

**Report of Director of City Development**

**Report to Development Plan Panel**

**Date: 20<sup>th</sup> June 2018**

**Subject: Submission of the Leeds Core Strategy Selective Review**

Are specific electoral wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, name(s) of ward(s): ALL		
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?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, access to information procedure rule number:		
Appendix number:		

**Summary of main issues**

1. The Best Council Plan (2018/19 – 2020/21) (BCP) states that Leeds is a growing city with a population estimated at 781,700; an increase of around 50,000 people in the last decade. It recognises that one of the biggest challenges Leeds faces is to provide enough homes to meet this growth. In so doing it seeks to ensure that new homes are of the right quality, type, tenure and affordability, and are delivered in the right places. The BCP acknowledges that the Adopted Core Strategy (CS), which sets the statutory strategic spatial Planning framework for Leeds is a key route to achieve these objectives; complementing the ambition of the Leeds Housing Strategy (2016 – 2021) to effectively meet housing need to make Leeds the best place to live. Within this context it is important to ensure that the CS is based on the most up to date evidence and reflects the direction of national guidance.
2. The CS is one of a number of documents comprising the Leeds Local Plan (others include the Adopted Aire Valley Leeds Area Action Plan (2017), Adopted Natural Resources and Waste Plan (2013) and highly advanced Site Allocations Plan). The Adoption of the Leeds CS (in November 2014) was a major achievement for a District the size and complexity of Leeds and a number of local authorities have still yet to adopt their own. Failing to have an up to date Local Plan means the threat of formal Government intervention and/or a loss of control over planning decisions via penalties within the National Planning Policy Framework (NPPF).
3. In February 2017 Executive Board endorsed a selective review of the CS which focussed on a discreet number of targeted policy areas where there had either been

significant changes to the evidence base, national planning policy changes or operational issues of implementation. The selective matters for review concern the housing requirement, affordable housing, housing standards, accessible housing, green space, the role that buildings play in preparing for and preventing climate change and electric vehicle charging. The Board recognised that overall the focus of the strategic approach and spatial strategy in the Adopted CS remains up-to-date, fit for purpose and appropriate. Central to the approach is the integration of a range of economic, environmental and social policy objectives, which together help to cumulatively address key aspects of the BCP around: safer and stronger communities, inclusive growth, housing, culture, health and wellbeing, 21<sup>st</sup> century infrastructure and a child-friendly city. This is achieved by a CS strategy with a priority for the majority of new development within the main urban area and major settlements, where the use of brownfield land and regeneration programmes can be boosted. In addition, policies for place making, for high quality and affordable homes - of the right mix in the right place to meet local needs (including encouraging more homes in the City Centre) and supporting strategic employment hubs (for inclusive growth) are integral to the approach. Linked to this also, is the imperative to match where people live and work, in sustainable locations, whilst maximising existing infrastructure, transport hubs and respecting local character and distinctiveness. A fundamental component of the CS also is to support public health via the protection and enhancement of the environment, including the important role of Green Infrastructure and local child-friendly green spaces.

4. In February 2018 Executive Board considered the proposed submission documents (referred to as the 'Publication Draft' Plan) for the CSSR (the draft policies supported by an evidence base, wider consultation with relevant directorates and details of where reasonable alternatives to the matters being addressed in the policies had been considered, assessed and discounted). The Board endorsed these policies for public consultation (under Regulation 19) with a range of statutory bodies, specific representative groups, representatives of the house building industry, landowners and the general public. Consultation took place between March and April 2018 and elicited 175 separate representations (with an additional 83 standard letters from Aireborough residents objecting to the proposed approach to housing distribution). The report summarises the main representations received and the Council's response to these, including where changes to the Submission Draft CSSR policies have been made as a result.
5. As part of the CSSR proposals, Executive Board also considered that the Council plans for a lower but still challenging housing requirement than is set out in the Adopted CS on the basis of revised national population projections, the conclusions of a Strategic Housing Market Assessment and taking into account draft changes to national guidance on calculating housing numbers. Following Council approval in January 2018, a Revised Submission Draft Site Allocations Plan was submitted to the Secretary of State in March 2018 and will form the basis for hearing sessions in July as part of the continued Examination. These revisions – including, reducing the level of Green Belt release to allow for a trajectory of lower housing numbers - are complementary to the Submission Draft CSSR.
6. The CSSR, once adopted, will provide a key part of the strategic planning framework for the District as a whole. The proposed new housing requirement will enable the Council to undertake a targeted SAP review (in respect of Broad Locations), in planning for this revised level of growth up to 2033 and to consider the extent of any future Green Belt release for development. Given that the housing requirement is lower than the Adopted Core Strategy it is highly likely that the need for future Green Belt release

will be significantly reduced. In taking this approach forward the City Council will need to have regard to the outcome of the SAP Examination and the Inspectors Report, together with national guidance and local circumstances at the time of undertaking the SAP review.

7. In line with Government Guidance allowing a flexible approach to Local Plan preparation (which enables a specific focus on specific documents and/or policy areas) the remainder of the Core Strategy will at a future point be subject to review and updating as necessary.

## Recommendations

8. Development Plan Panel is invited to consider the report and recommend to Executive Board that it:
  - i) Notes the representations made in response to the recent consultation on the 'Publication Draft' proposed submission draft CSSR documents (under Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012). Note the consequential changes made to the policies, which as amended now form the Core Strategy Selective Review Submission Draft Plan, and
  - ii) Recommends to Council that it:
    - a) Approves the Submission Draft of the Core Strategy Selective Review (**Appendix 1**) for independent examination pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004 as amended.
    - b) Approves the Sustainability Appraisal Report (**Appendix 2**) and technical documents (**Appendices 4 to 7**), in support of the Plan, for Submission to the Secretary of State for independent examination, pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004 as amended
    - c) Grants authority to the independent inspector appointed to hold the Public Examination, to recommend modifications to the Submission Draft Plan, pursuant to Section 20 (7C) of the Planning and Compulsory Purchase Act 2004 as amended;
    - d) Delegates authority to the Chief Planning Officer, in consultation with the Executive Member, to (a) approve the detail of any updates or corrections to the submission material and any further technical documents and supporting evidence required to be submitted alongside the revised Submission plan for consideration at future hearing sessions, (b) continue discussions with key parties and suggest to the Inspector any edits and consequential changes necessary to be made to the revised Submission Draft Core Strategy Selective Review following Council approval during the Examination and (c) prepare and give evidence in support of the revised Submission Plan at Examination.

## 1. Purpose of this report

- 1.1 The purpose of this report is to invite that Development Plan Panel recommends to Executive Board, that it in turn recommends that Council approves the Core Strategy Selective Review alongside supporting material and evidence for submission to the Secretary of State so that it may be subject to independent examination by the Planning Inspectorate.
- 1.2 The Core Strategy Selective Review includes amendments to the Adopted Core Strategy (contained in **Appendix 1** of this report) as follows:
- reviewing the housing requirement in Policy SP6, housing distribution in SP7, with a Plan period of 2017 - 2033
  - introducing new minimum space standards for new housing in Policy H9 and new accessibility standards in Policy H10
  - updating policy requirements for Affordable Housing by amending Policy H5
  - reviewing the requirement for green space in new housing developments by amending Policy G4 and making minor amendments to Policies G5 and G6
  - incorporating new national policy regarding Code for Sustainable Homes by updating the wording of Policies EN1 and EN2 and a consequential change to EN4
  - introducing a new Policy for Electric Vehicle Charging Infrastructure (EN8)
- 1.3 The Policies at submission will be supported by a Sustainability Appraisal Report (**Appendix 2** of this report) and Non-Technical Summary (**Appendix 3**) alongside relevant supporting material including:
- Report of Consultation (will set out details of the consultation activities occurring at each regulatory stage, representations made on the Plan at Regulation 19 stage, the Council's response to these and the changes proposed as a result)
  - Duty to Cooperate Statement (will set out continuous engagement with statutory prescribed bodies (including neighbouring authorities and statutory agencies) as set out in Section 33A(1)(c) of the Act))
  - amendments to the Core Strategy Monitoring Framework
  - Habitats Regulation Assessment
- 1.4 The Plan is also supported by an evidence base including:
- Economic Viability Study 2018 (undertaken by GVA consultants) available on the CSSR web-site
  - Strategic Housing Market Assessment 2017 (undertaken by ARC4 consultants) available on the CSSR web-site

- Background Papers (including further information following Submission Draft Publication on Water Management in support of amended Policy EN2) available on the CSSR web-site

## **2. Background information**

- 2.1 The Leeds Core Strategy was Adopted in 2014 and sets the strategic and spatial planning framework for the Leeds Metropolitan District and is the overarching document within the Leeds Local Plan (which also comprises an Adopted Natural Resources and Waste Plan, an Adopted Aire Valley Leeds Area Action Plan and Saved Unitary Development Plan policies). The highly advanced Site Allocations Plan (currently at independent examination) will also form part of the Local Plan. The planning system in England and Wales is “plan-led”, which means that an up to date and Adopted Plan is necessary to promote good growth and investment whilst ensuring that speculative and inappropriate development can be resisted. It remains a priority for national government that full local plan coverage be in place and for plans to be subject to regular reviews.
- 2.2 Executive Board resolved to undertake a selective review of the Core Strategy in February 2017. It agreed a targeted scope of the Review focussing on: updating the housing requirement for a revised plan period of 2017 – 2033, updating affordable housing and green space policies, introducing new policies on housing standards (size and accessibility) and updating the sustainable construction Policies EN1 and EN2 to reflect national advice. In addition to these matters the Council also reflected upon messages from Government on electric vehicle technologies and introduced a policy on electric vehicle charging as part of its Submission Draft policies.
- 2.3 Given the importance of ensuring that the District of Leeds plans for sufficient levels of housing growth, a targeted scope was considered necessary to swiftly progress the Review. Public consultation took place on the scope of the CSSR1 19th June to 31st July 2017 and helped to inform policy drafting.
- 2.4 Executive Board considered and endorsed the ‘Publication Draft’ proposed submission documents<sup>2</sup> on 7th February 2018. These were subsequently consulted upon between 9th February and 23rd March 2018 with a headline position statement on comments received provided to Development Plans Panel in April 2018. Panel Members are reminded that at this time, alternatives to the approaches taken were set out around the following key issues:
  - Alternative housing requirement levels
  - Approaches to distribution including considering the amendment of HMCA boundaries
  - Levels of affordable housing provision

---

<sup>1</sup> Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>2</sup> Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012

## Development Plan Panel Resolutions

2.5 The CSSR material has been considered by the Council's Development Plan Panel in meetings and workshops as follows:

<b>Date</b>	<b>Subject</b>	<b>DPP Resolution</b>
<b>05.08.17</b>	Report on progress made on the CSSR including: outcome of initial consultation on scope of the Plan (Regulation 18); headlines from the evidence base (including the Strategic Housing Market Assessment and Affordable Housing)	Noted progress; hold a workshop for Members and officers from relevant sections; ensure that public are clear on intent of Council to continue with SAP at the same time as the CSSR
<b>04.10.17</b>	Workshop with DPP and officers discussing levels of housing growth, merits of amending HMCA boundaries, levels of affordable housing, viability, housing standards, approach to greenspace contributions and environmental standards	Discuss thematic matters and have opportunity to shape and steer policy development
<b>21.11.17</b>	Outcomes of the workshop and options for progressing a revised housing requirement for the CSSR in light of SHMA and viability assessment work considering four options: 42,384, 51,952, 55,648 and 60,528 homes between 2017 and 2033.	Endorsed draft publication / submission policies to meet 51,952 homes between 2017 and 2033
<b>19.12.17</b>	'Publication Draft' proposed submission CSSR policies and documents. Clarified that HMCA and affordable zone boundary re-assessment is not evidenced nor advised without reviewing the implications for CIL and can be considered at a future date.	Endorsed all policies excepting Policy H5 - affordable housing, with calls for more consideration of higher targets in the city centre and inner area zones, Policy G4 – greenspace, with calls for consideration of wording, Policy H9 – space standards, with calls for clarification over HMOs.
<b>16.01.18</b>	'Publication Draft' proposed submission CSSR policies and documents taking account of DPP proposals on 19 <sup>th</sup> December 2017 and as a result increasing affordable targets in inner and city centre from 5% to 7% and amending wording of Policies G4 and H9.	Resolved to recommend to Executive Board that policies be subject of consultation.
<b>17.04.18</b>	Initial feedback on the scale and nature of public consultation responses made to the Core Strategy Selective Review Draft Submission Plan	Noted
<b>12.06.18</b>	To consider recommendations as per para 7 of this report and make comments to Executive Board. Comments will be provided to Executive Board as a supplementary note.	TBC

### Scrutiny Board (Infrastructure, Investment & Inclusive Growth) Resolutions

- 2.6 Scrutiny Board (Infrastructure, Investment & Inclusive Growth) will consider this report and its background material at its meeting on 20<sup>th</sup> June 2018. Verbal comments on the resolution of Development Plan Panel will be provided Scrutiny Board to assist their considerations.

