



JOINT PLANS PANEL

Meeting to be held in Civic Hall, Leeds, LS1 1UR on
Thursday, 26th February, 2015 at 1.30 pm

MEMBERSHIP

Councillors

J Akhtar	K Mitchell
B Anderson	J McKenna (Chair, City Plans Panel)
J Bentley	S McKenna
D Blackburn	E Nash
C Campbell	J Procter
A Castle	R Procter
R Charlwood (Chair, North & East Plans)	M Rafique (Chair, South & West Plans)
B Cleasby	K Ritchie
D Cohen	B Selby
M Coulson	C Towler
R Finnigan	P Truswell
R Grahame	F Venner
C Gruen	N Walshaw
P Gruen	G Wilkinson
S Hamilton	R Wood
M Harland	
M Ingham	
G Latty	
T Leadley	
J Lewis	
M Lyons	
C Macniven	

Agenda compiled by:
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A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			ELECTION OF THE CHAIR To formally nominate the Chair for the meeting	
2			APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded) (*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)	
3			EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC 1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report. 2 To consider whether or not to accept the officers recommendation in respect of the above information. 3 If so, to formally pass the following resolution:- RESOLVED – That the press and public be excluded from the meeting during consideration of those parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows	

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4			LATE ITEMS To identify items which have been admitted to the agenda by the Chair for consideration (The special circumstances shall be specified in the minutes)	
5			DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.	
6			APOLOGIES FOR ABSENCE	
7			MINUTES To confirm as a correct record, the minutes of the meeting held on 11 September 2014	1 - 6
8			PERFORMANCE REPORT To receive and consider the attached report of the Chief Planning Officer	7 - 24
9			PLANNING REVIEW UPDATE To receive and consider the attached report of the Chief Planning Officer	25 - 34
10			HOUSING GROWTH UPDATE To receive and consider the attached report of the Chief Planning Officer	35 - 38
11			HOT FOOD TAKEAWAYS To receive and consider the attached report of the Chief Planning Officer	39 - 48

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12			COMMUNITY INFRASTRUCTURE LEVY To receive and consider the attached report of the Chief Planning Officer	49 - 50

Joint Plans Panel

Thursday, 11th September, 2014

PRESENT: Councillor J McKenna in the Chair

Councillors J Akhtar, B Anderson,
D Blackburn, C Campbell, A Castle,
R Charlwood, B Cleasby, R Grahame,
P Gruen, S Hamilton, M Harland,
M Ingham, G Latty, T Leadley, M Lyons,
J McKenna, S McKenna, E Nash,
J Procter, K Ritchie, B Selby, C Towler,
F Venner, N Walshaw and R Wood

1 Election of the Chair

RESOLVED – That Councillor J McKenna be elected as Chair for the meeting.

2 Declarations of Disclosable Pecuniary Interests

There were no declarations of a disclosable pecuniary interest.

3 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors J Bentley, M Coulson, R Finnigan, C Gruen, J Lewis, C Macniven, K Mitchell, R Procter and P Truswell

4 Minutes of the Meeting held on 14 November 2014

RESOLVED – That the minutes of the meeting held on 14 November 2014 be confirmed as a correct record.

5 Core Strategy Update

It was reported that the Inspectors recommendations had now been received on the Core Strategy. The strategy had been found to be sound but still required some modification. It was due to be submitted to the September meeting of the Executive Board for further consideration before referral to Full Council in November 2014. Key issues discussed included housing, employment and retail land.

Thanks were expressed to all those who had been involved in the preparation of the Core Strategy.

6 Leeds Standard

The report of the Chief Planning Officer referred to the development of a new Leeds Housing Standard.

It was reported that the Leeds Standard would be important in the way that future applications were dealt with particularly with regard to the quality of schemes. It was

proposed to hold a training session for Plans Panel Members on both the Leeds Standard and Core Strategy.

The Leeds Standard would be considered at the September meeting of the Executive Board and reference was made to the Scrutiny Board (Housing and Regeneration) Inquiry.

Further issues highlighted in relation to the Leeds Standard included the following:

- Variation and clarification to existing policy documents.
- Work carried out with Scrutiny and the house building industry.
- Application of the Leeds Standard to council house building.
- Guidance in relation to room sizes and sustainability. There were proposals from the Government in relation to a code for sustainability and building regulations would be used to ensure adequate room sizes.

In response to Members comments and questions, discussion included the following:

- The need for discussion with housebuilders before applications are submitted.
- Training for Plans Panel Members.
- The need to implement the Leeds Standard for future house building.
- Sustainability issues – particularly the increased demand on schools and highways.
- Standards for disabled people.

RESOLVED – That the report be noted.

7 End of Year Performance Report 2013-14 and Update on Quarter 1, 2014-15

- The report of the Chief Planning Officer presented performance information for 2013-14 and quarter one, 2014-15.

Issues highlighted from the report included the following:

- There were currently over 1,000 applications including 144 major schemes.
- Decisions made at Plans Panel meetings – following the introduction of the three weekly cycle for City Plans Panel, meeting times had been reduced. There had also been a low proportion of decisions that were contrary to officer recommendations.
- An increase in planning fees income.
- Review of development management.
- Restructure of the enforcement service.
- Increase in the number of applications considered at the pre-application stage.
- Introduction of the planning guarantee – applications to be completed within 26 weeks. If this was not achieved then planning fees would be returned.
- Significant improvement for major applications.

In response to Members comments and questions, the following was discussed:

- Enforcement issues and work with other agencies regarding enforcement.
- Staff absence.
- Involvement of Members in the construction of Section 106 agreements.
- Involvement of Ward Members with pre-application developments.

RESOLVED –

- (1) That the report be noted.
- (2) That a further performance report be received in 6 months.

8 Planning Service Review

The report of the Chief Planning Officer described the review of Planning Services recently undertaken by Ove Arup and Partners Limited (Arup). The review had been completed and the service was now about to embark on the implementation stage. The report described the next steps, reporting and governance arrangements in the implementation stage.

Members' attention was brought to the main areas of focus that were outlined in the report and the steps towards implementation. It was concluded that there was sufficient resource for current workloads but further growth would see the need for more resources.

RESOLVED – That the report be noted.

9 Planning Enforcement - Stop Notices and Temporary Stop Notices

The report of the Chief Planning Officer informed Joint Plans Panel of the scope and powers available through the use of Temporary Stop Notices and Stop Notices and the implications of their use in planning enforcement. Appendices to the report showed the number of notices served in Leeds and in comparison to Core Cities and other West Yorkshire Authorities.

It was reported that Temporary Stop Notices were more frequently used than Stop Notices and were a useful tool where there had been a breach of planning conditions. Reference was made to recent cases across the City and Members gave their support and encouragement for the use of enforcement action where appropriate.

RESOLVED – That the report be noted.

10 Member Training

The report of the Chief Planning Officer reflected on the training opportunities for Members in 2013-14 and provided a look ahead for Member training in 2014-15.

Issues highlighted included the following:

- Future training would include adoption of the core strategy, Community Infrastructure Levy and viability.
- Members would have opportunity to shadow a planning officer through the duration of a planning application.
- It was proposed to visit completed sites.

- Training would be tailored for both new and experienced Panel Members

RESOLVED – That the report be noted.

11 Buildings at Risk

The report of the Chief Planning Officer informed the Joint Plans Panel of buildings at risk and the efforts that are being made to address this issue by securing emergency repairs and securing new uses.

Issues highlighted from the report included the following:

- There had been a successful bid to English Heritage for funding towards a pilot to carry out a survey of the whole City.
- Buildings that had been converted and were no longer on the at risk register.
- It was estimated that there would be double the number of buildings on the risk register following the survey and a further report would be brought to the next meeting of the Joint Plans Panel.

In response to Members comments and questions, the following was discussed:

- Woodlea Mansion was on the Buildings at Risk register.
- A full list of the buildings on the register was requested.
- Stank Hall Barn – there were two other buildings on the site also on the at risk register. It was felt the location of the building could be a barrier in enabling the re-use.
- York Road Baths – it was recognised that urgent repairs were needed to the roof.
- White Cloth Hall – funding had been offered from Heritage Lottery Funds and English Heritage. Negotiations were underway with the owner of the building to secure an agreement to develop a feasible end use, lease the building and carry out its restoration.

RESOLVED -

- (1) That the report be noted, particularly that work was progressing towards reducing the number of buildings at risk in the city.
- (2) That the findings of the pilot Buildings at Risk Survey be reported to the Derelict and Nuisance Sites Steering Group.

12 Delivering Employment & Skills Opportunities through the Council's Planning Function

The report of the Chief Officer, Employment and Skills provided information on the outputs delivered through employment and skills obligations delivered as a result of the Section 106 planning agreements agreed by Plans Panels.

Further issues highlighted from the report included the following:

- A total of 937 people had found employment and 17 had started apprenticeships. These figures did not include the Asda development at Middleton.
- Members attention was brought to the Model Agreements appended to the report which sought to secure employment for local people.
- Use of local suppliers.
- A breakdown of outputs achieved on a ward by ward basis across the City.
- Current and future planning applications with Employments and Skills targets.

In response to Members comments and questions, the following was discussed:

- The 25% target for jobs for local residents had been set as a minimum following the Scrutiny Inquiry.
- Rehabilitation of offenders and work opportunities for young offenders.
- Provision of more apprenticeships – it was reported that not all developments lasted long enough to support apprentice positions.
- Work with developers and house builders.

RESOLVED –

- (1) That the report be noted.
- (2) That the progress made to implement the recommendations of the Scrutiny Board Inquiry and the positive outcomes to date be noted.

13 Date and Time of Next Meeting

Thursday, 29 January 2015 at 1.30 p.m.

