rail corridor through their sustainable re-use and ensuring that surrounding development is sensitive to their presence.

- 3) Integration with the Green Space network** – it could emphasise the importance of any new public spaces created alongside or underneath the HS2 line complementing and connecting into the city’s existing green space network. There may be an opportunity for a new public park to be developed in Stourton, which incorporates the drainage and flood alleviation infrastructure that will be needed for the proposed HS2 Rolling Stock Depot, and this could be given specific support through the policy. The policy could also provide specific support for the expansion for Rothwell Country Park and Water Haigh Woodland Park, which we know would be adversely impacted by the construction of the HS2 line and their expansion could help to sure a long term benefit.
- 4) Maximising the potential contribution to addressing climate change** – it could highlight the importance of any new buildings (such as the HS2 element of the station and the Rolling Stock Depot) being built to high standards of energy efficiency. It could also support the provision of new Green Infrastructure under and around the HS2 line, additional tree planting, and the provision of flood alleviation and sustainable urban drainage measures.
- 5) Pedestrian, cycle and bridleway routes** – it could outline the importance of supporting and enhancing permeability as part of HS2 by protecting and enhancing existing public rights of ways and bridleways wherever possible, and of ensuring that new pedestrian and cycle routes are created alongside (and across) the rail corridor which connect to and complement the wider network.
- 6) Temporary ‘meanwhile’ uses** – it could encourage temporary greening measures or cultural, community and commercial uses of land within the HS2 construction boundary in periods where it is not actively required for construction purposes, to help keep these areas attractive and vibrant during the long construction phase.

If the plans for the eastern leg of HS2 (which would connect Birmingham to Leeds) are significantly altered or are not progressed by the Government this would have implications for the scope of this policy. However, even in the absence of HS2, it is considered that there could still be a role for a policy which focussed specifically on guiding and shaping the development of Leeds Station, and any associated works needed as part of delivering Northern Powerhouse Rail or any other rail network investments.

Questions for consultation

Do you agree that the Local Plan Update should include a new policy on Leeds Station and HS2?

- 1. If so, what are your views on the suggestion that this policy could focus on Leeds Station, development opportunities, integration with the Green Space network, climate change, pedestrian, cycle and bridleway routes and temporary uses?**

Whilst we think this policy is important, and will help to strengthen our position in steering development at Leeds Station and responding to the implications that HS2 will have for Leeds, it is important to recognise the limitations that this policy would have.

As explained in the background section of this paper, HS2 is a project of central government and is being delivered by HS2 Ltd. Permission for it will be sought through Parliament, though the hybrid Bill process. As a result this consultation is focussed solely on the principle of creating a planning policy in Leeds which focusses on the growth and development of Leeds Station, and the implications that HS2 would have for the use of land under and surrounding the line. The consultation does not provide an opportunity to debate principle of creating HS2 in the first place, the line of the route or the mitigation measures that HS2 Ltd are proposing (or any details about the scheme itself). This lies out of the control of Leeds City Council, and so such comments would need to be directed towards HS2 Ltd and the government.

Mass Transit

Background

As reflected in Leeds' draft Transport Strategy, it is acknowledged that for the scale of growth forecast in Leeds over the next 10-15 years there is insufficient urban transport capacity to enable urban communities in the Leeds City Region to access employment opportunities. Alongside facilitating additional capacity, there is a need to respond to the Climate Emergency declaration and reduce transport related emissions across the city.

Transport infrastructure investment that increases peak capacity across the city can help overcome this. The vision of the West Yorkshire Combined Authority (WYCA) is that a large-scale public transport system, known as 'Mass Transit' can fill the gap in public transport provision between bus services and heavy rail, adding capacity to the key corridors within the city region, making it easier for more people to access more jobs. A city region mass transit solution will deliver the right blend of technology, priority and capacity to move high volumes of people in the parts of our transport network where demand is greatest. This is a crucial missing element of our transport investment pipeline for corridors where heavy rail is not an option and the capacity of bus network solutions is insufficient. It also has the potential to help support regeneration, with the increased ease of movement helping to deliver wider benefits to the areas on the route. As such, mass transit can support the region's aims of raising productivity, delivering inclusive growth, and addressing the climate emergency through clean growth and a low carbon transport future, all of which are underpinned by a 21st Century transport system.

