



JOINT PLANS PANEL

Meeting to be held in MeetingLocation on
Thursday, 16th July, 2015 at 10.00 am

MEMBERSHIP

Councillors

J Akhtar	T Leadley
B Anderson	R Lewis
J Bentley	C Macniven
D Blackburn	A McKenna
C Campbell	J McKenna (Chair, City Plans)
A Castle	S McKenna
B Cleasby	E Nash
D Congreve	J Procter
M Coulson	R Procter
R Finnigan	K Ritchie
R Grahame	B Selby
C Gruen (Chair, South & West Plans)	A Smart
P Gruen	E Taylor
S Hamilton	C Towler
M Harland	P Wadsworth
J Heselwood	N Walshaw (Chair, North & East Plans)
M Ingham	G Wilkinson
A Khan	R Wood
G Latty	

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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	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
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 - 26 FEBRUARY 2015 To confirm as a correct record, the minutes of the meeting held on 26 February 2015	1 - 4
8			END OF YEAR PERFORMANCE REPORT FOR 2014-15 To receive and consider the attached report of the Chief Planning Officer	5 - 22
9			HOUSING GROWTH WORKSHOPS To receive and consider the attached report of the Chief Planning Officer	23 - 30
10			PERMITTED DEVELOPMENT AND CHANGES TO THE USE CLASSES ORDER To receive and consider the attached report of the Chief Planning Officer	31 - 40
11			BUILDINGS AT RISK To receive and consider the attached report of the Chief Planning Officer	41 - 48

Item No	Ward/Equal Opportunities	Item Not Open		Page No
12			DATE AND TIME OF NEXT MEETING Thursday, 28 January 2016 at 10.00 a.m.	

Joint Plans Panel

Thursday, 26 February 2015

PRESENT: Councillor J McKenna in the Chair

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

14 Election of the Chair

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

15 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

16 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors J Akhtar, J Bentley, M Coulson, C Gruen, M Ingham, B Selby and R Wood.

17 Minutes

RESOLVED – That the minutes of the meeting held on 11 September 2014 be confirmed as a correct record.

18 Matters arising from the Minutes

Members discussed minimum room sizes in relation to the Leeds Standard and issues relating to disabled access.

It was requested that there be an update on the Buildings at Risk register at the next meeting.

19 Performance Report

The report of the Chief Planning Officer provided Members with an update on performance for Quarters 1 to 3, 2014-15.

Issues highlighted included the following:

- Panel meetings – City Plans Panel had moved to a three weekly cycle.
- There had been a significant performance improvement with comparison to the Core Cities.
- There had been a dip in the number of appeals.
- Introduction of the Community Infrastructure Levy (CIL)

Minutes to be approved at the meeting of the Joint Plans Panel
To be held on 16 July 2015

- Adoption of the Core Strategy; Site Allocation Plans and PAS Sites.
- The Planning Review,
- Forthcoming changes to permitted development.
- Introduction of SUDs regulations (Sustainable Urban Drainage)

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

- Concern that Section 106 agreements aren't always completed as agreed and changes to agreements after approval. It was reported that these agreements were monitored.
- Decision making on finely balanced application and weighting towards different elements of applications.
- Enforcement issues.
- Consultation with Ward Members on applications.
- Panel decisions contrary to officer recommendations – the need for proper planning reasons for refusal to be specified.

RESOLVED – That the report be noted and a further performance report be received in 6 months time.

20 Planning Review Update

The report of the Chief Planning Officer provided members with an update on the Planning Services Review conducted by external consultants Ove Arup in 2014.

Members' attention was brought to the following priority areas identified for implementation.

- Validation and Registration – there had been a pilot to streamline getting applications to officers.
- Pre-application process – Charges had been revised in line with other core cities.
- Site notices
- ICT Working Group – Improvements to public access.
- Workload and resourcing

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

- Quality checking of decisions made – it was suggested that some completed schemes that have been to Plans Panels could be re-visited.
- Building control – Members discussed some of the roles of building control and it was suggested that this could be included as part of future training.

RESOLVED – That the report be noted.

21 Housing Growth Update

The report of the Chief Planning Officer made reference to the recent Housing Growth event which was attended by representatives of the development industry, Elected Members and officers.