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Report author: Helen Cerroti
Tel: 0113 3952111

Report of Chief Planning Officer

Report to Joint Plans Panel

Date: 26 February 2015

Subject: Performance management report-quarters 1-3

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	☐ Yes	☒ No
Are there implications for equality and diversity and cohesion and integration?	☐ Yes	☒ No
Is the decision eligible for Call-In?	☐ Yes	☒ No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	☐ Yes	☒ No

Summary of main issues

1. There continues to be a steady increase in the numbers of planning applications received by the service in the first nine months of 2014-15, up overall by 6% compared with the same period last year. Major applications also have increased in number by 10% compared with last year. Performance on majors shows that 89.8% of decisions made this year were determined in the 13 week time period where an extension of time had not been agreed with the applicant.
2. Our performance on appeals has decreased with a higher number of appeals being allowed by The Planning Inspectorate. Whilst this is disappointing it suggests that The Inspectorate are taking a more "relaxed " approach following changes made to permitted development rights. Officers are reviewing any common issues arising from decisions and whether we should be adopting a different approach on certain types of schemes to avoid losing appeals in future. Whilst this might mean that the high quality which the Council has strived for might be diluted it also means that the Council does not place itself at risk of becoming a "special measures" authority.
3. There are many changes both at a national and local level taking place over the coming months which will present a challenge for the service. This coupled with the changes being introduced to implement the actions from the planning review and progressing the Site Allocations Plan means it is a busy time for the service overall.

Recommendations

4. Members are asked to note the report and comment as they feel appropriate and receive a further report in 6 months time.

1 Purpose of this report

- 1.1 At the last Joint Plans Panel meeting on 11 September 2014, members received and noted a performance report for planning services for the year end 2014-15 and for quarter 1, 2015-16.
- 1.2 The September meeting had been rescheduled from the usual summer meeting in June/ July and because of this the reporting periods are now slightly out of step; usually reports cover quarters 1 and 2 and then report the year end position. Consequently, to provide the most up to date position, this report covers quarters 1-3, April to December 2014.
- 1.3 This report is presented for information and comment.

2 Background information

- 2.1 Across all categories of applications, the number of planning applications received in the first three quarters was up compared to the same period last year. The number of major applications increased for the second year running. Coupled with the rise in numbers has been the improvement in the determination rate for all application types although the basis for measurement has changed from last year.
- 2.2 The service uses several measures to determine the quality of decision making: lost appeals, number of complaints and upheld complaints. Performance in most of these areas compares favourably with 2013-14 with the number of stage 1 and stage 2 complaints and Ombudsman complaints decreasing. However, our performance on appeals has fallen somewhat.
- 2.3 The service has an ongoing commitment to service improvement and a number of activities have taken place throughout the year to ensure the decision making process is robust and accountable and customer service is integral to the organisation. This includes the start of the implementation of the planning review and significant changes to the ICT systems to streamline processes.

3 Main issues

3.1 Planning performance and workload

- 3.1.1 A total of 3,383 planning applications were made to the Local Planning Authority in the first three quarters of 2014-15, up by 6% on the same period the previous year. Major applications saw the greatest increase in numbers up by 10% to 184. The Government changes to permitted development, allowing larger single storey rear house extensions without the need for formal planning permission seems not to have made much impact on the numbers of household applications still being made, with 2,402 submitted in the reporting period, similar to previous years. Additionally, 797 minor applications have been made.
- 3.1.2 The government sets national performance targets for decision making on planning applications as follows:

- 60% of major applications determined within 13 weeks
- 65% of minor applications determined within 8 weeks
- 80% of other applications determined within 8 weeks

3.1.3 A total of 3,178 decisions were made in quarters 1 to 3, compared with 3,057 in the same period in 2013-14. The majority of decisions were taken by officers under the delegation scheme which ran at 96%, the same as last year.

3.1.4 Leeds performance is shown below in comparison with the last three years and the position at the end of quarter 3. It should be noted that for 2014-15 there is a change in the way that the information is collected as the figures now exclude applications determined in > 8 or 13 weeks where there is an extension of time agreement in place with the applicants so the figures are not strictly comparable to previous years :

	% Majors in time (target 60%)	% Minors in time (target 65%)	% Other in time (target 80%)
2011-12	56.3	76.9	85.1
2012-13	61.3	77.4	88.9
2013-14	73.3	70.3	83.3
2014-15 (quarter 1-3)	89.8	85.1	91.3

3.1.5 Performance particularly on major applications has continued to improve year on year and this has been the result of better project management, but also the use of extension of time agreements which allow the applicant to agree to an additional period of time, in which their application will be determined. The Government's latest planning performance statistical release covering the period July to September 2014, shows that nationally, 78% of major applications were being determined in time¹, Leeds' performance is significantly above the national average determination rate.

3.1.6 At the end of quarter 3, there were some 850 applications under consideration of which 130 were majors, 270 householders and 450 others. Of these 7 have Planning Performance Agreements (PPAs), 585 were in time, 120 had agreed extensions of time and about 140 were out of time. This represents a step forwards in dealing with applications in a timely way compared to previous years - officers continue to work proactively with applicants to agree extensions of time agreements across all application categories, where applications are unable to be determined within the statutory timeframe. It is recognised though that some categories of applications take too long to determine including major housing schemes and work continues to improve performance in this area in consultation with the housing developers and their agents. The Planning Guarantee is now operational affecting any application over 6 months old on or after 1 April 2014 where there is no agreement to extend the time to determine the application. About £6,000 in planning fees has so far been returned under the guarantee and whilst this is a relatively small amount and amounts to a handful of applications ,

¹ Department Communities and Local Government Planning applications July to September 2014 Statistical Release 18 December 2014

officers have been instructed to negotiate extension of time agreements wherever possible for all out of time applications and for those applications approaching six months, to minimise the risk of returning further fees.

- 3.1.7 There have been 748 pre-application enquires across all categories of applications, which has generated £44,250 in income.
- 3.1.8 Overall planning fees at the end of quarter 3 are in line with the budget for 2014-15, with £2.5 million taken in the first nine months.

3.1.9 **Comparison with the Core Cities**

- 3.1.10 The table below shows the most up to date comparative data, for quarters 1 and 2 of 2014-15, with the Core Cities for determination rates. Leeds performance, across all categories of applications in comparison with the Core Cities has improved significantly and for the first time in a number of years, Leeds determination speed performance is in the upper quartile for majors and minors.

	Major		Minor		Other	
	Quarter 1 and 2 14-15		Quarter 1 and 2 14-15		Quarter 1 and 2 14-15	
	No decided	% in time	No decided	% in time	No decided	% in time
Birmingham	89	84%	522	80.00%	1617	92.00%
Bristol	52	67.3%	529	67.10%	808	75.06%
Leeds	37	89.19%	365	83.29%	1401	90.29%
Liverpool	60	65.00%	259	63.00%	622	66.00%
Manchester	No data available					
Newcastle	25	88.00%	176	80.00%	589	87.00%
Nottingham	35	94.29%	201	92.04%	659	95.45%
Sheffield	36	72.22%	312	75.64%	922	84.82%

- 3.1.11 As described in paragraph 3.1.6 above, Leeds has returned approximately £6,000 in planning fees under the planning guarantee in the first nine months of the year. This compares with over £67,000 in Bristol and £60,000 in Nottingham. So whilst Leeds has not returned as much in fees as other Core Cities, there is no complacency and still the need for us to actively seek extension of time agreements to prevent any further fee return.

3.1.12 **Permitted development**

3.1.13 **Office to residential**

- 3.1.14 On 30 May 2013 the Government amended legislation to allow conversion of offices to residential use. In the reporting period, we received 60 submissions for prior approval for office to residential. Whilst this creates new dwellings, the new permitted development process does not require developers to enter into S106 agreements and the Council has "lost" a range of contributions which would have been payable had a formal application been made. This includes 57.5 affordable housing units; £1.5m in green space and £170K in transport contributions. Additionally, £272,995 in planning fees would have been paid for these applications. This represents a significant loss in terms of planning obligations and in planning fees.

3.1.15 The biggest schemes approved in recent months are 124 flats in three blocks on Headingley Office Park, 84 flats at Brunswick Point, Wade Lane, 71 dwellings at 25 Queen Street and 38 flats at the Arndale Centre Headingley.

3.1.16 **Large house extensions**

3.1.17 In the reporting period the LPA has received 156 notifications of large house extensions. Only eight notifications received neighbour comments or objections, triggering the prior approval process. Of the eight coming to the LPA for determination, two were approved and six refused.

3.1.18 The Government's Technical *Consultation on Planning, July 2014* proposes that the temporary permitted development rights increasing the size limits allowed for single storey rear extensions are made permanent.

3.1.19 **Agricultural to dwellings**

3.1.20 This new permitted development change allows the change of use of an agricultural building to a dwelling. It allows for changes to floor space of up to 450 square metres per agricultural holding, for up to 3 dwellings and came into force on 6 April 2014. The only matters that can be considered by the LPA through the prior approval process are transport and highways impacts, noise impacts, contamination risks at the site, flooding risks on the site, whether the location or siting of the building is practical and desirable for a dwelling and design and external appearance.

3.1.21 So far we have received eight applications under these new PD rules, six have been refused, one approved and one returned as invalid. Nationally a significant number of these prior approvals are being refused.

3.2 **Panel decision making**

	Number of meetings	Decisions	Pre-app'n presentations	Position statements	Major schemes	Overturns
City Panel	12	35	9	9	46	0
North and East	8	45	1	1	15	7
South and West	9	46	2	5	33	5

3.2.1 In the 9 month period there have been a total of 29 Plans Panels (City Plans Panel is now operating on a 3 weekly cycle and the two area Panels are generally every 4 to 5 weeks). A total of 126 decisions on planning applications have been made and of these 12 have been contrary to officer recommendation (about 9.5%). Of the 12 decisions which have been made contrary to officer recommendation 10 have been refusals which so far have resulted in 5 appeals – 2 of which have been dismissed, one allowed and two where a decision has not yet been made. One of the appeals which was dismissed (Devonshire Lodge,

Roundhay – viability case) has resulted in a full award of costs being made against the Council – this is being challenged through the courts. On more significant schemes pre application presentations and position statements are being encouraged and these are embedded as good practice in City Panel and are being used in appropriate cases in the two area Plans Panels.