### Site Allocations Plan Examination

- 2.7 Members are reminded that the CSSR is being progressed concurrently but independently of the Leeds Site Allocations Plan (SAP). The SAP is currently at Examination and is being considered by an independent Inspector against the Adopted CS, including its housing requirement.
- 2.8 However, in January 2018, Council resolved to submit a Revised Draft SAP so as to reflect Government Guidance *“Planning for the Right Homes in the Right Places”*. This was on the basis that a draft nationally prescribed starting point for housing growth for Leeds was set at 42,600 homes – creating a strong likelihood that the SAP, on its course at the time, would release land from the Green Belt that may in time be found to be unnecessary. To that end, the SAP revisions concern ensuring that land availability in line with the NPPF provides for the requirement and plan period as set out in the Adopted CS, but that a pool of land, remaining in the Green Belt and therefore protected from development is identified as Broad Locations. These may be released for housing/mixed-uses or deleted upon a future SAP Review once the CSSR housing requirement is adopted. The amended SAP is, as a result, complementary to the draft policies in the CSSR in that it anticipates likely lower housing targets in Leeds and ensures that Green Belt is not needlessly released at this stage.
- 2.9 The CSSR, once adopted, will provide a key part of the strategic planning framework for the District as a whole. The proposed new housing requirement will enable the Council to undertake a targeted SAP review (in respect of Broad Locations), in planning for this revised level of growth up to 2033 and to consider the extent of any future Green Belt release for development. Given that the housing requirement is lower than the Adopted Core Strategy it is highly likely that the need for future Green Belt release will be significantly reduced. In taking this approach forward the City Council will need to have regard to the outcome of the SAP Examination and the Inspectors Report, together with national guidance and local circumstances at the time of undertaking the SAP review.

### Wider Local Plan Review

- 2.10 The focus of the CSSR is to introduce revised policies, considered to be necessary, to respond to changes in the evidence base, shifts in National Policy and guidance and/or which raise implementation issues, to ensure that this plan remains fit for purpose. It is not within the scope of the review to re-open discussion about other parts of the Leeds Adopted CS, which remain in place as part of the statutory plan for Leeds. Notwithstanding this, the Government encourages local authorities to review and update as necessary its Local Plan on a rolling basis. Development Plan Panel are kept up to date with the work

programme of this review through detailed reports and the Local Development Scheme which is available on the Council's web-site and provides for a 3 year work programme of plan review and update.

### National Planning Policy Framework (NPPF) Review

- 2.11 The NPPF has been through a process of review over the past 18 months starting with the Housing White Paper. The Council has responded to each of the consultation stages with its latest submission to the Ministry for Housing and Local Government being sent in May. The Council is advised that the final draft NPPF will be published in July 2018.
- 2.12 It is important to note that the NPPF contains provisions for local authorities who are mid-way through their plan-making process. This is relevant to Leeds for the CSSR and allows the Council to submit a plan to the Secretary of State under transitional arrangements. The transitional arrangements apply to all development plans in preparation, submission and examination, within a 6 month period, following the introduction of the new NPPF.

### **3. Main issues**

- 3.1 The selective review of the Core Strategy is focused on several discreet policy areas only. **Appendix 1** sets out the Submission Draft policies and shows the changes made to the initial "publication" draft proposed submission policies as a result of the recent consultation. This is illustrated via tracked changes for information only, so that Executive Board can see the proposed changes to the policies, which were endorsed previously in February 2018. The submission draft to be submitted to Council for approval will not contain these tracked changes.
- 3.2 The derivation of each policy, main comments received at 'Publication Draft' proposed submission policies stage and changes proposed as a result are set out and summarised in turn below. A more detailed report of the consultation activities will be provided for submission.

### The Housing Requirement for 2017 – 2033 – Policy SP6

- 3.3 The changes to the demographic evidence base for Leeds have changed significantly since the Adopted CS. A revised Strategic Housing Market Assessment (SHMA) has been completed based on the latest 2014-based sub-national household projections (produced by the Office of National Statistics). The SHMA, following a methodology set out in current national guidance, uses these as a starting point and considers wider policy objectives of the District, including its role in the Leeds City Region as a centre of employment, the need for housing throughout all parts of Leeds to meet local needs and the needs for affordable housing. Executive Board considered the headline alternatives provided by the SHMA in February 2018 and acknowledged calls for the District to plan to the lowest alternative of 42,384 (which was provided by the Government's draft revised methodology in the revisions to the NPPF and introduced in the "*Planning for the Right Homes in the Right Places*" consultation



in 2017). The figure of 51,952 was endorsed by the City Council as it reflected the need for more affordable homes and the economic growth of the City (avoiding the situation where people who wished to work in Leeds could not find a home and as a result place avoidable pressure on transport infrastructure by living outside the District and commuting in).

- 3.4 328 individual representations on this matter have been received. 299 objecting to the policy and 29 supporting it.
- 3.5 The consultation responses follow three themes: first, some local people and community groups are supportive of the lowering of the CS figure; second, object on the basis that the lowest figure should have been used (a standard letter from 83 residents in Aireborough follows this theme); third, housebuilders suggest the figure is too low, fails to have regard to the job growth scenarios of the Leeds Growth Strategy and ignores the higher growth scenarios of the SHMA 2017 without justification. The allowances for windfall development, empty homes and demolitions are also questioned. There are also calls for the housing requirement to be expressed as a minimum.
- 3.6 In response, the approach taken is derived from the SHMA, has been objectively assessed and is in line with national guidance and scores comparatively more favourably when assessed against wider policy objectives in the sustainability appraisal. The approach takes the household projections as a starting point and reflects the District's role within the wider City Region and ambitions for job growth providing a level of realistic uplift so as to ensure that Leeds provides sufficient homes to match estimated jobs and address affordable housing needs. This aligns with the spatial strategy in the CS and the distribution of homes throughout Leeds. It is considered that expressing the housing requirement as a minimum would align with the Adopted Core Strategy and be consistent with national guidance. A change is therefore proposed to draft Policy SP6.
- 3.7 Nonetheless it is recognised that much concern of local people stems from previous targets set in an upward economic cycle and delivery subsequently affected by a downturn. To that end, the publication draft submission policy is proposed to be amended by the addition of a further paragraph at 4.6.6 at **Appendix 1**. This seeks to ensure that the Council is not subjected to blunt and generic penalties in national guidance around land supply that have no bearing on the effects of wider macro-economic events on the local housing market, local circumstances and the attitudes of house builders.
- 3.8 Regarding the proposed plan period for housing supply of 2017 – 2033 some residents felt that this was a deliberate attempt to obscure and confuse the public over the calculation of the housing requirement and its alignment with the SAP. They suggested the period of 2012 – 2028 should be retained, or at least dwelling requirements calculated for 2012-28 and 2028-33. In response, the officers are of the view, and Development Plan Panel endorsed, that the approach is in line with national guidance and any other plan period would not be sound as the NPPF advocates that plans are for a minimum of 15 years. Notwithstanding this the Council has addressed the broader point by taking

specific steps to ensure that the overlapping plan periods of CSSR and SAP are complementary and not detrimental to the Green Belt (as paragraph 2.8 explains).

#### Housing Distribution – Policy SP7

- 3.9 The CSSR retains the indicative distribution levels of housing as proportions of the total requirement between the 11 Housing Market Characteristic Areas.
- 3.10 112 representations on this matter have been received. 95 objecting to the policy and 17 supporting it.
- 3.11 Calls for the HMCAs to be revised have been considered because some consider that there are anomalies in the boundaries between areas. Due to the HMCAs being inextricably linked with the SAP and the wider evidence base, amendments are neither desirable nor technically beneficial to the Plan. Some resident and community responses claim that there is no case to build on Green Belt with a lower housing requirement and that the distribution should be varied to reflect this factor. In such a circumstance the agreed spatial strategy of the Adopted CS would not be addressed and local needs would fail to be met locally. Moreover, pressure would be placed on a city centre and inner area which is already taking a significant proportion of housing, with consequent implications for infrastructure. In contrast, the development industry felt there needs to be a wide distribution of housing land supply in different housing markets in order to optimise overall delivery of housing. The Council agrees and is satisfied that the framework of the Adopted CS, SAP and CSSR will deliver this objective.
- 3.12 It is also suggested that the HMCA percentages lack evidence of delivery, and there are concerns from developers about deliverability and achievability of the targets given that the City Centre, Inner and East HMCAs account for nearly 50% of the distribution. The inference being that relatively low market areas would find it harder to build more homes. This is a familiar criticism from some landowners and parts of the housebuilding industry, keen to see more greenfield and Green Belt release in Leeds. Monitoring reveals that this is not the case and in 2016/17, 46% of all new homes completed were in the City Centre, Inner and East Leeds HMCAs, in line with the CS indicative target of 48% and forecast to continue on the basis of: i) planning permissions granted in these areas, ii) the front loading of specific projects such as the East Leeds Extension and South Bank proposals and iii) the Council's regeneration interventions on brownfield land throughout these HMCAs e.g. Council House Building Programme, Housing Investment Land Strategy, and Private Sector Acceleration Programme. Moreover, the EVS supports a continued focus of development in these areas.
- 3.13 The proposal to delete the aspect of Policy SP7 which related to the settlement hierarchy, on the basis that they are now unnecessary and duplicate Policy SP1, has met with very limited representation.

## Affordable housing – Policy H5

- 3.14 Policy H5 sets affordable housing requirements in terms of affordable housing targets, thresholds and tenures, based on evidence on need in the Strategic Housing Market Assessment and Economic Viability Assessment. The policy proposes to retain the existing affordable housing policies for zone 1 (35%) and zone 2 (15%), and increase them for zone 3 (5% to 7%) and zone 4 (5% to 7%). The policy also specifies an approach to Build to Rent offering developers a choice of three options for determining their affordable housing contribution; one of these based on the latest draft NPPF approach to a 20% national target.
- 3.15 128 representations on this matter have been received. 119 objecting to the policy and 9 supporting.
- 3.16 Responses from the local community raised concerns about the non-affordable remainder of dwellings on a site being accessible to middle income households. The Council acknowledges that planning policy can only do so much in the delivery of affordable housing and that policies on the matter are limited by the viability tests sets out in Government guidance. In addition, there are other routes for the provision of affordable housing and in Leeds over the past 5 years of the 2,002 affordable homes built 25% are from S106; the remainder are from HCA, Registered provider and City Council programmes. Moreover, the housing mix policies of the CS seek to ensure a greater delivery of 1-bed and 2-bed homes, which in general can be more affordable market options. The spatial strategy of the CS (remaining unchanged by the CSSR) aims to deliver a balanced spread of housing opportunities through all market areas but with a focus on the City Centre and Inner areas. It was also noted from a handful of representors, that on-site delivery should be the priority. There may be occasions where off site provision is the most appropriate solution given the individual circumstances and the Council would not want to restrict flexibility in this regard.
- 3.17 Housebuilders have objected to the increase in the proportion of affordable housing sought in the City Centre and Inner areas. They claim that it has the propensity to affect investment decisions on new housing schemes in the City Centre, and is without evidential foundation. They also point to viability issues raised in the EVS about Zone 2. This disappointing approach of housebuilders reflects a misunderstanding of the methodology of the EVS. The Council is confident that the modest increases are justified by the SHMA and the EVS and reflect evidence of improving markets, which in turn allow for greater numbers of much needed affordable homes in the City Centre and Inner areas.
- 3.18 Build-to-rent developers have objected to the affordable housing requirements for build-to-rent in Policy H5. It is suggested that the 20% national target is not applicable locally unless it is viability tested, which Leeds have not done. The Council contend that the policy offers flexibility to follow two options that have been viability tested; one using the Council's affordable housing policy targets and thresholds (including for social rented and intermediate housing); the other being the commuted sum equivalent. The national guidance option may be viable in certain instances subject to local assessment.