Plans for Mass Transit are still at an early stage, but WYCA has made clear that it will play a crucial role in reducing greenhouse gas emissions and improving air quality for the region, primarily by being low emission and providing a sustainable alternative to the private car. Construction is estimated to begin in the mid-2020s, across three different phases, with a target completion date for all phases by 2040. Further details on the scheme can be found in WYCA's [Connectivity Infrastructure Plan](#).

For clarity it is not for the Leeds Local Plan to approve Mass Transit in principle or its detailed routes. It is not the purpose of this consultation to seek your views on that principle or those detailed routes, as the Local Plan is not the mechanism for deciding on those matters. However, for the reasons set out below it is considered that there is merit in the Local Plan Update including a policy on Mass Transit.

Current Policy Position

There are currently no policies on Mass Transit within the Leeds Local Plan. Whilst the adopted Core Strategy makes reference to NGT (New Generation Transport), a trolleybus scheme for Leeds, this proposal did not proceed. Mass Transit is a different scheme, designed and promoted by the West Yorkshire Combined Authority, at a regional level.

Rationale for Enhanced Policy Framework

Whilst Mass Transit is not a planning initiative it is considered important that up to date local policy is in place to ensure that Mass Transit can be delivered effectively. It will also be important that the other associated benefits it may present to places along the route are capitalised on, including through its integration with the green space network, future developments, and pedestrian and cycle routes.

Possible Policy Options

The Local Plan Update could contain a policy that sets out strategic support for the scheme, and that also seeks to ensure that important aspects such as biodiversity, greenspace, active travel and Sustainable drainage systems (SuDS) are integrated into the scheme. It could identify key principles to support the realisation of wider benefits of the route to the places along the line. There is also the potential for the Local Plan Update to protect the detailed route of Mass Transit from other uses, which if built on or next to the line could impede its delivery.

Questions for consultation

- 2. Do you agree that the Local Plan Update should include policy on Mass Transit?**
- 3. If so, what elements of the scheme would you like to see new planning policy focus on?**

Leeds Bradford Airport

Background

Leeds Bradford Airport (LBA) is located in north-west Leeds close to the settlements of Horsforth, Yeadon and Rawdon.

As a regional airport, LBA provides a significant role to the Leeds City Region and the City. It acts as an international gateway and forms a key part of our strategic and economic infrastructure.

The Council's current policy, adopted in 2014, encourages a well-connected and accessible airport by sustainable forms of transport and surface access improvements to manage development at the airport and address environmental impacts such as carbon emissions arising from buildings and access to the airport. Whilst the airport is within the Green Belt the current approach is to manage airport related development within a defined Airport Operational Land Boundary.

Following the declaration of a Climate Emergency in 2019, the Council recognised⁴ that:

- global emissions arising from aviation are significant and damaging to the environment
- planned increases to aviation in the national strategy over the next ten years will see a rise in emissions that will not be addressed by improvements to fuel efficiency or technology and that offsetting to compensate for the rise in emissions will not be sufficient
- aviation growth and meeting zero carbon targets are fundamentally incompatible until such time as new technologies are developed

The Council also recognises the contribution that the local airport makes to the local economy and the thousands of jobs, directly and indirectly, dependent on it along with the benefits that international travel brings, both for business and the individual.

- Leeds Bradford airport is the 15th busiest airport in the country. In 2016 all airports in the UK contributed 37.3 million tonnes of Carbon Dioxide (mtCO₂) through domestic and international flights. LBA flights contributed to 0.2 mtCO₂. This compares to Heathrow (19.5 mtCO₂) and Manchester (3.2 mtCO₂)

Most of the passengers from Leeds and the wider region currently choose to fly from other airports, so managing carbon emissions from flights at Leeds Bradford Airport alone will not control total aviation emissions generated by the city's population. Against this background we are mindful of the challenges of Leeds committing to an airport strategy, in the absence of a national strategy that takes a holistic approach covering all UK airports. Therefore the Council has asked Government to:

- set an ambitious national aviation strategy that integrates aviation into the national carbon roadmap;
- create a level playing field for all national and regional airports;

⁴ At a report to Leeds Executive Board 7th January 2020
<https://democracy.leeds.gov.uk/documents/s198403/Climate%20Emergency%20Cover%20Report%20191219.pdf>

- invest in rail to provide realistic alternatives to flying for domestic and European flights (questions on planning for rail infrastructure are set out elsewhere in this Topic Paper).