3.3 Appeals

3.3.1 The table below shows that performance on the number of appeals has dropped significantly in the first three quarters of the year. Since the NPPF and relaxation of permitted development on large house extension it appears from an analysis of the Planning Inspectorate's (PINS) decisions that PINS is allowing more house extensions which are "marginal". There is a careful balance between refusing an application and the risk of an appeal and maintaining design quality without being unreasonable. Some analysis work is ongoing to find the reasons why our appeals performance has worsened and if there are common themes emerging.

3.3.2 It is important that our appeal performance does not drop any further, as allowed appeals is one of the performance measures which triggers the Government placing authorities into special measures.

Year	Appealed Decisions	Dismissed	Costs awarded against Council	Costs awarded to Council
2014-15 to q 3	161	61%	1	0
2013-14	251	71%	4	0
2012-13	187	67%	3	0
2011-12	254	69%	7	2

3.3.3 The Secretary of State's decision on Green Lane Boston Spa, a PAS site and Kirklees Knoll, also a PAS site are expected in mid-June and the end of March 2015 respectively, following call in and Inquiries. The decision on the call in Inquiry for the Green Belt expansion of the Cottingley Springs Traveller site is expected by the end of February 2015.

3.3.4 There are currently a number of Public Inquiries in the pipeline for the coming year following recent appeals;

- 5A Bentley Parade, Meanwood - March 15
- Bridgewater Road, Clean Power - end of June 15
- PAS housing appeals at Leeds Road, Collingham; East of Scholes ; Bradford Road, East Ardsley and Breary Lane, Bramhope - to be arranged
- Housing appeal for 10 houses at Haigh Moor Road, West Ardsley – to be arranged

3.4 Major projects

3.4.1 Within this reporting period there have been a number of significant submissions and applications made, particularly residential schemes:

- Pre-application presentation to City Panel for 321 dwellings at Low Fold, East Street (application now submitted)
- Outline for 300 dwellings at Thorpe Park
- Reserved matters for 76 dwellings at Queen Street, Great Preston and 133 dwellings at Riverside Mills, Horsforth
- 77 dwellings at the former High Royds Hospital site, Menston
- 283 dwellings at Tyersal Lane, Tyersal (on employment land allocation)
- Outline application for c 415 dwellings at Woodside Quarry, West Park
- Outline for housing on Low Moor Farm, Morley- PAS site
- Student housing, 228 rooms at Leeds Trinity, Horsforth
- Retail units to vacant industrial site on Armley Road
- Large factory extension for Britvic at Swinnow Industrial Estate
- Outline application for mixed use scheme at the former Yorkshire Post site, Wellington Street- pre-application and position statement to City Panel (Members recently resolved to grant permission at City Plans Panel)
- Reserved matters application for B2 General Industrial /B8 Storage and Distribution at phase 2, Thornes Farm Way
- Change of use for visitor attraction at Emmerdale Village, Harewood Estate

3.4.2 Additionally, there is substantial activity on site:

- Housing sites - Royds Lane, Wortley; Cookridge and Otley Hospital sites; Daisy Hill, Morley; Grimes Dyke, Whinmoor all on site and PAS sites in Morley, Rothwell and Oulton have all received detailed approval and are about to start on site.
- Retail- Victoria Gate Phase 1 for John Lewis is under construction and a number of smaller Aldi and Lidl stores across the city are progressing.
- Offices- Sovereign Street and Queen Street in the City Centre are substantially complete, the second building at MEPC and offices at Park Place and Lumiere site on Wellington Street are all under construction.
- Work is progressing on sites in the Enterprise Zone and the Park and Ride site on the East Leeds Link Road

3.5 Compliance activity

3.5.1 The number of enforcement cases received in the first three quarters of 2014/15 has slightly reduced from the similar period last year, particularly in quarter 3. Notwithstanding this, the workload through the service is significant, the rate of case resolution has been high in the first two quarters of the year and the number of overall open cases has been reduced to in the region of 1100 which has been a long standing service plan objective. However, due to reduced staff resources individual caseloads still remain high at around 130 – 140 cases per full time equivalent with consequent impact on the responsiveness to complainants and progressing cases. The total number of open cases is currently 1109 compared with 1568 in 2010-11.

3.5.2 **Cases received and resolved and performance in undertaking initial site visits**

	Q1	Q2	Q3	Total
No of cases received	358	363	270	991
No of cases resolved	310	436	244	990
Initial site visits				
Category 1: Site visit same day/within 1 day. Target 100%	100%(3)	100%(5)	80%(5)	93%
Category 2: Site visit within 2 working days. Target 95%	93%(14/15)	100%(14)	93%(14)	95%
Category 3: Site visit within 10 working days Target 90%	72%(339) 96%*	85%(355) 97%*	84%(275) 96%*	80% 96%*

*Figures for site visits undertaken within 20 working days in accordance with temporary amended target. See below.

3.5.3 Performance in undertaking initial site visits has been maintained with a revised target of 20 days for category 3 visits. This revised target has been in place throughout the reporting period due to the resource and staff absence experienced by the service. This continues to be an issue which is hoped will be addressed by the completion of a restructure in the near future.

3.5.4 In relation to the Category 1 and 2 cases the figures relate to a relatively small number of cases. For example there were 13 category 1 cases during the reporting period and only 1 of those cases missed the 1 day target and this is reflected in the figures.

3.5.5 The overall number of open cases on hand has been reduced and has achieved the service plan target which is positive.

3.5.6 Outcomes of case resolved

	Q1	Q 2	Q3
No Breach*	48%	42%	38%
Resolved by negotiation	35%	30%	32%
Breach but de minimis/ not expedient	7%	11%	11%
Planning permission/ CLU granted/ appeal allowed	7%	12%	12%
Enforcement/other Notices complied with/resolved by prosecution action	3%	5%	7%

*Includes matters that are "permitted development"; where no development or material change of use is involved; matters that were time exempt from enforcement action on investigation; or where approved plans and conditions have been found to have been complied with.

3.5.7 The number of complaints investigated that that are found to either involve no breach of planning control or are minor infringements averages out over the

period to approximately 53% . This has reduced from a figure of 60% in 2010/11. This can possibly be accounted for by the increased rigour in examining cases as they come into the service, which may also explain the reduced overall number of cases resolved. Where there is clearly no breach of planning control, cases have not been opened and complainants advised that the matter will not be investigated and the reason why. The remaining 47% of cases which have been closed involve significant breaches which have been resolved to the satisfaction of the Council. Ward Member meetings have continued throughout the year. Invitations are sent out with the bi monthly key cases list which continues to be sent to both ward members and parish councils with updates on priority cases within each ward.

3.5.8 Enforcement and other Notices

3.5.9 The number of Enforcement and other formal notices served has increased significantly during the reporting period. In the first 3 quarters a total of 73 enforcement and other notices have been served. This is compared to 66 for the whole of the 2013/14 period and indicates (coupled with a reduction in the number of no breach cases) an increasingly complex workload for the service moving forward. There have been 4 temporary stop notices served during the period and injunctive action also taken in relation to one of the sites to prevent significant breaches occurring.

3.5.10 The compliance service continues to draft and issue its own notices with input from legal officers only on the more complex cases. This is continually monitored and whilst it does carry an increase risk, the resource savings in doing this have been significant . It does however place increased pressure on case officers in progressing cases within the service and additional training needs have been highlighted.

3.5.11 Prosecutions / Court Action

3.5.12 A number of cases have been brought before the courts for non-compliance with enforcement and other notices. There has been some frustration with a number of requests for adjournments by defendants normally being accepted however this has resulted in some cases being resolved in advance of the adjourned date due to the pressure exerted through potential court action. This has been notable in relation to the city centre long stay car parking initiative where the commencement of court proceedings has been sufficient to address the long standing non compliances without the need to attend court as the defendants have agreed to cease the use and meet the Councils costs in a number of these cases. The To Let Board initiative has resulted in a number of successful prosecutions for the display of adverts within the Article 4 area. Work continues with legal services pursuing a number of prosecutions to secure positive outcomes.

3.5.13 Proactive Initiatives

3.5.14 City Centre Long Stay Car Parks

3.5.15 Work continues to monitor and control unauthorised long stay car parks within the city centre. All appeals submitted in relation to both enforcement notices and

planning applications have been dismissed and a significant number of car parks have ceased operating. Court action has been taken against car parks that have continued to operate in breach of their enforcement notices and this has resulted in them closing. Regular monitoring is undertaken of all car parks collaboratively with officers in parking services.

3.5.16 Headingley/ Hyde Park To Let Boards

3.5.17 Proactive monitoring and enforcement of the Direction and the adopted code of practice to control the display of To Let Boards in parts of Headingley /Hyde Park has resulted in a number of actions some of which have progressed through the courts to successful prosecution. Bi monthly survey are undertaken as well as a number of survey days in the November Board free month. Active dialogue is maintained with many key letting agencies in the area to achieve the intended outcome. This initiative is successful in controlling the excessive display of boards within the area and continues to be a priority for the service.

3.5.18 Derelict and Nuisance Sites

3.5.19 The compliance service continues to play a key role on the Derelict and Nuisance site initiative which is a cross department initiative to help secure improvements to sites in a poor state which have proved difficult to bring forward by one single action. A number of notices have been served together with actions from Building Control and other services. Improvements have been secured, in many cases without a large capital spend through coordinated action. A regular working group agrees actions and work continues with a rolling budget to secure improvements to the most problematic sites.

3.5.20 **Customer Service**

3.5.21 Work continues to drive forward service improvements and a move to complete electronic working for the service is programmed for the spring. The system will ensure timely triggers are in place for customer updates and feedback to ensure that service improvements are on going. Work continues to reduce the number of old cases that will not progress to reduce officer caseloads and ensure that there is capacity to focus on current priorities.

