

**Report of Director of City Development**

**Report to Development Plan Panel**

**Date: 16<sup>th</sup> May 2019**

**Subject: Development Plan Panel – Work Programme 2019/20**

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 advisory function of the Development Plan Panel covers plan-making and implementation. Following a particularly intense period of plan-making, where Members have steered the preparation of the Aire Valley Area Action Plan, Site Allocations Plan and Core Strategy Selective Review, there will be a focus on implementation activities so as to ensure that these hard-won policies are delivered into quality developments on the ground which are in line with Council objectives and the plan-led approach of Government.
2. At the same time the neighbourhood, local, sub-regional and national context of planning continues to change. To that end, plan-making in Leeds will need to continue with a review of the documents that make up the Development Plan to see which policies might need to be updated in light of new drivers..
3. This report sets out the programme of work for Development Plan Panel over the coming year with reference to the Local Development Scheme (the work plan for the Development Plan) and the work programme of the Policy and Plans Group.

**Recommendation**

4. Development Plan Panel is invited to note and comment on the work programme as set out in this report.

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

- 1.1 The purpose of this report is to set out a programme of work for Development Plan Panel over the coming financial year 2019/20. It identifies work items or issues requiring consideration by Panel members and any recommendations to Executive Board at the time of writing, taking account of the priorities of the Plans & Policies Group.

## **2. Background information**

- 2.1 The Plans & Policies Group undertakes a large amount of work in any given year, this is set out in summary at **Appendix 1**, sourced from the Policy & Plans Work Plan. By identifying important areas of work being undertaken by the service, Members can more readily establish whether there are any gaps and which topics, and in which priority, items are to be brought to Panel.

## **3. Main issues**

- 3.1 The following areas are considered to be 'core business' for Development Plans Panel in the coming year. Where a panel meeting is proposed this is included on the forward plan at **Appendix 2** alongside the nature of the decision expected.

### **Government Consultations**

- 3.2 A forthcoming green paper on "accelerating planning", is to be published in the autumn (subject to other Government business) and will seek both to assess the impact of recent policy changes and to identify potential for further work. Members will be updated at an appropriate DPP meeting. In addition, as noted in ¶3.20 the Government intends to undertake a review of CIL guidance. Responses to these will be programmed at appropriate DPP meetings.

### **Plan-making – Current Local Plan**

- 3.3 The Local Plan and the Neighbourhood Plans together form the Development Plan for Leeds. The emerging documents of the Local Plan are the Site Allocations Plan (SAP) and Core Strategy Selective Review (CSSR), which are now at a highly advanced stage and nearing adoption.
- 3.4 Following consultation on the Inspector's Main Modifications for the **CSSR**, and subject to receipt of an Inspector's Report in early July (est), DPP may consider the CSSR again at its 17<sup>th</sup> July meeting. At that stage this will involve recommending to Executive Board that it, in turn, recommends to Full Council that the Core Strategy Selective Review be adopted.
- 3.5 The Inspector's Report for the **SAP** is anticipated by the end of May. It is anticipated that at its 20<sup>th</sup> June meeting DPP can consider recommending to Executive Board that it, in turn, recommends to Full Council that the Site Allocations Plan be adopted.

- 3.6 Members are reminded that at this stage (as noted in the April 2019 report to DPP) that both plans can have significant material weight attached to them.

