

Development Plan Panel

Tuesday, 9th March, 2010

PRESENT: Councillor C Fox in the Chair

Councillors B Anderson, R Harker,
T Leadley, D Blackburn, T Murray, S Smith
and R Lewis

36 Late items

There were no formal late items but Panel Members were in receipt of the following additional information tabled by Officers for consideration at the meeting:

LDF Core Strategy –Infrastructure Delivery Plan – a flow chart showing a stepped approach to infrastructure planning and delivery (as a basis to provide further information on the methodology advocated by the Planning Advisory Service)

37 Declaration of interests

The following Members declared personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct:

Revisions to the Local Development Scheme – Councillor Blackburn declared a personal interest as a member of the West Leeds Gateway Regeneration Board as the report proposed the withdrawal of the West Leeds Gateway Area Action Plan (minute 39 refers)

38 Minutes

RESOLVED- That the minutes of the Development Plan Panel meeting held on 2nd February 2010 be approved, subject to the following amendments:

The inclusion of Councillors Coulson and Latty in the attendance record for the meeting

Minute 34 - Leeds LDF Core Strategy – Preferred Approach - the deletion of the duplicate reference to Affordable Housing

39 Revisions to the Local Development Scheme

The Panel considered a report of the Director of City Development setting out proposed changes to the Local Development Scheme (LDF) in respect of Area Action Plans (AAPs)

The Head of Forward Planning and Implementation presented the report and explained that due to changes in national guidance through PPS12, there was a need for Local Authorities to prioritise the Core Strategy amongst all of the Local Development Framework (LDF) documents. This increased emphasis on the production of a Core Strategy together with the current economic downturn which had led to uncertainty in the delivery of both long-term regeneration proposals and

schemes which had already obtained planning permission, had led to the proposals before Members to withdraw three Area Action Plans, these being the EASEL AAP, the West Leeds Gateway APP and the City Centre AAP, although informal planning frameworks would remain to continue the work which had already been carried out. It was emphasised also, that the continued regeneration and renaissance of such areas remained a priority; as a consequence a variety of mechanisms would continue to be explored to deliver priorities within these areas

Regarding the production of a series of thematic Development Plan Documents (DPDs) there was also the proposal to remove the retail, greenspace and highways DPDs and replace these with a Site Allocations DPD which would cover some of the issues which would have been contained in these separate DPDs

Concerning the Aire Valley Leeds AAP, it was proposed to progress this as the area had been accepted as one of the Leeds City Region Urban Eco-Settlements which would most likely lead to the proposals being properly tested through the planning system by public examination

Members commented on the following matters:

- whether by the withdrawal of the AAPs voids would be left in the planning process and how Officers would deal with an application which would have been contrary to the AAP
- that much work had been done on the West Leeds Gateway AAP and to withdraw it at this relatively late stage could be regarded as a waste of public money
- that the function of this AAP was to set the framework for regeneration money into areas of West Leeds where funding would not normally be provided and to reduce this to the lesser status of guidance would not be beneficial
- that the proposed simultaneous withdrawal of three AAPs was dramatic
- that the withdrawal of the West Leeds Gateway AAP was not appropriate and whilst it could be accepted that there might be funding issues, the progression of this AAP was needed to steer development
- the amount of work required to complete the West Leeds Gateway AAP
- in respect of the EASEL AAP, that development had already commenced on part of the site; that the community knowledge of EASEL was considerable; that to withdraw the AAP was a negative approach and that other partnerships should be sought to progress the development
- that many changes had occurred in the city centre and the number of major developments which were not now progressing did warrant the withdrawal of this AAP
- the costs associated with progressing an AAP
- that due to the increased priority of the Core Strategy and the resources this would require, that AAPs were being sacrificed and that other partnerships for the EASEL development would not be sought
- that plans needed to be in place for when the economic climate improved

Officers provided the following responses:

- regarding the effect of the withdrawal of the AAPs on the planning process, it was noted that AAPs in production would only gain

substantive weight following formal adoption. In the meantime current UDP policies would remain in place, providing planning policy, until superseded by the Core Strategy (and related Development Plan Documents)

- that the proposals before Members were the result of lengthy considerations. Resources had to be diverted to the Core Strategy as national guidance had moved the emphasis to that body of work but it was hoped in respect of the West Leeds Gateway AAP that the work which would be continuing on a Supplementary Planning Document (SPD) would help in the regeneration of this part of the city
- that there were costs involved in taking a document to public examination and the Inspector's costs commenced the day the plan was formally submitted (in addition to the costs associated with hosting and managing the Public Examination process). Whilst exact costs were not available, it was estimated that these were considerable ie in the region of thousands of pounds)
- that the West Leeds Gateway AAP was at the publication stage which would last for 6 weeks, which if it received a positive endorsement the AAP would then go to the formal submission and public examination stage, culminating in the adoption of the Inspector's final report
- that an SPD was proposed for the West Leeds area with this being the next highest level of planning policy status available. Although it was not possible to allocate land in a SPD, as could be done in an AAP, the main thrust of planning policy would not be lost and that the aspiration and intent of the AAP would remain. Officers would be taking on board the work which had been done on the Leeds/Bradford corridor and that a further round of consultation would be carried out which would also aim to reassure people in the area, with a further report coming to Development Plan Panel in late Summer, with the aim of the SPD being in place by Autumn
- regarding the EASEL project, that the main issue delaying this development was the inability of people to obtain mortgages as the scheme envisaged mixed communities. Due to the economic situation expectations had changed and that currently the only development which was taking place was for 100% affordable housing schemes
- that the transformational change which had been envisaged for EASEL could not be delivered at this time and that a different type of plan was needed to help some development to occur and as part of this Officers would be working on neighbourhood plans starting in Seacroft and then moving onto Whinmoor