In light of this challenging national context, at this early stage of the Local Plan Update we are seeking views from stakeholders on whether policies relating to the airport should be within the scope of the Local Plan Update and what issues an updated policy might address. In particular, we wish to explore whether our existing policies help to support the airport's role as a positive international gateway, striking the right balance between principles of environmental, economic and social sustainability.

Within this review it will be important to be guided by current and emerging national guidance on airport development.

As you may be aware, Leeds Bradford Airport have recently submitted a planning application for a new terminal building and associated flight regimes, which the Council moved to approve in principle on the 11th February 2021, subject to planning conditions. This application was assessed against existing Local Plan policy and other material considerations. However, this Local Plan Update process is a separate planning process to the planning application, which will guide the long term future of the airport.

Current Policy Position

The current **Aviation Policy Framework (2013)** sets out the Government's objectives and principles to guide plans and decisions at the local and regional level. The Government's objectives are that airports:

- help achieve long-term economic growth, recognising that the aviation sector is a major contributor to the economy.
- need to balance the benefits of aviation and its costs, particularly its contribution to climate change and noise
- can grow so long as they address specific local impacts on a case by case basis

The Government's approach to climate emissions from flights is for action at a global level as the best means of securing reductions in carbon from flights. Indeed, the Climate Change Act (2008) does not include international aviation emissions in the carbon reduction target set by the act.

Government is in the process of replacing the Aviation Policy Framework (2013) and the consultation document **Aviation 2050: The Future of UK Aviation (Consultation 2018)** considers emerging national policy. The consultation ended in April 2019. The Government signals support for the growth of aviation and the benefits delivered, provided the growth takes place in a sustainable way, with actions to mitigate the environmental impacts. Regional growth and connectivity is supported and the document says:

"The Government is supportive of airports beyond Heathrow making best use of their existing runways, subject to proposals being assessed in light of environmental and economic impacts." (para.4.3).

The Leeds Local Plan already contains a policy (SP12 of the Core Strategy) on the airport which is supportive of growth to enable the airport to fulfil its local and regional role, provided that a series of criteria would be met. These criteria address a need for

major public transport infrastructure, surface access improvements and a strategy to guide this, environmental assessment and mitigation and management of local issues.

Rationale for an Enhanced Policy Framework

In considering whether the policy should be within scope of the Local Plan Update and what elements may be its focus the following issues are relevant:

- Environmental impacts and mitigation
 - noise impacts
 - air quality
 - landscape
 - carbon emissions from surface access (mainly by cars driving to the airport)
- Public Transport Infrastructure
 - surface access to and from the airport by sustainable travel options
 - the prospective rail halt
- Strategic Role
 - the role of LBA in Leeds and the wider region.
 - Connecting Leeds to a variety of international business and leisure destinations.
 - Inward investment and economic benefits derived through the airport
- The local area
 - the relationship of the airport with its nearest local communities

Consultation Questions

- 4. Do you agree that the Local Plan Update should contain new or updated policies for Leeds Bradford Airport?**
- 5. National policy refers to the importance of achieving sustainable development in environmental, economic and social terms. Should changes be made to airport policies within the Local Plan Update to improve the balance between these three aspects of sustainability?**
- 6. If so, do you have any views on what new or updated policies should contain?**

Digital Connectivity

Background

The Council has articulated an ambition to deliver wider digital connectivity benefits for the city as a whole with an ambition to have the best connectivity in the UK for all across the district, to be able to access gigabit capable services. Access to reliable, high-speed connectivity will allow people to work from home more easily and will give homes fast and reliable connections. One in five new-build homes are still being built without gigabit-speed connections nationwide. A range of evidence shows direct benefits from improved digital connectivity, including large increases in download speeds leading to more productive economic activity. Wider potential impacts are in areas such as remote healthcare, education, travel and transport, and wellbeing, including loneliness.

The provision of 'Sustainable Infrastructure' is an important Leeds Best City priority, and this includes the provision of digital infrastructure and increasing digital inclusion. This also aligns with the Council's inclusive growth ambitions to bring a choice of connectivity types and providers to residents in Leeds. The Covid-19 Pandemic has in particular highlighted the essential need for digital infrastructure, with increasing reliance on remote working, remote communication to include home schooling, online shopping and other services. Digital Connectivity in terms of gigabit connection is now seen as essential infrastructure to facilitate the services and facilities which are now an integral part of our lives.