### **Plan-making – Site Allocations Plan Review**

- 3.7 The SAP Inspectors' modified the Plan to only release land for allocation up to 2023 and to commit the Council to a review of the SAP, in order that in planning for the period beyond 2023 the Council could take account of the lower CSSR housing requirement. A consequence of this was the reduction in Green Belt land to be removed for housing from 12,500 homes to 4,500 homes.
- 3.8 This **SAP Review** (SAPR) will need to comply with the Town and Country Planning (Local Planning) (England) Regulations 2012. The first stage of the review will therefore involve evidence gathering and public consultation on its scope and require Executive approval. Subsequently, Executive Board can endorse publication of a draft submission plan for consultation having assessed reasonable alternatives and fulfilled legal requirements of sustainability appraisal, Duty to Co-operate and other regulations. Council will then be able to approve submission to the Secretary of State for independent hearings having considered and addressed any consultation responses made. The SAPR would then need to be subject to an examination process to hear consultation responses and may be adopted by Council subject to any modifications needed to make the plan sound as recommended by the Inspector.
- 3.9 For a plan of limited scope this process need not be too onerous and it is anticipated that the SAPR could take in the region of up to 2 years between scoping and examination; similar to the CSSR. It is estimated that officers can prepare a consultation scoping document for consideration of DPP at its 16<sup>th</sup> October 2019 meeting. This will need to follow on from the Adoption of the CSSR and SAP.

### **Plan-making – Future Local Plan**

- 3.10 The NPPF requires that local authorities review policies in plans every 5 years to see if they need updating. There are 204 policies across the current Development Plan<sup>1</sup> (excluding Neighbourhood Plans). These are being considered against several criteria:
- What does legislation / national policy say?
  - Are they working? Are they relevant?
  - Has their evidential basis changed? Are they time expired?
  - Are they in line with Council priorities?
- 3.11 Having considered these criteria, short topic papers will be prepared which assess the need for any update. It is proposed that these topic papers be grouped as follows, to align with the objectives of sustainable development and the headings in the NPPF:

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<sup>1</sup> The Development Plan comprises saved UDP policies, Core Strategy, Aire Valley Leeds Area Action Plan, Natural Resources and Waste Plan and will include the SAP and CSSR once adopted as well as any made Neighbourhood Plans.

#### Topic 1: *Spatial Strategy*

- Achieving sustainable development
- Meeting the challenge of climate change
- Making effective use of land
- Plan-making

#### Topic 2: *Economy*

- Building a strong, competitive economy
- Ensuring the vitality of town centres
- Promoting sustainable transport
- Supporting high quality communications

#### Topic 3: *Social*

- Delivering a sufficient supply of homes
- Achieving well-designed places
- Promoting healthy and safe communities
- Gypsies and Travellers

#### Topic 4: *Environmental*

- Meeting the challenge of flooding
- Protecting Green Belt land
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment
- Facilitating the sustainable use of minerals
- Managing Waste

3.12 Each topic paper will summarise the review of the policies, which are pertinent to that topic area and recommend whether policies need to be either a) maintained, b) reviewed, c) deleted or d) looked at in more depth – perhaps through a need to gather more evidence. Key to this process will be understanding the most efficacious plan making approach within given resources and the need to progress the SAPR. Consideration will also need to be given to the over-lapping nature of the topics in deciding next steps.

3.13 It is expected that a more detailed discussion on the shape of a Local Plan Review can be held at the July meeting with Topic Papers being considered at four consecutive meetings between September and December. Following that, officers will then be able to consider feedback and an approach to drawing these topics together. Thereafter, DPP will be able to consider the proposed scope of any Local Plan Review at its March 2020 meeting.

3.14 One of the things to discuss will be the shape/nature of the Plan and whether there is a need to simplify the policy messages being given so as to be relevant to a wider audience and make it easier for local engagement.

#### **Neighbourhood Planning**

3.15 There are 35 designated neighbourhood areas and 13 Made neighbourhood plans in Leeds, as well as three new areas yet to be designated (Chapel

Allerton, Chapeltown and Mabgate and Lincoln Green). It is suggested that DPP will be updated on the following:

- Progress of neighbourhood plans
- Lessons learnt and good practice
- Implementation and monitoring issues

### **Supplementary Planning Documents**

3.16 Supplementary Planning Documents (SPDs) add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues. SPDs are a material consideration in planning decisions, but are not part of the Development Plan. Members considered the current suite of SPDs at their meeting in April. As part of the work programme there are three SPDs in preparation as follows:

