

Report of Director of City Development

Report to Development Plan Panel

Date: 19th March 2019

Subject: Examination of the Leeds Core Strategy Selective Review

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

Summary of main issues

1. The Core Strategy Selective Review (CSSR) was submitted for independent examination in August 2018, with the Hearing sessions taking place over two weeks in February 2019. Claire Sherratt (DIP URP MRTPI) has been appointed as the planning inspector, who members may recall, is also one of the Inspectors, examining the Site Allocations Plan (SAP).
2. The Hearing sessions considered a range of procedural matters and Policy aspects. These include: the plan period, the housing requirement, housing distribution, sustainable housing design, electric vehicle charging, housing space standards, accessible housing, green space and affordable housing. Matters were led by the Inspector's questions. The examination was attended by representatives of the house building industry, community and neighbourhood groups and a number of elected members.
3. In summary, as set out in representations, the house building industry felt that the housing requirement should be increased and questioned the need for and viability of new and amended policies. Community representatives suggested that the housing requirement should be reduced and that policies should seek greater levels of public benefit. The Inspector has suggested a number of main modifications to the CSSR which she will consider before she formally recommends them necessary to make the Plan sound. The main modifications will be subject to a six week period of public consultation. The anticipated scope of the suggested main modifications, is to improve and clarify aspects of the proposed Policies, rather than changing the scope and intent

of the CSSR overall. It should be noted that the Inspector has committed to provide a list of suggested main modifications and / or further interim comments by 15 March 2019.

Recommendation

4. Development Plan Panel is invited to comment on the issues raised in this report.

1. Purpose of this report

- 1.1 The purpose of this report is to update Development Plan Panel on the CSSR Examination Hearings and future work and dates toward adoption of the Plan.

2. Background information

- 2.1 Executive Board resolved to undertake a selective review of the Core Strategy in February 2017 (the Core Strategy Selective Review – CSSR). 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.
- 2.2 Since August 2017 reports on the CSSR have been presented to and considered at eight previous Development Plan Panel meetings. The meeting of June 2018 made recommendations to Executive Board regarding the submission of the CSSR for examination. At the October 2018 meeting, further consideration was given to the implications of new national policy and new household projections for the housing requirement.
- 2.3 The CSSR Hearing sessions took place over a two week period, 4th – 8th and 25th – 28th February 2019, with Claire Sherratt as the Planning Inspector.
- 2.4 The Hearings were attended by a number of representors (and observers) including the house building industry, community and neighbourhood groups and elected members. A team of Council officers supported the CSSR with help from external consultants on certain technical matters (in relations to details of the evidence base). It should be noted that the CSSR was submitted under the transitional arrangements of the revised NPPF in 2018. This means that the CSSR was examined for “soundness” against the 2012 NPPF.

3. Main issues

- 3.1 The Inspector had regard to representations on the CSSR and set the agenda of particular questions for hearing sessions that addressed each of the policy areas proposed in the CSSR.

Procedural Matters

- 3.2 This hearing session focussed on procedural matters in relation to the preparation of the Plan. This included: public consultation, duty to cooperate, sustainability appraisal and habitats regulation assessment.

The Plan Period 2017 - 2033

- 3.3 The main focus of this session related to the relationship between the plan period and Policies for housing and employment. Consideration was also given

to Policy SP7 (housing distribution), with the Inspector suggesting a main modification to clarify that Policy SP7 is subject to the 2017-33 plan period.

The Housing Requirement Policy SP6

- 3.4 The session was divided into two parts, the first session concerned whether the housing requirement was too high, with the second session concerned whether the requirement was too low, with consideration given to the Strategic Housing Market Assessment (2017).
- 3.5 The second session heard from the housebuilding industry that a higher housing requirement was needed to support economic growth in Leeds and help deliver greater quantities of affordable housing. The inspector has asked for further information on the Planning Advisory Service approach to backlog and has suggested a main modification to ensure that changes in headship rates in Leeds can be monitored.

Housing Distribution – Policy SP7

- 3.6 Whilst the Council's position is that the proposed deletions to Policy SP7 are merely consequential to having a new housing requirement, a number of potential implications were discussed. An issue raised was whether the amount of housing delivered in the period 2012 – 17 should be accounted for. The Inspector has suggested a main modification to say that regard will be given to past delivery within HMCAs.