4 Service quality

4.1 Complaints

4.2 Since April 2014 the Planning Service has received a total of 97 formal complaints under the Councils Compliments and Complaints procedure. This compares very favourably with the same period last year where 116 complaints were received. 79 complaints were dealt with at Stage 1. The main improvement from last year is in the number of complaints being resolved at Stage 1 and not going forward to Stage 2; in the first three quarters of this year 18 were dealt with at Stage 2 in comparison with 30 the previous year.

4.3 There were 11 upheld complaints, six of which related to delay in either providing a service or in the determination of an application.

- 4.4 Ombudsman complaints have also reduced in number from 11 in quarters 1 to 3, 2013-14 to 5 for the same period in 2014-15. Just one of the cases required a formal response from the service. This case was subsequently closed finding no maladministration. One case recommended that payment of £250 be made to the complainant for time and trouble in pursuing an Enforcement matter where a delay in bringing a case before the Courts was identified.

5 Service improvements

5.1 E-planning

- 5.1.1 The programme of rolling out dual screens to all planning officers has now been completed. This assists officers greatly in the consideration of applications and is a step change towards electronic working, which will be moved on in the coming months.
- 5.1.2 Given the importance of monitoring workloads and timescales for decision making, new performance reports have been developed for planning teams on Enterprise. This assists in the allocation of new work and ensures officers have the capacity to take on new cases. Monitoring reports for the Head of Planning Services on applications over six months old or approaching six months are also being produced. This ensures we have the most up to date information to mitigate applications going out of time, which means the return of planning fees.
- 5.1.3 The changes to the new permitted development categories have meant significant changes to the system to comply with legislation. There have been service improvements to the extension of time process which will make it easier for officers to use.
- 5.1.4 As part of SHLAA monitoring and information gathering, a system on Enterprise has been developed to record housing data from 1 January 2014 on applications and decisions.
- 5.1.5 New layers and prompts have been developed for Enterprise Zones, Sand and Gravel and Minerals/Waste Safeguarding so staff are aware when an application comes in which is affected by the constraints to improve decision making.
- 5.1.6 A significant service improvement has been the inclusion of all Sustainable Development Unit and Highway consultations on Enterprise, which allows the consultations to be managed in a more effective way.

5.2 Review of the Parish and Town Council Charter

- 5.2.1 As part of the annual review of the Parish and Town Council Charter, it was agreed that Parish and Town Councils will increasingly move to full electronic working, utilising *Public Access*. Many Parish and Town Councils are already working this way, but the changes mean that the current practice of sending hard copy plans will eventually cease, instead, all Parish and Town Councils will receive regular emails containing electronic links to new applications in their area and Councils will use this information as part of their consideration of the application. The use of *Public Access* ensures that Parish and Town Councils will

have immediate and swift access to any new applications received by the Local Planning Authority. Additionally, each time an application is updated, that is, new information is received about an application, an automatic email is generated providing notification of any changes, for example changes to plans, consultee responses and non-material amendments and so on. Therefore, Parish and Town Councils will always have the most up to date information on the applications they are interested in.

- 5.2.2 However, it is recognised that the changes do represent for some a significant change in current arrangements. A working group will be set up shortly with Town and Parish Councils to try and manage the transition and ensure the move towards electronic working is as smooth as possible.

5.3 Planning Review

- 5.3.1 As part of the Arup review of planning services in 2014, the consultants produced an action plan which described over 45 recommendations, some operational and others strategic in their scope. This action plan has formed the basis of a planning services implementation plan, which is now being progressed. Five priority areas have been identified in the first instance and these work areas will help to create capacity or meet operational or financial efficiencies:

- Validation and registration
- Pre-application
- Site notices
- ICT working group
- Workload and resourcing

- 5.3.2 Progress has been good in meeting the targets set in the implementation plan; the new pre-application enquiry service was launched on 1 February 2015, development of a revised streamlined validation and registration process which saves time at the beginning of the process getting valid applications on officers desks and saving money in printing costs, review of the site notice process with officers now placing notices up as part of their site visit, ICT work plan to underpin systems and processes which help deliver operational and financial efficiencies and a review of the area planning team composition and workloads in light of the 2.6 full time equivalent staff who are leaving at the end of March 2015. A full report is on the agenda of this meeting describing the progress of the review.

6 Challenges Ahead

6.1 Government reforms

- 6.1.1 In recent years, major reforms to the planning system have taken place with the introduction of the *Localism Act 2011* and the *National Planning Policy Framework*. Changes have also been made in the *Growth and Infrastructure Act 2013*, aimed at speeding up the planning system.
- 6.1.2 The *Infrastructure Act 2015* has now completed its consideration through Parliament and been enacted and proposes a new system for deemed discharge of planning conditions. Outside of this Act a number of other announcements on

planning reform have also been made, most recently in *Budget 2014*, the *Technical Consultation on Planning July 2014*, *Consultation: planning and travellers*, September 2014, *National Infrastructure Plan 2014* and *Autumn Statement 2014*, December 2014. The Government has recently announced that the regulation of Sustainable Urban Drainage Systems will be through the planning process and regulations are expected for implementation in April 2015. The pace of change continues relentlessly. Below are a number of the key challenges facing the service in responding to the reform agenda.

6.1.3 **Permitted development**

6.1.4 The Government's *Technical Consultation on Planning, July 2014* includes plans to further broaden permitted development rights. The government proposes introducing an amended permitted development right for change of use from office to residential from May 2016. The current permitted development right is subject to prior approval to consider the impact of the proposed development in relation to highways and transport, flooding and contamination. Under the plans the prior approval will continue to consider the impact of the proposed development in relation to highways and transport, flooding and contamination but would also consider the potential impact of the "significant loss of the most strategically important office accommodation". The document also says that the government will be making an amendment to the existing permitted development right to "extend the time for completion for developments with prior approval from 30 May 2016 to 30 May 2019".

6.1.5 The consultation also proposes that temporary permitted development rights increasing the size limits allowed for single storey rear extensions to houses are made permanent. It proposes that the deadline to complete an extension using the existing temporary permitted developments by May 2016 would be removed.

6.1.6 The outcome and response to the Consultation on extending permitted development rights, including the introduction of a right to change from industrial / warehousing to housing, are awaited.

6.1.7 **Discharge of conditions**

6.1.8 In the *National Infrastructure Plan 2013* the Government expressed concern about delays with local planning authorities discharging planning condition and committed to making changes to the system. The *Infrastructure Act 2015* has now been enacted and would allow for certain types of planning conditions to be regarded as discharged if a LPA has not notified the applicant of their decision within a set time period. "Deemed discharge" of a condition would mean that the LPA's consent, agreement or approval to any matter as required by the condition would be deemed to have been given. It would mean that the LPA would not be able to take enforcement action and stop development on site on the basis that the scheme did not have its actual written approval but would be able to enforce if works are not carried out in accordance with the details submitted to the LPA.

6.1.9 The applicant for deemed discharge must first serve a notice, stating their intention to rely on the deemed discharge provisions, after a certain number of weeks have elapsed from the date of the original application for approval to

discharge a condition. It is understood there are also provisions in the Infrastructure Act to allow for these time periods to be varied by agreement, obviously of great importance in a complex development.

- 6.1.10 The regulations will be brought into force by April 2015. We await to see if these changes generate additional applications that must be dealt with by the LPA, but for which there is little or no fee.

6.2 **Brownfield Local Development Orders**

- 6.2.1 The Department for Communities and Local Government (DCLG) has proposed that the existing special measures regime which penalises councils for failing to decide major applications on time could be extended to ensure that councils plan "positively for brownfield land".
- 6.2.2 The January 2015 consultation sets out further details on the government's commitment last year that it expects to see Local Development Orders (LDOs) being used to get permissions in place for new homes on more than 90% of suitable brownfield land by 2020. The consultation document defines brownfield land as being suitable for housing if it is deliverable, free of constraint, capable of development and capable of supporting five or more dwellings.
- 6.2.3 The consultation proposes that councils which do not have LDOs in place on at least 90 per cent of brownfield land suitable for new housing by 2020, where the land does not already benefit from planning permission, should be placed in special measures. It also proposes an intermediate target, suggesting that councils should be placed in special measures if they fail to have LDOs in place on 50 per cent of brownfield land suitable for housing in 2017.
- 6.2.4 An alternative sanction set out in the consultation proposes to amend the National Planning Policy Framework so that councils "that had failed to make sufficient progress against the brownfield objective would be unable to claim the existence of an up-to-date five year housing land supply when considering applications for brownfield development, and therefore the presumption in favour of sustainable development would apply".
- 6.2.5 The challenge for the Council is in terms of lack of resources and capacity to undertake the necessary work involved in implementing this policy, but without the LDOs in place the Council risks being placed in special measures and opens up the 5 year housing land supply issue. The Council is preparing a response to the consultation highlighting the challenges and issues for a city such as Leeds and pointing out that having planning permissions in place does not mean that sites will come forward for housing on brownfield sites as there are other factors which are of importance to delivering development on the ground including viability and development financing.
- 6.2.6 **Implementation of Community Infrastructure Levy**
- 6.2.7 In Leeds the Community Infrastructure Levy (CIL) comes into force on 6 April 2015. CIL replaces many of the elements of S106, although such obligations will still be necessary to deal with any site specific issues which cannot be addressed

by condition and which fall outside of the CIL regime and affordable housing requirements. There are many challenges facing Planning and Sustainable Development as a whole in the governance and implementation of the CIL regime, but there are some immediate impacts on planning services. We are anticipating the pressure for applications to be determined before CIL is implemented. Discussions and negotiations continue to be held with applicants on the likelihood of particular schemes being determined before 6 April and officers have been instructed to take a pragmatic and realistic approach in terms of what is likely to be achievable in this timeframe. This nonetheless places the service under pressure in the weeks leading up to the CIL implementation date and also affects the supporting services including highways and legal. There are a significant number of Section 106 agreements where the timescale is to complete them before the end of March.