- A revised *Statement of Community Involvement*: this will set out how the Council intends to involve the community, neighbourhood planning groups and other stakeholders throughout the preparation and review of the Local Plan and during the consideration of planning applications. It will be drafted for comment at the 20<sup>th</sup> June meeting of DPP prior to formal consultation for a period of 6 weeks.
- A *Homes in Multiple Occupancy and Purpose Built Student Accommodation standards SPD*: this will address the detailed issues around planning for a range of types of quality homes, which are not covered in detail by policies on space standards in the Local Plan. A consultation stage scoping document is proposed to be prepared for DPP to consider at its December meeting.
- A *Transport SPD*: this consolidates 4 Highway and Transport related SPDs which all require updating and amending into a web-based resource. This is a highly detailed and technical SPD. Consideration is being given as to the appropriate manner in which to brief Members on this and whether this be considered through the Joint Plans Panel.

### **Development Briefs**

3.17 Development Briefs assist bringing forward comprehensive development on larger sites or in particular areas of the City, offering an opportunity to frontload development proposals prior to an application being submitted. At its November 2016 meeting DPP considered a schedule of potential development briefs. This is updated for information, as follows:

- *East Leeds Extension* – SPD Adopted in 2018 and sets out a development framework for the sustainable delivery of circa. 5,000 homes and contains a policy mechanism for the East Leeds Orbital Road contribution
- *Redhall* – brief completed and Adopted in 2017
- *East of Otley* – first draft brief prepared and proposed for formal consultation in Summer
- *Kirkstall Road* – part of a wider West End Riverside Framework being prepared by Regeneration and Planning

- *Land to the East of Wetherby* – application submitted in advance of development brief being prepared
- *Stourton Grange South, Garforth* – deleted from SAP
- *Parlington* – deleted from SAP
- *Land south of Rawdon Road, Horsforth* – deleted from SAP
- *Haighside, Rothwell* – deleted from SAP
- *Bradford Road/Wakefield Road, Gildersome* – deleted from SAP

3.18 In addition to the above, development briefs are in preparation for the following sites:

- *Leeds Bradford Airport* – to focus on the development of employment land, the airport operational land boundary to the north of Whitehouse Lane and improved surface access links. It is proposed that a draft brief be considered by DPP towards the end of the year
- *Harewood and Eastgate Quarter* – to update policy previously set out in an SPD which is now out of date, following initial phase of Victoria Quarter and mixed-use aspirations which reflect heritage, transport and “City Spaces”

### **Implementation**

3.19 It is anticipated that the Council will have a complete Local Plan by the autumn with strategic policies, site allocations and an area action plan for the Aire Valley. Not only are some of these policies new but existing policies will be able to be implemented with full weight upon demonstration of a 5 year housing land supply. Officers are preparing internal implementation guidance notes on specific areas as follows:

- a) *Local Plan clarity* – to provide an assessment of how up to date policies are in the Local Plan (particularly the saved Unitary Development Plan and Natural Resources and Waste Plan which are both more than 5 years old).
- b) *Climate Change* – to re-affirm the existing policy framework that is already in place to help adapt to and mitigate the impacts of climate change and encourage proposals which better meet these existing aspirations and consider what else the Council can do through the planning system
- c) *Consultation advice in decision taking* – improving internal processes of consultation so as to provide clearer and more consistent guidance on implementation of Development Plan policies and SPDs
- d) *Employment* – to consider through decision taking the initial findings of up to date evidence on employment needs, the implications of employment losses in particular areas and a consistent approach to mixed-use schemes
- e) *Affordable Housing* – to provide guidance on application of Policy H5 of the Core Strategy including housing mix, distribution on site, build-to-rent, service charges, commuted sums and standard S106 agreements. There will also be an annual indexation update of benchmark transfer values by the end of May using a methodology previously endorsed by DPP
- f) *Green Space* – to provide guidance on revised CSSR policies to achieve better quality spaces to meet local needs on-site and direct provision to priority locations