Minutes to be approved at the meeting of the Joint Plans Panel
To be held on 16 July 2015

Issues highlighted included the following:

- Discussion with volume housebuilders.
- The need to get high quality developments.
- The following identified work streams which would be the subject of focus group meetings:
 - Pre-application and early engagement
 - The planning application process, including viability and S106
 - Conditions discharge
- The importance of engagement with the public and Elected Members

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

- Infrastructure – particularly in relation to GP and primary care provision and the importance of infrastructure in order to attract investment to the city.
- Engagement with Parish and Town Councils.
- Relationship between Planning and Clinical Commissioning Groups.
- Neighbourhood Plans and relationship with Neighbourhood Forums.

RESOLVED – That the report be noted.

22 Hot Food Takeaways

The report of the Chief Planning Officer referred to the item referred by the Development Plan Panel in relation to the planning policies in Leeds covering hot food takeaways.

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

- The high proliferation of hot food takeaways in certain areas.
- Work carried out in other authorities to limit the numbers of hot food takeaways,
- Associated complaints with hot food takeaways such as noise disturbance and litter.
- The possibility of introducing a supplementary policy document in order to gain more control over the number of takeaways.
- Licensing and Health issues.
- It was suggested that a further report be brought to a future meeting of the Joint Plans Panel.

RESOLVED – That the report be noted.

23 Community Infrastructure Levy

The report of the Chief Planning Officer informed the Panel of the impending Leeds Community Infrastructure Levy (CIL) that would be implemented on 6 April 2015.

Members were given a presentation on the Community Infrastructure Levy. Issues highlighted included the following:

- The CIL would apply to all outline and full permissions after 6 April 2015.
- Payments would be based on the size of a development per square metre of internal floor space.
- Reference was made to the consultation process to develop the Leeds CIL.
- Charging zones across the City were explained.

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

- There was still some concern regarding the use of roof spaces for internal floor space.
- CIL would be applied to retrospective applications.
- There would be enforcement and spot checking of developments in relation to CIL.

RESOLVED – That the report and presentation be noted.

Report of Chief Planning Officer

Report to Joint Plans Panel

Date: 16 July 2015

Subject: End of year performance report for 2014-15

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. In the reporting period, application numbers submitted overall were up slightly from those submitted in 2013-14. Over 4,000 decisions were made on applications over the year.
2. Performances on the statutory timescale for determining applications has continued to improve. This is due in part to the extensions of time provisions brought in under the Growth and Infrastructure Act, but also due to better project management and proactive working with applicants. There is significant activity in many sectors and a noticeable increase in developments under construction.
3. Service improvements continue to be made: a wide scale planning review commenced in early 2014 has concluded and actions are now being implemented, a series of proactive workshops with the volume house builders have taken place to move forward the delivery of the Council's ambitious housing growth programme and the retention of the Customer Services Excellence award for customer services for the whole of planning services has been achieved.
4. It has nevertheless been a further challenging year, balancing workloads and the available resources within a changing planning environment, brought about by the Governments planning reform agenda and pick up in the economy.

Recommendation

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

1 Purpose of this report

- 1.1 At the last Joint Plans Panel meeting on 26 February 2015, members received and noted a performance report for planning services for quarters 1 to 3, covering the period April to December 2014. It was resolved that the Joint Plans Panel would receive a year end performance report for 2014-15 at its next meeting.
- 1.2 This report is presented for information and comment.