The Leeds Inclusive Growth Strategy also identifies Leeds as a digital city in particular promoting and growing the digital sector. The Strategy recognises that digital connectivity is an essential part of the modern economy and increasingly people are working in more flexible ways and that a smart digital city provides one solution to congestion and other challenges. Greater digital infrastructure coverage also increases social inclusion and equality by underpinning wider accessibility for all.

Current Policy Position

The National Infrastructure Strategy (NIS) (November 2020), sets out a plan for long-term investment in the UK's infrastructure. The government is working with industry to target a minimum of 85% gigabit capable coverage by 2025, but will seek to accelerate roll-out further to get as close to 100% as possible, this proposed policy helps to achieve that target.

National Planning Guidance is supportive of improving digital connectivity. Paragraphs 112 and 113 of the National Planning Policy Framework (NPPF) set out support for improved connectivity. In particular the guidance sets out that (para 112) that 'Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being', and that 'Planning policies and decisions should support the expansion of electronic communications networks'. Also the NPPF recognises that Policies should set out how high quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time; and should prioritise full fibre connections to existing and new developments.'

On the 17th March 2020 the Department for Digital, Culture, Media and Sport announced that the government will legislate to make sure new-build homes come

with gigabit-speed broadband fit for the future. The move will mean developers will be legally required to install high-quality digital infrastructure from the outset, make it a priority as part of the build, and ensure broadband companies are on board. It is anticipated that the government will amend building regulations to support gigabit broadband and housing developers to work with network operators. The details and scope of this are awaited, it not yet known what level of provision may come out of this announcement or when this would be applicable.

It is also important to recognise that existing permitted development rights largely for mobile phone coverage, are wide ranging and it is likely these will be further widened in the future.

The Leeds Core Strategy sets out local planning policies. The Core Strategy Spatial Policy 8 (SP8): Economic Development Priorities provides general support for high quality communications as below;

SP8(ix) Support the advancement of high quality communications infrastructure to foster sustainable economic growth and to enhance business links subject to landscape, townscape and amenity considerations

Policy SP8 is supportive of high quality communications infrastructure however a new single complementary policy which sets out a requirement for new build housing for new developments is required to ensure that digital infrastructure is considered, designed and provided sympathetically and early as part of site development.

In addition Leeds City Council is committed to the provision of digital connectivity. Executive Board in December 2019 agreed the Full Fibre Network Programme for Leeds to go through a new procurement process for a partner to build and deliver full fibre connectivity to ensure the provision of the greatest amount of coverage, coupled with the opportunity to extend connectivity further with commercial investment within LCC's financial envelope. Development of a gigabit capable network provides the Council with an opportunity to influence the digital infrastructure position of the city which will have positive effects for businesses and residents across the district.

Rationale for enhancing the planning policy framework.

It is considered that there are benefits to introducing new policy for digital connectivity to focus on providing digital connectivity for new sites and new developments only.

A new policy could provide a policy hook to ensure that developers are incentivised to provide gigabit capable new housing. The benefits of this would be that; (i) we are providing housing which is meeting the needs of our modern lives, (ii) new housing is designed and built with good gigabit connectivity from the outset, (iii) new housing is not retrofitted later with digital connectivity provision, (iv) to future proof new housing, (v) to ensure that digital infrastructure is sympathetically designed as part of site development as essential infrastructure, (iv) to reduce digital poverty, this would ensure that digital connectivity is provided for all.

An approach which promotes access to all is supported. There is a disparity between the connection quality of high value and lower value homes, where more expensive homes are more likely to receive full fibre connections. The policy remit would not include mobile data connectivity for 4G/5G coverage.

Proposed policy options

There are two broad options for the approach to digital inclusion for new developments. These are set out below;

Option (1) Do nothing. This option recognises that digital connectivity is high on the Government's agenda, and national guidance may override the need for a policy in time. The Digital Secretary in March last year announced that 'The government will amend building regulations to guarantee that all new homes have the right infrastructure to support gigabit broadband and housing developers must work with network operators.' The outcome of the announcement is awaited. On the 26th Jan 2021, the first house builder 'Barratt Developments' announced that they will work with providers to ensure that "gigabit-capable" broadband infrastructure is "installed as standard" across all of their new UK build developments. This has shown that the industry is keen to develop digital infrastructure as an essential part of development, for sites of 20+ properties (and reduced rates for smaller sites where developers make a contribution towards the build). It is likely that other developers may follow in time.