- g) *Housing Mix* – to clarify the implementation of Policy H4 of the Core Strategy and ensure that the latest evidence in the SHMA and local area market assessments is reflected consistently
- h) *Health and wellbeing through planning* – to ensure that development proposals consider key principles of planning and design for health and wellbeing issues around active neighbourhoods, air quality, greenspace and cohesive communities . To also ensure that early engagement with health providers helps encourage delivery of social infrastructure in areas of housing growth (especially through the Council's One Public Estate programme)
- i) *Minimum Housing Space Standards* – to clarify the implementation of Policy H9 of the CSSR to include changes to the process of validating planning applications and guidance on
- j) *Accessibility* – to clarify the implementation of Policy H10 of the CSSR to achieve accessible dwellings as part of new residential developments to meet the needs of residents. In addition, to provide a toilet strategy which will cover the need for non-gender toilets and also changing places.
- k) *Neighbourhood Planning* – to consider best practice as regards the making and implementation of neighbourhood plans

3.20 Officers have also prepared a Housing Delivery Strategy. This brings together information about a range of projects, programmes and strategies that are in place to boost the delivery of new housing across the city and will be discussed at the July meeting.

3.21 Members may also consider the value in having an update on student housing; including recent work on needs and how Policy H6 is applied, including in terms of methods of judging unacceptable levels of concentration.

### **Infrastructure**

3.22 The Government has signalled that it wishes to undertake a wholesale review of the Community Infrastructure Levy (CIL) in order to simplify it, for some time now. It undertook a second technical consultation on CIL in January 2019, this indicated that the Regulation 123 list could potentially no longer be required. However, the next steps and outcomes of this consultation are awaited. At a point when Government release further consultations DPP may consider the Council's response.

3.23 The Council maintains and updates an Infrastructure Delivery Plan (IDP) which sets out policies and programmes for infrastructure in one document. This is being reviewed and will be updated by the end of the summer. It has supported plan preparation including the SAP.

3.24 Policy & Plans Group also supports a range of specific infrastructure projects through planning advice and the wider implications of infrastructure and how it aligns with the policies and allocations of the Development Plan. This has recently included: supporting delivery of the East Leeds Orbital Road at Inquiry, advice on Flood Alleviation Scheme 2, supporting Housing Infrastructure Finance bids to Government and ongoing work on the options for an Airport Link Road.

3.25 One specific area where DPP may wish to be updated is in relation to the ongoing detailed technical work for High Speed 2 (HS2). The next consultation stage will be during the summer where further detail on the broad design framework, route and areas to be safeguarded will be provided.

### **Evidence Base**

3.26 The Council maintains a planning evidence base on specific land-use issues which helps inform plan-making and implementation. The following items are due to be considered this year:

- *Employment Land Review* – updated assessment of employment needs and sectoral growth for the City
- *Employment Land Assessment* – updated assessment of the land available for particular employment uses
- *Housing Land Availability Assessment / 5 year supply statement* – pipeline of housing sites, their estimated delivery timescales and assessment of deliverable supply to meet up to date targets
- *Strategic Flood Risk Assessment* – update to take account of Flood Alleviation Scheme and revised national guidance including on planning for climate change scenarios
- *Retail Assessment* – update to understand the impact of recent retail schemes on centres and retail gaps – link in with wider consideration about the role of local and town centres

3.27 The headlines of these technical evidence bases will be considered by Members as they are completed. Where topics may require wider debate or revised approaches, such as the approach to retail, options can be considered by DPP.

3.28 As well as the topic based assessments and reviews, another important strand of evidence is the ongoing monitoring of the effectiveness of our policies through the Authority Monitoring Report

## **4. Corporate Considerations**

### **4.1 Consultation and Engagement**

4.1.1 Discreet work programme items will require a range of consultation approaches ranging from internal to statutory consultation with the public.