- 6.2.8 Officers have received training and information on the operation of CIL, but as with any new major change, it will take some time for the process to bed down and this may have an effect on performance in the short term. Presentations have also been given to developers and agents, Parish and Town Councils and Panel members are also due to receive a presentation at this Joint Plans Panel meeting regarding the operation of CIL and the relationship with Section 106.

7 Corporate Considerations

7.1 Consultation and Engagement

- 7.1.1 This report is presented for information and there has not been the need for wide consultation.

7.2 Equality and Diversity / Cohesion and Integration

- 7.2.1 There are no specific equality considerations arising from this report.

7.3 Council policies and City Priorities

- 7.3.1 The effective and expedient determination of planning applications contributes to the overall prosperity of the City and plays a key part in the regeneration and growth agenda. The service makes a key contribution to the delivery of housing growth, a priority in the City Priority Plan 2011-15.

7.4 Resources and value for money

- 7.4.1 There are no specific implications arising from this report. However, measures are being taken to ensure that the service is delivered within the financial constraints affecting the Council and provides value for money as well as the levels of service required of a statutory function.

7.5 Legal Implications, Access to Information and Call In

- 7.5.1 There are no specific legal implications and this report does not relate to a key or major decision.

7.6 Risk Management

- 7.6.1 There are a number of risks associated with the decision making process which are both financial and reputational. Measures, processes and future service improvements outlined in the report seek to minimise the risk of challenge.

8 Conclusions

- 8.1 There has been significant progress on performance in quarters 1 to 3, with an increase in the number of applications determined in time. In the first three quarters this stood at 89.8%, for majors, 85.1% for minors and 91.3% for others. The use of extension of time agreements is ensuring applications remain in time and provide some certainty of timescale for applicants.
- 8.2 There is continuing evidence in the upturn in the economy with applications up by 6%, with major applications up by 10% on the same period last year. This is good for planning fees, but has an impact on resourcing and performance. Continual monitoring of performance is necessary to ensure that this level of determination can be maintained. The planning guarantee provisions for returning fee income on those applications not determined within 26 weeks has had some impact on the service, with so far a return of £6,000 in fees. The service recognises the imperative of determining applications within this timeframe and is proactively seeking extension of time agreements wherever possible to ensure that applications do not go out of time.
- 8.3 Progress continues to be made on complaints, evidenced through the reduction in overall numbers, and in those upheld.
- 8.4 There will be significant pressure on the service in the next few months with the proposed government changes- discharge of conditions, further PD changes as well as the Council's implementation of the Community Infrastructure Levy in April 2015. Additionally, the service strives to make the efficiency and operational efficiencies identified through the planning review, therefore a very challenging period ahead is anticipated. However, the direction of travel and objectives are clear in terms of transforming how we work, maintaining and improving performance levels and continuing to improve services to customers.

9 Recommendations

- 9.1 Members are asked to note the report and comment as they feel appropriate and to receive a further performance report in six months' time.

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Report of Chief Planning Officer

Report to Joint Plans Panel

Date: 26 February 2015

Subject: Update on the planning services review

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	☐ Yes	☒ No
Are there implications for equality and diversity and cohesion and integration?	☐ Yes	☒ No
Is the decision eligible for Call-In?	☐ Yes	☒ No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	☐ Yes	☒ No

Summary of main issues

1. Following on from the planning services review conducted by external consultants Ove Arup in 2014 and the production of their final report and action plan, a planning service implementation plan has now been produced, condensing the 40 plus actions and recommendations from the Arup report to 16 discrete work streams.
2. Five priority areas have been initially identified for implementation, which will release operational and financial efficiencies, and create capacity to provide space and time to facilitate other changes taking place.
3. Several more work streams will be coming forward over the next few months including moving towards electronic working, which may be challenging both logistically and culturally for stakeholders, but is nonetheless necessary to realise operational and financial efficiencies and place the service in a state of readiness for New Ways of Working.
4. Over the coming months more data on the actual cashable savings will be available and this will be monitored and fed back through the governance structure which is in place to manage the implementation phase.

Recommendations

5. Members are asked to note the report and comment as they feel appropriate.

1 Purpose of this report

- 1.1 At the last meeting of the Joint Plans Panel in September 2014, Members received a report on the planning review which had been conducted by Ove Arup Consultants. That report described the progress of the review at that point and presented the Arup action plan to Members.
- 1.2 Going forward, the consultant's action plan would form the basis of a planning services plan for implementing the actions and recommendations identified by Arup. This planning services plan has now been completed and this report describes the progress of implementing the actions highlighted through the planning review.
- 1.3 This report is presented for information and comment.

2 Background information

- 2.1 The aim of the planning service review was to assess the adequacy of the council's development management function and whether it was efficiently using resources to achieve an effective, high quality service, capable of delivering the growth agenda in Leeds.
- 2.2 The review also took account of the budget challenges the Council currently faces and the consequent need to realise operational and financial efficiencies and to look for ways to further monetise the service to meet any additional income requirements going forward.
- 2.3 Through an inclusive process of consultation with a wide range of stakeholders, research and data analysis, the consultants produced a final report and action plan, which highlighted over 40 actions, both strategic and operational. This was shared with Members at the last meeting of the Joint Plans Panel. From this a planning services implementation plan has been developed which condenses the actions into fewer than 20 discreet work streams, arranged by timescales for implementation.

3 Main issues

- 3.1 The implementation phase of the review commenced in September 2014 and progress has been swift on the priority work streams, with some projects through the pilot stage and others implemented already. The ICT working group, described below, is part of our desire for continuous improvement, in this case, to improve the way the service uses the ICT currently in place, to better support business needs.
- 3.2 Cashable savings will be made from some of the changes, but it is too early to quantify this, as the first tranche of projects have only recently been implemented. This information will be fed back through the groups created to provide governance of the review, ensuring transparency and accountability.

3.3 Governance

- 3.3.1 Two groups have been set up for purposes of managing the review- a planning review steering group comprising the Executive Board member for neighbourhoods, planning and personnel, chair of City Panel, chief planning officer, chief highways officer, head of planning services and development project manager. This group has a strategic overview of the implementation phase.
- 3.3.2 A planning review officer group also exists, comprising senior development management staff, a planning officer, development project manager, union representative and representatives from Highways, ICT and Sustainable Development Unit. This group is involved in ensuring a multi-disciplinary approach is taken at the implementation stage.
- 3.3.3 The Planning Services Leadership Team takes a role in the operational overview of the implementation phase, signing off project plans, scoping work, agreeing composition of working groups and reviewing progress.
- 3.3.4 Working groups have been set up for discrete work streams and comprise staff from different levels of the organisation to ensure there is grass roots involvement and buy in to the changes.

3.4 Priority work streams

- 3.4.1 Arup identified that the current staff establishment was broadly correct for the current workload, assuming we made the recommended changes which would generate operational efficiencies. These changes would result in more efficient processes and procedures, reduce duplication and create the necessary officer capacity, to be able to respond more flexibly to fluctuating workloads and other demands.
- 3.4.2 Five work streams have been identified for implementation in the short term. These areas were chosen as they would generate significant operational efficiencies and in several cases financial efficiencies. As these work areas are largely transactional, they will make a significant contribution to creating capacity and space to allow for the more complex or cultural changes to take place as part of the change programme. These first five areas are:
- Registration and validation
 - Pre-application process
 - Site notices
 - Creating of ICT working group
 - Workload and resourcing

3.5 Registration and Validation and reducing print costs

- 3.5.1 A pilot was undertaken in South area planning team to streamline the process for registration and validation and attempt to reduce printing costs. Current practice is inconsistent across all the teams and the pilot also attempted to provide a single process to be applied across the service.

- 3.5.2 The pilot lasted three months and the found that applications got to planning case officers more quickly; it was easier and quicker to address errors or omissions- for example the need for other consultees or advertising, which saves time further into the process. Additionally, reducing the amount and scale of printing undertaken for each application, reduced the print costs by approximately 85% on every application. It is estimated that in the pilot period, for South team this has saved over £3,500 in printing costs. Officers report no adverse issues and once a procedure is written, this will be rolled out across the service early in the new financial year.

3.6 Pre-application process

- 3.6.1 Arup identified that our pre-application processes were inconsistent and not always of a high quality. The Council is firmly committed to providing a pre-application service, helping developers to shape their schemes as part of the Council's commitment to the overall growth agenda. However, given the scale of the budget cuts faced by the Council, the pre-application enquiry service has been reviewed, with the aim of developing a more efficient process and a fee schedule which reflects officer time and resources. Essentially this means two main changes have been made; to the fees charged (which have remained static since they were introduced in 2008 and are now comparable with other Core Cities' charges) and in the way the service is accessed by applicants. These changes were introduced on 1 February 2015.
- 3.6.2 For major applications an initial free discussion is still offered; however this is more limited in its scope and will provide only "in principle" advice on the proposal. Should applicants wish to have a more in depth appraisal of their proposal a charge will be made. The charge is based on the size and scale of the proposal. Included in the overall fee is an element of charging for highways work that is often significant at the pre-application stage, such as modelling, Transport Assessments and so on. New pre-application charges have been introduced for "minor" applications; again this fee is dependent on the size and scale of the proposal. Household proposals will receive a free in principle response, but should further detail be required, design advice, or a site visit required, then a fee of £50 will be charged.
- 3.6.3 Attached as appendix 1 is the full fee schedule for the pre-application enquiry service.
- 3.6.4 Also introduced is the requirement for applicants to submit supporting information, enabling officers to make effective and comprehensive responses and we have set officer response times for each application type so there is more certainty in the service provided. This will help to provide clarity on what advice, information and level of service applicants will receive within defined timescales.
- 3.6.5 The changes have been promoted and communicated to the development industry through a range of opportunities and we will actively monitor take up of the service over the next three months with a formal review after six months of operation.