Option (2) Introduce a new policy. The policy could set out a requirement for the provision of digital connectivity for new housing developments. The planning system can enable the delivery of new infrastructure by ensuring that all premises have appropriate ducting and other provision built into their design to future proof new developments. A connectivity strategy as part of a planning application could be encouraged to avoid the need for retro-fitting to provide full fibre connectivity. In taking this approach, it could be recognised that digital infrastructure is essential infrastructure and should not be retrofitted. National guidance may override the need for a policy, however, until the specification, details and timescales of this are known, the outcome of this cannot be guaranteed. By introducing a policy the City is being proactive in setting out a local policy direction which developers will be required to follow.

Consultation Questions

The Local Plan update consultation is seeking your views on what you think are the key issues for digital connectivity. In particular we would like to know;

- 7. Do you agree that digital connectivity is essential infrastructure for new housing in Leeds?**
- 8. Do you agree that a policy should be introduced on digital connectivity?**
- 9. Should the policy focus on residential development only or commercial development too?**
- 10. Should a digital connectivity strategy be a requirement for all planning applications?**



Report author: Sarah Hellewell and
Caroline Harris Tel: 0113 378 8026
and 0113 37 87634

Report of Chief Planning Officer

Report to Development Plan Panel

Date: 2nd March 2021

Subject: Government Consultation on Changes to the National Planning Policy Framework (NPPF) and National Model Design Code (NMDC).

Are specific electoral wards affected?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, name(s) of ward(s): ALL	
Has consultation been carried out?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will the decision be open for call-in?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If relevant, access to information procedure rule number:	
Appendix number:	

Summary

1. This technical consultation seeks views on draft revisions to the National Planning Policy Framework (NPPF) which opened on 30th January 2021 with the closing deadline of 27th March 2021 ([consultation](#)). The NPPF text has been revised in response to the Building Better Building Beautiful Commission (BBBBC) *‘Living with Beauty’* report with additional changes to the text of the NPPF following on from the Government’s White Paper *‘Planning for the Future’* consultation 2020. It is important to note that the Government is not proposing a review of the NPPF in its entirety at this stage. This report sets out an initial draft response to the changes proposed.
2. The consultation entitled *‘National Planning Policy Framework and National Model Design Code: consultation proposals’* seeks views on the National Model Design Code (NMDC), which provides detailed guidance on the production of design codes, guides and policies to promote successful design. The NMDC is expected to be used to inform local design guides, codes and policies to ensure their effectiveness. Initial details on design codes and guidance formed part of

the Government's White Paper '*Planning for the Future*' consultation on changes to the Planning system last August. As reported to Development Plans Panel on the 13th October, the Council's response to that consultation was submitted in October 2020.

3. The current NPPF consultation proposes to:
 - Implement policy changes in response to the BBBBC recommendations, which were to ask for more beauty, refuse ugliness, and propose stewardship and 45 detailed policy propositions;
 - Revise environmental policies – including those arising from the review of flood risk with the Department for Environment, Food and Rural Affairs (Defra);
 - Clarify policy in order to address legal issues;
 - Remove or amend out of date material;
 - Recent change made in a Written Ministerial Statement about retaining and explaining statues;
 - Provide clarification on the use of Article 4 directions.

The above proposals are covered in chapters, 2, 3, 4, 5, 8, 9, 11, 12, 13 14 and 15 of the NPPF.

4. The NMDC consultation:
 - Seeks views on the draft NMDC document itself which includes purpose, objectives, application, coding process and supporting document 'Guidance notes for Design Codes' which includes much more detail.
 - This consultation also invites Local Authorities to bid to be pilot areas for the use of design codes. Leeds is currently preparing material for a bid to this process.
5. The initial response to the consultation is generally welcoming of the proposals as they address many of the concerns raised in the Council's response to the Planning White Paper.

Recommendation

6. Development Plan Panel are requested to:
 - (i) note the contents of the report, and;
 - (ii) provide views on the initial thoughts set out within, which will form the Council's response to the consultation.

Purpose of this report

- 1.1 The purpose of this report is to inform Members of Development Plans Panel of the Government's consultation on changes to the National Planning Policy Framework.

2. Background information

- 2.1 This consultation follows on from previous Government consultations, including the Building Better Building Beautiful Commission (BBBBC) '*Living with Beauty*' report and the '*Planning for the Future*' White Paper.
- 2.2 Of particular relevance to the current consultation, the '*Living with Beauty*' report introduced the Government's intentions to embed the concept of 'beauty' into the planning system. This was expanded on within the '*Planning for the Future*' White Paper, particularly through its proposals for design coding, aligned with a new zoning system for demarcating development land.