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

4.2.1 Equality is an integral part of plan-making. Equality Impact Assessment screenings are undertaken at key stages of the process to ensure that equality considerations are embedded in policies. There will be an internal review of these arrangements this year to ensure that the latest guidance is being addressed.

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

4.3.1 The work of the Policy & Plans Group directly supports all seven Best City priorities within the Best Council Plan (2019/20 – 2020/21).

#### **4.4 Climate Change Emergency**

4.4.1 A climate emergency was declared at Council meeting 27th March 2019. It is therefore important to understand the role of the forthcoming work programme on climate change. The Development Plan already contains a wide range of policies specifically focussed on climate change, from dealing with the adverse impacts such as flooding and water scarcity to future proofing new buildings. The work programme in this report contains a Local Plan Review, which will look at what more can be done to help plan for a low carbon future by ensuring environmentally-friendly choices, in everything from transport to how buildings are designed. The Local Plan Review also identifies opportunities for supporting a move towards more low carbon energy generation and an increase in local low carbon technologies. The work programme also contains projects to focus on the implementation of existing policies to ensure that they are succeeding in meeting the Council's aspirations for climate change adaptation and mitigation.

#### **4.5 Resources and Value for Money**

4.5.1 The costs of the work of the Policy & Plans Group will be met from existing budgets.

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

4.6.1 The preparation of Development Plan Documents 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). Development Plan Documents fall within the Council's budget and policy framework.

#### **4.7 Risk Management**

4.7.1 This paper sets out the programme of work aimed at providing an up to date Development Plan which is in line with National Guidance and ensures that the Council takes quality and consistent planning decisions in line with the provisions of the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) Regulations 2012 (as amended).

### **5. Conclusions**

5.1 This report sets out the work programme for Development Plan Panel for the coming year. This is chiefly based on the work programme of the Council's Policy and Plans Group which is responsible for preparing and helping to implement the Development Plan.

### **6. Recommendation**

6.1 Development Plan Panel is invited to note and comment on the work programme as set out in this report.

## Appendix 1: Headline Policy & Plans Group Tasks 2019/20

### Plan-Making

1. Adopt Site Allocations Plan (July)
2. Adopt Core Strategy Selective Review (Sept)
3. Scope & commence Review of the Site Allocations Plan (Autumn)
4. Start review of the Local Plan to see what needs updating (Autumn)
5. Maintain and update Policies Map in line with Adopted Plans (Winter)
6. Support preparation of Neighbourhood Plans (Ongoing)

### Supplementary Planning Documents

7. Consult on revised Statement of Community Involvement (Oct)
8. Prepare Homes in Multiple Occupancy and Purpose Built Student Accommodation standards SPD (Dec)
9. Support a Transport SPD (May)

### Development Briefs

10. Harewood and Eastgate brief (June)
11. Leeds Bradford Airport brief (Winter)
12. East of Otley brief (Summer)

### Implementation

13. Comment on planning applications and pre-application proposals (ongoing)
14. Input into LCC programmes (ongoing)
15. Produce an Authority Monitoring Report for 2018/19 (Sept)
16. Prepare Housing Implementation Strategy (Jun)
17. Prepare Student Housing Report (Sept)
18. Produce implementation guidance notes on:
  - a. Local Plan clarity
  - b. protocol to assist in decision taking
  - c. employment
  - d. affordable housing
  - e. green space
  - f. housing mix
  - g. health and wellbeing through planning
  - h. climate change
  - i. Neighbourhood Planning
  - j. accessibility

### Infrastructure

19. Update Infrastructure Delivery Plan (July)
20. Respond to CIL guidance changes (TBC)
21. Support delivery of East Leeds Orbital Road (ongoing)
22. Respond to consultations from HS2 Ltd as they arise (ongoing)
23. Advise on Leeds Flood Alleviation Scheme 2 (ongoing)
24. Support Housing Infrastructure Finance bids (ongoing)
25. Support ongoing work on Airport Link Road (ongoing)