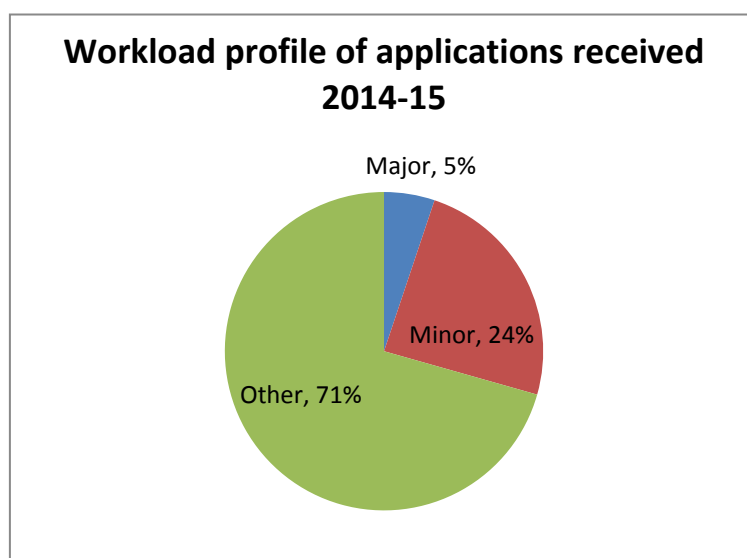
2 Background information

- 2.1 In 2014-15 the service continued to deal with a significant workload, whilst progressing with a number of large and strategically important planning applications. The service contributes to the Breakthrough Project Housing growth and jobs for young people and has been working positively with applicants, communities and Ward Members to deliver the Council's ambitious housing targets, whilst at the same time trying to raise the quality of design to reflect the distinctiveness of communities in Leeds.
- 2.2 Whilst the number of planning applications received in 2014-15 was similar to the numbers received in 2013-14, performance against government time targets for determining applications has improved significantly across all categories. It is particularly important to hit time targets with the government's planning guarantee whereby out of time majors over 26 weeks old are liable for their fee to be returned if there is not an agreement on behalf of the applicant in place to continue the period of time before a decision is made.
- 2.3 The service uses several measures to assess the quality of decision making: lost appeals, number of complaints and upheld complaints. Performance in these areas compares well with last year; this year there are fewer complaints being upheld and there were no local settlements required on Ombudsman complaints. There are fewer appealed decisions in 2014-15 compared with 2013-14, however, the number of those appeals being dismissed has dropped from the previous year, from 71% in 13-14 to 66% in 14-15.
- 2.4 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 planning review- a four month review of the planning "function" by external consultants, working with volume house builders to develop a high quality Standard for new homes in Leeds and extending the scope of the Customer Services Excellence award.

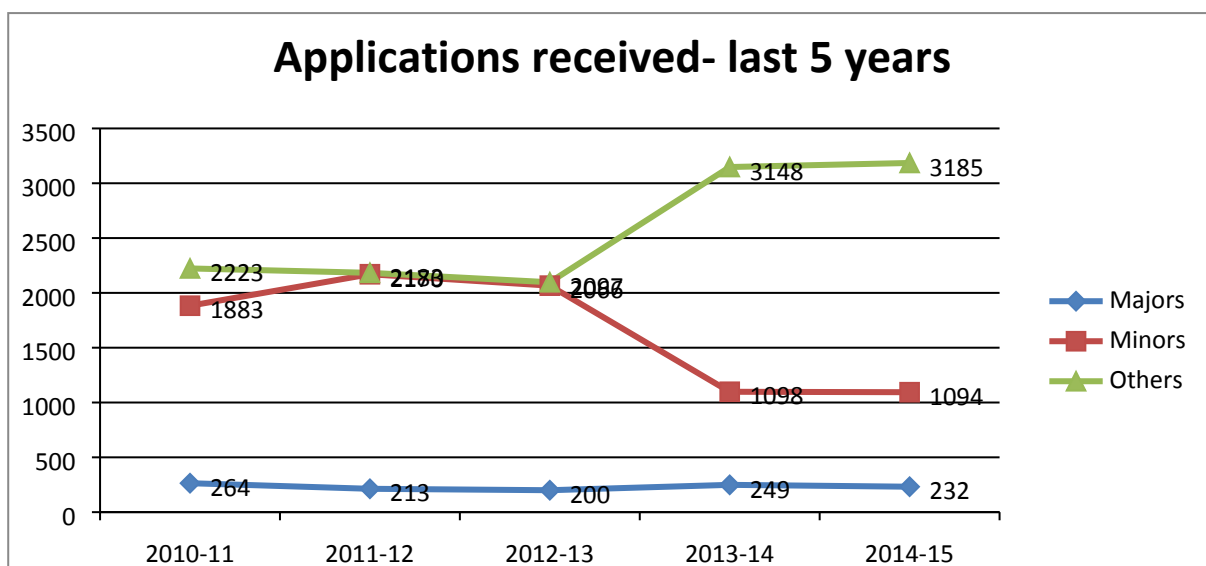
3 Main issues

3.1 Planning performance and workload

- 3.1.1 In the reporting period, application numbers submitted overall were up slightly from 4,495 in 2013-14 to 4,511 in 2014-15, a 0.5% increase, with 4,119 decisions being made in 2014-15. 96% of decisions were made by officers under the delegation scheme, a slight decrease from the previous year, where 97.7% decisions were made by officers under delegated powers.
- 3.1.2 The number of major applications received dropped slightly from 249 in 2013-14 to 232 in 2014-15. Major applications represent around 5% of the total current workload of the service. Nationally, local planning authority's workloads comprise around 3% of majors, so Leeds receives a greater number of larger applications than the national average. The workload profile in 2014-15 is demonstrated in the pie chart below:



- 3.1.3 The chart below shows the number of applications received over the last five years. The trend of fewer minor applications and increased number of “other” applications witnessed in 2013-14 has remained at similar levels in 2014-15. The “other” category includes householder applications.



