

Proposed scope of Local Plan Update 2

Date: 1st November 2022

Report of: Chief Planning Officer

Report to: Development Plans Panel

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

Brief summary

This report provides an overview of the potential scope of Local Plan Update 2. This will update planning policies that require review but do not directly relate to addressing the climate emergency (as these are being addressed through Local Plan Update 1). A series of topic papers, which identify some of the key issues and considerations for future planning policy are appended to the report. Comments are sought from Development Plans Panel on the proposed scope and topic papers, prior to these being developed into consultation material which will be brought back to a future DPP meeting.

Recommendations

Development Plans Panel is requested to;

- a) Note and comment on the proposed scope of LPU2 and the topic papers (appendix 1).
- b) Agree that the topic papers (appendix 1) should be developed into consultation material and brought back to DPP for endorsement.

What is this report about?

- 1 This report provides an initial overview of the proposed scope of Local Plan Update 2.
- 2 Local Planning Authorities are required to review their policies to assess whether they need updating at least once every five years. A full Local Plan Policy Review was completed and published in July 2020, which identified a number of extant policies that require update / amendment of varying scale and degree. This results from changes in evidence base, national or other local policy, or local circumstances since the adoption of these policies.
- 3 Having regard to available resources and Council priorities, it was considered necessary to prioritise the updating of these policies. This has resulted in those policies that relate to addressing the climate emergency (including carbon reduction, flood risk, green infrastructure, place-making and green & blue infrastructure) being the focus of Local Plan Update 1 (LPU1). The Local Development Scheme (June 2021) recognised that a subsequent Local Plan Update would be needed to consider a review of other matters not prioritised through LPU1, and changes to national guidance since July 2020.
- 4 As work on LPU1 advances, scoping out this second Local Plan Update (LPU2) can begin. This will seek to address the remaining policy areas identified as requiring an update and allow for consultation to ascertain if these remain the right suite of policy areas now. The policy areas identified to date are based on the outcomes of the 2020 review, views of elected Members, updates in National Guidance, and comments made through the consultation on LPU1 regarding non-climate change elements of the plan that are perceived to need an update.
- 5 Whilst the regulations¹ require a Local Plan Policy Review to be undertaken every 5 years, it is intended that a 'refresh' of the 2020 review will be undertaken to reflect on any changes that have been made to national policy or local circumstances since this time. Also, it is recognised that the Aire Valley Area Action Plan will be 5 years old in November 2022, and so whilst it was not within the scope of the original Local Plan Policy Review, it will need to be reviewed as part of this process. This work, combined with further consideration of the effectiveness of existing policy or the need for any additional planning policies to address other matters, may lead to additional policy areas being added to the potential scope of LPU2 outlined in this paper.

Objectives for LPU2

- 6 The overarching ambition for LPU2 is for it to be a plan that reflects the diverse places within the District; is based on the most up-to-date evidence of a wide range of needs; enables the right amount of development, of the right type and quality, to come forward in the right places; and is consistent with the National Planning Policy Framework and National Planning Practice Guidance. The plan will be developed through engagement with local communities, investors and the development industry and groups with an interest in Leeds – consistent with the Statement of Community Involvement and legislative requirements for consultation, combining what evidence is telling us about the needs for different types of development in different locations, what people want to see happen in their local area, and how we can best make provision for this through a clear strategy for directing growth and development across the District.
- 7 It will be essential that the Plan is underpinned by robust evidence, which is sufficiently fine-grained to enable an understanding of what it means for different parts of Leeds. This will enable the Plan to focus more directly on individual places. The integrated nature of the plan, which will set overall policies relating to the requirements and /or needs for different types of development as well as making allocations, will provide more clarity to those engaging in the process about the implications that decisions about overall strategy will have for particular

¹ The Town and Country Planning (Local Planning) (England) Regulations 2012

places. This will help support clear and open dialogue and discussions about the options and opportunities being considered.