3. Main Issues

- 3.1 The consultation covers two areas, firstly it seeks views on whether the proposed amendments to the NPPF are supported, and secondly it asks for views on a draft National Model design code. These elements of the consultation are dealt with in turn below.

Changes to the National Planning Policy Framework

- 3.2 Most of the changes proposed to the NPPF respond to the recommendations of the BBBBC relating to policy on the quality of design of new development. Changes are also proposed to strengthen environmental policies (including those on flood risk and climate change), clarify policy in response to legal case law and make minor factual changes to remove out of date text. It also updates the guidance on the use of Article 4 directions.
- 3.3 The consultation advises that it is not a wholesale revision of the NPPF, nor does it reflect the proposals for wider planning reform set out in the '*Planning for the Future*' White Paper consultation. A fuller review of the NPPF is likely to take place in due course to reflect those wider reform proposals.
- 3.4 Following initial review of the proposed changes, it is considered that there are 5 key areas that the Leeds City Council response to the consultation should focus on. These relate to 1) achieving well designed places, 2) the presumption in favour of sustainable development, 3) climate change, 4) flood risk, and 5) the use of Article 4 directions.

Achieving well designed places

- 3.5 The proposed amendments place an increased emphasis on good design and the quality of places created, noting that the creation of high quality 'beautiful and sustainable' buildings and places is fundamental to what the planning and development process should achieve. A requirement for local planning

authorities to prepare design guides or codes consistent with the National Design Guidance and National Model Design Code, and which reflect local character and design preferences, is introduced. It notes that, to carry weight in decision making, these design guides and codes should be produced either as part of a Local Plan or as Supplementary Planning Documents (SPDs), and that they should be based on effective community engagement. Revisions are also made to further clarify that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

- 3.6 In addition, minor changes have been made to reference the role of neighbourhood planning groups (as distinct from only considering neighbourhood plans (NPs)) in developing design guidance, which is welcomed. References are also added to the important contribution of trees, and the ambition that all new streets are tree-lined and existing trees are retained where possible.
- 3.7 Overall, the changes made to boost the emphasis on the importance of good design are welcomed. As noted in response to the White Paper, the introduction of the words ‘beauty/beautiful’ in the NPPF text does raise a concerns with regard to the objective definition of such terms to use in decision making. It is also considered that place-making is central to achieving well-designed places, and that greater recognition of this (as well as the design of individual buildings or developments) should be made in the NPPF. In addition, it is noted that other parts of the NPPF – such as policy on car parking – is not proposed to be amended, and there is a need to consider whether this remains consistent, or if different parts of the NPPF may be contradictory when making decisions.

Achieving sustainable development

- 3.8 The wording of the presumption in favour of sustainable development has been amended to make express reference to the importance of both infrastructure and climate change. It now includes a requirement that *‘all plans should promote a sustainable pattern of development that seeks to; meet the development needs of their area, align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects’*.
- 3.9 These changes are welcomed, and will help to ensure that more significant weight is given to sustainability and climate change considerations through the development plan process and dilute the danger that a lack of a 5 year supply will lead to poor quality development. However, it is considered that it should be made stronger still through the use of clearer wording. For example, replacing the word ‘promote’ and instead requiring that plans ‘deliver’ or ‘ensure’ sustainable development. It is also considered that this should recognise that it is not just the ‘pattern’ of development that is important, but also the form of the development. Similarly, rather than ‘seeking’ to mitigate climate changes, plans should aim to ‘maximise the contribution to addressing climate change’ or similar.

Climate Change

- 3.10 The revised text has incorporated the 17 Global Goals for Sustainable Development to which the UK has subscribed, which was a key point raised in the Council's Planning White paper response. This is welcomed. However, it is considered that the proposals have missed a significant opportunity in not updating the climate change section of the NPPF, for example in relation to zero carbon homes.

