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**Report of Plans & Policies Group and Regeneration**

**Report to the Chief Planning Officer**

**Date: 14<sup>th</sup> June 2018**

**Subject: Adoption of the East Leeds Extension Supplementary Planning Document (ELE SPD)**

Are specific electoral wards affected? If yes, name(s) of ward(s): Cross Gates and Whinmoor; Harewood.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

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**Summary of main issues**

1. The Leeds Unitary Development Plan (Review 2006) allocates land for 3,375 new homes as part of the East Leeds Extension (ELE) under Policy H3-3A.33. The policy was saved under the Secretary of States Saved Policies direction (September 2007 and June 2009). The policy requires the preparation of a development framework which will determine the phasing, mix and location of uses, density of development and location of access points. A Supplementary Planning Document (SPD) for the Northern, Middle and Southern Quadrants of the ELE (south of the A58 and north of the Leeds-York-Selby railway line) is considered the most appropriate mechanism for delivering the Development Framework in accordance with the UDP allocation.
2. The SPD seeks to address the requirements set out in Policy H3.3A.33 whilst providing a clear framework to secure the delivery of this part of the East Leeds Extension (Northern, Middle and Southern Quadrants) and in particular the required infrastructure to facilitate development, including an East Leeds Orbital Road (ELOR) Contribution.
3. The ELE SPD has been through formal public consultation during November 2017. Amendments to the draft ELE SPD have been made following that formal consultation, to address comments raised, where appropriate. It is considered that following those amendments the SPD is now ready for adoption, having fulfilled the

requirements of the UDPR policy H3-3A.33 and the regulations pertaining to the production and adoption of SPDs.

## **Recommendations**

4. The Chief Planning Officer is recommended to:
  - i) Note the contents of this report and the associated consultation statement.
  - ii) Adopt the East Leeds Extension Supplementary Planning Document in the form annexed to this report pursuant to section 23 of the Planning and Compulsory Purchase Act and section 14 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (with tracked changes removed).
  - iii) Approve the publication of the adopted East Leeds Extension Supplementary Planning Document and associated documents in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.

## **1. Purpose of this report**

- 1.1 The purpose of this report is to make the Chief Planning Officer aware of the public consultation process, feedback and subsequent changes made to the East Leeds Extension Supplementary Planning Document (ELE SPD).
- 1.2 The report recommends that the Chief Planning Officer adopts the re-drafted ELE SPD and publishes the decision in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.

## **2. Background information**

- 2.1 SPDs are documents which form part of the Local Development Framework (LDF), the development plan for Leeds. The National Planning Policy Framework (NPPF) states that “supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development” (paragraph 153). They are used to build upon and provide more detailed advice or guidance on the policies in the LDF. They deal with either specific issues that affect the whole City, or they are specific to particular areas.
- 2.2 The Unitary Development Plan (Review 2016) allocated land for housing at the East Leeds Extension (ELE) through Policy H3.3A.33. This is a saved policy within the Leeds Local Development Framework. The policy requires the preparation of a development framework which will determine the phasing, mix and location of uses, density of development and location of access points.
- 2.3 A Supplementary Planning Document (SPD) for the Northern, Middle and Southern Quadrants of the ELE (south of the A58 and north of the Leeds-York-Selby railway line) is considered the most appropriate mechanism for delivering the Development Framework in accordance with the UDP allocation. The SPD therefore seeks to address the requirements set out in Policy H3.3A.33 whilst providing a clear framework to secure the delivery of this part of the East Leeds Extension (Northern, Middle and Southern Quadrants) and in particular the required infrastructure to facilitate development. As such the ELE SPD establishes an ELOR Contribution will be required in association with the development of each quadrant of the ELE and will be secured through a S106 or S278 agreement as part of subsequent planning permissions. This is established as the mechanism through which developers will be expected to meet the full costs of the ELOR scheme as set out in the UDP.
- 2.4 In addition to the ELOR Contribution mechanism the ELE SPD also provides guidance on matters relating to housing, connectivity (including the spine road, public transport, pedestrian and cycle links), community facilities (including schools, health and retail), greenspace, heritage and draining.

## **3. Main issues**

- 3.1 In accordance with regulations 12 and 13 of the Town and Country Planning (Local Planning) (England) Regulations 2012 a formal consultation on the SPD was carried out between the 1<sup>st</sup> – 29<sup>th</sup> November 2017. 32 consultation responses were received. These have been analysed in detail and changes have been made to the draft where appropriate. This is set out within the Consultation Statement which can

be found in Appendix 2. The tracked changes version of the SPD in Appendix 1 shows where appropriate amendments have been made.

