



Agenda Item:

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Report of the Director of City Development

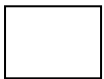
Development Plan Panel

Date: 22nd June 2010

Subject: Leeds LDF Natural Resources and Waste DPD: Analysis of Consultation Responses

Electoral Wards Affected:

All



Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. At Development Plan Panel on 11 May, members received a report concerning the Leeds LDF Natural Resources and Waste Development Plan Document Policy Position Report, setting out an initial report of consultation and a headline summary of the comments received.
2. The purpose of this report is to provide further detailed consideration of the comments received and an indication of the Council response.

1.0 Purpose of this report

- 1.1 At Development Plan Panel on 11 May, members received a report concerning the Leeds LDF Natural Resources and Waste Development Plan Document Policy Position Report, setting out an initial report of consultation and a headline summary of the comments received. The purpose of this report, is to provide further detailed consideration of the comments received and the proposed Council response. This also gives an indication of further work that is needed on the Document and some of the issues that need to be addressed.

2.0 Background information

- 2.1 Members are aware that a series of Development Plan Documents are currently being prepared as part of the Local Development Framework. Once adopted, these will form part of the statutory Development Plan for Leeds, setting out a framework for planning decisions and where appropriate, site specific allocations. The Natural Resources and Waste Development Plan Document (NR&W DPD) is one of these documents. It is intended to provide a basis for planning decisions regarding six key natural resource themes: land use, waste, minerals, water, air quality and renewable energy. It intends to ensure, as much as possible, that our natural resources are used in a responsible way.
- 2.2 Following consideration of the 'Policy Position Report' by Development Plan Panel on 13th October 2009, a period of informal public consultation was undertaken across the District from 18th January to 1st March 2010. In support of this, a range of consultation activity has taken place. In response to this consultation activity a number of comments have been received. These are summarised in section 3 below and a more detailed summary scheduled is attached as Appendix 1 to this report.

3.0 Main issues

- 3.1 The purpose of the NR&W DPD is to set out where land is needed to help society manage natural resources like minerals, energy, water and waste over the next 15 years and help us to use our scarce resources in a more efficient way.

Specific representations and Leeds City Council responses

- 3.2 Land Use (Contaminated Land, Tree- Planting and Canal and Rail Freight)
Policies include the safeguarding of existing rail sidings and canal wharves in order to protect our ability to transport materials by canal and rail. There are also policies to encourage the remediation of contaminated land and urban tree planting.
The policy which proposes to safeguard existing rail sidings and canal wharves has received tremendous support, such that it has been featured on television (Look North) and has been the subject of a number of articles in the Evening Post and in the national 'Planning' journal. Leeds has been held up as an example of good practice in enabling a modal shift from road freight to canal and rail freight. Other Local Authorities are being encouraged to follow our lead. Network Rail have supported the policy in principle but objected to the safeguarding of two identified rail sidings due to the fact they are not big enough for freight purposes. They have suggested alternative sidings instead and would also like the DPD to encourage the provision of an intermodal terminal somewhere along the Holbeck to Stourton line.

A number of barge operators have stated that they are keen to pursue opportunities for water based freight to and from Leeds and have suggested further sites for wharves that they would like the Council to safeguard. Officers are assessing these proposals. However the safeguarding of wharves is an area of potential conflict with housing proposals, as canal-side housing is also seen as attractive. It is important for us to support the uses which are most appropriate to rail and canal and to the wider benefit of Leeds. In this respect, the ability for industry to be able to bring materials in and out by canal and rail has enormous benefits in reducing HGVs, congestion and pollution and helps to support a secure employment base for the City. It has also become apparent that there are wider interests in freight beyond the mineral and aggregates elements relevant to this DPD and therefore it might be appropriate for this DPD to look at use of freight for all materials and goods, not just those associated with the minerals and waste industry.

A lot of support for urban tree-planting was received, for example from the Civic Trust, Natural England and Friends of the Earth.

3.3 Minerals

Policies aim to ensure that we have a sufficient supply of minerals to meet demand. This is done by safeguarding existing sites and allocating new sites and/ or extensions to existing sites. We have called these Mineral Safeguarding Areas (MSAs).

A number of responses, including from Government Office for Yorkshire and the Humber (GOYH) and the Coal Authority have objected to our interpretation of Minerals Planning Guidance. The Guidance states that Mineral Safeguarding Areas should be used to identify where resources exist so that we can ensure that they are not unnecessarily sterilised by development. This does not mean that applications for extraction in an MSA will be viewed favourably. The Coal Authority points out that the failure to include an MSA for coal is contrary to Minerals Planning Guidance. In order for the DPD to be found sound at Examination in Public it is necessary to carry out further research, agree our definition of MSAs and provide maps showing the locations of MSAs. This will need to include MSAs for coal and fireclay, building stone and sand and gravel.

A number of respondents have commented that there is a need for sub-regional apportionment, particularly for sand and gravel extraction.

Additionally, a number of respondents have objected to the Policy Position which gives a presumption in favour of restoration of quarries to alternative uses from landfill and the lack of any further provision for landfill. Leeds has resisted identifying more landfill sites but to support this position it will be necessary to clearly demonstrate that no further landfill provision is necessary, or make provision if this cannot be shown.

