

Report of the Chief Planning Officer

Report to Development Plan Panel

Date: 17th April 2018

Subject: Site Allocations Plan Revised Submission Draft Update

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): All	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible 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 of main issues

1. The Council submitted a Revised Submission Draft Site Allocations Plan (“the Revised Plan”) to the Secretary of State for Communities and Local Government on 23rd March 2018 as part of the ongoing independent examination and in line with the resolution of Council on 10th January 2018.
2. Some elements of the Revised Plan, as it relates to employment, retail, greenspace and accommodation for Gypsies and Travellers and Travelling Showpeople, have already been subject to examination at hearing sessions during October 2017, as part of an independent examination in public following submission of the initial Submission Draft Site Allocations Plan to the Secretary of State on 5th May 2017.
3. The Revised Plan incorporates revisions to the Council’s approach to strategic allocations for housing by designating broad locations for growth later in the Plan period, if needed, and areas of Safeguarded Land for beyond the Plan period. In so doing the Revised Plan amends the Green Belt boundary to a lesser extent than in the initial Submission Draft Plan. These amendments were considered by Panel in November 2017.

4. These amendments were subject to consultation between 15th January 2018 and 26th February 2018. This report summarises the outcomes of that consultation and further changes in response to representations received. The next steps of the Revised Plan Examination are also set out for information.

Recommendation

5. Development Plan Panel is invited to:
 - i) note the overall consultation outcomes, summarised in this report
 - ii) note that the Revised Draft Submission Site Allocations Plan was submitted to the Secretary of State on 23rd March
 - iii) note the next steps in the Revised Plan Examination process.

1 Purpose of this Report

- 1.1 The purpose of this report is to provide members of the Development Plan Panel, with a summary review of the consultation outcomes for the Revised Draft Site Allocations Plan which was subject of public consultation in early 2018. Based on these outcomes, a relatively limited number of changes are proposed, where issues raised are considered to go to the soundness of the Plan. The re-iteration of points from local people about the scale of growth and loss of Green Belt land balance comments from the development industry that the Council should be releasing more land.
- 1.2 The purpose of the report is not to go over and provide a response to each individual representation made. All of the representations have been made available to the Planning Inspectors and will be placed on line in due course. Moreover, the representations have been summarised and a response provided in a Report of Consultation, which is available on-line [here](#).

2 Background Information

- 2.1 Consultation on the Revised Draft Submission Plan took place over a 6 week period from 15th January to 26th February 2018. The consultation addressed Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for all HMCA areas other than City Centre and Inner. The amendments to the initial Submission Draft Plan, which had been submitted to the Secretary of State in May 2017, were approved by Full Council on 10th January 2018 and included amendments as follows:

- Deletion of 29 housing allocations
- Deletion of 10 safeguarded land designations
- Amendment of 4 housing allocations by changing either their site size/capacity and phasing in the Plan
- Designation of 43 Broad Locations
- A policy on Broad Locations
- Amendment to Phase 1 of 24 retained housing allocations currently in the Green Belt
- Amendment to Phase 1 of 11 retained housing allocations not currently in the Green Belt

Members of Development Plans Panel considered these amendments in November 2017.

- 2.2 In summary the consultation attracted 2,097 submissions. There were 59 late submissions and 9 not duly made submissions. The table below shows the breakdown of submissions by matter.

Matter	Responses
Aireborough	470
East Leeds	3
North Leeds	119
Outer North East	794
Outer North West	6

Outer South	16
Outer South East	472
Outer South West	46
Outer West	32
General	139
	2,097