### Housing Standards (i) Nationally Described Space Standards – Policy H9

- 3.19 Policy H9 introduces new policy on minimum space standards for new dwellings and as such is about improving the quality of housing. Government policy allows local authorities to adopt the space standards as nationally defined (Nationally Described Space Standards – NDSS) provided that a local planning authority can demonstrate a need, viability and not undermine housing supply. The effect of the NDSS has been included in the Economic Viability Study with the conclusion that most residential development in Leeds will remain viable subject to the proposals for policy on affordable housing, green space and accessible housing standards set out in this report being applied. Members of Development Plan Panel were concerned that the standards of all homes in Leeds should be improved. However, it has been acknowledged in the policy that HMOs and Purpose Built Student Accommodation (PBSA) are exempt from NDSS and as a consequence the policy proposes separate standards derived from NDSS, to be included as Supplementary Planning Document.
- 3.20 115 representations on this matter have been received. 104 objecting to the policy and 11 supporting.
- 3.21 Housebuilders have contended that the Council has not demonstrated a need for the policy approach and that they have no evidence that housing is not of sufficient quality to meet needs. They also note that the policy will affect their ability to provide smaller dwellings. In response the Council maintains that it is imperative for meeting wider BCP objectives that the general health and wellbeing benefits that accrue from living in well-designed homes are needed in Leeds. The Council recognises that better space standards offer a multitude of both privacy and sociability benefits which new residents in Leeds should be entitled to share. These include: impacts on family life; the opportunity for children to engage in uninterrupted private study, which increases educational attainment and also applies to adults working from home, thus ensuring a better work-life balance and less pressure on transport infrastructure; the importance of adaptability to changing needs and lifestyles and physical requirements.
- 3.22 There were also concerns raised that space standards will impact and inhibit capacities of sites. This is not the case and the changes to the greenspace policy taking together with the proposals to increase dwelling sizes do not create lower densities or stymie delivery of dwellings.

### Housing Standards (ii) Accessible Housing Standards – Policy H10

- 3.23 Policy H10 introduces new policy in relation to accessible housing standards and is again about improving the quality of housing. The policy requires new residential development to provide two types of accessible accommodation defined in Building Regulations: M4(2) a general level of accessibility roughly equivalent to the old “lifetime homes” standard (to apply to 30% of new dwellings) and M4(3) wheelchair accessible dwellings (that can be “accessible” or “adaptable”) (to apply to 2% of all new dwellings). All types of new build development providing dwellings should provide the accessible dwellings with

the exception of Purpose Built Student Accommodation which has standards set under a different part of the Building Regulations.

- 3.24 151 representations on this matter have been received. 132 objecting to the policy and 15 supporting (plus 3 neutral).
- 3.25 The main concern raised was from housebuilders about the need for the policy and the viability of the proposals. They also contended that the policy should only apply to specific geographical areas. The Council considers that the aging population in Leeds creates a pressing need for the design and delivery of new homes which are accessible. The EVS has justified that the policy is viable. The Council is of the view that needs for accessible dwellings be met throughout all areas.
- 3.26 Some consider that the policy is hard to comprehend. In response the Council has revised the policy and supporting paragraphs to make them clearer.

#### Green Space – Policy G4, G5 and G6

- 3.27 Policy G4 sets out the green space requirement for new residential developments. An analysis of planning permissions given since adoption of the Core Strategy in November 2014 found that green space is not being delivered on-site as expected by Policy G4. The findings of the EVS, sets out appropriate levels of greenspace, when assessed at a cumulative level with the other policies which have viability implications. This means that high, medium and low density schemes will be able to meet the requirement and remain viable. The proposed green space policy has also been tested by number of bedrooms; such an approach provides a more equitable split whereby schemes with a larger number of bedrooms would provide more green space than those with fewer bedrooms. A conclusion of the Member workshop was that different parts of Leeds require different green space solutions and that policy needs to be responsive, by providing on-site provision in some cases and commuted sums to improve existing spaces in others.
- 3.28 132 representations on this matter have been received. 97 objecting to the policy and 28 supporting (plus 3 neutral).
- 3.29 Concern was raised from housebuilders that the policy is not viable and that the EVS does not explicitly consider the approach by bedroom. The Council confirms that this is not the case and the EVS has appropriately justified the policy.

#### Climate Change Reduction - Policies EN1, EN2

- 3.30 When originally included in the adopted Core Strategy in 2014, Policies EN1 and EN2 expected development to be designed to exceed sustainable construction and CO2 reduction standards set in Building Regulations. However, a written ministerial statement (WMS) released by the Government in 2015 reduced the role of town planning in setting these standards and placed reliance upon Building Regulations. At the same time the Code for Sustainable

Development (which applied to residential development) was replaced by a new set of Building Regulation standards. However, the WMS made special provision for local authorities who already had policies such as EN1 and EN2 prior to the changes. This allowed planning policy concerning residential development to continue to seek higher standards for renewable energy and water consumption. After publication of the WMS, Leeds set out revised approach for EN1 and EN2 on the LCC webpage for the Core Strategy. The aim of this was to reflect the up to date position as a result of national changes. The CSSR provides opportunity to incorporate these changes into the Core Strategy itself. The requirements for non-residential development of Policies EN1 and EN2 remain unchanged.

- 3.31 54 representations on this matter have been received. 45 objecting to the policy and 8 supporting it and 1 neutral.
- 3.32 Developers and housebuilders have raised concerns that the policy is too onerous and will render schemes unviable. They also consider that the policy goes beyond what national guidance envisages. The Council wishes to see quality extended to all aspects of new development including as it relates to climate change adaptation and mitigation and the policy is considered to be justified in meeting these objectives in a manner which has been shown to raise no viability issues for developers (in the EVS). The additional requirements are further evidenced in a new background paper on water consumption (available on the Councils web-site).

#### Electric Vehicle Charging Infrastructure – Policy EN8

- 3.33 A new policy for electric vehicle charging points is proposed. The aim of this is to introduce for new developments the provision of electric vehicle charging points.
- 3.34 40 representations on this matter have been received. 33 objecting to the policy and 7 supporting.
- 3.35 The main comment received related to the viability of installing electric vehicle charging and a concern that the Council requires significantly more expensive “fast-charge” points. This is not the case and the Council considers that up front infrastructure costs are minimal as has been set out in the EVS. One representor expressed concern that developers of flats could avoid the provision of charging points by not dedicating spaces to dwellings. The Council has recognised this and amended the policy to address that issue.

#### Viability Assessment

- 3.36 The Economic Viability Study (EVS) provides baseline evidence for the CSSR and has been prepared in accordance with industry and planning guidance and provides an independent assessment of whole plan viability. The report has also been prepared in accordance with the RICS Guidance Note – ‘Financial Viability in Planning’ and ‘Viability Testing - Local Plans’ Harman Report. The most important function of the EVS is to bring together and consider the cumulative

impact of the proposed changes to the CSSR policies in accordance with paragraph 174 of the NPPF. However, it should be recognised that this assessment will not provide a precise answer to the viability of every single development likely to take place during the plan period. Instead, it provides high level assurance that the submission draft policies will not undermine the viability of the development needed to deliver the plan.

- 3.37 In assessing the cumulative impact on viability of the policies, individual policies were firstly tested and then these were tested in combination to assess appropriate policy levels at a cumulative level i.e. in combination. The policies which are viability tested are those which have an impact on cost and therefore viability, such as affordable housing, green space, housing standards and sustainability policies. These are tested within the context of existing policies in the adopted Core Strategy which also have an impact on viability and the Community Infrastructure Levy (CIL). The EVS also factored in any changes in the housing market in Leeds since the last EVS was undertaken (Jan 2013), CIL rate increase as a result of indexation which is applied on an annual basis and changes to affordable housing benchmarks.
- 3.38 The EVS concludes that the policies set out in **Appendix 1** can all be achieved without affecting development viability. This includes the introduction of three new policy areas: the minimum space standards, accessible housing standards and the introduction of electric vehicle charging points. The EVS also concludes that if new policies are required there is currently no headroom to increase the level of provision in existing policies.
- 3.39 A significant number of comments on the matters above relate specifically to concerns about viability of development. To be compliant with national guidance local planning authorities need to ensure that plan policies do not render schemes unviable. GVA, the consultants who authored the EVS, have been sent all representations relating to viability; to consider whether they raise any soundness issues for the evidence base. It is considered that the submission draft policies remain viable and are deliverable at a strategic plan level and therefore do not need to be amended on that basis. Setting policies which are generally viable to willing landowners and developers at the plan making stage is a fundamental desire of Government to provide clarity for investors and speed up of decision making at the planning application stage.

#### Further Representations on Matters Not Covered by the CSSR

- 3.40 Representations were also received on the following matters that are not within the scope of the CSSR:
- Review the need for employment land up to 2033
  - Review strategic Green Belt
  - Review green, social and community infrastructure to support communities where housing growth is proposed
  - Review transport infrastructure and transport priorities
  - Review of housing site release policy H1 and housing mix policy H4.

- 3.41 This is a selective review of the Core Strategy and focuses on specific policy areas which are in need of review at this time. However it is also recognised that a more comprehensive review will be required in the future which addresses all wider policy areas given the Core Strategy was adopted in November 2014. Local planning authorities must review and update as necessary policies in their Local Plans.

#### Sustainability Appraisal

- 3.42 The aim of the Sustainability Appraisal (SA) is to assess the potential environmental, economic and social impact of the revised policies of the CSSR. The appraisal should ensure that the CSSR, contributes towards achieving sustainable development and highlight any mitigation which is necessary to ensure that policies are sustainable. The Council uses an SA framework for its Local Plan documents, which is updated at the individual plan-making stage to take account of shifts in baseline information, relevant plans, programmes and policies and monitoring information.
- 3.43 At the proposed submission draft policies stage of plan preparation which involved public consultation in February and March 2018, a SA Report was published alongside the policies of the Plan and specifically sent to the three statutory consultees – Environment Agency, Natural England and Historic England for comment. They have generally all been supportive of proposals to revise the SA framework, which includes recasting the sustainability objectives and drafting a clearer set of decision making criteria. In turn this has enabled use of a systematic scoring process within a database framework. The suggestions of the consultees have been incorporated into the SA process and report. One issue raised by Historic England (and covered in **Appendix 3**) is a concern that the housing distribution for the Outer North East should have a significant negative effect on the historic environment because it has led to the proposed allocation of Parlington. In response no change to the Plan is recommended because 1) the Parlington allocation is outside the scope of the CSSR (and part of the Site Allocations Plan); 2) many parts of Leeds have heritage assets and there are no strategic heritage reasons in the Outer North East that require specific strategic policy mitigations at the Core Strategy strategic level. There is no evidence to suggest that as an HMCA the Outer North East would be unable to deliver 8% of housing growth without significant impact on heritage. It is therefore, for other plans to address specific impacts of specific sites e.g. through their own SA and subsequent mitigation if needed via site requirements.
- 3.44 The SA framework has been updated and all the policy proposals in **Appendix 1** have been appraised, along with reasonable policy alternatives (which includes a “do nothing” option or responds to suggestions by consultees e.g. for higher or lower options). The results of the sustainability appraisal are set out in the SA Report, **Appendix 2**. A non-technical summary of this report is available at **Appendix 3** to this report and includes a summary of the framework alongside details of the appraisals undertaken and associated commentary.



