

## **Development Plan Panel**

**Wednesday, 20th June, 2018**

**PRESENT:** Councillor P Gruen in the Chair

Councillors B Anderson, C Campbell,  
A Carter, R Grahame, C Gruen, T Leadley,  
R Lewis, M Shazad, F Venner and  
N Walshaw

**1 Chairs Opening Remarks**

The Chair welcomed all present to the first meeting of the new municipal year, particularly new Panel members Councillor Andrew Carter and Councillor M Shahzad.

**2 Appeals Against Refusal of Inspection of Documents**

There were no appeals against the refusal of inspection of documents.

**3 Exempt Information - Possible Exclusion of the Press and Public**

The agenda contained no exempt information.

**4 Late Items**

There were no late items of business.

**5 Declaration of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interest.

**6 Apologies for Absence**

Apologies for absence were received from Councillor McKenna. The Panel welcomed Councillor R Grahame as substitute.

**7 Minutes**

**RESOLVED** – To approve the minutes of the meeting held 15<sup>th</sup> May 2018 as a correct record

**8 Matters Arising**

Minute 82 Thornhill Estates – The Panel noted the appeal was scheduled to be considered by the High Court on 21<sup>st</sup> June 2018 with the outcome being reported directly to Members afterwards.

Additionally, Members discussed the Inspectors recent decision to allow the Pool appeal. It was reported that the scheme as allowed by the Inspector was significantly altered from the scheme refused by the Authority. Members noted comments on a developing trend for applicants to lodge an appeal against refusal as late as possible; and to then produce altered schemes throughout the appeals process. The Panel requested information on the number of occasions this had occurred for their consideration and to inform any future representation which the Authority may make to the Secretary of State on this practice. Members also noted a request for planning case officers to keep

local ward Councillors up to date with appeals, but did acknowledge that significant changes to development proposals during an appeal required officers respond to the Inspector within tight timescales in the first instance.

The Board received brief updates on a number of other sites currently going through the appeal process.

**RESOLVED** – To note the information provided and the comments made for future consideration.

## **9 Submission of the Leeds Core Strategy Selective Review**

Further to the meetings held throughout 2017 and 2018, the Panel considered the report of the Director of City Development inviting the Panel to recommend 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.

The report detailed the Submission Draft policies for the CSSR which included updates of existing policies and sought to establish new policies to reflect national advice and guidance. The report set out the steps taken to get to this advanced stage of plan preparation and noted the main issues raised at consultation on the proposed submission documents.

The Core Strategy Selective Review included amendments to the Adopted Core Strategy (contained in Appendix 1 of the submitted report) as follows:

- A review of the housing requirement in Policy SP6, housing distribution in SP7, with a Plan period of 2017 - 2033
- Introduces new minimum space standards for new housing in Policy H9 and new accessibility standards in Policy H10
- Updates policy requirements for Affordable Housing by amending Policy H5
- Reviews the requirement for green space in new housing developments by amending Policy G4 and making minor amendments to Policies G5 and G6
- Incorporates new national policy regarding Code for Sustainable Homes by updating the wording of Policies EN1 and EN2 and a consequential change to EN4
- Introduces a new Policy for Electric Vehicle Charging Infrastructure (EN8)

The report included a Sustainability Appraisal Report attached as Appendix 2 and a Non-Technical Summary included as Appendix 3 which will support the policies at the submission stage, along with relevant supporting material which included the following:

- Report of Consultation (setting 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 (setting 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

Additionally, the CSSR was also supported by an evidence base available on the CSSR website including an Economic Viability Study 2018 (undertaken by GVA consultants), the Strategic Housing Market Assessment 2017 (undertaken by ARC4 consultants); and formal Background Papers (including further information following Submission and Draft Publication on Water Management in support of amended Policy EN2).

The Planning Strategy Team Leader presented the report and provided background and context to the CSSR and reported receipt of 1062 representations, 926 in objection; 129 in support and 7 neutral submissions – all of which had been considered and assessed by officers.