### Evidence

26. Refresh Employment Land Review / update Employment Land Availability Assessment (Autumn)
27. Update Strategic Flood Risk Assessment to take account of climate change allowances and national guidance (Feb 2020)
28. Update Retail Assessment (Jan 2020)
29. Maintain Strategic Housing Land Availability Assessment / 5 year supply (Sept)

### Other

30. Assess approach to Equalities Impact Assessment in line with national guidance (Nov)
31. Prepare internal "how to" guides for plan making, Sustainability Appraisal, consultation, hearings, SPDs etc as learning outcomes of recent Local Plan examinations
32. Maintenance of Policy & Plans Newsletter

### Data

33. Support Council's future arrangements for GIS (ongoing)
34. Establish GDPR compliant consultation database (Oct)
35. Update Land and Property Gazetteer (ongoing)
36. Deliver Street Naming and Numbering service (ongoing)

## Appendix 2: Forward Plan of Development Plan Panel Meetings

<b>DATE 2019/20</b>	<b>TOPICS</b>	<b>NATURE OF DECISION</b>
WEDS 15TH MAY	1. DPP Work Programme (M Elliot)	Consider and agree
	2. Core Strategy Selective Review Main Modifications (R Coghlan)	Recommend to Executive Board
TUES 20TH JUN	3. Adoption of Site Allocations Plan (L Pickering)	Recommend to Executive Board
	4. Draft Statement of Community Involvement (H Suggate)	Consider and endorse for period of public consultation
TUES 17TH JUL	5. Adoption of Core Strategy Selective Review (R Coghlan)	Recommend to Executive Board
	6. Guidance on achieving better Housing Mix (S Hellewell)	Consider and agree
	7. Housing Implementation Strategy (M Brook)	Consider and agree
	8. Local Plan Review - Next Steps (M Elliot)	Consider and agree
TUES 11TH SEPT	9. Local Plan Review – Topic 1: Spatial Strategy / Climate Change (M Elliot & H Miller)	Consider and agree
TUES 16TH OCT	10. Local Plan Review – Topic 2: Economy, Retail & Transport (P Bingham)	Consider and agree
	11. Site Allocations Plan Review – scope for consultation (L Pickering)	Recommend to Executive Board
	12. Gypsies & Travellers update on implementation and policy review (L Pickering)	Consider and agree
	13. Strategic Housing Land Availability Assessment (M Brook)	Consider and agree

<b>DATE 2019/20</b>	<b>TOPICS</b>	<b>NATURE OF DECISION</b>
TUES 13TH NOV	<p>14. Local Plan Review – Topic 3: Housing, Health, Standards (R Coghlan)</p> <p>15. High Speed 2 Update (P Bingham)</p> <p>16. Local Development Scheme Update (M Elliot)</p> <p>17. Statement of Community Involvement – Consideration of comments and Final Draft for Consultation (H Suggate)</p>	<p>Consider and agree</p> <p>Note</p> <p>Consider and agree</p> <p>Consider and agree to consult on final draft</p>
TUES 18TH DEC	<p>18. Local Plan Review – Topic 4: Environmental Policies / Minerals &amp; Waste (H Miller/J Howrie/ S Hellewell)</p> <p>19. Leeds Bradford Airport Development Brief (J Howrie)</p> <p>20. Housing Standards SPD Scope (R Coghlan)</p>	<p>Consider and agree</p> <p>Consider and agree</p> <p>Consider and endorse for period of public consultation</p>
TBC JAN 2020	21. Authority Monitoring Report (TBC)	Consider and agree
TBC FEB 2020	22. SAP Review – Consultation Outcomes and Next Steps towards a Publication Draft Plan (L Pickering)	Consider and agree
TBC MAR 2020	23. Local Plan Review – Next Steps and Shaping Future Plan-making (M Elliot)	Consider and agree