Of those who responded to the minerals question, the majority are in support of the protection of existing minerals sites in continued mineral use and for the safeguarding of existing concrete and asphalt plants.

3.4 Energy

Policies aim to encourage the use of renewable energy and to provide criteria for assessing suitable locations for wind energy development. A table is included which shows how the Regional Spatial Strategy target for grid-connected renewable energy generation could be achieved from different types of renewable energy (and thus help to meet the Government's national target for renewables. There is an

overwhelming majority in support of encouraging renewable energy. There are limited responses to the wind energy policy but of those that did respond, the majority are in support. Concerns were raised about the effectiveness of wind energy. A number of respondents would like us to state more specifically which areas of the District are suitable for wind energy development. This reflects comments that were also made on the Core Strategy Preferred Approach consultation. In response to these comments it would clearly be helpful to identify Areas of Search for large scale wind energy development. Additionally, the Council needs to be proactive about renewable energy in order to achieve respectable production levels.

3.5 Water

The DPD contains a suite of policies designed to help manage flood risk from both river flooding and surface water flooding. There are also policies to encourage water efficiency and minimise water consumption. There is a lot of support for our approach to managing flood risk. However, a number of respondents have asked for greater emphasis on reducing water consumption and improving water quality.

3.6 Air Quality

Policies aim to require all developments to incorporate measures for improving air quality where appropriate and to consider the potential for the introduction of Low Emission Zones and Low Emission Strategies. There was a lot of support for Low Emission Strategies, however the identification of Low Emission Zones met with mixed reactions with some people in support, others opposed and some wanting to know more specifically whereabouts the zones would be located before they would support or object to them.

Officers in the Environmental Studies Team in the Transport Planning Section are currently looking at Low Emission Zones and there will need to be a lot of further consultation on this issue if it continues to emerge as a direction of benefit.

3.7 Waste

Policies set out our approach for providing sufficient land to enable us to manage all the different types of waste over the plan period. This is done by safeguarding many existing waste management sites where appropriate, allocating four new strategic waste sites and identifying industrial estates as preferred locations which have the potential to provide more waste facilities within them. There are no new landfill sites allocated because it is thought that there are already sufficient approved landfill sites to meet the need for the plan period. However there are a number of respondents, including GOYH, who object to the lack of any further provision for landfill. There are no new allocations proposed for hazardous waste. However there is a known shortage of sites in the Leeds City Region for disposing of hazardous waste.

In January earlier this year officers met with the Planning Inspectorate for a review of our approach towards the production of the Natural Resources and Waste DPD. The Inspector recommended that the Council should, as far as possible, attempt to quantify our existing waste capacity and ensure that we demonstrate an ability to provide for the forecasted waste until 2026, including each different waste stream. Further work on refining our current management capacity is underway and officers have met with adjoining authorities to attempt to gather information on waste movements across boundaries.

4.0 Next Steps

- 4.1 Changes in national policy, advice from the Planning Inspectorate and representation responses, have made it clear that further work is necessary.
- 4.2 Discussions have taken place with Network Rail and adjoining Local Authorities and further discussions are planned with British Waterways and the Environment Agency. Evidence needs to be analysed from the Coal Authority and British Geological Survey regarding the extent of mineral deposits. There is more work to do on the waste data to ascertain whether the provision of sites across the District is sufficient. The renewable energy section would benefit from a more proactive stance to ensure that we can help meet the Government's target for renewable energy generation. It would be helpful to identify Areas of Search for wind energy development and to give criteria for other kinds of renewables.

5.0 Implications for Council policy and governance

- 5.1 None, other than to reiterate that the Natural Resources and Waste Development Plan Document must be in general conformity with National Planning Policy and the emerging Core Strategy.

6.0 Legal and resource implications

- 6.1 Following the detailed consideration of all comments received and in line with recommendations from the Planning Inspectorate, it is necessary to undertake further technical work and research, to underpin particular policies. Subject to the scope of such work, it is likely that there may be resource implications in terms of staffing and the commissioning of technical work, as required. Such work and resource commitments will need to be addressed within the context of existing provision and the City Council's overall budget position and priorities.

7.0 Conclusions

- 7.1 This report has provided further analysis of the comments received in respect of the Natural Resources and Waste Development Plan Document Policy Position Report. In response to comments received the schedule attached as Appendix 1 details the changes and next steps in preparing the draft Publication document for Panel consideration in due course.

8.0 Recommendation

- 8.1 Development Plan Panel is recommended to:
- i) Note and comment on the contents of the report and the course of further action (as detailed in the Appendices) in preparing a draft Publication Natural Resources and Waste Development Plan Document.

APPENDIX

LCC RESPONSES TO REPRESENTATIONS ON THE NATURAL RESOURCES AND WASTE DPD POLICY POSITION REPORT

Appendix 2 – Responses on the Minerals theme

Appendix 3 – Responses on the Water Resources theme

Appendix 4 – Responses on the Air Quality theme

Appendix 5 – Responses on the Renewable Energy theme

Appendix 6 – Responses on the Waste theme.