- 8 There is an opportunity for LPU2 to be clearer about what is expected from development proposals on allocated sites. Housing allocations could, for example, specify the housing mix required, affordable housing provision, key parameters for the overall design and layout of the site, landscaping requirements etc. This will help to ensure that the expectation for quality is built into the plan at the outset, helping build trust with local communities and ensure that requirements can be taken into account by developers when buying sites and putting forward proposals.
- 9 In total, eight policy areas have been identified so far as requiring consideration for inclusion in LPU2. These are briefly summarised below, and further details on each are provided in the topic papers attached at appendix 1:
 - 1) **Spatial Strategy:** how growth and development will be directed across Leeds over the next plan period.
 - 2) **Housing:** the need for new housing over the plan period, including overall requirements, the mix and type of housing, specialist housing needs (including self-build, older persons accommodation, student accommodation (inc. affordable student housing), co-living, HMOs, accessible housing), the needs for affordable housing (and provision for first homes) and the need for sites/plots for Gypsy and Travellers and travelling show-persons. Requirements for overall housing will be based on the Government's 'Standard Method' (as updated / amended). The current Local Housing Need (LHN) figures suggest an increase of around 900 units per annum on the current Core Strategy target. This would necessitate land allocations for new sites over a new plan period. This could require the release of Green Belt land and innovative approaches to the provision of affordable housing that do not exclusively rely on developers to provide a proportion.
 - 3) **Economic development:** the amount and type of land needed for employment development, the safeguarding of existing employment sites and the approach to tourism / tourism accommodation. Early indications suggest that additional employment land is likely to be required.
 - 4) **Role of centres:** the role / function of our centres in light of the pandemic and continued changes in shopping habits; how we plan for changes in planning law, policy and guidance, including Class E, the permitted development rights now associated with many town centre uses, and the removal of primary and secondary shopping frontages from the National Planning Policy Framework (NPPF); and the approach to city centre mixed use allocations.
 - 5) **Minerals:** the need for minerals extraction in Leeds over the plan period, the sufficiency of existing sites to meet these needs and the provisions made for the transport of minerals (particularly the role of wharves and the canal).
 - 6) **Waste:** forecasts of waste arising over the plan period and the ability of existing sites to accommodate this (including specific needs for green waste, glass recycling and food waste).
 - 7) **Transport and accessibility:** following on from the proposed 20 Minute Neighbourhood policy in LPU1, there is potential to review accessibility standards (linked to any amendments to the spatial strategy) and potential for policy safeguarding mass transit routes or addressing Leeds Bradford Airport (subject to clarity in national guidance).
 - 8) **Development Management Policies:** a range of other policies / topics are being considered for potential inclusion in LPU2 that set local standards and criteria against which

planning applications can be assessed. This includes topics such as conservation, heritage and green belt policies, as the Local Plan Policy Review identified they may need updating to ensure they remain justified, effective and / or consistent with national policy.

Consideration is also being given as to whether there might be a potential need for new policies addressing topics not currently covered by the Local Plan.

- 10 As noted above, this list represents an initial evaluation of policy areas that need to be considered for inclusion within LPU2. Further work to refresh the Local Plan Policy Review, or as part of internal / external discussions on the effectiveness of existing planning policies for addressing development needs arising in Leeds could result in this list needing to be revised or updated. In addition, in some instances it may be that other mechanisms – such as SPDs or guidance notes – may be more effective in addressing some of these topics (particularly those under the Development Management heading) where policies already exist.
- 11 The potential for future changes to national planning policy and guidance may also result in a need to amend the scope of LPU2. In particular, the Levelling Up and Regeneration Bill proposes the introduction of ‘National Development Management Policies’. At present there is no clarity on what these might address or say, but any implications that they have will need to be taken into account if/when any detailed proposals emerge. Moreover, the Government has indicated that it is minded to change the way that housing requirements are set. This may present a risk to progressing work on some of these policy areas. However, the Government has been very clear in emphasising that Local Authorities should continue to progress with getting up-to-date plans in place and not wait for clarity on (potential) future national changes to the planning system. To that end, the Council is advised to make sure its policies are therefore sufficiently place-based and specific to Leeds.
- 12 It is anticipated that the Plan Period for LPU would be 2022-2040, which aligns with the period of the updated policies proposed through LPU1.
- 13 In determining the scope for LPU2, consideration will also need to be made of workload and resource implications of progressing with work on all of these policy areas at the same time, and the relationship with ongoing work on LPU1.

What impact will this proposal have?