3.7 Site notices

- 3.7.1 A review of the way site notices are placed and by whom has been conducted. Prior to the pilot a dedicated member of the customer services team spent approximately 3-4 days a week placing notices across the city. The pilot changed this to the planning case officer placing notices as part of their site visit, which they must carry out anyway. This potentially replaces the historical two visits (one to place the notice and another officer site visit) with a single visit to do both, and is therefore a more efficient and cost effective process. There are still some operational issues to be worked through, but at the end of a three month pilot it has been decided to adopt this as standard practice across all teams.

3.8 Creation of the ICT working group

- 3.8.1 The consultant's report cited the more efficient use of ICT as being fundamental to delivering a speedy and efficient service, which supports business needs and recommended the establishment of a dedicated ICT user group which could deal with operational issues and help to develop the system so it meets business needs.
- 3.8.2 An ICT working group comprising staff from all levels and chaired by City Development's head of information management and technology has now been established. The group's remit is to deal with the immediate issues highlighted through the Arup review, support the move to electronic working, explore the functionality of Uniform and Enterprise to fit business needs and explore ways to ensure the service is positioned to respond to the New Ways of Working environment. To this end the group have met with teams across the service to understand current issues and where changes are needed.
- 3.8.3 An action plan of "quick wins", medium and longer term issues has been developed into an action plan which is being worked through.

3.9 Workload and resourcing

- 3.9.1 Arup identified that there were some inconsistencies in the level and numbers of staff in the area teams, the workload they carried and type of applications dealt with by different levels of staff. Since the publication of the Arup report, the service has lost further planning officers with a further 2.6 (full time equivalents) leaving at the end of the financial year. Additionally, a principle planning officer has also been seconded to the Housing Growth Team. Whilst the Housing Growth Team will largely deal with the Council's own housing programme, it is anticipated that the other residential applications will still be dealt with by the area teams. By the very nature of the service, it is impossible to predict when applications come forward and therefore a more flexible structure is required to respond to fluctuating workloads. Work is currently ongoing to look at team structure and composition, the appointment of a senior planner and planning assistant (internal recruitments agreed as part of the business case for ELI's) and to provide more flexibility in the service.

3.10 Next projects

3.11 Household and smaller applications

- 3.11.1 In 2013-14, the service received 2,086 household applications, approximately 46% of the overall application workload. However, this workload generates just 9% of the application income for the service. It is therefore very resource intensive in terms of time and overall service capacity. Time recording from 2011 showed that typically officers spend 5.25 hours per household application, costing in real terms an average of £350. The planning fee for a household application is £172. Therefore the service needs to be more mindful of resource inputs- staffing and time and take a more proportionate approach to applications. The same issues broadly also apply to smaller scale applications.
- 3.11.2 This project aims to
- Build better working relationship with plan drawers and agents to improve the quality of submissions and set expectations
 - Produce more proportionate delegated reports, but which still address material considerations, and other key points
 - Increased capacity by taking a more proportionate approach
- 3.11.3 The work has been scoped up and a project team has been formed to work through the issues and this project will commence in February 2015.

3.12 Moving to electronic working

- 3.12.1 Arup identified that a key issue for the service was “a need to reduce the institutionalised reluctance to electronic working”. They identified that the capabilities of our systems to automate activities and to simplify officer, applicant and external stakeholder interactions have not yet been fully exploited.
- 3.12.2 The service still operates a dual system in most instances i.e. electronic plus paper versions of case files. This system is not cost effective and is inefficient. Minimising inefficiencies in the planning application process and ensuring the electronic systems are exploited to their full potential will allow capacity to be released for other activities.
- 3.12.3 Commencing in March 2015, planning officers will be asked for expressions of interest in becoming a “champion” of electronic working. It is anticipated that a cohort of officers will work through the issues involved in working without hard copy documents. This will be pilot for four months after which time the processes will be reviewed with a view to rolling out across the whole service.
- 3.12.4 However, this requires the necessary investment in ICT hardware and software for officers to be able to work in this way- laptops or tablets to work remotely, Wi-Fi enabled etc. It will also require a significant change of culture, not just of planning officers but of other stakeholders too. However, the move to electronic working is necessary in order to make efficiency savings and be ready to respond to the Council’s New Ways of Working programme.

3.13 Conditions and Section 106

- 3.13.1 Two work streams identified by Arup were the need to review the use of conditions and the discharge of conditions and review the Section 106 process.

This is particularly important in light of the Government's proposal to introduce "deemed consent" if conditions are not discharged within the agreed period, or particular types of conditions. Section 106 delays are cited by both officers and applicant as reasons for delay in the overall determination process.

- 3.13.2 At the recent Housing Growth event on 15 January, hosted by Leeds City Council and attended by members, officers and representatives from the development industry, it was agreed to work collaboratively to investigate and explore the reasons for the delays in discharge of conditions and the S106 process and try to find a way forward in a series of workshops. This work will commence in March 2015.

3.14 Multi-disciplinary working

- 3.14.1 Arup identified that there was an overall lack of a managed multidisciplinary approach on the largest cases. The Housing Growth Team has now been created and a Principal Planner has been appointed to the team with more specialist posts joining the team over the coming months. However, there is the need for the Council to take a multi-disciplinary approach on all other large and strategically important schemes, project managed by the planning case officer.
- 3.14.2 Again this work stream will be initially investigated in a workshop following on from the Housing Growth event last month and will involve stakeholders in moving this forward. This work will commence in March 2015.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Throughout the process of conducting the review key stakeholders- staff, members, customers, development industry have been involved and consulted. This has continued into the implementation phase; the service is committed to involving staff in the changes to ensure positive buy in. The groups set up as part of the governance structure are engaged and consulted on scoping documents, progress and review documents.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 There are no specific equality considerations arising from this report.

4.3 Council policies and City Priorities

- 4.3.1 The effective and expedient determination of planning applications contributes to the overall prosperity of the City and plays a key part in the regeneration and growth agenda. The service makes a key contribution to the delivery of housing growth, a priority in the City Priority Plan 2011-15.

4.4 Resources and value for money

- 4.4.1 An aim of the review was to assess if the service provides value for money and value in judgement. The review concluded that broadly the current level of staff resource is correct for the current workload, if the measures highlighted in their

report to create capacity and streamline process were in place. This process of implementation is just beginning and the service will shortly be able to quantify the cashable savings being achieved through the change programme. The new pre-application service will be monitored at the end of three months to ensure the service is providing value and quality for money. The ambitious housing growth agenda, coupled with the upturn in the economy, means it is likely numbers of applications will rise and it is critical to put measures in place now which will further streamline the service so the service can respond positively. However, should numbers rise dramatically, there may be capacity and resource implications which the service will need to address further.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 There are no specific legal implications and this report does not relate to a key or major decision.

4.6 Risk Management

- 4.6.1 Local planning authorities risk being placed in special measures by the government if they fail to hit performance targets. The measures outlined as part of the review will assist the service to be more efficient and effective in its operation to support decision making.

5 Conclusions

- 5.1 The implementation phase has only been in place a few months, but progress has been steady. A new validation process ensures applications get to the officer more quickly, there are significant reductions in printing costs, paving the way to more electronic working and consequent further savings, the new pre-application service where a charge is now made to cover work and a more streamlined service creating operational efficiencies is in place, an ICT working group to take forward operational issues to ensure the ICT system best fits business needs, review of the site notice process which cuts out duplication of tasks and ongoing work to ensure that the team structure and composition matches workload, both across the service and within individual teams.
- 5.2 The next projects have been signed off and will start to move forward over the next few months. The ongoing work of moving increasingly to electronic/ paperless working is a significant piece of work where there are both logistical as well as cultural issues to address. It is nonetheless necessary as the Council reduces its footprint and moves to New Ways of Working.
- 5.3 Staff buy in is crucial to the change process and the working groups' composition reflect all levels of staff to ensure involvement, engagement and consistency across the service.

6 Recommendations

- 6.1 Members are asked to note the report and comment as they feel appropriate

Pre-application enquiry service fee schedule (from 1 February 2015)

Application type	Cost
Major applications	
Small major <i>10-199 units, 1,000- 9,999 square metres commercial</i>	
Stage 1, in principle	Free
Stage 2, full appraisal	£900
Large major <i>200+ units, 10,000 square metres + commercial</i>	
Stage 1, in principle	Free
Stage 2, full appraisal	£1440
Minor applications	
Small minor <i>1-4 residential and commercial up to 500 square metres</i>	£150
Larger minor <i>5-9 residential, 501-999 square metres</i>	£300
Household	
In principle	Free
Additional details, site visit etc	£50

All prices include VAT

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Report author: Helen Cerroti
Tel: 0113 3952111

Report of Chief Planning Officer

Report to Joint Plans Panel

Date: 26 February 2015

Subject: Housing growth update

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	☐ Yes	☒ No
Are there implications for equality and diversity and cohesion and integration?	☐ Yes	☒ No
Is the decision eligible for Call-In?	☐ Yes	☒ No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	☐ Yes	☒ No

Summary of main issues

1. The Council held a Housing Growth event on 15 January 2015 which was attended by over 60 representatives from the development industry ,registered providers, members and council officers.
2. The event sought to update delegates on the housing growth agenda in Leeds, the challenges and issues encountered, the Leeds Standard and was also the launch of the consultation on the Neighbourhoods for Living memoranda, which sets out the quality design ambition of the Council.
3. Representatives from the volume house building industry also made a presentation, describing the issues of delivering houses in Leeds from their perspective. Whilst there was a range of opinions at the event it was clear there was willingness by the stakeholders to engage with the Council in delivering new homes and it was agreed that the next steps would be investigating a number of common issues in a series of workshops in the spring.

Recommendations

4. Members are recommended to note the report and comment as they feel appropriate.

1 Purpose of this report

- 1.1 This report describes the recent Housing Growth event held by the Council on 15 January 2015 and updates members on the next steps in helping to meet the housing growth ambitions of the Council in delivering homes up to 2028.

