

Leeds Local Plan Update

Date: 23rd June 2022

Report of: Director of City Development

Report to: Climate Emergency Advisory Committee

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

What is this report about?

Including how it contributes to the city's and council's ambitions

- This report is submitted in support of a presentation to be given to the Committee which will provide an update on the development of the Leeds Local Plan.
- The Committee is advised that the CEAC meeting on 24th October 2022 will consider a further report as part of the formal consultation on the Leeds Local Plan planned for October to November 2022.

Recommendations – Members are requested to:

- a) Note the contents of this report and the presentation

Why is the proposal being put forward?

- 1 Planning has a role to play in reducing carbon emissions and ensuring that places in Leeds can adapt to climate change. In June 2021 Executive Board agreed to update and create new policies; make consequential changes, within the Adopted Leeds Core Strategy (amended 2019), the Natural Resources and Waste Local Plan (2013) and Unitary Development Plan (2006) which focus on: carbon reduction, flood risk, green infrastructure, place-making and sustainable infrastructure in order to adapt to and mitigate the impacts of climate change and ensure the delivery of sustainable development within the Leeds Metropolitan District for a period of at least 16 years from Adoption. This is known as Local Plan Update 1 (LPU1).
- 2 LPU1 is the first of two updates and LPU2 is a separate plan making exercise that will be scoped later this year; to potentially include issues such as housing, employment and town and local centres.

Wards affected:

Have ward members been consulted? Yes No

What impact will this proposal have?

- 3 LPU1, once adopted, will take climate change mitigation and adaptation matters into account when planning applications are determined. National guidance states local planning authorities (LPAs) may give weight to policies in emerging plans according to: a) their stage of preparation; b) the extent to which there are unresolved objections; and c) the degree of consistency with the National Planning Policy Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 4 Leeds has a Local Plan with existing policies aimed at addressing climate change; ranging from a spatial strategy, which encourages growth in sustainable locations, to detailed policies on carbon reduction, green infrastructure, flood risk, biodiversity, heat networks, electric vehicles, renewable energy generation, air quality and tree replacement. However, these policies largely pre-date the declaration of the Climate Emergency in March 2019 and the aspiration to achieve net zero carbon emissions by 2030. To ensure that the existing suite of policies is heightened and maximised in the meantime, work has been undertaken on officer training and awareness raising, so that Council decisions are as aligned with the Climate Emergency as they can be using existing policies. This work has also formed the basis for Member training on planning, climate change and sustainable development.
- 5 LPU1 has been prioritised to provide a suite of revised statutory development plan policies to improve the quality of development in Leeds and directly help tackle the climate emergency. Although it is recognised that in so doing the policies to be refreshed have wider impacts on biodiversity, health and well-being and inclusive growth. To that end, LPU1 focusses on the areas as set out in **Appendix 1** of this report. These areas will be covered in a presentation to CEAC by the Head of Strategic Planning.

What consultation and engagement has taken place?

- 6 Following the Executive Board approval in June 2021 public consultation was carried out between July and September 2021. Nearly 800 submissions were made with the vast majority (circa 87%) supporting the LPU's focus, with respondents being encouraged by the proposed direction the Plan will take. There were concerns from the development industry as to the deliverability of the policy ambitions and the costs burdens this would place on development, already constrained by other planning burdens and a difficult economic climate.
- 7 A series of officer and Members workshops were held in the Spring 2022 (including with CEAC working group Members in March) where the emerging suite of policy areas was described. The development industry has been involved through specific workshops and the Leeds Climate Commission has been informed of progress and has participated in some evidence gathering.

What are the resource implications?

- 8 The LPU1 policies will be subject to independent examination and tested against specific criteria as set out in the NPPF. Much of the time since the last consultation has been spent focussing on these areas, including commissioning necessary evidence work around renewable and low carbon energy potential, 20-min neighbourhoods, carbon reduction and viability.

What are the legal implications?

- 9 Since the LPU is a statutory document it has to pass legal tests such as co-operation with neighbouring authorities, Strategic Environmental Assessment and consultation. In many cases the Council is seeking to go beyond a simple local reflection of national guidance. It is therefore critical to the plans success that its policies be well evidenced.

What are the key risks and how are they being managed?

- 10 Production of the LPU is dependent on resources that have been affected by the pandemic during early 2022. This has created slight delays to the timetable for Publication of the policies, but the team is confident that these delays can be made up at later stages of plan-making.
- 11 Changes to Government guidance are a key risk to the LPU and the Government has begun a review of the planning system via the Levelling Up Bill. The National Planning Policy Framework is also due to be revised with national Development Management policies, which could constrain a LPAs ability to set local policy. It is hoped that changes will provide a firmer basis for LPAs to tackle the climate crisis in the manner set out in the LPU1 policies, but until both planning law and guidance are clarified it is not possible to know that at this stage. Officers are engaging with DHLUC to ensure that proposals are foresighted by Government and are engaging on consultations as they arise.