Flood Risk Management

- 3.11 Revisions have been made to the text to clarify some aspects of policy concerning planning and flood risk. This now requires that the sequential test takes account of 'all sources' of flood risk, that LPAs apply natural flood management techniques to reduce causes and impacts of flooding through an integrated approach to flood risk, and clarifies that determining whether a development is appropriately flood resistant and resilient means that, in the event of a flood, it could be quickly brought back into use without significant refurbishment. The flood risk vulnerability classification (which was previously contained within guidance) has also been added as an annexe to the NPPF to give it more weight.
- 3.12 In general, we would support the intention to increase weight associated with flood risk considerations. However, it is considered that the revisions create some practical difficulties and more guidance is required. For example, it is not clear on the relative preference that should be given to sites with surface water flooding versus sites with ground water flooding issues. Similarly, whilst we currently are required to reduce the causes and impacts of flooding through development, the revisions require the use of natural flood management techniques as part of an integrated approach to flood risk management and there is little guidance about how this would be implemented, working alongside other agencies. In addition, the ability for buildings to be brought back into use quickly after flooding may depend on the quality of materials used (for example, water resilient paint etc.) which may be out of the scope of planning decisions.

Article 4 Directions

- 3.13 Significant additional text is proposed to curb the use of article 4 directions. Two options are presented which would restrict such directions for changes of use to residential to situations where this is 'essential to avoid wholly unacceptable adverse impacts' or 'be limited to situations where this is necessary in order to protect an interest of national significance'. In all cases, additional text is also proposed that would limit article 4 directions to 'the smallest geographical area possible'.
- 3.14 Significant concerns are raised about these changes. Article 4 directions are successfully being used in Leeds to tackle issues relating to the change of use of dwellings to Houses in Multiple Occupation. We also have concerns about the potential implications for our town and local centres if we have no ability to manage conversions to residential use now allowed under permitted development rights. It is considered vital that local authorities have the ability to respond to locally significant issues using the appropriate planning tools,

including though limiting the nationally set permitted development rights where necessary through the use of Article 4 directions.

Other changes

- 3.15 A range of other, more minor, changes are also proposed to the NPPF. This includes strengthening of requirements in relation to improving biodiversity, clarifying that new settlements and major urban extensions will need to look over at least a 30 year time frame, enhancing references to the importance of supporting larger scale developments with the necessary infrastructure and facilities, clarifying expectations for attractive pedestrian and cycle routes, clarifying minerals policy and updating the definition of 'green infrastructure' in the glossary. Overall these changes are supported and are not likely to give rise to any significant issues in Leeds.

Draft National Model Design Code

- 3.16 To support the aspiration to promote high standards of design, the Government has also developed a draft 'National Model Design Code' (NMDC) ([consultation](#)) along with guidance notes for design codes. References to this have been added throughout the NPPF. These documents provide detailed guidance on the production of design codes, guides and policies to promote successful design. It sets out the design parameters and issues that should be considered when producing design codes and guides, as well as suggested methods to capture and reflect the views of the local community from the outset and at each stage in the process. It recognises that quality design does not look the same across different parts of the country, and so guidance needs to be produced locally responding to the local context.
- 3.17 The draft NMDC and the associated guidance note also forms part of this consultation. Views are sought on the content of the guidance, the application and use of the guidance and the approach to community engagement
- 3.18 Overall, the initial view of officers is that the NMDC is considered to a positive document, and will help support Leeds in seeking to achieve good design across all developments in the City. It is a wide ranging and broadly generic design document, reflecting its status as national guidance to be applied across a national context.
- 3.19 For Leeds, the content of the NMDC is familiar territory as much of what it proposes is similar to what we already have in the 'Neighbourhood for Living' SPD, which provides comprehensive design guidance for residential developments across Leeds. We also have topic based guidance in place, addressing issues such as tall buildings, sustainable design and construction, the provision of green space as part of development, and sustainable urban drainage. This is complemented by area specific planning guidance for places which are to a particular focus for development and/or change, such as the East of Otley, Kirkstall Road, Leeds South Bank, Lower Kirkgate, Mabgate, Sovereign Street and the Eastgate Quarter.