- 2.3 The key headlines within this breakdown of responses are as follows:
- Of the 2,097 submissions by far the greatest proportion related to the proposals at Parlington (MX2-39), Outer North East. 627 responses were submitted.
 - In relation to proposals at East of Garforth (HG2-124), Outer South East, there were 406 responses divided between 3 standard letters (with 94, 160 and 152 responses respectively)
 - There were 120 standard letters received in relation to New Birks Farm (HG2-1), Aireborough.
 - 348 responses related to the use of the Adopted Core Strategy housing requirement in the SAP.
 - 209 responses remained concerned that the Council was proposing amendment to the Green Belt boundary in principle.
 - 180 responses were made to the introduction of a Broad Locations policy.
 - There were 102 representations of support, 7382 representations of objection and 136 neutral representations
- 2.4 A significant proportion of the submissions made comments on more than one site or element of the plan. All submissions were analysed by officers and an individual representation was logged for each specific comment raised (i.e. on a particular site / policy / amendment to the Plan). In total **7,620 individual representations** were received. This figure includes all representations, including 'general' representations which were not site, or HMCA, specific.
- 2.5 In addition to this volume it should be recognised that the 627 representations on Parlington (including from the Save Parlington Action Group) included a standard letter which was endorsed by approximately 6,000 further individual signatories. Whilst these signatories are logged as part of the 626 discreet representations it is recognised that despite amendments and a reduction in scale of the allocation at this stage, the strength of community feeling on this proposal remains significant and that there is a sizeable local consensus against the proposals.
- 2.6 Two drop in sessions were held at the Civic Hall, Banqueting Suite on Tuesday 30th January (2pm to 7.00pm) and Monday 19th February (2pm to 7.00pm). Given the selective nature of the amendments drop-in sessions were not

arranged locally. The events attracted 20 and 22 visitors respectively.

3 General issues raised by the Publication consultation

- 3.1 All submissions received were read by officers and entered into a database to enable analysis. The database was used to record which amendment the representation related to and whether their comments were supporting, objecting or neutral to the change. It also logged whether they considered that the revised plan was sound (and the relevant tests of soundness that the respondent referred to), whether they considered the Plan was legally compliant (and which part of legal compliance the comments related to) and whether the respondent wished to take part in the examination or be notified of the next stages in the Plan preparation process.
- 3.2 The process of reading, analysing and logging each representation into the database enabled the Council to build up a detailed understanding of the issues raised on a general and site-by-site basis.
- 3.3 A narrower range of views were expressed through the consultation which matched the targeted amendments to the Plan as follows:

Broad Locations

- 3.4 Many local people support Broad Locations (BLs) as an alternative to allocations at this stage of the plan period, but are concerned that the land within BLs remain vulnerable to development and that the Council should not be designating any Green Belt land at all.
- 3.5 Statutory Consultees are broadly supportive of the Council's revised Plan in general but Historic England suggest a minor change to the BL policy to reflect that upon review of the Plan BLs may come forward as allocated housing sites or for other uses "in whole or in part".
- 3.6 In general developers do not support BLs, and consider them to: lack certainty, have no "hook" in the Core Strategy, not meet national guidance, be too small in some cases, not be consistent with the way other local authorities have deployed them, harm investment by removing certainty for sites, limit the buffer for delivery of housing to meet Core Strategy requirements, be undevelopable and contrary to the NPPF, reduce the scale of safeguarded land which is contrary to the NPPF. On this basis changes sought to the Plan include: release of land in BLs from the Green Belt (if not as a housing allocations then at least as safeguarded land); release of all existing Protected Areas of Search instead of creating BLs, removing the small non-Green Bet parcels of land from some BLs.
- 3.7 There are however two areas where it is considered that a change to the Plan prior to submission was warranted.
 - First, the suggestion by Historic England that the BL policy be amended is a practical one and will make the policy sound, especially given that there are a number of larger BLs which may in the future only need to be

released for housing, safeguarded land or a school in part. To that end, Policy BL1 has been changed by adding “in whole or in part” to the end of criterion 3, for clarity and flexibility as regards the Council’s future plans for the larger Broad Locations.