### Duty to Cooperate

- 3.45 The preparation of development plan documents is subject to the statutory duty to cooperate in order to assess impacts of proposed plan policies on neighbouring local authorities and other prescribed bodies such as Highways England. The Council services a bi-monthly meeting of the Leeds City Region Strategic Planning Duty to Cooperate (LCRSPDtC) Group which forms part of the framework of groups under the Combined Authority Portfolio Holders board. At the LCRSPDtC meeting of 25th July 2017, Leeds City Council reported the proposals for the Core Strategy Selective Review, including presentation of the DtC Table of Issues and Impacts, the formal Regulation 18 consultation period for comments, the results of the Strategic Housing Market Assessment in framing a new housing requirement for Leeds and evidence of need for Gypsy and Traveller site provision. No particular concerns about impacts on other local authorities were raised, although there was a general interest in the proposed change to the housing requirement. Engagement through this group has been continuous with regular updates on progress and all members have been sent the Duty to Cooperate Report which supports the submission plan.

### Next Steps / Timetable

- 3.46 Submission to the Secretary of State in the Summer following approval by Council at its July meeting would enable, subject to the availability of the Inspectorate, an Examination before the end of the year and Adoption early 2019. Submission in July/August would be slightly ahead of the timetable originally agreed by Executive Board in February 2017 but still assist in meeting the anticipated Adoption date of Winter 2018 as set out in the Council's Local Development Scheme.
- 3.47 Submission of the Plan is a key milestone in its preparation and enables the Council to give weight to its policies subject to the level of unresolved objection on them.

## **4. Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 Preparation of development plan documents, including the selective review of the Core Strategy are subject to the provisions of the Town and Country Planning (Local Planning) Regulations 2012 which require a minimum level of public consultation as well as compliance with the Council's Statement of Community Involvement. The consultation on the scope of the review was carried out for 6 weeks from June until July 2017. Promotion of the consultation involved notifying statutory consultees, neighbouring local authorities and people / organisations who had commented on the original Core Strategy. Details were provided on the Council website and in Libraries and One Stop Shops were notified. Consultation on the proposed Submission Draft policies ("Publication Draft" stage) was undertaken from February to March 2018. A summary of these activities and the outcomes of consultation at both stages will be included within the Report of Consultation.

## **4.2 Equality and Diversity / Cohesion and Integration**

- 4.2.1 Equality has been an integral part of the preparation of the Core Strategy Selective Review. Due regard has been given to the equality characteristics and an equality screening has been prepared. Equality diversity, cohesion and integration has been an important part of the formulation of policies of the Core Strategy Selective Review. Equality Impact Assessment screenings have been undertaken at key stages of the process to ensure that policies are embedded in equality considerations.

## **4.3 Council Policies and Best Council Plan**

- 4.3.1 The Best Council Plan (2018/19 – 2020/21) is relevant in terms of its priorities for Good Inclusive Growth, Health & Wellbeing, Safe, Strong Communities Resilient Communities, Better Lives for People with Care & Support Needs and 21st Century Infrastructure (including Low Carbon). The quantity of homes that Leeds plans for will have ramifications for economic growth, but also meeting needs of a growing population. The CSSR will also provide the ability to improve the range and quality of dwellings delivered to ensure the needs of particular groups such as the elderly are met, and that health and wellbeing of residents is improved. Proposed Policy H10 (Accessible Housing Standards) should be of particular benefit to households with mobility issues including the elderly. In terms of public health and wellbeing, there are important linkages between the proposed revised and new Policies set out in the CSSR and the Council's priorities. Improved Space and Access Standards, the provision of Affordable Housing (in meeting housing needs), together with the protection and provision of green space make an important contribution to local amenity and quality of life across the District. It should be noted also, in terms of facilitation the delivery of the Local Plan, Infrastructure Delivery Plans (IDPs) are in place to provide a framework to capture planned and proposed infrastructure to support the District's ambitions and a framework to engage with a wide range of infrastructure and service providers (Health, Public Transport and Education).

## **4.4 Resources and Value for Money**

- 4.4.1 The cost of preparation of the CSSR will be met from existing budgets.

## **4.5 Legal Implications, Access to Information, and Call-In**

- 4.5.1 The preparation of the CSSR as a development plan document is in compliance with the provisions of the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) Regulations 2012 (as amended).
- 4.5.2 As a development plan document the CSSR falls within the Council's budget and policy framework. It is not the subject of call in. However as part of that framework, the infrastructure, investment & inclusive growth Scrutiny Board will discuss the Submission Draft Plan at its meeting on 20<sup>th</sup> June 2018 and its recommendations are to be submitted to the meeting as noted at paragraph 2.6.

## **4.6 Risk Management**

- 4.6.1 The Government is currently in the process of reviewing national planning policy concerning housing matters. A Housing White Paper was published in February 2017 followed by a consultation paper in September 2017 ('planning for the right homes in the right places') and draft changes to the NPPF in March 2018. These included proposals on how local housing requirements should be calculated. Consequently, national planning policy in respect of housing issues is in the process of a dynamic period of change. There is a risk that changes to national policy expected to be confirmed in July 2018 could mean the CSSR Submission Draft Plan is not in full conformity with national policy. For example, there are proposals for a standard flat rate of 10% of all housing to be affordable, but at a more intermediate level than that provided by the CSSR Policy H5.
- 4.6.2 To address this, as set out in paragraphs 2.10 and 2.11 the CSSR is being prepared in accordance with the transitional arrangements in the NPPF. Notwithstanding this, so as to reduce this risk officers have tried to anticipate the direction of travel as closely as possible, as a basis to 'future proof the document'. Moreover, it is important to note that the local evidence base for policy objectives, such as affordable housing carry weight in the plan-making process.

## **5. Conclusions**

- 5.1 This report sets out Submission Draft policies for the CSSR covering the housing requirement for a new plan period of 2017 – 2033, updating affordable housing and green space policies, introducing new policies on housing standards (size and accessibility) and updating the sustainable construction Policies EN1 and EN2 to reflect national advice and introducing a new policy on electric vehicle charging points. It reminds Panel Members of the steps thus far taken to get to this advanced stage of plan preparation and notes the main issues raised at consultation on the proposed submission documents.

## 6. Recommendations

6.1 Development Plan Panel is invited to consider the report and recommend to Executive Board that it:

- i) Notes the representations made in response to the recent consultation on the 'Publication Draft' proposed submission draft CSSR documents (under Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012). Note the consequential changes made to the policies, which as amended now form the Core Strategy Selective Review Submission Draft Plan, and
- ii) Recommends to Council that it:
  - a) Approves the Submission Draft of the Core Strategy Selective Review (**Appendix 1**) for independent examination pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004 as amended.
  - b) Approves the Sustainability Appraisal Report (**Appendix 2**) and technical documents (**Appendices 4 to 7**), in support of the Plan, for Submission to the Secretary of State for independent examination, pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004 as amended
  - c) Grants authority to the independent inspector appointed to hold the Public Examination, to recommend modifications to the Submission Draft Plan, pursuant to Section 20 (7C) of the Planning and Compulsory Purchase Act 2004 as amended;
  - d) Delegates authority to the Chief Planning Officer, in consultation with the Executive Member, to (a) approve the detail of any updates or corrections to the submission material and any further technical documents and supporting evidence required to be submitted alongside the revised Submission plan for consideration at future hearing sessions, (b) continue discussions with key parties and suggest to the Inspector any edits and consequential changes necessary to be made to the revised Submission Draft Core Strategy Selective Review following Council approval during the Examination and (c) prepare and give evidence in support of the revised Submission Plan at Examination.

## **7. Appendices and Background Documents<sup>3</sup>**

### **Appendices**

1. Core Strategy Selective Review, Submission Draft Policies
2. Core Strategy Selective Review Sustainability Appraisal
3. Core Strategy Selective Review Sustainability Appraisal - Non-Technical Summary

### **Background Papers (to be made available on the Council's web-site)**

4. Report of Consultation (in draft – to be considered as part of Executive Board papers)
5. Duty to Cooperate Report (in draft – to be considered as part of Executive Board papers)
6. Core Strategy Monitoring Framework (as amended by the CSSR) (in draft – to be considered as part of Executive Board papers)
7. Habitats Regulations Screening Assessment (in draft – to be considered as part of Executive Board papers)
8. Strategic Housing Market Assessment, 2017
9. Economic Viability Study Update, 2018
10. Review of Implementation of Green Space Policy G4, 2017
11. Permitted Dwelling Size Measurement Exercise, 2017
12. Accessible Housing Need Assessment 2018-
13. RIBA Case for Space 2011
14. DCLG Housing Standards Review – Cost Impacts, EC Harris 2014
15. Review of Changes to EN1 and EN2 following Written Ministerial Statement 2015
16. Air Quality Background Paper, 2018
17. Water Management Background Paper, 2018

---

<sup>3</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

## Appendix 1

### **Core Strategy Selective Review Submission Draft Plan Proposed Policy and Paragraph Changes to the Adopted Leeds Core Strategy 2014 (as amended by proposed Submission Consultation 2018)**

NB: Changes to the “Publication Draft” proposed submission policies are shown as tracked changes

## Explanatory updates to the Core Strategy

[The following text will be inserted after the “Contents Page” and before the “Introduction” of the Adopted Core Strategy]

### Updating the Core Strategy

- i. The Core Strategy was originally adopted in November 2014
- ii. An update of the Core Strategy was adopted in 2019, which focussed on the following selected areas of policy:
  - Reviewing the housing requirement in Policy SP6 and housing distribution in SP7, with a Plan period of 2017 - 2033
  - Introducing new minimum space standards for new housing in Policy H9 and new accessibility standards in Policy H10
  - Updating policy requirements for affordable housing by amending Policy H5
  - Reviewing the requirement for greenspace in new housing developments by amending Policy G4 and making minor amendments to Policies G5 and G6
  - Incorporating new national policy regarding Code for Sustainable Homes by updating the wording of Policies EN1 and EN2 and a consequential change to EN4
  - Introducing a new Policy for Electric Vehicle Charging Infrastructure EN8
- iii. The updated policies and text have been incorporated into this single updated Core Strategy Document
- iv. It should be noted that the Plan period of 2017 – 2033 applies to Policy SP6, which sets the housing requirement. Other Policies of the plan adopted in 2014 continue to work to the original plan period of 2012 – 2028. These include policies SP9 and EC2 which set out the required quantities of general employment and office space; policy H7 which sets the quantity of accommodation required for Gypsy and Travellers and Travelling Showpeople and policy EN6 which sets out quantities of waste to be planned for.

## Policy SP6: Review of Leeds' Housing Requirement

[The following text will replace section 4.6 of the Core Strategy 2014]

### 4.6. Housing Development

- 4.6.1. It is anticipated that the population of Leeds will rise from 784,458 in 2017 to 856,819 in 2033~~755,136 in 2010 to 860,618 in 2028~~. This raises major challenges for Leeds in seeking to meet the complex demographic needs of the existing population, together with the implications of an ageing and growing population over the Plan period. It is important that planning for such growth forms part of an overall strategy, which gives emphasis not only to a sufficient housing land supply in appropriate locations but also the quality, type and affordability of homes in meeting local needs. This needs to be achieved within an overall framework, which gives priority to delivering sustainable development, promoting regeneration and job growth, whilst maintaining local character, distinctiveness and environmental quality.
- 4.6.2. Within this context, the following Housing growth principles are established.
- Ensure housing growth is linked to the creation of sustainable neighbourhoods throughout the City (see Spatial Policy SP1),
  - Set a realistic target for the delivery of new homes (see Spatial Policy SP6),
  - Ensure housing growth targets reflect local housing needs, now and in the future, in terms of tenure, type and size, (see Spatial Policy SP6 and Policy H4),
  - Enhance the distinctiveness of existing neighbourhoods and quality of life of local communities through the design and standard of new homes (see Policies H9, H10, P10 and EN2),
  - Facilitate the development of brownfield and regeneration sites, (see Spatial Policies 1, 3 and 6),
  - Agree a range of mechanisms to deliver additional affordable homes, (see Policy H5),
  - Work in partnership to find ways to facilitate housing growth (see Section 6 Implementation and Delivery)
- 4.6.3. Spatial Policy 6 sets out the housing requirement for Leeds over the period 2017 – 2033. The requirement draws upon evidence of the Strategic Housing Market Assessment 2017 and Government consultation paper “Building the Right Homes in the Right Places”. The policy will be implemented through the identification of land supply in the Site Allocations Plan and a Housing Implementation Strategy.
- 4.6.4. The net requirement of 51,952 dwellings is converted to a gross requirement by taking account of the anticipated loss of dwellings over the plan period, estimated as 150 dwellings per annum based on recent trends of demolition in Leeds. To account for demolitions and other dwelling losses of 150 dwellings per annum (2,400 over the plan period) the gross housing requirement for the plan period of 2017 – 2033 is 54,352~~53,856~~ dwellings.