2 Background information

- 2.2 A Housing Growth event was organised by the City Council on 15 January 2015 and attended by over 60 delegates, comprising representatives from the development industry, members and officers. The aim of the event was to discuss the issues facing communities, the council and the development industry in delivering the quantum of housing needed by the city. It also sought to reemphasise the quality agenda in Leeds articulating to the development industry that the Council is looking for both quality and quantity in delivery, reflecting the positive character and identity of individual places and communities.

3 Main issues

- 3.1 The Chief Executive and Executive Board Member for Neighbourhoods, Planning and Personnel provided the welcome and introduction to the event and described the Council's ambition and the need for partnership in meeting the need for the right housing in the right place. The Chief Planning Officer set the overall context for housing delivery and the need to improve delivery of housing in Leeds, in terms of quality and in the expeditious determination of residential planning applications to speed up delivery on the ground.
- 3.2 The Head of Housing Partnerships made a presentation on the Housing Growth Team and the *Leeds Standard*. The development of the Leeds Standard was initiated for the Council Housing Growth Programme and is intended to set a high standard for the Council house building programme and to encourage all housing developers to share the aspiration towards growth which is sustainable and to the benefit of communities. The standard comprises three key themes: Design Quality, Space Standards (Internal), and Energy Efficiency Standards.
- 3.3 A further presentation was received from the Council's design team where the *Neighbourhoods for Living* memoranda consultation was formally launched (consultation runs until 12 March 2015). *Neighbourhoods for Living* was first launched and adopted by the Council in 2003 and it continues to provide guidance to developers for delivering quality housing designs that recognises local character and identities. However, the memoranda seeks to help and support developers who are providing the majority of new homes in the city, and refers to key current issues of design and further explains the existing principles within the *Neighbourhoods for Living* document.
- 3.4 A final presentation was from representatives of the volume house building industry to explore the issues in delivering housing in Leeds from their perspective and the challenges and issues they encounter.

- 3.5 Inevitably, there were a range of views expressed on the topics that were discussed, but there was clarity on the Council's commitment to addressing the need for high quality housing in the right place in the City and developers commended the Council for taking a proactive approach to this often difficult and sensitive issue.
- 3.6 Following on from the event, it was agreed to investigate a number of common specific areas that were encountered by different stakeholders to explore the issues, with the aim of improving processes, reducing delays in determination, ensuring quality and facilitating a swift start on site and delivering much needed housing. It was therefore proposed to hold three focus groups which would look at:
- Pre-application and early engagement
 - The planning application process, including viability and S106
 - Conditions discharge
- 3.7 Delegates were invited to express an interest in attending, any or all of the focus group sessions in a workshop by 16 February 2015 to help move forward the issues. It is anticipated the first of the sessions will commence in March 2015.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 It has been widely recognised that in realising the Council's housing growth ambition, that a more collaborative approach is required, especially in achieving the design and quality aspirations of the Council. The development industry representatives have been given the opportunity to respond as part of the consultation process on the *Neighbourhoods for Living* memoranda. Going forward, the Council wishes to engage with local communities and the development industry in finding solutions to the barriers which exist in reaching expeditious decisions on residential applications and the delivery of housing on the ground. These sessions will take place over the forthcoming months.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 There are no specific equality considerations arising from this report

4.3 Council policies and City Priorities

- 4.3.1 Housing growth is one of the Council's breakthrough projects and the work so far signals that Leeds is open for business for high quality schemes.
- 4.3.2 The effective and expedient determination of planning applications contributes to the overall prosperity of the City and plays a key part in the regeneration and growth agenda. The service makes a key contribution to the delivery of housing growth, a priority in the City Priority Plan 2011-15.

4.4 Resources and value for money

- 4.4.1 Any further work will be conducted within existing budget and resource constraints, but gaining consensus and working more collaboratively with local communities and the development industry is crucial. The Council needs the development industry to work with us as well as local communities to help speed up housing delivery, so this work area is crucial.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 There are no specific legal implications and this report does not relate to a key or major decision.

4.6 Risk Management

- 4.6.2 The Council's housing growth programme is ambitious and runs the risk of under delivery against the Core Strategy targets, therefore it is crucial that there is greater understanding and collaborative working in meeting the Council's aspirations for the City.

5 Conclusions

- 5.1 There is an ambitious target for Leeds to deliver 70,000 homes by 2028. The Council is aiming for Leeds to be the best city in UK with strong, sustainable economic growth, a suitable housing mix, and excellent places to live for existing and future residents. The Core Strategy provides a strong basis for this, setting out the over-arching policy framework which is supported by Neighbourhoods for Living, Supplementary Planning Documents, Neighbourhood Design Statements, and saved policies and documents.
- 5.2 The Council wishes stakeholders to embrace the approach which delivers the highest quality for the people of Leeds, as well as quantity. The positive character and identity of individual places and communities is important to Leeds as it moves forward with delivery of housing growth.
- 5.3 The development of the Leeds Standard focussing on design quality, space standards and energy efficiency standards will be adopted on the Council's own housing programme, and the Neighbourhoods for Living memoranda provides additional explanatory information to support developers in designing residential schemes that reflect the high quality design aspiration for the city.
- 5.4 Whilst there are inevitably a range of different perspectives and opinions from different stakeholder groups in relation to housing delivery, the development industry are positive in responding to the proactive approach being taken by the Council in driving the delivery of new housing forward. The next steps will be the thematic stakeholder workshops in March 2015.

6 Recommendations

Members are recommended to note the report and comment as they feel appropriate.



Report author: Helen Cerroti

Tel: 3952111

Report of the Chief Planning Officer

Report to Joint Plans Panel

Date: 26 February 2015

Subject: Planning Policy Approach to Hot Food Takeaways (referral from Development Plans Panel)

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	☐ Yes	☒ No
Are there implications for equality and diversity and cohesion and integration?	☐ Yes	☒ No
Is the decision eligible for Call-In?	☐ Yes	☒ No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	☐ Yes	☒ No

1.0 Purpose of this report

- 1.1 This is a covering report to a report of the Chief Planning Officer which provided an overview of the planning policies in Leeds relating to hot food takeaways, in response to issues raised through the Members workshops, which was considered at the Development Plan Panel meeting of 16 December 2014. The report is attached and presented to the Joint Plans Panel for information.

2.0 Main issues

- 2.1 The Planning Policy Approach to Hot Food Takeaways report outlined the context of the Core Strategy with the requirement to provide a planning policy framework to address health issues and the wider role of local authorities through the Duty to improve Public Health.
- 2.2 The Head of Forward Planning and Implementation stated at the meeting the necessity for the policy to be applied in order to assess how effective it was and be kept under review.
- 2.3 Members discussed issues relating to hot food takeaways in respect of their impact on health, obesity and life expectancy; the numbers of hot food takeaways in particular parts of the city: the frequent siting of these close to schools and the need for Officers to robustly apply and defend the policy.

2.4 It was suggested by the Development Plan Panel that this report should be referred to the Joint Plans Panel. The report is presented for information.

3.0 Recommendations

Members are recommended to note the report.

4.0 Background papers

Executive Board Housing delivery 13 March 2013

Development Plans Panel Planning Policy Approach to Hot Food Takeaways (HFTs),
16 December 2014

Report of Chief Planning Officer

Report to Development Plan Panel

Date: 16th December 2014

Subject: Planning Policy Approach to Hot Food Takeaways (HFTs)

Are specific electoral Wards affected?	☒ Yes	☐ No
If relevant, name(s) of Ward(s): District-wide		
Are there implications for equality and diversity and cohesion and integration?	☒ Yes	☐ No
Is the decision eligible for Call-In?	☐ Yes	☒ No
Does the report contain confidential or exempt information?	☐ Yes	☒ No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

1. Summary of main issues

- 1.1 Arising from the Site Allocation Plan (SAP) workshop sessions the Chair of the Development Plan Panel and Executive Member, have requested that officers advise on the overall planning policy approach to Hot Food Takeaways (HFTs). This includes the need to address a number of policy considerations (including over concentration and amenity) and health issues to reflect the City Council's obligations under the Duty to improve Public Health.
- 1.2 The City Council is taking a number of steps regarding the control, management and impacts of HFTs. These include: licensing, environmental health checks, promoting local food growing, awareness campaigns (to promote health education and healthier life styles), together with a pilot project in Middleton to look at the local impact of HFTs).
- 1.3 Within this wider context, there has been a growing national recognition of the relationship between Planning and Public Health. This is broadly reflected in the National Planning Policy Framework (NPPF) which makes reference to 'Health & well-being', although no specific reference is made to HFTs (para. 171). In seeking to address these issues locally, UDP saved Policies and the recently adopted Core Strategy contains a range of planning policies to provide a basis to manage the location and impact of HFTs.

2. Recommendations

- 2.1 Development Plan Panel is requested to consider this report and the approach to Hot Food Takeaways and the need for the application of relevant policies to be kept under review.

3. Purpose of this report

- 3.1 The purpose of this report, is to provide an overview of the planning policies in Leeds relating to HFT, following issues raised through the SAP member workshops.

4. **Background information**At the SAP, member workshops (City Centre) specific reference was made to the impact of HFTs. Particular concerns were raised regarding the cumulative impact of HFTs and related issues such as litter and antisocial behaviour. Reference was also made to the effectiveness of planning policy and the role of licensing, in managing the impact of such development, - which also include, the over concentration of such development, the proximity to HFT to schools, youth facilities and parks, highway safety, the impact on residential amenity, operating hours, odour & cooking smells and waste disposal.

5. Main Issues

- 5.1 As emphasised above, there has been a growing national recognition regarding the relationship of Planning and Health and the wider role of local authorities through the Duty to improve Public Health (Health & Social Care Act 2012). The Leeds UDP and recently adopted Core Strategy, provide a planning policy framework to address health issues in Leeds through the planning system. This includes Policies to promote opportunities for recreation (though green space provision), the regeneration of priority areas (to help tackle issues of multiple deprivation) and policies relating to HFTs.