- 3.20 The NMDC proposes that area-wide design guidance would be supplemented by more locally specific guidance based on 'area types'. The typologies suggested include 'urban neighbourhoods', 'inner suburbs', 'outer suburb', 'villages' etc. It is noted that in a diverse urban authority such as Leeds, rather than being homogenous groupings, these 'area types' would include a wide variety of neighbourhoods that each have their own characters not only in terms of design and the built form, but also in terms of the make-up of their communities. They each have different strengths and challenges, and present different opportunities for new development and require different design responses. These aspects of a diverse city are not necessarily adequately captured through the draft NMDC at present.
- 3.21 It is considered that a key challenge in implementing the area type based approach to design guidance, particularly for a large urban authority such as Leeds, will be determining how discrete can or should the area types defined be, and how many different typologies should be identified. This is likely to need to take into account both the diverse nature of the City, the priority associated with high quality design and the need for robust NMDC compliant guidance, as well as workload pressures and resourcing requirements. It is also recognised that good design guidance is important, but it cannot alone solve all the challenges related to actually achieving good design, and that there needs to be a 'whole-place' approach to planning, design, funding and delivery.
- 3.22 There are some instances where the examples shown in the document (for example integral garages in tall houses) would not be considered as being appropriate in the Leeds context. As we have policies in place which address this, and as the NMDC emphasises the need for design codes and guidance to reflect local circumstances, this is not considered to be overly concerning.
- 3.23 The NMDC does not include a section that directly addresses climate change, though it does make reference to methods that will assist in ensuring that development contributes towards the climate change emergency, such as sustainable construction and energy use. It is suggested that, given the significance of the climate change emergency, this should be given a greater emphasis.
- 3.24 In addition, there are some issues that we consider central to the design agenda that the NMDC does not identify as being essential requirements to address through design codes / guidance, such as space standards, accessibility, light aspect & privacy, security, gardens & balconies and energy efficiency. Whilst it is suggested that these 'may' be covered elsewhere, it is considered that these factors should be factored in at an early design stage and addressed through codes / guidance.
- 3.25 The Government has invited expressions of interest from local planning authorities to take part in the testing of the NMDC. Funding is available in order to help local planning authorities test aspects of the process and context of the NMDC to inform its further development, how it might be applied to different contexts, and the use of the design codes in the planning system more generally. Leeds is currently preparing material for a bid to this process, which

proposes to test the area-type based approach and/or the role of community engagement in the process (building on our existing links with neighbourhood planning groups). It is intended that successful authorities will be notified on 1st March, and so we should be able to provide a verbal update on this at the DPP meeting.

Next Steps

- 3.26 Following DPP a detailed response will be prepared to both aspects of the consultation, making use of comments provided by Members. This detailed response will be drafted in consultation with the Executive Member for ClimateChange, Transport and Sustainable Development before final comments are submitted for the 27th March 2021.

Corporate Considerations

4. Consultation and engagement

- 4.1 The consultation on the Government's proposed changes to the NPPF runs until 27th March 2021 and at the time of writing this report, discussions were continuing across Council services. Verbal updates will be provided at DPP if applicable.

5. Equality and diversity / cohesion and integration

- 5.1 An EDCl is not required for this report as no Council policy change is proposed. However, the consultation includes a question about impacts on people with protected characteristics as defined in section 149 of the Equality Act 2010.

6. Council policies and the Best Council Plan

- 6.1 There is a clear role for planning in delivering against all of the Council's priorities as established through the Best Council Plan, particularly the Council's key strategies, as follows:

Health and Well-being Strategy – through policies including the design of places, quality of housing, affordability of housing and accessibility and the integration of public health infrastructure

Climate Emergency –managing the transition to zero carbon via policies including: the design of places, the location of development, accessibility to public transport, use of brownfield land, energy, supply, generation and the efficiency of buildings

Inclusive Growth Strategy – through policies including the links between homes and jobs, planning for the land use and infrastructure needs of key economic sectors, the location of development, green infrastructure and connectivity

- 6.2 The Council considered carefully how proposals in the consultation paper impacted on the ability to plan Leeds to meet Best Council priorities, especially in relation to meeting housing needs, inclusive growth and affordable housing.

7. Resources, procurement and value for money

7.1 There are no specific implications to this report.

8. Legal implications, access to information, and call-in

8.1 There are no legal implications arising from the recommendations in this report.

9. Risk management

9.1 No issues of risk are identified with responding to the NPPF and NMDC consultations.

10. Conclusions

10.1 There is general support for elements of the changes proposed to the NPPF, which address some of the comments made by the Council in their formal response to the Planning White Paper. However, concerns are raised with some aspects of the proposals, with the Council's response seeking strengthening, further clarity and information with regard to sustainable development, well-designed places, flood risk management and Article 4 directions.

10.2 In addition, it is considered that the limited and partial nature of the amendments to the NPPF represents a missed opportunity to address interlinked issues, particularly with regard to climate change.

11. Recommendation

11.1 Development Plan Panel are requested to:

- i. note the contents of the report, and;
- ii. provide views on the initial thoughts set out within, which will form the Council's response to the consultation.

This page is intentionally left blank