4.6.5. As a large post-industrial city Leeds will continue to experience continual urban regeneration and renaissance involving the recycling of previously developed land (PDL) for windfall housing and other uses. Leeds has a long and well recorded history of windfall housing being delivered as a source of land for development. Windfall comprises two components: dwellings of schemes of less than the SHLAA threshold (less than 5 dwellings in most cases) and dwellings of schemes that were unpredicted in the SHLAA. This has been continuously monitored by the City Council since the 1980s. There is no evidence to change the allowance of 500 dwellings per annum set out in the original Core Strategy; the equivalent of 8,000 dwellings over the plan-period. This stock of supply reduces the level of land to identify from 54,35253,856 dwellings (gross) to 46,35245,856 dwellings (gross).

4.6.5.4.6.6. In reflecting the wider and longer term aspirations of the District (and its City Region role) the housing requirement takes into account the benefits of economic uplift. However, the Council will need to closely monitor the delivery and implementation of the housing requirement, including the roles and responsibilities of house builders throughout Leeds, seek to ensure effective build-out rates and assess any causes of under-delivery. Notwithstanding this commitment, wider economic drivers and uncertainties, such as the UK's departure from the European Union, could potentially impact upon these aspirations, requiring local solutions, which maintain the Core Strategy's overall approach. This overall approach is intended to ensure that the City is as resilient as possible in delivering agreed priorities whilst managing unforeseen change against the context of national planning policy and its penalties for under delivery.

## **SPATIAL POLICY 6: THE HOUSING REQUIREMENT AND ALLOCATION OF HOUSING LAND**

The provision of 51,952 (net) new dwellings will be accommodated between 2017 and 2033, with a target that at least 3,247 dwellings per year should be delivered.

Delivery of 500 dwellings per annum (8,000 over the plan period) is anticipated on small and unidentified sites.

Guided by the Settlement Hierarchy, the Council will identify 46,35245,856 dwellings (gross) to support the distribution in Spatial Policy 7, using the following considerations:

- i. Sustainable locations (which meet standards of public transport accessibility – see the Well Connected City chapter), supported by existing or access to new local facilities and services, (including Educational and Health Infrastructure),
- ii. Preference for brownfield and regeneration sites,
- iii. The least impact on Green Belt purposes,
- iv. Opportunities to reinforce or enhance the distinctiveness of existing neighbourhoods and quality of life of local communities through the design and standard of new homes,

- v. The need for realistic lead-in-times and build-out-rates for housing construction,
- vi. The least negative and most positive impacts on green infrastructure, green corridors, green space and nature conservation,
- vii. Avoiding areas of flood risk and only where this is not possible, then mitigating flood risk Generally avoiding or mitigating areas of flood risk.

## Distribution of Housing Land

4.6.6.4.6.7. The Strategic Housing Market Assessment (SHMA) 2017 shows there are unmet housing needs for affordable housing and for a range of types and sizes of market dwellings in all parts of Leeds. The Strategic Housing Land Availability Assessment (SHLAA) 2017 shows that Leeds has a large stock of brownfield housing sites within the Main Urban Area. However, in providing a choice and competition in the market for land and to meet local needs throughout the District the delivery of the spatial strategy of the Core Strategy will depend upon having a wide portfolio of sites in different housing markets.

4.6.8. Policy SP7 provides an indication of the overall scale and distribution of development that will need to be planned for (combining information from the SHMA and SHLAA) in different Housing Market Characteristic Areas. The percentage figures in the second column, are intended as a guide rather than rigid targets. These areas were agreed through the SHMA 2011 and reflect functional submarkets. The distribution reflects the quantum of housing growth that accord with the housing growth principles and overall spatial strategy (the focus upon opportunities within the Settlement Hierarchy) and the potential availability of suitable sites (derived from the SHLAA). Areas with the highest potential include the City Centre, Inner Areas, North Leeds and East Leeds where opportunities for development of previously developed land and regeneration are greatest. Major growth can also be accommodated in the outer areas of Outer South East and Outer South West including a combination of previously developed land opportunities in the Major Settlements but urban extensions too. These provide sustainable locations in terms of public transport connections, proximity to jobs and avoidance of special landscape. The other areas provide opportunity for modest growth, including urban extensions where appropriate.

## SPATIAL POLICY 7: DISTRIBUTION OF HOUSING LAND AND ALLOCATIONS

The distribution of housing (excluding windfall) will be planned based on Housing Market Characteristic Areas as follows:

Housing Market Characteristic Area	Percentage
Aireborough	3%
City Centre	15.5%
East Leeds	17%

Inner Area	15%
North Leeds	9%
Outer North East	8%
Outer North West	3%
Outer South	4%
Outer South East	7%
Outer South West	11%
Outer West	7%

## **Policy H5: Review of Affordable Housing Policy**

[The following text will replace paragraphs 5.2.12 – 5.2.17 of the Core Strategy 2014. The remaining paragraphs of section 5.2. of the Core Strategy are unchanged except for being consequently renumbered.]

### **H5 Affordable Housing**

- 5.2.12 In conformity with national planning guidance, affordable housing will be required to meet local needs informed by the Leeds Strategic Housing Market Assessment (SHMA 2017) and the Economic Viability Study 2017.
- 5.2.13 The Strategic Housing Market Assessment (2017) identifies an annual need of 1230 affordable housing dwellings across Leeds. It also suggests that 67.2% of affordable dwellings are needed for affordable or social rent (as defined in the NPPF), and 32.8% are needed for intermediate tenures as defined in the NPPF. Policy H5 translates this need into requirements for affordable housing that have been viability tested. It should be noted that Leeds City Council is investing heavily to improve the City Centre and Inner Areas of Leeds and it is expected that progressive regeneration activity will improve the strength of these housing markets so that higher affordable housing targets can be achieved through Plan Review in the early 2020s. Targets are set for provision of affordable housing in the 4 affordable zones with a mix of affordable types relating to low earnings of households.
- 5.2.14 The 40% and 60% requirement for a mix of Intermediate and Social Rented affordable to include affordable) dwellings (as defined by the NPPF), means that developers are expected to provide a mix of affordable dwellings that will be affordable to households on low and very low earnings or income. Social Rented (as defined by the NPPF) is the label for types of affordable housing typically rented by registered providers which is affordable to very low earning and low income households. Intermediate affordable housing sits between the price of market housing and the price of social rented affordable housing. Typically intermediate affordable housing will include shared ownership and other discounted sale products. The City Council calculates benchmark prices to establish the price at which Social Rented and Intermediate dwellings should be made available by developers. In practice this means that dwellings should be made available by developers to Registered Providers at prices which are affordable enough for households on these earnings: households on lower quartile earnings for Intermediate affordable housing; households on lower decile earnings for Social Rented affordable housing. Registered Providers are then expected to make the affordable dwellings available for the tenures expected.
- 5.2.15 For affordable dwellings to be suitably integrated throughout the development this means that the affordable dwellings ought to be mixed in with the corresponding size and type of market dwellings on a site. For example, in a development with a mix of houses and flats, the affordable provision should be partly mixed in with the houses and partly with the flats.

- 5.2.16 Build to rent developments in Leeds can either provide affordable housing on-site as advised in national guidance or in line with the first paragraphs of Policy H5. If developers prefer to pay a commuted sum in lieu of on-site provision, this should be calculated on the basis of paragraph 5.2.21. Regarding requirements in national guidance, consultation currently suggests 20% of total dwellings as “Affordable Private Rent” dwellings with rents to be 20% lower than market rents in the local area and agreement of eligibility criteria with secure arrangements that continue in perpetuity.
- 5.2.17 For development schemes led by Registered Providers for social housing the Council will take a flexible approach to determining the appropriate quantity and type of affordable housing taking into account the needs of the area and the wider benefits of development.
- 5.2.18 Purpose built student accommodation will not be required to provide affordable housing.
- 5.2.19 Secure arrangements in the form of S106 agreements, must be agreed to ensure delivery and that affordability embodied within affordable housing is maintained for future people of Leeds in housing need in perpetuity.
- 5.2.20 Applicants may choose to submit individual viability appraisals to verify that the affordable housing target cannot be met. In such cases, affordable housing provision may be reduced accordingly. Where developments are expected to take more than five years to complete, the Council will normally expect permitted schemes to make provision for a review of the scheme’s viability, to determine whether the level of affordable housing being provided across the scheme as a whole is appropriate. The Government currently expects Local Plan policies to be reviewed after 5 years and the minimum targets set out in Policy H5 are likely to be reviewed in any event as part of this process.
- 5.2.21 As a general principle, commuted sums should be calculated to ensure that the required quantity and type of affordable dwellings can be delivered in the locality of the development, assuming involvement of Registered Providers. This will be equivalent to the differential between affordable price and market price (free of restrictions) with adjustment for any locality delivery costs. Locality can be defined as the surrounding streets or whether the site is within a defined settlement or established neighbourhood but this will be a matter of judgement depending on size of site and character of the area; postcode sector boundaries may be helpful indicators. Locality is important for calculating sums not necessarily for determining where commuted sum money is spent, which may include strategic priorities elsewhere in Leeds. Provision that results in 4 or less affordable dwellings may be converted into an equivalent financial contribution.

## **POLICY H5: AFFORDABLE HOUSING**

On major housing developments ~~of 10 or more new dwellings~~, affordable housing provision should be provided on-site at the target levels specified in the following zones:

<b>Zone</b>	<b>Minimum Target</b>
1	35%
2	15%
3	7%
4	7%

The mix of affordable housing should be designed to meet the identified needs of households as follows:

- 40% affordable housing for Intermediate or equivalent affordable tenures
- 60% affordable housing for Social Rented or equivalent affordable tenures

The affordable units should be a pro-rata mix in terms of sizes and house types of the total housing provision, unless there are specific needs which indicate otherwise, and they should be suitably integrated throughout a development site.

Affordable housing provision should be on site, unless off site provision or a financial contribution can be robustly justified.

Build-to-rent developments shall provide either:

- on-site, according to national policy advice, currently 20% Affordable Private Rent dwellings at 80% of local market rents administered by a management company with appropriate arrangements for identifying households in need, including city council nomination rights, which apply in perpetuity, or
- on-site, the percentage of affordable housing specified for zones 1-4 and mix of Intermediate and Social Rented types of affordable housing set out in the first paragraphs of this Policy, or
- a commuted sum in lieu of on-site provision of affordable housing of option ii).