- 3.2 A range of comments were received from residents, stakeholders and developers. Many comments related to objections to ELOR itself, which is not determined through this SPD and has now been approved. Comments relating to the SPD itself, focussed on housing mix, links to the existing development, surface coal resource, school infrastructure, health facilities, Elmet Greenway, the need for comprehensive development, ELOR delivery mechanism, affordable housing, the spine road, retail uses, design codes, superfast broadband, amongst other issues.
- 3.3 Separate meetings have been held with the main developers of the site, Persimmon, Redrow and Taylor Wimpey to further explore their consultation comments. Minor amendments have been made in response to developers' concerns. Whilst some concerns remain, the developers have signalled their general support for the document.
- 3.4 In accordance with Section 23(1) of the Planning and Compulsory Purchase Act 2004, amendments have been made to the draft SPD as a result of consultation comments and other matters arising over the course of its production.
- 3.5 Amendments to the SPD include:
  - A new Heritage section of the SPD to reflect how development proposals should respond to heritage assets within the area,
  - A new Surface Coal Resource section of the SPD to ensure consistency with the Natural Resources and Waste DPD,
  - An additional Air Quality and climate change paragraph to clarify the relationship between the 2008 Act and the Core Strategy,
  - Redrafting of phasing section 5.4 to ensure consistency with the Street Design Guide SPD,
  - Clarification on the costs inputted into the ELOR Contribution,
  - Clarification on matters relating to affordable housing and greenspace,
  - Additional sections included within Appendix 1: 'Indicative S106 Infrastructure Requirements' to cover affordable housing, east-west greenways, public transport etc.,
  - A new Glossary inserted at Appendix 2 of the SPD.
- 3.6 The appended version of the SPD includes tracked changes, which shows the full suite of changes. These will be removed should the SPD be adopted, as recommended.

## **4. Corporate considerations**

### **4.1 Consultation and engagement**

- 4.1.1 The ELE SPD has been the subject of a comprehensive public consultation exercise, as set out within the attached consultation statement in appendix 2.

- 4.1.2 Given the nature of the changes made to the ELE SPD, as a result of comments made during consultation, it is not considered necessary to undertake further consultation on the final version.

## **4.2 Equality and diversity / cohesion and integration**

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

## **4.3 Council policies and best council plan**

- 4.3.1 The SPD will sit in the hierarchy of Local Plan (Local development framework) documents and sits under the adopted Core Strategy which is one of Leeds City Council's main policy documents setting out vision, objectives, policy and targets for the future growth of Leeds particularly in terms of spatial planning. The Core Strategy helps articulate the spatial dimension of other council strategies and plans including 'Vision for Leeds' and the Best Council Plan.

## **4.4 Resources and value for money**

- 4.4.1 The only call on staff time will be in relation to the final production and publication of the SPD document.

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

- 4.5.1 The ELE SPD has been prepared in accordance with the statutory requirements of the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012. The adoption of the ELE is a key decision and is eligible for call in.

## **4.6 Risk management**

- 4.6.1 No significant risks are envisaged with the adoption of the ELE SPD. As set out in the ELE SPD, the guidance aims to provide a co-ordinated and comprehensive approach to the delivery of infrastructure as part of the housing allocation. It also sets out the framework for the payment of a Contribution for ELOR. Without the SPD there will be less clarity and certainty on these provisions and thus potentially slow the planning applications process down.

## **5. Conclusions**

- 5.1 The East Leeds Extension SPD gives effect to UDPR Policy H3-3A.33 by establishing a development framework for the East Leeds Extension. Alongside

broad design and policy principles, the ELE SPD also sets out the various proposed delivery mechanisms for the ELE to give developers, landowners, the Council, infrastructure providers and funding bodies the necessary certainty that the vision of ELE can be delivered, and to provide a basis for the ongoing working relationships between those stakeholders. Once formally adopted by Leeds City Council, the SPD will be a material consideration of significant weight in the determination of planning applications.

## **6. Recommendations**

6.1 The Chief Planning Officer is recommended to:

- i) Note the contents of this report and the associated consultation statement.
- ii) Adopt the East Leeds Extension Supplementary Planning Document in the form annexed to this report pursuant to section 23 of the Planning and Compulsory Purchase Act and section 14 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (with tracked changes removed).
- iii) Approve the publication of the East Leeds Extension Supplementary Planning Document and associated documents in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.

## **7. Background documents<sup>1</sup>**

- a. Draft East Leeds Extension Supplementary Planning Document – to be adopted
- b. Consultation Statement for the ELE SPD

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<sup>1</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.