Climate Change Reduction - Policies EN1, EN2

- 3.7 National policy on the design of buildings to address climate change and sustainability issues changed after the CSSR was approved for submission. The revised NPPF 2018 no longer constrains local authorities from setting requirements above those of building regulations as the Written Ministerial Statement of March 2015 had done. Therefore, the proposed changes of the CSSR to the original EN1 and EN2 policies were now considered unnecessary by the Council. The Inspector has therefore suggested for a main modification for Policy EN1 to revert to the original wording.

Electric Vehicle Charging Infrastructure – Policy EN8

- 3.8 Some viability issues were raised, and whether the policy had been tested on the basis of charging points per dwelling or parking space. The Inspector has asked for a further clarification on viability in relation to this matter.

Affordable housing – Policy H5

- 3.9 This session considered if the proposed increases in targets for the city centre and inner areas from 5% to 7% were justified. Consideration was also given to whether the types of affordable housing sought in Leeds (reflecting particular evidence of need), are consistent with national planning guidance. Affordable housing in association with build-to-rent developments was also considered. For clarity, the Inspector has suggested modifications to clarify how the Council's definitions of affordable housing sit in relation to new definitions in the glossary of NPPF 2018 and to clarify that affordable build-to-rent dwellings can be administered by build-to-rent management companies at the Council's affordable benchmark rents.

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

- 3.10 Discussion focussed on whether a need had been justified for requiring compliance with the Nationally Described Space Standards (NDSS), whether a transitional period is needed for applying the policy once adopted and whether exception departures from the standards may be appropriate, particularly concerning build-to-rent dwellings. The Inspector has suggested a main modification to strengthen the requirement by substituting the word “should” with something stronger.

Accessible Housing – Policy H10

- 3.11 Issues raised included the need for this policy and for it to apply to all sizes and types of housing. The Inspector has suggested a main modifications to improve clarity, regarding when wheelchair *accessible* as opposed to wheelchair *adaptable* dwellings are required and to clarify when and what local evidence of need may be demonstrated to justify departure from a pro-rata mix of sizes, types and tenures of accessible dwellings.

Green Space – Policy G4, G5 and G6

- 3.12 The debated focussed on the justification for the new requirements of Policy G4 on the basis of evidence of need, viability and deliverability. Arising from this the Inspector has suggested a main modification to clarify that one factor alone could be sufficient reason to require green space provision on-site.

Next Steps / Timetable

- 3.12 The Inspector is to provide a schedule of recommended main modifications and / or further interim comments by no later than 15th March 2019. The Council is currently preparing those suggested during the hearing sessions. Consideration is currently been given as to when the consultation on main modifications, once received, can be considered by Executive Board. Development Plan Panel members will be updated at the meeting.

4. Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The consultation on the scope of the CSSR was carried out for 6 weeks from June until July 2017. Consultation on the proposed Submission Draft policies (“Publication Draft “stage) was undertaken from February to March 2018. Further consultation on the Inspector’s proposed main modifications will be necessary before the Inspector’s report can be issued, as to whether the Plan is sound.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 Equality has been an integral part of the preparation of the CSSR. 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 Growth, Health & Wellbeing, Resilient Communities, Better Lives for People with Care & Support Needs and 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.

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.

4.6 Risk Management

4.6.1 The Risk to the Council of not having up to date Plans in place, exposes the District to speculative, potentially unsustainable development and a lack of certainty for investors. This is detrimental to communities and to the provision of co-ordinated and well planned infrastructure. In addition, with the Local Plan in place, the Council is better able to establish and defend a five year housing land supply position and to take a plan led approach to growth and investment, consistent with the requirements of national planning guidance.

5. Conclusions

5.1 The close of the Hearing sessions highlights a key milestone in the preparation of the CSSR to adoption and the Plan is now at an advanced stage. At the Hearings a number of matters and issues were raised, leading to suggested main modifications by the Inspector. It is not considered however that these

suggested modifications change the overall focus, scope and intent of the Policies before the Inspector. However, the Council will need to await the final main modifications from the Inspector, for this to be confirmed.

6. **Recommendation**

- 6.1 Development Plan Panel is invited to comment on the issues raised in this report.