- Secondly, where a non-Green Belt element of a larger site can be brought forward as a housing allocation this should be encouraged, where such parcelling does not restrict the future comprehensive development of a Broad Location at the point at which the Plan is reviewed (e.g. in relation to access). Following consideration of this on applicable sites, the Plan has been amended to allocate land for housing in phase 1 at HG2-171, Westerton Road (Outer South West) for 35 units, with consequential amendments to site plans and the indicative capacity for BL1-29. This reflects that the small parcel of land is non-Green belt and brownfield and could come forward for housing against Core Strategy policies.

Core Strategy Housing Requirement

- 3.8 Many local people and some Local Ward Members are concerned that the findings of the Core Strategy Selective Review (CSSR) are not being used to amend the Plan at this stage.
- 3.9 It is reiterated that this cannot happen at this stage. The Inspectors of the Plan have made it clear that the purpose of the Leeds SAP is to give effect to the strategic policies within the Adopted Core Strategy. As Members will recall this situation is precisely the reason for the Revised Submission Draft Plan i.e. to avoid the potential that land may be released from the Green Belt through the SAP to meet the requirements of the CS that may not have been necessary if the selective review had concluded first.
- 3.10 Relatedly some local people consider that all Green Belt release should be BLs until the CSSR is adopted. As Members will also recall this is not feasible as there would be insufficient land released to meet Core Strategy targets for years 1 to 11 of the plan period, as required by the NPPF, and moreover, the Council would be unable to demonstrate a 5 year land supply; leaving it vulnerable to continued speculative development.
- 3.11 The general comments received will be helpful to the Inspectors as they prepare matters and issues for the hearing sessions. However, they do not raise any significant issues of soundness, which have not been previously considered and weighed up in the preparation of the Revised Plan. Where comments received re-iterate general comments already made the Council has directed the Inspectors to the suite of background papers and evidence base already in evidence as well as new submission material. The re-iteration of comments reinforces the strength of local feeling on planning matters. The Report of Consultation (provided as part of the Revised Submission material) sets out the Council’s views on these points raised.

Specific HMCA comments

- 3.12 Many site specific and area based representations received at this stage of the preparation of the Plan are identical to those received at previous Publication stages. These comments concern: loss of Green Belt land in principle, consideration that the Green Belt review has not considered as many sites as it should have, objection to HMCA targets set in the Core Strategy, concerns that the infrastructure necessary to support housing growth will not be made available, doubt that all available brownfield sites have been maximised and concerns on the impact of development on flooding, local character, landscape and environment.
- 3.13 The Council understands that local views on these matters are strong and has sought to respond to them in existing material such as the Housing Background Paper, Green Belt Review Background Paper and Infrastructure Background Paper alongside the Revised Submission Draft Background Paper – all providing the Council’s explanation on how these factors have been taken into account through the site selection process. The re-iteration of these points is helpful for the Inspector to be aware of prior to the hearing sessions and they will help form issues and matters for discussion.
- 3.14 Where issues raised are specifically related to the revised amendments in each HMCA a more detailed Council response is provided in the Report of Consultation, which accompanies the Revised Submission Plan: either a change to the Plan to address the comment (as noted in ¶3.9 above) or an explanation as to why the Council considers the Plan to be sound as it stands.

Next Steps

- 3.15 The Plan continues to be subject to independent examination. The Inspectors appointed to examine the Plan are Claire Sherratt DIP URP MRTPI and Louise Gibbons BA Hons MRTPI. Hearing sessions have already taken place in October 2017. At the moment it is understood that further hearing sessions will take place in July 2018 for a period of three weeks, but this is pending confirmation from the Inspectors. The Inspectors are also likely to issue further “matters and issues” to which the Council and other participants can respond. It is these matters and issues which will set the detailed agendas for the individual hearing sessions.
- 3.16 At the hearing sessions the Inspectors will check that all legal requirements have been met and review and listen to comments from residents, stakeholders and businesses, as well as study local evidence. The Inspectors will consider the soundness of the Plan based on the soundness criteria set out in paragraph 182 of the National Planning Policy Framework (2012).
- 3.17 Once confirmed, all details relating to the continuation of the examination process will be advertised, made available online and sent to all respondents to the consultation stages of the Plan.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 Amendments to the initial Submission Draft Plan and what now forms the revised Submission Draft Plan have been through statutory consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. This is the fifth major consultation on the Site Allocations Plan. The Report of Consultation sets out the Council's approach to engagement throughout the process including this latest stage. It is available to view on the web-site [here](#).