3.1.4 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

3.1.5 Applications are also “in time” if they are determined within a timescale, agreed by both the applicant and local planning authority. These are “extension of time agreements”, brought in under the provisions of the *Growth and Infrastructure Act*. During 2014-15 there has been a considerable improvement in performance of applications which are determined in time, as demonstrated in the table below in comparison with the last three years:

	% Majors in time	% Minors in time	% Other in time
2014-15	93.6	87.2	92.7
2013-14	73.3	70.3	83.3
2012-13	61.3	77.4	88.9

3.1.6 The latest national figures for the period January to March 2015 show that LPAs decided 75% of major applications within 13 weeks or within the agreed time, down from 76 per cent a year earlier¹, therefore not only is Leeds’ performance an improvement on last year, it is also significantly above the national average determination rate.

3.1.7 A significant achievement was to deal with 40 major applications in the last month before the Community Infrastructure Levy was introduced on 6 April 2015, most of which included a completed Section 106 agreement.

¹ Department Communities and Local Government Planning applications January to March 2015 Statistical Release 18 June 2015

- 3.1.8 The planning guarantee was brought in through *The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2013* and is now operational and means that any applications over six months old after 1 April 2013, where there is no extension of time agreement, can have the planning fee refunded. In 2014-15, £6,659 has been refunded. Whilst this is a relatively small amount and relates to seven applications in total, officers have been instructed to try to negotiate extension of time agreements for those applications reaching six months old, wherever possible, to mitigate the risk of returning the fees.
- 3.1.9 Overall planning fees in 2014-15 totalled £3.35million, just £1,700 more than the budget set at the start of the year. This compares with £3.55million received in 2013-14.

3.2 Comparison with Core Cities

- 3.2.1 The table below shows the performance of the Core Cities for 2014-15.

	Majors		Minors		Others	
	No decided	% in time	No decided	% in time	No decided	% in time
Birmingham	181	88%	1072	80%	3219	92%
Bristol	91	63%	1070	64%	1568	74%
Leeds	220	94%	962	87%	2941	93%
Liverpool	138	54%	514	55%	1252	56%
Manchester	107	73%	858	81%	1064	81%
Newcastle	73	90%	353	81%	1007	90%
Nottingham	63	93%	359	95%	1293	97%
Sheffield	88	72%	613	71%	1741	83%

- 3.2.2 From the table it can be seen that Leeds is performing very well in comparison with the other Core Cities, this is contrast to several years ago, where Leeds performance frequently appeared in the lower quartile compared with the other Core Cities. Leeds has also, by some way, made the most decisions on major applications of all the Core Cities.

3.3 Pre-application

- 3.3.1 The new pre-application service was introduced from 1st February 2015 and in February and March 113 pre-application enquiries were made generating fees of £25,980.
- 3.3.2 Over the course of the whole year in 2014-15 967 pre-application enquiries were made, generating a total of £73,830 in income.

3.4 Permitted development

- 3.4.1 On 30 May 2013 the Government amended legislation to allow certain types of development to go forward without the need for planning permission for a three year period. This included larger single storey rear house extensions and conversion of offices to residential use. Originally these permitted development

rights expired in May 2016, but this has now been extended in most cases for a further 3 year period to the end of May 2019 (see separate report on this agenda).

3.4.2 In 2014-15, the service received notifications of 207 larger single storey rear extensions.

3.4.3 The service received 34 prior approvals for office to residential schemes in the year.

3.5 **Panel decision making and decisions not in accordance with the officer recommendation**

3.5.4 In 2014-15, 235 items went to the Plans Panel and the three Plans Panels decided a total of 191 applications in 41 meetings. Fourteen were decided contrary to officer recommendation - 2 approvals and 12 refusals. This represents a slight increase in the proportion of decisions decided contrary to officer recommendation, 7.3% of total Plans Panel decisions in comparison with 6% in 2013-14. North & East Panel determined 58 applications with nine overturns and South & West Panel determined 62 applications with five overturns. There were no overturns at City Plans Panel and 71 decisions in 18 meetings (3 weekly cycle). The 12 refusals have resulted in 9 subsequent appeals. Of the 8 decisions made on these to date 4 have been dismissed and 4 allowed with no costs awarded against the Council (at Devonshire Lodge costs were awarded against the Council but were challenged by the Council and subsequently quashed and have been submitted back to the Planning Inspectorate for reconsideration).