Does this proposal support the council's three Key Pillars?

- Inclusive Growth Health and Wellbeing Climate Emergency

- 12 There is a clear role for planning in delivering against all of the Council's pillars as established through the Best Council Plan. At this early stage of preparation, the subject of the LPU could contribute positively to the Council's key strategies, as follows:
- Climate Emergency – by managing the transition to zero carbon via policies including: increasing the energy efficiency of buildings, the design of places, the location of development, accessibility to public transport, renewable energy supply and storage;
 - Health and Well-being Strategy – through people-centred policies including the design of places, quality of housing and accessibility to green infrastructure and services;
 - Inclusive Growth Strategy – through policies including the links between homes and jobs, the location of development, green infrastructure, and connectivity.

Options, timescales and measuring success

What other options were considered?

- 13 Not progressing the Local Plan Update in the form proposed could result in key adopted policies relating to the climate emergency being out of date. It would also mean that the Council would not be maximising opportunities to help address the climate emergency and the ambition to be net zero carbon by 2030, through Local Plan policies

How will success be measured?

- 14 Success will be measured by the adoption of a LPU which introduces planning policies that help address the climate emergency.

What is the timetable for implementation?

- 15 The Local Plan Update has a provisional timetable of Adoption late 2023. The next key milestone will be further public consultation on publication policies in October 2022 with submission to the Planning Inspectorate early 2023.

Appendices

- 16 None

Background papers

- 17 None

Appendix 1 – Overview of policy topics being considered by the LPU1

Topic Area	Policy Areas Considered
Climate Change	<ul style="list-style-type: none"> • overall strategic policy on climate change mitigation and adaptation • clarifying the role that development plays in meeting this • establishing links between carbon reduction, health & well-being and inclusive growth • encouraging considerations of climate change mitigation and adaptation to be explicit within policy making and development proposals
Carbon Reduction	<ul style="list-style-type: none"> • requiring a whole life carbon cost assessment for all buildings to be set out for each planning application to ensure that the full emissions impacts of development are understood and recorded (but not determinative to planning permission as this will initially be about intelligence gathering) and include: <ul style="list-style-type: none"> ○ transportation of materials ○ embodied carbon in construction materials ○ operational emissions ○ demolition / recycling of materials • reducing carbon emissions from all buildings by setting standards for carbon emissions associated with the building’s operational energy that are above 2025 Future Homes Standard building regulations and ensure “zero carbon ready” buildings alongside consideration of carbon off-setting • requiring that sustainable construction standards for all buildings are met by reference to an approved list that helps to address a number of areas • requiring that development takes an energy hierarchy approach including plugging into heat networks • identifying suitable opportunity areas for the delivery of wind, solar and geothermal energy generation as well as support for wider specific energy generation technologies and for energy storage
Flood Risk	<ul style="list-style-type: none"> • considering flood risk for all development commensurate with the degree of potential risk – supported by a refreshed Strategic Flood Risk Assessment for Leeds (which takes into account implications of climate change) and which explicitly sets out a need for flood risk assessments • ensuring that flooding on-site and / or elsewhere is not increased by new development • preventing development in the functional flood plain unless it replaces existing development in a suitable construction manner • taking account of water on site, have no increase in surface water run-off and to favour Sustainable Drainage Systems • securing on-site water management measures in perpetuity so that homeowners do not “pave over” gardens etc
Green & Blue Infrastructure	<ul style="list-style-type: none"> • clarifying the role of strategic Green Infrastructure for Leeds, its protection, enhancement, and extension • protecting trees for their carbon value as well as their amenity and increase their carbon value and number if unavoidably lost to development • encouraging developers to front load considerations of the environment (“natural capital”) on development sites including but not limited to biodiversity and nature conservation, trees, and opportunities for green infrastructure connections

Topic Area	Policy Areas Considered
	<ul style="list-style-type: none"> • strengthening the quality of new green space delivered in association with new developments • recognising the need for more open spaces in the inner city to assist with climate change adaptation • encouraging local food growing in both urban and rural areas
Place-making	<ul style="list-style-type: none"> • directing development in accordance with 20-minute neighbourhood principles • setting local place making standards inc. encouraging higher density developments that are built to higher urban design and place making principles and align with the Connecting Leeds Strategy • clarifying the approach required to overall design quality in Leeds • facilitating active travel • requiring health impact assessments with all developments
Sustainable Infrastructure	<ul style="list-style-type: none"> • setting out the ambition and expectation of the redevelopment of Leeds Station including design principles and integration with the wider area through green infrastructure • supporting Mass Transit and establish requirements to ensure that it stimulates investment, regenerates, and maximises positive place making • requiring new developments to provide digital connectivity from the outset • considering the need to update the policy on Leeds Bradford airport