Members commented further on the following issues:

- that the comments made by Officers on the work which would continue in the absence of the AAPs had not been detailed in the submitted report; concerns that developers could view the withdrawal of the AAPs as a weakening of the Council's commitment to urban regeneration and that the report to be considered by Executive Board at its meeting on 10th March should strengthen these points to give greater emphasis to the Council's commitment to this and the regeneration of brownfield land as a priority

- that just as an over- optimistic view of development had been a factor in the changed economic climate, that a pessimistic view could also be damaging and that a balanced view was necessary

Members considered how to proceed

A proposal to retain the West Leeds Gateway AAP and the EASEL

AAP was defeated by the Chair's casting vote

RESOLVED –

- i) That the report should be strengthened in respect of the coverage of regeneration commitments and priorities
- ii) That Executive Board be requested to:
 - i) Authorise the Director of City Development to make the appropriate revisions to the Council's Local Development Scheme to reflect the changes set out in section 4 of the submitted report and to submit the revised LDS to the Secretary of State pursuant to section 15 of the Planning and Compulsory Purchase Act 2004. Further, should a direction be received from the Secretary of State under section 15(4), the Director of City Development be authorised to make any necessary changes to the revised LDS prior to it coming into effect in order to comply with the direction
 - ii) Agree that the revised Local Development Scheme shall be brought into effect as from 1 May 2010 subject to one of the statutory requirements below having been met. Namely that either:
 - Before the end of a 4 week period starting on the day on which the Council submit the revision to the Secretary of State, the Council receive notice from the Secretary that he does not intend to give a direction under section 15(4); or
 - The 4 week period has ended and the Council have not received either a direction under section 15(4) from the Secretary of State or notice that he requires more time to consider the revision; or
 - The Council have received a direction under section 15(4) and have either complied with it (as varied by any further direction), or have received a direction revoking it; or
 - The Council have received notice from the Secretary of State that he requires more time to consider the revision and either subsequently received notice from the Secretary of State that he does not intend to give a direction under section 15(4) or such a direction is received and the Council have complied with it (as varied by any further direction), or have received a direction revoking it
 - iii) Authorise the formal withdrawal of the EASEL, City Centre and West Leeds Gateway AAPs pursuant to section 22 of the Planning and Compulsory Purchase Act 2004
 - iv) Agree that the Director of City Development undertake further public consultation on the West Leeds Gateway proposals with a view to their eventual approval as a Supplementary Planning Document

40 Leeds Local Development Framework (LDF) Core Strategy - Infrastructure Delivery Plan (IDP)

The Panel considered a report of the Director of City Development outlining the work which was being undertaken in the preparation of an Infrastructure Delivery Plan (IDP), to support the Core Strategy

The Head of Forward Planning and Implementation presented the report and stated that this was a challenging undertaking which was at an early stage. A questionnaire had been sent out to key infrastructure providers to establish future plans and commitments within five year periods to establish where the major priorities were, with the responses being set out in the appendix to the submitted report

Members commented on the following matters:

- the response given by Centrica and the need for a more meaningful response to be provided
- that a response had not been received from Yorkshire Water
- that energy provision for new homes must be considered
- the need for infrastructure to be provided before housing developments occurred which did not seem to be the case
- the likelihood of the proposals for EASEL and the West Leeds Area Gateway in view of the decisions taken on the previous report
- concerns that responses relating to education had not been provided
- that the number of applications for family housing being submitted was a concern in terms of infrastructure which the Council needed to provide and that this should be given more prominence within the report
- concerns that the current infrastructure in some parts of the city was not adequate
- regarding the health and wellbeing section, that regarding Joint Service Centres, that the PCT had pulled out of some of these and that efforts should be made to establish whether the PCT would support JSCs
- that any work within the 5 year period 2010 – 2015 should have commenced and if this had not, then attention should be drawn to that fact
- that in respect of the rail network and provision of park and ride facilities, these were required now

Officers informed the Panel that whilst the schedule submitted as Appendix 1 to the report was a useful start, it was acknowledged that it reflected work in process and that Officers were seeking to work with a range of infrastructure providers and partners to address information gaps

RESOLVED – To note the report and the comments now made

41 Date and time of next meeting
13th April 2010 at 1.30pm