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 In the preparation of the Site Allocations Plan, due regard has been given to Equality, Diversity, Cohesion and Integration issues. This has included the completion of EDCI Screening of the SAP and meeting the requirements of the Strategic Environmental Assessment Directive, which has meant that these Plans are subject to the preparation of a Sustainability Appraisal. The purpose of such Appraisals is to assess (and where appropriate strengthen) the document's policies, in relation to a series of social (and health), environmental and economic objectives. As part of this process, issues of Equality, Diversity, Cohesion and Integration, are embedded as part of the Appraisal's objectives. The SAP material follows on and reflects the approach set out in the Core Strategy, which has also had the same regard to these issues.

4.3 Council Policies and City Priorities

4.3.1 The Submission Draft Plan plays a key strategic role in taking forward the spatial and land use elements of the Vision for Leeds and the aspiration to be the 'the Best City in the UK'. Related to this overarching approach and in addressing a range of social, environmental and economic objectives, the Plan seeks to implement key City Council priorities. These include the Best Council Plan (2015 - 20) (in particular priorities relating to 'Supporting economic growth and access to economic opportunities', 'Providing enough homes of a high standard in all sectors', 'Promoting physical activity' and 'Enhancing the quality of our public realm and green spaces' and Breakthrough Projects including 'Housing growth and high standards in all sectors' and 'More jobs, better jobs').

4.4 Resources and value for money

4.4.1 The preparation of the statutory Local Plan is a necessary but a very resource intensive process. This is due to the time and cost of document preparation (relating to public consultation and engagement), the preparation and monitoring of an extensive evidence base, legal advice and Independent Examination. These challenges are compounded currently by the financial constraints upon the public sector and resourcing levels, concurrent with new technical and planning policy pressures arising from more recent legislation (including the Community Infrastructure Levy and Localism Act). There are considerable demands for officers, members and the community in taking the Development Plan process forward.

4.5 Legal Implications, Access to Information and Call In

4.5.1 The SAP follows the statutory Development Plan process (Local Development Framework). The report is not eligible for call-in as no decision is being taken.

4.6 Risk Management

4.6.1 Without current allocations Plans for Leeds MD in place, aspects of the existing UDP allocations will become out of date and will not reflect or deliver the Core Strategy Policies and proposals (including District wide requirements for Housing and General Employment Land) or the requirements of national planning guidance. Early delivery is therefore essential to enable the Council to demonstrate that sufficient land will be available when needed to meet the Core Strategy targets. Without an up to date plan the 'presumption in favour of sustainable development' by the Government means that any development or Neighbourhood Plan in conformity with national policy will be acceptable, regardless of any previous positions of the authority. The more the work progresses, the more material weight can be given to it. In addition, the Government is intervening in authorities without Plans in place.

5 Conclusion

5.1 The purpose of this report is to provide members of the Development Plan Panel, with a summary review of the consultation outcomes for the Revised Draft Site Allocations Plan which was subject of public consultation in early 2018. Over 2,000 responses were received with comments on specific sites, the Broad Locations and the housing target.

5.2 Based on these outcomes, reflecting the highly advanced stage of preparation alongside the discreet number of amendments, two changes have been made, where issues raised are considered to go to the soundness of the Plan. These are detailed at para 3.7. The re-iteration of points from local people about the scale of growth and loss of Green Belt land balance comments from the development industry that the Council should be releasing more land.

6 Recommendation

6.1 Development Plan Panel is invited to:

- i) note the overall consultation outcomes, summarised in this report
- ii) note that the Revised Draft Submission Site Allocations Plan was submitted to the Secretary of State on 23rd March
- iii) note the next steps in the Revised Plan Examination process.