\* Major development means either:

- provision of 10 or more dwellings (or where the number of dwellings is not known, development is to be carried out on a site having an area of 0.5 hectares or more) or
- provision of a building or buildings where the floor space to be created would be 1,000 square metres or more; or
- development on a site having an area of 1 hectare or more;

## AFFORDABLE HOUSING ZONES

Map 12 Affordable Housing Market Zones

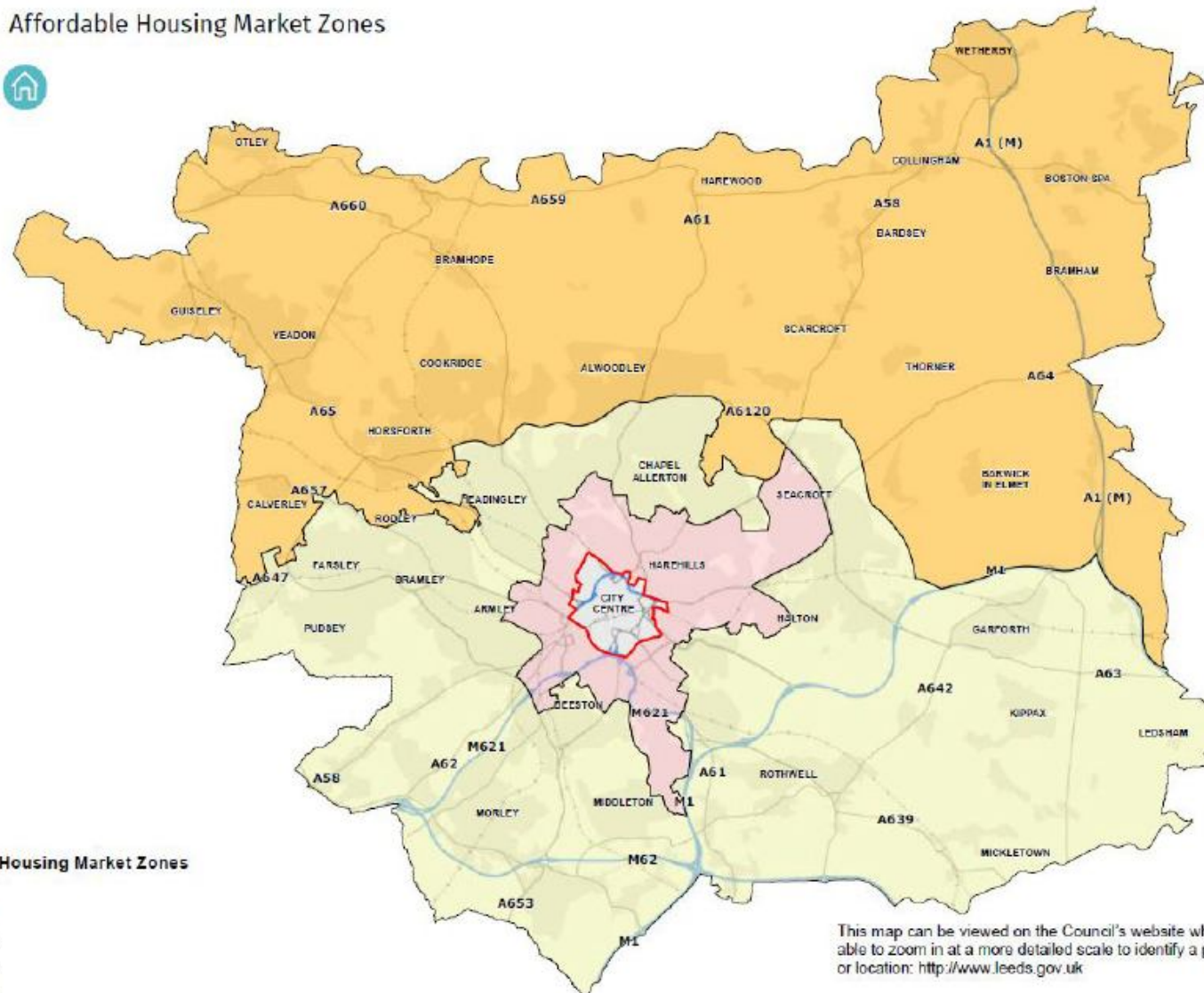


### Key

#### Affordable Housing Market Zones

##### ZONE

- Zone 1
- Zone 2
- Zone 3
- Zone 4



This map can be viewed on the Council's website where you will be able to zoom in at a more detailed scale to identify a particular site or location: <http://www.leeds.gov.uk>

## **Policy H9: New Policy on Minimum Space Standards-Nationally Described Space Standard**

[The text below should be inserted after Policy H8 of the Core Strategy 2014; paragraphs 5.2.41 – 5.2.60 under the heading “b Supporting Employment Opportunities” should be re-numbered to follow the paragraphs of Policy H10]

### **H9 Minimum Space standards for new dwellings**

- 5.2.41 There has been growing concern that the internal space of new dwellings is getting smaller with implications for accessibility, for sustainability and for quality of life including health. This section seeks to improve the quality housing provided in Leeds to create a healthy and sustainable living environment for current and future generations.
- 5.2.42 Policy H9 covers internal space within new dwellings setting requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. These reflect exactly the Nationally Described Space Standards (NDSS) of 2015.
- 5.2.43 The standard Gross Internal Areas set out in Policy H9 are organised by storey height to take account of the extra circulation space needed for stairs to upper floors, and deal separately with one storey dwellings (typically flats) and two and three storey dwellings (typically houses). These are set out in the table below.
- 5.2.44 Individual dwelling types are expressed with reference to the number of bedrooms (denoted as ‘b’) and the number of bedspaces (or people) that can be accommodated within these bedrooms (denoted as ‘p’). A three bedroom (3b) home with one double bedroom (providing two bed spaces) and two single bedrooms (each providing one bed space) is therefore described as 3b4p.
- 5.2.45 This allows for different combinations of single and double/twin bedrooms to be reflected in the minimum Gross Internal Area standards. The breakdown of the minimum Gross Internal Area therefore allows not only for the different combinations of bedroom size, but also for varying amounts of additional living, dining, kitchen and storage space; all of which are related to the potential occupancy.
- 5.2.46 Regarding development of Purpose Built Student Accommodation, the NDSS were not designed with student housing in mind. There are clear differences between student and general housing in that students live in student accommodation for only a fixed period of time, other accommodation (communal rooms) is often provided and there are no standards for dwellings with 7 or more bedrooms. Provision of reasonable space standards is still important for student accommodation, and this will need to be judged on a case by case basis, and via the application of any national standards that might be created in the future. Houses in multiple occupation (HMOs) are not



dwellings (class C3 of the use class order), so the space standards of Policy H9 will not apply to proposals for new HMOs. Nevertheless, it is reasonable for HMOs to provide adequate levels of amenity for residents in terms of space, light and ventilation. Further guidance will be provided through supplementary planning guidance.

## **POLICY H9 – MINIMUM SPACE STANDARDS**

All new dwellings should comply with the following standards:

The standard requires that:

- a. the dwelling provides at least the gross internal floor area and built-in storage area set out in Table 1 below
- b. a dwelling with two or more bedspaces has at least one double (or twin) bedroom
- c. in order to provide one bedspace, a single bedroom has a floor area of at least 7.5m<sup>2</sup> and is at least 2.15m wide
- d. in order to provide two bedspaces, a double (or twin bedroom) has a floor area of at least 11.5m<sup>2</sup>
- e. one double (or twin bedroom) is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide
- f. any area with a headroom of less than 1.5m is not counted within the Gross Internal Area unless used solely for storage (if the area under the stairs is to be used for storage, assume a general floor area of 1m<sup>2</sup> within the Gross Internal Area)
- g. any other area that is used solely for storage and has a headroom of 900-1500mm (such as under eaves) is counted at 50% of its floor area, and any area lower than 900mm is not counted at all
- h. a built-in wardrobe counts towards the Gross Internal Area and bedroom floor area requirements, but should not reduce the effective width of the room below the minimum widths set out above. The built-in area in excess of 0.72m<sup>2</sup> in a double bedroom and 0.36m<sup>2</sup> in a single bedroom counts towards the built-in storage requirement
- i. the minimum floor to ceiling height is 2.3m for at least 75% of the Gross Internal Area

Minimum gross internal floor areas and storage (m<sup>2</sup>)

Number of bedrooms	Number of bed spaces	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) <sup>2</sup>			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	

	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

2. Where a one person flat has a shower room rather than a bathroom, the floor area may be reduced from 39m<sup>2</sup> to 37m<sup>2</sup>.

Development of student accommodation and houses in multiple occupation (HMOs) will not be subject to the space standards as set out in the Table above. Instead such development should reflect the NDSS with appropriate adjustments to address the particular characteristics of these types of development. They should also meet standards of general amenity for occupiers to include adequate space, light and ventilation. Further guidance will be provided through a Supplementary Planning Document.

### Notes

- i. The Gross Internal Area of a dwelling is defined as the total floor space measured between the internal faces of perimeter walls that enclose the dwelling. This includes partitions, structural elements, cupboards, ducts, flights of stairs and voids above stairs. The Gross Internal Area should be measured and denoted in square metres (m<sup>2</sup>).
- ii. If the area under the stairs is to be used for storage, assume a general floor area of 1m<sup>2</sup> within the Gross Internal Area
- iii. Any other area that is used solely for storage and has a headroom of 900-1500mm (such as under eaves) is counted at 50% of its floor area, and any area lower than 900mm is not counted at all
- iv. Built-in wardrobes and en-suite bathrooms count towards the Gross Internal Area and bedroom floor area requirements, but should not reduce the effective width of the room below the minimum widths set out above. The built-in area in excess of 0.72m<sup>2</sup> in a double bedroom and 0.36m<sup>2</sup> in a single bedroom counts towards the built-in storage requirement
- v. The standards are organised by numbers of storeys to take account of extra circulation space needed for stairs between floors.

## Policy H10: New Policy on Accessible Housing Standards

### Accessible housing

5.2.48 Changes to national planning policy and the Building Regulations in 2015 enable Local Authorities to require the provision of accessible dwellings as part of new residential developments to meet the needs of residents. In Leeds there is an evidenced need for ~~accessible housing, to provide~~ housing which is suitable for disabled people, older people and families with young children. ~~This need can be met by the~~ The provision of dwellings which meet the optional accessible housing standards provided in Part M volume 1 of the Building Regulations can help meet this need.

5.2.49 The optional accessible housing standard M4(2) 'accessible and adaptable dwellings' contained within Part M volume 1 of the Building Regulations provides a higher level of accessibility and adaptability than standard dwellings (standard dwellings' are those which meet the requirements of M4(1)) of Part M volume 1 of the Building Regulations). The optional accessible housing standard M4(3) 'wheelchair user dwellings' provides a standard for dwellings which are ~~to be adaptable or~~ accessible for wheelchair users or can be easily adapted to be suitable for wheelchair users.

5.2.50 15.8% of households in Leeds contain 1 or 2 members with a disability, 23.2% contain a member aged 65 years or over and 11.8% contain a child aged 4 years or younger, 3.3% of households contain a wheelchair user who requires adaptations to their home to ensure it is more accessible for them now or anticipate they will need adaptations in the next 5 years (SHMA Household Survey 2017). All of these residents could benefit from the design features of M4(2) accessible and adaptable dwellings, or M4(3) wheelchair user dwellings.

5.2.51 Under the Building Regulations the housing standards contained within Part M volume 1 only apply generally to new-build dwellings. The Building Regulations define student accommodation as hotel accommodation in relation to Part M, with accessible hotel accommodation~~-, and therefore~~ student accommodation, being covered by Part M volume 2 of the Building Regulations. For this reason, planning policy requirements for accessible housing do not apply to propose built student accommodation.

5.2.52 M4(3) of Part M volume 1 of the Building Regulations 'wheelchair user dwellings' provides 2 standards:

- wheelchair adaptable' dwellings
- wheelchair accessible dwellings~~, and~~

Wheelchair adaptable dwellings are homes that are designed to be easily adapted to meet the needs of wheelchair users.

Wheelchair accessible dwellings are homes which are readily usable by wheelchair users at the point of completion, and ~~'fully kitted out' with~~ provide all the necessary fixtures and fittings specified by the standard. ~~Wheelchair adaptable dwellings are homes that can be easily adapted to meet the needs~~

~~of wheelchair users.~~ National policy states that planning policy requirements for wheelchair accessible homes should only be applied to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling. Unless the Local Authority has this responsibility, wheelchair user dwellings required by this policy should be M4(3) wheelchair *adaptable* dwellings. In most cases it is expected that market housing for sale and specific affordable dwellings provided through planning requirements will be wheelchair adaptable. Only where Leeds City Council is nominating a wheelchair user as an occupier will be wheelchair accessible dwellings be required.

5.2.53 Where M4(2) and M4(3) dwellings are to be provided within the same block or share the same approach route, the approach route and block communal arrangements from the highest category of dwelling served should be provided.

5.2.54 Where the size of development means that the percentage requirements for M4(2) or M4(3) dwellings generate less than 1 dwelling, if the figure generated is 0.5 of a dwelling or more this should be rounded up to 1 dwelling, if it is below 0.5 then the dwelling does not need to be providedd.

5.2.55 To provide choice for people who require accessible housing, the breakdown of size, type and tenure of M4(2) and M4(3) dwellings should reflect the breakdown of housing proposed overall as closely as possible, unless there is evidenced need for additional accessible housing in one particular tenure.

5.2.56 Whilst dwellings in accordance with the optional accessible housing standards should be agreed in terms of their size and form on submitted drawings, the provision of accessible housing should be secured via planning condition. This allows ~~a the~~ building control body to check dwellings compliance against the provisions of the applicable optional building regulations standards (M4(2) or M4(3)).