The Panel discussed the following key issues with officers:

#### Policy SP6 Housing requirement 2017-2033

- The figure of 51,952 had been previously endorsed by Council; no specific reasons or alternative proposals for a different distribution of land and/or figure had been submitted within the representations received which stated the figure was too low. Following consultation, a change was proposed to express the housing requirement as a minimum expectation which would align with the Adopted Core Strategy and be consistent with national guidance.
- Recognition that some Members of Council did not support the proposed housing requirement figure.
- The possible impact of appeal outcomes on the proposed housing land requirement.
- Third party representations during the submission process seeking to introduce different figures would need to demonstrate why the CSSR was unsound to the Inspector.

Policy SP7 Housing Distribution – The revised policy was not proposed to be changed following consultation. The Panel made no further comment.

#### Policy H5 Affordable Housing

- The Housing Industry had submitted objections to the proposed increase to 7% Affordable Housing target for inner zones (from 5%) and to the requirements for Build to Rent schemes.
- The Panel noted a comment that generally, residents had a different understanding of the term 'Affordable Housing' to the technical definition used by the government. It was agreed that clarification of the definition would be provided where appropriate, along with a definition of who would be eligible to apply for affordable housing.
- The Panel received clarification on the levels of Affordable Housing proposed within the build to rent sector; specifically in the city centre, inner zones and zone 2; in comparison with the national target of 20% Affordable accommodation - which would provide more housing but deliver less affordable units
- A comment expressing disappointment that developments of less than 10 houses were not captured by the Policy was noted, with an example of a

development of 6 homes at £350k each cited as an example of an opportunity missed to receive contributions.

Policy H9 – Housing Standards (i) Nationally Prescribed Space Standards – In response to a comment regarding provision of natural light in new developments; officers undertook to review the Neighbourhoods for Living guidance as the appropriate mechanism to achieve quality provision.

Policy H10 Housing Standards (ii) Accessible Housing Standards – In response to comments submitted during the consultation, the proposed Policy narrative had been amended to provide clarity. No further comments were made by Panel

#### Policies G4, G5 & G6 Greenspace

- The Panel discussed land management companies established by developers and the charges levied to residents as ground rent. Although it was not possible to address this in the Policies, Members considered how better to inform prospective residents of their obligations. It was also noted that the Authority was not in a position to resource the maintenance of such spaces. Whilst Members welcomed the narrative in para 5.5.19 regarding securing ongoing maintenance, the Panel was keen to emphasise the need for robust independent or private space management arrangements to case officers and were referred to that part of the policy favouring the inclusion of greenspace in developments (rather than an off-site commuted sum) which officers would refer to. Discussion also focussed on the size, quality and usability of some greenspace provision and Members noted that consideration was being given to the drafting of a Greenspace Implementation Note to clarify the Authority's approach.
- Members noted that the monitoring framework Background Document provided for an annual monitoring report to identify issues with greenspace provision.
- Additionally, the Policies still provided an option for the Authority to adopt greenspace, and Members sought further information on the options available to the Authority should there be evidence that a land management arrangement was failing.
- Referring to Leeds Child Friendly City, Members suggested that the revised Policies be referred to the Neighbourhood Planner for consideration in the drafting of neighbourhood plans.

Policies EN1 & EN2 Climate Change Reduction – No further Panel comments were made

Policy EN8 Electric Vehicle Charging Infrastructure – No further Panel comments were made.

Members also noted amendments had been made to the supporting Background Documents (Habitat Screening; Duty to Co-operate and Monitoring Framework) following consideration of relevant representations received.

Finally, the Panel noted a request to amend the recommendations – recommendation (iii) b) to delete reference to Appendices 4 to 7 – these technical documents were now included within the supporting Background Documents.

The Chair expressed thanks on behalf of the Panel for the work undertaken by officers throughout the Core Strategy Selective Review; and, having considered the report, supporting documents and the comments made, the Panel

**RESOLVED** - To 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).
- ii) Notes the consequential changes made to the policies, which as amended now form the Core Strategy Selective Review Submission Draft Plan, and
- iii) Requests Executive Board to recommend 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, 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.

(Under the provisions of Council Procedure Rule 16.5, Councillors B Anderson, Andrew Carter, Leadley and Campbell required it to be recorded that they abstained from voting on this matters).

## **10 Date and Time of Next Meeting**

**RESOLVED** – To note the date and time of the next meeting as Tuesday 17<sup>th</sup> July 2018 at 1.30 pm