- 14 Comments on the proposed scope of LPU 2, and the details provided in the topic papers at appendix 1, will help to inform early-stage thoughts about LPU 2. Endorsement of the proposal to develop the topic papers into consultation material will enable progress to be made towards undertaking an initial consultation on the scope of this Local Plan Update. This is required by Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and will enable local communities, and other stakeholders, to share their views on the potential ideas and options for the Plan.

How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing

Inclusive Growth

Zero Carbon

- 15 There is a clear cross cutting role for planning in delivering against all of the Council’s pillars as established through the Best City Ambition. Details of how each topic has the potential to impact the pillars are provided in the topic papers included at appendix 1. This includes;
- 16 Zero Carbon – supporting the development of low-carbon transport networks, addressing the challenges of housing quality and affordability and creating vibrant places where residents have close access to services and amenities;

- 17 Health and Wellbeing – directing development to locations where housing, jobs, services and facilities are most accessible (including by walking and cycling) and delivering new housing to help support the vision for everyone to have a home;
- 18 Inclusive Growth – updating planning policies for to ensure that land is available to support the growth of Leeds and economic benefits are fairly distributed across the city creating opportunities for all.

What consultation and engagement has taken place?

Wards affected: ALL

Have ward members been consulted? Yes No

- 19 The initial scope of the LPU 2 outlined in this paper has been prepared in consultation with the Plans Panel Chairs, the Executive Member for Infrastructure and Climate and the Chief Planning Officer. An informal workshop for Development Plan Panel members was also held on 7th October which gave an overview of the topics suggested for inclusion in the scope.
- 20 It is intended that, following the meeting on DPP on 1st November, the topic papers appended to this report will be developed into consultation material. This will be brought back to the next DPP meeting, prior to seeking approval from Executive Board for this to be published for full public consultation in accordance with the requirements of the Leeds Statement of Community Involvement (SCI) and Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. All ward members will be notified as part of this process.

What are the resource implications?

- 21 The preparation of LPU 2 and accompanying evidence base will be a resource intensive endeavour which incurs additional cost, in terms of evidence base preparation and consultation, at a time of increased budget pressure. In general, costs will be met from within existing budgets.

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

- 22 It is recognised that there are risks to pursuing a Local Plan Update. Changes to the planning system as proposed within the Government's Levelling Up and Regeneration Bill may result in national Development Management policies (as expressed through a revised NPPF) not giving local authorities flexibility to set their own policies on the matters proposed to be in scope for Local Plan Update 2. It is also possible that the Government will change how Local Plans are consulted on and the stages of consultation and preparation required. Should this happen, it is likely that the plan may progress under transitional arrangements. However, it may require the Council to revise documentation and return to earlier stages of consultation, depending on when the changes are introduced. At present however, LPAs are being encouraged to continue progressing with their Local Plans.
- 23 Development viability also presents a potential risk to LPU 2. Evidence prepared to supporting LPU 1 has identified that at the strategic level existing and proposed policies are, as a whole, viable, but it is acknowledged that there is an increased imperative to look for creative solutions through LPU 2 in order to deliver its vision without introducing significant additional costs that render development unviable. Wider economic conditions will need to be kept under review as the Plan is developed, in order to understand any implications that they have for development viability across Leeds.

24 The breadth of the scope of LPU 2 also presents a potential risk; a wide range of policy areas are proposed for inclusion as part of the update. There will need to manage the resource implications of this carefully, to ensure that the Plan can be progressed in a timely manner, alongside LLPU 1 and other existing commitments.

What are the legal implications?

25 The preparation of the LPU2 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) (England) Regulations 2012 (as amended). As a Development Plan Document, the making of a Development Plan Document (Local Plan Update) falls within the Council's Budget and Policy Framework. As such, this report is not subject to call-in.

26 As noted above, it is intended that, subject to the agreement of DPP, the topic papers appended to this report will be developed into consultation material in order to fulfil the requirements of Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. This will be brought back to the next meeting of Development Plan Panel.

Options, timescales and measuring success

What other options were considered?

27 At this stage consideration is being given to all reasonable options. These will be refined into preferred options at a later stage in the plan preparation process.

How will success be measured?

28 Monitoring indications for each new planning policy included in LPU 2 will be developed as part of the policy development process. Success will be monitored as part of the Annual Monitoring Report.

What is the timetable and who will be responsible for implementation?