5.2.57 Planning conditions should specify:

- Which and~~/or~~ how many dwellings~~/plots~~ within the development are required to satisfy M4(2)\* accessible and adaptable dwellings standards
- Which and~~/or~~ how many dwellings~~/plots~~ within the development are required to satisfy M4(3)\* wheelchair adaptable dwellings standards
- Which and~~/or~~ how many dwellings~~/plots~~ within the development are required to satisfy M4(3)\* wheelchair accessible dwellings standards

\*contained within Part M volume 1 of the Building Regulations

## H10. ACCESSIBLE HOUSING STANDARDS

New build residential developments should include the following proportions of accessible dwellings:

- 30% of dwellings meet the requirements of M4(2) ~~volume 1 of Part M of the Building Regulations~~ 'accessible and adaptable dwellings' of Part M Volume 1 of the Building Regulations.
- 2% dwellings meet the requirement of M4(3) ~~of Part M volume 1 of the Building Regulations~~ 'wheelchair user dwellings', ~~wheelchair adaptable or accessible dwellings~~ of Part M Volume 1 of the Building Regulations.

~~Any requirement above 0.5 would require a single dwelling for both M4(2) and M4(3)~~

Where the scale of development would generate more than one accessible dwelling, the mix of sizes, types and tenures of M4(2) and M4(3) dwellings ~~accessible housing~~ should reflect the mix of sizes, types and tenures of the development as a whole as closely as possible (unless there is evidenced need for additional accessible housing in one particular tenure).

The required number ~~and~~, mix and location of accessible dwellings should be clearly illustrated on drawings and via planning condition.

## Policy G4: Review of Green Space in Residential Development Policy

[The text below should replace paragraphs 5.5.9 – 5.5.18 of the Core Strategy 2014. Policy G3 is retained; Policy G4 is being replaced with a new version]

### Green Space

#### Introduction and Aims

5.5.9 The overall aim of the Core Strategy green space policies is to use the development process through the Local Plan to strategically deliver the best type and the best quality of green space to where it is most needed in Leeds.

#### Standards (Surplus and Deficiencies)

5.5.10 Leeds is a City which benefits from good overall provision of green space. However, this is not distributed evenly across the City and as a result, some areas have very little local green space and some of it is of a poor quality. Policy G3 sets standards for the quantity, accessibility and quality of green space to be expected in Leeds derived from evidence of Leeds' Open Space and Recreation Assessment. Whilst it is recognised that the existing urban form of Leeds offer limited scope to achieve all of the standards, particularly in the inner areas, the most needs to be made of the development opportunities that do arise to optimise quantity, accessibility and quality as appropriate.

*[Nb Policy G3 is not part of the Selective Review. It is shown here to help understanding.]*

#### **POLICY G3: STANDARDS FOR OPEN SPACE, SPORT AND RECREATION**

The following open space standards will be used to determine the adequacy of existing supply and appropriate provision of new open space:

Type	Quantity (per thousand people)	Accessibility	Quality*
Parks and gardens	1 hectare	720 metres	Good (7)
Outdoor sports provision	1.2 hectares (excludes education provision)	Tennis court 720 metres, bowling greens and grass playing pitches 3.2 km, athletics tracks, synthetic pitches 6.4 km	Good (7)
Amenity Green Space	0.45 hectares	480 metres	Good (7)
Children and Young People's equipped play facilities	2 facilities	720 metres	Good (7)
Allotments	0.24 hectares	960 metres	Good (7)
Natural green space	0.7 hectares main urban area and major settlements, 2 hectares other areas	720 metres and 2 km from site of 20 hectares	Good (7)
City Centre open space provision all types (including civic space)	0.41 hectares	720 metres	Good (7)

\* Sites were scored out of 10. See the Leeds Open Space, Sport and Recreation Assessment for information about quality standards.

## New Housing Development

5.5.11 People moving into an area or general increases in population place a greater burden on existing green space. Therefore it is appropriate that new housing development makes provision to address this burden by

- providing green space on-site,
- providing green space off-site,
- providing commuted sums in lieu of on-site provision. Sums can be used to provide green space, to enhance existing green space or to improve connections to existing green space or
- a combination of these options.

The calculation of green space provision in Policy G4 is based upon a green space requirement for different sizes of dwellings. Where it is agreed that only part of this requirement is provided as new green space (on or off-site) the remainder should normally be provided as a commuted sum (see below for calculation).

## Eligible Development

5.5.12 Green space will be sought from developments of 10 or more dwellings (class C3 of the Use Class Order). Residential institutions (Class C2 of the Use Class Order) will not be expected to provide green space. Any hybrid developments (sui generis mix of C2 and C3 use classes) will need to be judged on their merits.

## Determining if on-site or off-site provision (including contributions) will be appropriate

5.5.13 Different parts of Leeds have different needs and opportunities for greenspace provision. Inner city areas often have the highest needs and the least opportunities for new provision. There will also be a number of individual site circumstances that will need to be considered in deciding when greenspace ought to be provided on-site or not.

5.5.14 Factors favouring on-site provision include:

- i) Local deficits of existing green space
- ii) Sufficiently large, suitably shaped and reasonably level sites to accommodate green space.
- iii) Distances from existing green spaces exceeding the standards of Policy G3. The quality of existing green space will also need to be taken into account.
- iv) Lack of other residential development sites nearby that could deliver green space
- v) The development generating a need for play facilities that does not currently exist in the locality
- vi) Potential to combine green space provision with requirements for Sustainable Urban Drainage Systems

## Provision of Green Space

- 5.5.15 Provision of new greenspace needs to be appropriate to the needs of the development and locality. The key consideration will be the surpluses and/or deficiencies of different types of green space in the local area. The standards of Policy G3 including accessibility distances can be used identify particular deficiencies applicable to each development site and this can help determine what types of green space ought to be provided.
- 5.5.16 Determining the appropriate location of green space within a development will be a matter for discussion depending on the circumstances of the locality, site and development proposed. Aggregated, fragmented spaces, scattered across development sites will not be acceptable due to their limited functionality. However, it is recognised that there is a role for smaller areas of green space like 'pocket parks' in densely developed areas, subject to suitable management arrangements being in place.
- 5.5.17 It is important that any new green space of any typology is planned, situated and designed to make a positive contribution to the overall design concept and character of development.
- 5.5.18 As the green space requirement is expressed as an amount of green space per dwelling, high density developments (65dph (net)) usually found in or on the edge of town centres may generate requirements for greenspace that cannot be delivered on-site. For such schemes an expected level of 20% of green space should be provided on-site with the residual being provided off-site or in the form of a commuted sum. However, it is accepted that there may be particular site circumstances to justify a higher or lower quantity than 20% on-site.
- 5.5.19 Any provision of new green space will need to be accompanied by appropriate arrangements to secure the on-going maintenance of the space. Where the City Council is asked to adopt spaces, a financial contribution will be required to cover maintenance. Where independent or private arrangements are to be used the Council will need to be satisfied that these are robust, efficacious and legally enforceable. In particular the Council will need to be satisfied as to the quality of the maintenance and that any legacy arrangements associated with the private company passing on their obligations or becoming insolvent do not result in the Council accepting the extra maintenance cost burden.
- 5.5.20 Where new green space is provided it should be openly accessible to the public. Exceptions may be for operational reasons such as security of allotments or membership of sports clubs.
- 5.5.21 Where a need for play facilities is identified careful consideration should be given to safety and security issues. If security cannot be ensured through



appropriate siting of play facilities, it may be appropriate to seek a different type of greenspace irrespective of need.

5.5.22 Some forms of green space suffer in terms of usability due to poor drainage (for example sports pitches). Any new green space should have acceptable and appropriate levels of sustainable drainage.

5.5.23 Where green space provision is to be accepted off-site it needs to be reasonably related to the development. In most cases this should mean within the accessibility distances specified in Policy G3, but exceptions could include sites connected by high frequency public transport corridors or green space additions to City Parks or strategic facilities that would be used by residents of the development.

### Financial Contributions

5.5.24 As an alternative to provision of green space, financial contributions may (where appropriate and in compliance with the policy) help meet the demands of new residents on existing green spaces. Leeds has calculated green space contributions in the same way for many years based on the costs of laying out space, maintenance and a factor for the expected number of children in a development:

- Agreeing the quantity of the green space requirement that will be converted into a commuted sum, ie the remainder not delivered on-site or off-site.
- Laying out costs. Standard laying out costs for Green Space.
- The established practice is to add a per-child contribution factor, of which ten percent will be required for flats and 62% for houses (thus 10%/62% of number of flats/houses multiplied by per-child contribution amount).
- A 10 year maintenance sum for the relevant quantity of green space.
- A maintenance cost for on-site play space if other arrangements are not made.
- All of the above will be adjusted annually using a SPONS index figure.

The Council will provide a detailed calculation on its website updated annually with the latest SPONS figures. If green space is to be laid out by the developer for adoption by the city council, a 10 year maintenance sum should be calculated.

5.5.25 As long as national planning policy specifies that not more than 5 S106 contributions can be pooled toward particular projects, it will be necessary for planning obligations to be specific about the greenspace improvement that is to be made. Leeds City Council, having regard to local need and opinion, will advise developers what greenspace improvement (including improving access to greenspace) projects require funding. Schemes must be reasonably related to the development site; in most cases this should mean within the accessibility distances specified in Policy G3, but exceptions could include schemes

connected by high frequency public transport corridors or improvements to City Parks or strategic facilities that would be used by residents of the development.

#### **POLICY G4: GREEN SPACE IMPROVEMENT AND NEW GREEN SPACE PROVISION**

Residential developments of 10 dwellings or more will be expected to provide the following quantities of on site green space per residential unit or where this quantity of green space is unachievable or inappropriate on-site, equivalent off-site provision, financial contribution or combinations thereof should be sought:

1 bedroom dwelling	23sqm
2 bedroom dwelling	33sqm
3 bedroom dwelling	44sqm
4 bedroom dwelling	54sqm
5 or more bedroom dwelling	66sqm
Student bedspaces	18sqm

In determining whether this quantity of provision should be delivered on-site, off-site or as a commuted sum, consideration of the circumstances set out in paragraph 5.5.14 will indicate whether green space should be provided on-site.

Where the factors of paragraph 5.5.14 expect green space to be provided on site:

- a) The *type* of green space provided should be decided taking account of the following factors:
  - i) Calculations of local surplus and deficiency
  - ii) Mix of dwellings and need for play facilities
  - iii) Practicality of on-site delivery
  - iv) Policy & proposals of an applicable Neighbourhood Plan
- b) Arrangements for on-going maintenance must be agreed
- c) Green space should be accessible to members of the public
- d) Green space should positively contribute to the overall design and character of development (see paragraph 5.5.17)

If off-site financial contributions are to be accepted the core components of the calculation are as follows:

- The costs of laying out space
- Maintenance (general and play facilities) and
- A per-child factor (see paragraph 5.5.23 above)

Financial contributions will be used effectively to meet local needs for greenspace.

[The text below should be added to the Glossary after the definition of “Soundness”]

## SPONS

An External Works and Landscape Price Book is updated annually to provide costings for hard and soft landscaping and related external works. It is widely used by the industry and provides a national benchmark for the cost of laying out green space.

## Policy G5: Open space provision in the city centre

[A minor amendment in italics is proposed to G5 regarding on-site commuted sums in lieu. This amendment creates greater flexibility in the allocation of contributions to priority open space City Centre schemes.]

### **POLICY G5: OPEN SPACE PROVISION IN THE CITY CENTRE**

...

In areas of adequate open space supply or where it can be demonstrated that not all the required on site delivery of open space can be achieved due to site specific issues, *contributions in lieu of provision will be required towards identified open space and public realm projects.*

## **Policy G6: Protection and redevelopment of existing green space**

[A minor amendment in italics is proposed to G6 to continue the protection of pedestrian corridors in the City Centre protected in the UDP.]