3.6 **Appeals**

3.6.1 The table below shows that performance on the number of appeals dismissed has dropped in 2014-15 compared to the previous year but is consistent with performance and volumes in recent years.

Year	Appealed Decisions	Dismissed	Costs awarded against Council	Costs awarded to Council
2014-15	237	66%	5	0
2013-14	251	71%	4	0
2012-13	187	67%	3	0
2011-12	254	69%	7	2

3.6.2 The main area of concern in 2014-15 was householder appeals where out of 110 decisions, 40% were allowed, compared to 29% in 2013-14. Since the introduction of the National Planning Policy Framework (NPPF) and relaxation of the permitted development on larger house extensions, it appears from analysis of the Planning Inspectorate's (PINS) decisions that PINS is allowing more household extensions, which are "marginal". A continuous review of appeal decisions does take place to ensure that any common themes are highlighted and measures put in place to mitigate the risk of appeals occurring on similar grounds. However, there is a careful balance to be made between refusing an

application with the risk of a subsequent appeal and maintaining design quality, without being unreasonable.

3.6.3 In 2014-15 appeal costs of £2,092 have been paid on two claims, two costs have not been claimed and one has been quashed following a challenge and will be reconsidered by the Planning Inspectorate.

3.6.4 The table below shows the appeal performance of the Core Cities for 2014-15. Leeds continues to receive the highest number of appeals, and in 2014-15 has also lost the most appeals.

	Appeals			
	2013/14		2014/15	
	No. decided	% upheld (i.e. % lost)	No. decided	% upheld
Birmingham	136	26%	118	21%
Bristol	95	28%	115	31%
Leeds	251	30%	237	34%
Liverpool	44	27%	18	33%
Manchester	54	35%	42	43%
Newcastle	44	34%	49	12%
Nottingham	37	43%	36	15%
Sheffield	50	38%	36	25%

3.7 Major projects

3.7.1 There has been significant activity with major projects being progressed across the city in the past year. The last year has been marked by sites being brought forward for development on both brownfield and greenfield sites – some of which have not progressed previously due to the economic downturn.

3.7.2 Phase 1 of the Victoria Gate development to bring a landmark John Lewis store to the city is progressing well on site. Approval has been given for an extension to the White Rose Centre to include the extension of two existing stores and a multiplex cinema including an Imax screen. The new retail units in Kirkstall centre on the former BHS/ Alders site are now well advanced. Work is progressing on delivering two new rail stations at Apperley Bridge and Kirkstall Forge and plans are being submitted for the initial phases of development on the Kirkstall Forge site to include commercial offices and residential. The City Council has invested in the refurbishment and redevelopment of Little London, Beeston Hill / Holbeck estates and that work is progressing on site. Council housing has also been delivered in the year and a number of schemes are in the pipeline for delivery at various stages. Private sector housing is being delivered on brownfield and greenfield sites including some PAS sites that were brought forward to assist housing delivery eg Cookridge and Otley Hospital sites, High Royds, Optare site in Crossgates, Clariant / Riverside Mills at Horsforth / Rodley, Bodington, Adel, Daisy Hill, Morley, Royds Lane, Rothwell, Fleet Lane, Oulton, and Owlers Farm, Morley. Within the City Centre the Dandara site in Holbeck for a large private

rented apartment scheme has been given permission and is due to commence shortly.

- 3.7.3 The KPMG office building at Sovereign Street is now complete and about to be occupied and a second office building is under way. Further commercial developments at MEPC on Whitehall Road, Central Square (to include a winter garden) , Queen Street and Bond Court are at various stages of construction.
- 3.7.4 The Downings tower at Leeds Beckett University has been completed and is occupied and the next phase of student accommodation close to the Civic Hall is well under way. The new University Library on Woodhouse Lane and the Leeds College of Building complex close to Alf Cooke works have been finished and occupied and have recently been visited by members of City Plans Panel – there was general agreement they provide high quality environments for their users as well as impressive additions to the City’s townscape.
- 3.7.5 Outline planning approval has been given for the redevelopment of the Yorkshire Post site and revised proposals are under consideration for the master planning of Quarry Hill – there are likely to be major schemes coming forward in detail in the coming year across the city.
- 3.7.6 In the run up to the introduction of CIL after the Easter holidays a significant number of majors with legal agreements were completed and permissions issued – comprising some 2330 dwellings and 300,000 sq m of commercial floorspace in total.