Leeds UDP

- 5.2 Whilst the Core Strategy has been adopted, a number of UDP Policies are retained as 'saved policies'. Within this context, UDP Policy GP5 has been saved. This states:

*"Development proposals should resolve detailed planning considerations (including access, drainage, contamination, stability, landscaping and design). Proposals should seek to avoid problems of environmental intrusion, **loss of amenity**, pollution, **danger to health or life**, and highway congestion, to maximise highway safety, and to promote energy conservation and **the prevention of crime**. Proposals should have regard to the guidance contained in any Framework or Planning Brief prepared for the site or area."* (Policy GP5, Leeds UDP).

- 5.3 As a general 'catch-all', Policy GP5 touches on - and guards against - many of the most important negative aspects of HFTs. It provides protection from the very issues that the Duty to Improve Public Health raises with regards to HFTs, namely 'danger to health or life'. In the future the implementation of Policy GP5 must better accord with this new Duty.

Leeds Core Strategy

- 5.4 Health issues are an integral component of the overall approach of the Core Strategy. The Policy framework of the Plan was subject to a sustainability appraisal and Health Impact Assessment Screening. Within this context, reference is made to the role of the plan in taking forward the council's 'Duty to improve Public Health'. This is translated throughout the Plan,
- reference to the importance of public health in the opening sections of the document (supported by the inclusion of Map 2, which illustrates the Indices of Multiple Deprivation across the District),
 - the inclusion of public health and well-being as a specific objective, incorporated into the Spatial Vision ("*Support the improved public health and wellbeing of Leeds' residents and workforce*" – Objective 14),
 - Together with specific policies, to tackle HFTs, through the mainstream planning process.

Taken as a whole, this Policy framework provides a basis to address issues relating to HFTs at a District-wide level, enabling planning applications at a local level to be considered on their individual merits, in terms of their local impact and evidence.

- 5.5 The Core Strategy sets out individual policies for acceptable uses within Leeds City Centre (CC1), Town Centres (P2), Local Centres (P3) and Shopping Parades (P4). In principal HFTs are acceptable in principle in all of these locations, as they are a Town Centre Use, as defined by the NPPF. However, whilst the principle of the use may be acceptable, the application and operation of such uses need to be considered within the context of saved UDP Policy GP5 and the local impacts associated with such proposals.
- 5.6 CC1 provides further detail in section g) by stating "*All other town centre uses [including HFTs] will be supported within the City Centre boundary provided the use does not negatively impact on the amenity of neighbouring uses and that the proposal is in accordance with all other Core Strategy policies*". Whilst this element of the Policy does not refer to HFTs explicitly, it is clear that it would be appropriate to use this element of the Policy in assessing HFT applications.
- 5.7 Policies for Town Centres and Higher Order Local Centres do not go into any further detail on HFTs or amenity issues, other than to say that the use class would be appropriate in principle within these centres. However, it should be emphasised that through the SAP, parts of these centres will be covered by Primary and Secondary Shopping Frontages designations. This in turn will provide a degree of protection from the loss of A1 units to A5 HFT units within these frontages. However, outside of these protected shopping frontages, or where the proposal

does not result in the loss of A1 Retail, UDP saved Policy GP5, provides the overall context.

- 5.8 For Lower Order Local Centres and Neighbourhood Shopping Parades, as they do not have Shopping Frontages, the Core Strategy provides protection via a set of criteria designed to ensure that the loss of A1 Retail units (within these Lower Order Local Centres and Neighbourhood Parades) does not have a cumulative impact upon amenity and traffic. This Policy applies to the loss of A1 Retail, and in other instances UDP saved Policy GP5, provides the overall context.

Implementation of the Core Strategy

- 5.9 The health and associated issues relating to HFTs have been highlighted as particular concerns for members. This report has set out the overall Policy context in Leeds. Central to this are the recently adopted Core Strategy Policies. At this stage, in terms of implementation we simply do not know how successful these Policies will be in defending Leeds from inappropriate HFT proposals. The efficacy of these Policies still needs to be tested via the planning application and appeal processes (and the conclusions and reasoning of Planning Inspectors). Consequently, further monitoring and review of the application and impact of these Policies will be necessary to consider if any further planning guidance is required.

6. Corporate Considerations

6.1 Consultation and Engagement

- 6.1.1 The Core Strategy has now been adopted and has been found by an independent Inspector to be sound (this also includes compliance with the Duty to Co-operate). The Site Allocation Plan has been subject to Issues and Options consultation in summer 2013 and there will be a further opportunity for representations to be made at Publication stage, prior to submission. Outside of these processes, officers have been responding to community groups and individuals across the District on planning matters and in relation to the preparation of Neighbourhood Plans, for which there is a high level of interest. In progressing the plan to the next stage, extensive member engagement has taken place, through 11 member workshops (between June – December 2014), involving members of the DPP and ward members for the relevant HMCA.

6.2 Equality and Diversity / Cohesion and Integration

- 6.2.1 In the preparation of the Core Strategy and Site Allocations Plan, due regard has been given to Equality, Diversity, Cohesion and Integration issues. This has included the completion of EDCI Screening of the Core Strategy and meeting the requirements of the Strategic Environmental Assessment Directive, which has meant that these Plans are subject to the preparation of a Sustainability Appraisal. The purpose of such Appraisals is to assess (and where appropriate strengthen) the document's policies, in relation to a series of social (and health), environmental and

economic objectives. As part of this process, issues of Equality, Diversity, Cohesion and Integration, are embedded as part of the Appraisal's objectives.

6.3 Council policies and City Priorities

- 6.3.1 The Core Strategy and the emerging Site Allocations Plan, play a key strategic role in taking forward the spatial and land use elements of the Vision for Leeds and the aspiration to the 'the best city in the UK'. Related to this overarching approach and in addressing a range of social, environmental and economic objectives, where these Plans also seeks to support and advance the implementation of a range of other key City Council and wider partnership documents. These include the Best Council Plan (2013-17) and Leeds Joint Health and Wellbeing Strategy (2013-2015).

6.4 Resources and value for money

- 6.4.1 The preparation of statutory Development Plan Documents is an essential but a very resource intensive process. This is due to the time and cost of document preparation (relating to public consultation and engagement), the preparation and monitoring of an extensive evidence base, legal advice and Independent Examination. These challenges are compounded currently by the financial constraints upon the public sector and resourcing levels, concurrent with new technical and planning policy pressures arising from more recent legislation (including the Community Infrastructure Levy and Localism Act). There are considerable demands for officers, members and the community in taking the Development Plan process forward.

6.5 Legal Implications, Access to Information and Call In

- 6.5.1 None at this stage.

6.6 Risk Management

- 6.6.1 Following the adoption of the Core Strategy there is considerable urgency to take the Site Allocations Plan forward. This is needed to help implement the Core Strategy, provide clarity for investment decisions (and the co-ordination of infrastructure), to take forward the Council's strategic priorities and to provide an up to date planning framework for emerging Neighbourhood Plans.

7 Conclusion

- 7.1 As set out above, the City Council is taking a corporate approach through a range of initiatives and regulatory controls, to manage HFT. Given the tight scope of the SAP and the coverage of the Core Strategy policies, it is considered that at this stage it is unnecessary to add further policy when the Core Strategy was only adopted last month and the efficacy of these policies remain untested. The operation of these policies will need to be kept under review and in the future it may be appropriate to develop further guidance as appropriate.

8 Recommendations

- 8.1 Development Plan Panel is requested to consider this report and the approach to Hot Food Takeaways and the need for the application of relevant policies to be kept under review.

9 Background documents¹

- 9.1 None

10 Appendices

- 10.1

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

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Report of the Chief Planning Officer

Report to Joint Plans Panel

Date: 26 February 2015

Subject: Community Infrastructure Levy and Section 106 Update

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	☐ Yes	☒ No
Are there implications for equality and diversity and cohesion and integration?	☐ Yes	☒ No
Is the decision eligible for Call-In?	☐ Yes	☒ No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	☐ Yes	☒ No

1.0 Purpose of this report

- 1.1 This is a covering report to a presentation on the Leeds Community Infrastructure Levy and Section 106 which will be presented to members of the Joint Plans Panel on 26 February 2015.

2.0 Main issues

- 2.1 Members are familiar with the development of the Community Infrastructure Levy (CIL) for Leeds. In meeting the many challenges associated with the ambition to be the best city in the UK, central to the Vision for Leeds is the desire to ensure that the need for growth in jobs and housing is planned and delivered in a sustainable way. The Council has previously agreed to progress setting a CIL charge on new development in its area and this is one of the key ways in which funding for the supporting infrastructure will be gained to support the City's ambitions. The CIL will help to meet Leeds' priorities by generating funding to provide infrastructure while being at appropriate rates which will continue to attract investment, create jobs, and deliver new housing.
- 2.2 Following various stages of formal consultation on the Leeds CIL, as required by the CIL Regulations, a public examination in June 2014 and agreement by full Council, the CIL Charging Schedule was adopted in November 2014 to be implemented on 6th April 2015.

- 2.3 The CIL becomes liable on the grant of planning permission, but is paid when development commences on site. Executive Board previously approved the instalments policy (17th September 2014) which phases payments over a longer period for larger sums and recently (11th February 2015) received and considered a report on the spending of CIL receipts.
- 2.4 CIL receipts can be spent on infrastructure identified on the Council's Regulation 123 list. On site infrastructure arising from a development and affordable housing will still be subject to Section 106 requirements in addition to any CIL liability if decisions are made after 6th April 2015.
- 2.5 Members will receive a presentation at the Joint Plans Panel meeting updating them on the adopted CIL and the relationship with Section 106 agreements.
- 3.0 Recommendations**
Members are asked to note this report and the contents of the presentation.