### **POLICY G6: PROTECTION AND REDEVELOPMENT OF EXISTING GREEN SPACE**

Green space (including open space *and pedestrian corridors* in the City Centre) will be protected from development unless one of the following criteria is met:

- (i) There is an adequate supply of accessible green space/open space within the analysis area and the development site offers no potential for use as an alternative deficient open space type, as illustrated in the Leeds Open Space, Sport and Recreation Assessment, or,
- (ii) The green space/open space is replaced by an area of at least equal size, accessibility and quality in the same locality, or
- (iii) Where supported by evidence and in the delivery of wider planning benefits, redevelopment proposals demonstrate a clear relationship to improvements of existing green space quality in the same locality.

## **Policy EN1      Review of Policy to reflect Written Ministerial Statement of 25<sup>th</sup> March 2015**

[The text below will replace paragraphs 5.5.31 – 5.5.38 of the Core Strategy 2014. The new paragraphs below have consequent re-numbering from changes to paragraphs associated with Policy G5. Paragraphs 5.5.39 – 5.5.62 are unchanged except for being renumbered 5.5.48 – 5.5.71]

### **Energy and Natural Resources**

#### **Climate Change**

5.5.38 The Climate Change Act 2008 established a new approach to managing and responding to climate change in the UK. The Act created a legally binding target to reduce the UK's emissions of greenhouse gases to at least 80% below 1990 levels by 2050. This is delivered through a series of five year 'carbon budgets', designed to ensure that the Council make steady progress towards this long term target. A carbon budget is a cap on the total quantity of greenhouse gas emissions emitted in the UK over a specified time. Under a system of carbon budgets, every tonne of greenhouse gas emitted between now and 2050 will count. Where emissions rise in one sector, corresponding falls in another sector will have to be achieved.

5.5.39 In May 2009, the Government introduced legislation creating the first three legally binding carbon budgets. The budgets are 2008-2012 (22% reduction in CO<sub>2</sub> emissions below 1990 levels), 2013-2017 (28% reduction) and 2018-2022 (34% reduction).

5.5.40 These carbon budgets, whilst owned and delivered at a national level, will have a profound effect on all activities at a local level. Policy tools and financial incentives have been put in place to drive down emissions from transport, housing and business across the country. As Leeds is forecast to grow both in terms of housing numbers and new business premises, it is particularly important to ensure that these are as close to zero emission as possible, as soon as possible, to avoid the need for deeper cuts in other sectors.

5.5.41 The Leeds Climate Change Strategy (2009) was developed through the Leeds Initiative in partnership with the public, private and third sector. This contains a target to reduce emissions from Leeds by 80% between 1990 and 2050. In 2016 the Council adopted a further target to reduce emissions by 60% between 2005 and 2030. ~~In~~ By 2015 the City ~~had~~ reduced emissions by 32.4%. Leeds is a growing City and all new development that is not carbon neutral adds to total emissions from Leeds (both on site emissions and emissions associated with transport). Therefore, there is a strong policy imperative to constrain emissions from all development as soon as possible.

5.5.42 The Core Strategy climate change policies are designed so that new development contributes to our ambitious carbon reduction targets. However, the Council aim to do this in a flexible way that supports developers to achieve carbon reductions at lowest cost and in a way that benefits future building occupants. Building Regulations set a minimum energy efficiency standard applicable to all buildings, and in order to keep on track to achieve the 2050 target, the Government have indicated that they will increase this standard over the next decade. Developers currently have to demonstrate that proposed developments are within the Target Emissions Rate, however the Government policy is on emphasis on consistent, national building regulations as the mechanism for promoting low and zero carbon homes. Local planning authorities should balance the need for national consistency with the spirit of the localism agenda to reflect local socio-economic and environmental factors. Therefore the Council is seeking 10% of the energy ~~needs-demand~~ of new development to come from renewable or low carbon energy sources. This will also help to reduce fuel bills, improve business competitiveness and create jobs in the energy service sectors.

5.5.43 For non-residential development, the Council is seeking a 20% improvement in carbon emissions beyond the building regulations standard. Economies of scale mean that energy efficiency measures are less costly on larger developments so the policies are only applied to 'major development.' Policy EN1 is highly flexible, allowing developers to choose the most appropriate and cost effective carbon reduction solution for their site. Developers are however, encouraged to take a 'fabric first' approach and, over time, supplement this with increasing use of heat networks and low/zero carbon technologies. The cost implications of installing carbon reduction measures are much lower when included in a new building than when they are retrofitted. Ambitions for an energy efficiency policy for residential development are set out in the Planning and Energy Act 2008 and Building Regulations. Carbon dioxide reductions achieved through low carbon energy will contribute to meeting the 20% reduction in CO2 emissions.

5.5.44 The term in the policy "where feasible" means that where it is not technically possible to include low carbon or renewable energy measures, or if the measures would be harmful to heritage objectives, then the policy requirements will not be sought. For mixed use sites the developer may choose how to meet the target across the whole of the development.

## **POLICY EN1: CLIMATE CHANGE – CARBON DIOXIDE REDUCTION**

All developments of 10 dwellings or more, or over 1,000 square metres of floorspace, (including conversion) where feasible, will be required to provide a minimum of 10% of the predicted energy ~~needs-demand~~ of the development from low carbon or renewable energy.

All non-residential developments of over 1,000 square metres of floorspace, (including conversion) where feasible, will be required to reduce total predicted carbon dioxide emissions to achieve 20% less than the Building Regulations Target Emission Rate. [Part L 2013](#).

If it can be demonstrated that renewable or low carbon energy generation is not practical, it may be acceptable to provide in lieu of provision, a contribution equivalent to the cost of providing the 10%, which the council will use towards off-site low carbon schemes. Wherever possible, the low carbon projects would be linked with local projects that would bring local benefits.

Applicants will be required to submit an Energy Assessment (EA) with their application based on expected end user requirements to demonstrate compliance with this Policy.

Where end user requirements change significantly, an updated EA should be submitted prior to construction.



## **Policy EN2     Review of Policy to reflect Written Ministerial Statement of 25<sup>th</sup> March 2015**

### **Sustainable Design and Construction**

5.5.45 The Vision for Leeds (2011–2030), City Priority Plan (2011–2015) and Council Business Plan (2011-2015), commit the City as a whole and the Council specifically, to make Leeds a lower carbon City. City carbon reduction targets are to reduce CO<sub>2</sub> emissions by 40% between 2005 and 2020. At the same time climate change adaptation needs to be addressed systematically and progressively in regard to the built environment and development across the City. To ensure there is a consistent approach to development improvements the Building Research Establishment's (BRE) approach has been identified as an independent and systematic methodology based on a robust environmental weighting system that covers a wide range of sustainable construction issues yet allows flexibility in relation to site and developer options for non-residential development. For residential development, requirements for energy efficiency are contained within the Building Regulations.

5.5.46 The Council will require developers to apply the Building Research Establishment Environmental Assessment Method (BREEAM), to major non-residential development in the District. As the additional costs of attaining improved sustainable construction outcomes are best met by economies of scale, this requirement applies only to major development of over 1,000 square metres. In cases involving conversions, refitting, refurbishment, and historic buildings, a pragmatic approach will be taken with the expectation that the BRE methodology will still be applied, with agreed areas of lower achievement if shown to be appropriate. The BRE methodology allows for flexibility across a wide range of environmental areas, and consistently improves key environmental issues, covering improvements to; energy and CO<sub>2</sub> emissions, water use, materials, surface water run-off, waste, pollution, health and well-being, management and ecological value. For residential development, requirements for energy efficiency are contained within the Building Regulations.

5.5.47 The term in the policy "where feasible" means that where it is not technically possible to meet the standard or if it would be harmful to heritage objectives then the policy requirements will not be sought.

## **POLICY EN2: SUSTAINABLE DESIGN AND CONSTRUCTION**

Non-residential developments of 1,000 or more square metres (including conversion) where feasible are required to meet the BREEAM standard of 'excellent'.

Residential developments of 10 or more dwellings (including conversion) where feasible are required to meet a maximum water consumption standard of 110 litres per person per day.

## Policy EN4: DISTRICT HEATING

[A consequential minor amendment in ~~striketrough-text~~ is proposed to Paragraph 5.5.49 and Policy EN4 to reflect changes to Policies EN1 and EN2.

5.5.49 The Department of Energy and Climate Change's (DECC) document, The Future of Heating (2013) says, "Local authorities are in the best position to undertake the Energy Master planning of areas suitable for heat networks and the initial assessment of the feasibility of projects. They are well placed to act as 'brokers', for example putting together prospective promoters of projects with prospective providers and customers for heat." In addition, local authorities are encouraged to consider low carbon and renewable heat networks through the National Planning Policy Framework published in 2012. The framework encourages local planning authorities to identify opportunities for development that can draw their energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers. Future Energy Yorkshire have completed a study which recommends the establishment of a strategic body ('Energy Leeds') whose role would be to take responsibility for the delivery of energy related activities. These activities could include the co-ordination and delivery of heat networks. ~~This role is particularly important to enable developments to reach code levels 5 and 6 of the Code for Sustainable Homes (as required under Policy EN2).~~ Heat distribution is most likely to be viable in areas of higher density. Opportunities exist around Leeds City Centre (for example major development proposals for the Victoria Gate area, in the provision of an new energy centre, low carbon heating, cooling, electricity generation and potentially other utilities), the Aire Valley, the universities and St James University Teaching Hospital, as a consequence of high heat loads, which offer the potential for low carbon energy for local communities.~~heating, cooling, electricity generation and potentially other utilities), the Aire Valley, the universities and St James University Teaching Hospital, as a consequence of high heat loads, which offer the potential for low carbon energy for local communities~~

#### **POLICY EN4: DISTRICT HEATING**

Where technically viable, appropriate for the development, and in areas with sufficient existing or potential heat density, developments of 1,000 sqm or more or 10 dwellings or more (including conversions where feasible) should propose heating systems according to the following hierarchy:

- (i) Connection to existing District heating networks,
- (ii) Construction of a site wide District heating network served by a new low carbon heat source,
- (iii) Collaboration with neighbouring development sites or existing heat loads/sources to develop a viable shared District heating network,
- (iv) In areas where District heating is currently not viable, but there is potential for future District heating networks, all development proposals will need to demonstrate how sites have been designed to allow for connection to a future District heating network.

Carbon savings and renewable energy generation achieved under this policy will contribute to EN1(i) and EN1(ii).

## Policy EN8: New Policy on Electric Vehicle Charging

[The text below will be inserted after Policy EN7: Minerals of the Core Strategy 2014]

### Electric Vehicle Charging Infrastructure

5.5.72 Air quality has become a major area of concern in Leeds. The 2008 Ambient Air Quality Directive (Directive 2008/50/EC) sets legally binding limits for concentrations in outdoor air of major air pollutants that impact public health such as particulate matter (PM10 and PM2.5) and nitrogen dioxide (NO2). This is also transposed into the UK Air Quality Standards Regulations 2010. Leeds was identified in December 2015 by DEFRA as one of six locations in England that is not expected to meet air quality standards by 2020.

5.5.73 Air quality problems in the district are mainly attributable to transport and this means that it is necessary for Leeds to implement measures to ensure a reduction in transport emissions. Planning policy has a key role to play in this through a number of policies and mechanisms that interact together, including the appropriate location of development according to a settlement hierarchy. This includes the inclusion of a choice of sustainable means of travel, so that people are encouraged to choose other means of travel than the private car and through the provision of a network of green infrastructure that can help to mitigate poor air quality. However, given the need for action now to prevent air pollution becoming worse, it is necessary to increase provision of EVCPs in new homes and all other premises. These requirements will be monitored and the policy may be updated accordingly as new technologies emerge.

### **EN8: ELECTRIC VEHICLE CHARGING INFRASTRUCTURE**

All applications for new development which include provision of parking spaces will be required to meet the minimum standard of provision of electric vehicle charging points. This requires:

- i) Residential: 1 charging point per ~~dedicated~~ parking space and ~~where parking spaces are unallocated (for example visitor parking)~~ 1 charging point per 10 visitor spaces
- ii) Office/Retail/Industrial/Education: charging points for 10% of parking spaces ensuring that electricity infrastructure is sufficient to enable further points to be added at a later stage.
- iii) Motorway Service Stations: charging points for 10% of parking spaces ensuring that electricity infrastructure is sufficient to enable further points to be added at a later stage
- iv) Petrol Filling Stations: provision of fast charge facilities.