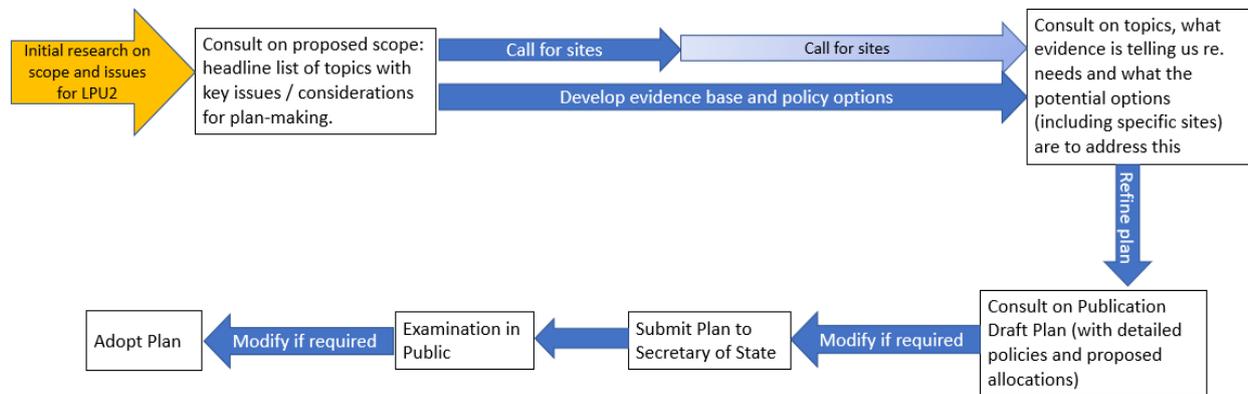
29 It will be essential that LPU2 is underpinned by robust evidence, which is sufficiently fine-grained to enable us to understand what it means for different parts of Leeds. Developing such detailed evidence will take time, and whilst some elements of this are already underway (or can be brought together using work that has already been done) work on other elements is yet to begin.

30 It is anticipated that the lengthiest tasks in terms of evidence base will be;

- 1) The Strategic Housing Market Assessment (SHMA). This will provide the evidence on housing needs. Due to its comprehensive nature, and the need for some of its inputs to come via (as yet unpublished) Census 2021 outputs, it is expected to take c.9 months to complete. It will likely be completed in stages to support plan preparation, but full details of housing needs are unlikely to be available to inform policy until Summer 2023. A brief for the SHMA has been put together by Policy & Plans, working closely with housing, asset management and regeneration and economic policy, and will shortly be put out to tender.
- 2) The Urban Capacity / Green Belt Review study. This could look at what the opportunities are for development within the urban area (including on brownfield or underutilised sites, or through optimising densities) and, opportunities for Green Belt release (if this is determined to be necessary). The timescales for this work would vary dependent on whether there is a need to consider Green Belt release and, if there is, whether a selective review only is needed focussed on particular locations or if this needs to look more comprehensively at the whole Green Belt boundary.

31 The timescales associated with evidence base production have direct implications for the overall plan-making process, and the timing of formal stages of engagement and consultation as part of this. A balance needs to be struck between enabling early-stage engagement in the process and ensuring sufficient information is available to have meaningful discussions, ensuring people understand why the plan is being prepared, what the options are and what implications they may have, so that they can inform and influence decisions made.

32 It is proposed that a multi-staged approach is taken to progressing the preparation of LPU2, as set out below;



33 This will allow for notification of the scope of the plan, enables engagement up front with neighbourhoods whilst carrying out calls for sites and understanding how the evidence fits with an emerging spatial strategy at an early stage. This means that so that when the plan is subject to its first formal consultation it is a more fully formed statement with tangible options for people to choose.

34 This paper does not seek to estimate the detailed timescales for Plan preparation as future decisions over the scope and scale of the Plan, combined with the approach to evidence base preparation and consultation, are likely to be the main determinants of Plan preparation timescales. Once there is clarity on these matters, it will be possible (and necessary) to establish more detailed timescales for Plan preparation.

Appendices

- Appendix 1: Topic papers on Spatial Strategy, Housing, Economic Development, Role of Centres, Transport and Accessibility, Minerals and Waste, and Development Management Policies.

Background papers

- None