3.8 Compliance activity

- 3.8.1 The number of enforcement cases received in 2014-15 has dropped by 12% in comparison with those received in 2013-14. Notwithstanding this the workload through the service remains significant due to reduced staff resources and the complexity of cases being investigated . The number of cases on hand has been reduced overall to the region of 1100 which has been a long standing service plan objective. The total number of open cases currently stands at 1073 .

	Q1	Q2	Q3	Q4	Total
No of cases received	358	363	270	302	1293
No of cases resolved	310	436	244	327	1317
Initial site visits:					
Category 1: Site visit same day/within 1 day. Target 100%	100% (3)	100% (5)	80% (5)	100% (6)	95%
Category 2: Site visit within 2 working days. Target 95%	93% (14/15)	100% (14)	93% (14)	100% (12)	95%
Category 3: Site visit within 10 working days Target 90%	72% (245/339) 96%*	85% (303/355) 97%*	84% (231/275) 96%*	84% (211/252) 96%*	81% 96%*

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

3.8.2 Cases received and resolved and performance in undertaking initial site visits

- 3.8.3 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.
- 3.8.4 In relation to the Category 1 and 2 cases the figures relate to a relatively small number of cases. For example there were 18 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.
- 3.8.5 The overall number of open cases on hand has been progressively reduced and has achieved the service plan target of less than 1100 which is positive.

3.8.6 Outcomes of case resolved

No Breach*	42.5%
Resolved by negotiation	31.7%
Breach but de minimis/ not expedient	10.5%
Planning permission/ CLU granted/ appeal allowed	10%
Enforcement/other Notices complied with/resolved by prosecution action	5.2%

*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.

- 3.8.7 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.

3.8.8 Enforcement and other Notices

- 3.8.9 The number of Enforcement and other formal notices served has increased during the reporting period. A total of 90 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.

- 3.8.10 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.

3.8.11 Comparison with Core Cities

- 3.8.12 The table below shows the performance of the Core Cities for 2014-15 in relation to formal enforcement action.

Core City	Enforcement Notices issued	Stop Notices issued	Temp Stop notices issues	BCNS served	PCNs served	Enforcement injunctions granted by High Court	Enforcement injunctions refused by High Court
Birmingham	59	-	-	3	17	-	-
Bristol	30	-	-	10	2	-	-
Leeds	79	-	6	9	91	-	-
Liverpool	5	2	1	7	37	-	-
Manchester	11	-	-	-	3	-	-
Newcastle	6	-	-	1	30	-	-
Nottingham	16	-	-	-	12	-	-
Sheffield	17	5	2	13	11	-	-

- 3.8.13 From the table it can be seen that Leeds takes more formal actions in comparison with the other core cities.

3.8.14 Prosecution Outcomes and outstanding cases

- 3.8.15 A number of cases have been brought before the courts for non-compliance with enforcement and other notices. There continues to be some frustration with a number of requests for adjournments by defendants normally being accepted however this does result 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 to long standing breaches.

3.8.16 Proactive Initiatives

3.8.17 City Centre long Stay Car Parks

3.8.18 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. A number of new car parks have opened in the area around St James Hospital and further meetings are being arranged with the hospital and car park operators in relation to their parking and travel planning to meet their future needs for staff and patients including car parking.

3.8.19 Headingley / Hyde Park To Let Boards

3.8.20 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 surveys have been 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. At the present time , confirmation of the renewal of the Letting Board Code is awaited from the Secretary of State for Communities and therefore whilst dialogue is being maintained with key stakeholders the survey work has been temporarily suspended as there is no code currently in place.

3.8.21 Derelict and Nuisance Sites

3.8.22 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.

3.9 Staffing

3.9.1 During 2014-15, a total of 11 people have left the planning service: six from the area teams, four in customer services and one from enforcement. Of the 11, four left for alternate jobs, five through the early leavers' initiative and two on ill health grounds. Some recruitment has taken place as a result and some additional staff have been added to the workforce.

4 Service quality

4.1 Complaints

- 4.1.1 During the year, the total number of complaints received by the Planning Service decreased from 154 to 124 (19%). 14% of complaints were upheld, compared with 19% upheld in 2013-14.
- 4.1.2 In 2014-15, the service received 12 complaints from the Local Government Ombudsman (LGO). Nine of the cases were received closed or after preliminary enquiries by the LGO requiring no investigation or action by the LPA. This is a significant decrease in the number of LGO cases received (21 in the same period last year to 12 this year) and constitutes a 43% decrease in the number of Ombudsman complaints received.
- 4.1.3 Three cases required a written response from the LPA. One case was closed by the Ombudsman, finding no maladministration; in a second case, following their investigation, the LGO found no fault in the way the Council considered a planning application and the final case relates to previous investigation by the LGO where no maladministration causing injustice was found. However, the complainant has successfully challenged the LGO who has now appointed a different investigator to look at the matter again. The issue of the complaint was how a development carried out in breach of planning control took such a considerable period of time to be resolved. The Ombudsman has yet to adjudicate on the further information provided by the LPA.
- 4.1.4 There were no financial settlements awarded by the Ombudsman during the year against the Council.

5 Service improvements

5.1 E-planning

- 5.1.1 The upgrade to our main application system Uniform 9.1 was completed in January 2015 bringing new functionality especially for mapping and the extension of time process although there have been continuing problems with the mapping function which Idox are seeking to resolve..
- 5.1.2 A new completely electronic pre application process went live on 1st February. This involved new forms, updates to the website, a new process with Enterprise tasks and a new set of decision reports, which provides hyperlinks to useful documents and policies and provides a template for officers to populate to ensure there is consistency in the information provided.
- 5.1.3 Community Infrastructure Levy (CIL) which largely replaces the pooled off-site contributions from S106 legal agreements went live on time for the 6th April. This has been a massive project and involved a new process for collecting the CIL information on relevant applications, changes to the website including an online calculator, changes to the validation criteria, a huge number of complex letter templates to meet the legislative process requirements, links to Land Charges and Finance, Enterprise tasks to prompt and monitor this complex process and training

for customers and staff. This is critical to bringing in money to the Authority to support infrastructure such as public transport improvements, upgrading green spaces, and new schools.

- 5.1.4 The land charges system has also been upgraded and moved onto new servers so that it can deal with the CIL information.
- 5.1.5 A large number of legislative changes were introduced at very short notice to come into effect on 15 April. This resulted in 18 new or amended prior approval types plus some new prior notifications. This meant new processes and changes to a large number of documents. This was a success and delivered on time.

5.2 House builders' workshop

- 5.2.1 Members heard in the last report about a meeting with the volume house builders in January 2015, which aimed to take a proactive approach to housing growth and delivery in Leeds. From this meeting, it was agreed to hold a series of three workshop sessions to explore specific issues encountered by the industry and the Council, with the aim of reducing delays in determination, ensuring quality and facilitating a swift start on site.
- 5.2.2 A full report on these events and the arising action plan is on the agenda of this meeting.

5.3 Customer Service Excellence reaccreditation

- 5.3.1 The customer services section within planning services has been the holder of the Customer Services Excellence Award (CSE) since 2009. This is a national government standard awarded to organisations which demonstrate that they are a customer centric organisation. The scope was broadened to include the wider planning service and the whole service was awarded CSE in 2014.
- 5.3.2 In April 2015, the service was assessed against rigorous criteria- Customer Insight- the identification of customers, customer satisfaction, engagement and consultation. The service was formally assessed by an external assessor who met with service users- agents, developers, community representatives and spoke with them about the service they received. The assessor attended a North & East Panel meeting and the site visits beforehand. The assessor concluded that the service continued to meet the CSE standard. However, there was one partial compliance in the area of customer satisfaction data. The response rate to the 2015 customer satisfaction survey was very low and work is needed to try to obtain a greater response rate in the future so we can be assured that the views received represent the whole population we serve. Methods are currently being considered to try to achieve a better response, in a cost effective way.
- 5.3.3 The service will continue to be externally assessed on an annual basis.

6 Challenges Ahead

6.1 Planning reform

- 6.1.1 Reforms aimed at making the planning system quicker and simpler to use were high on the agenda of the former Government. A number of these proposals are still outstanding. The Conservative Party's manifesto and new legislation announced in the May 2015 Queen's Speech pledge further reforms.
- 6.1.2 Brandon Lewis MP has been reappointed to his role as planning Minister in this new Parliament. Rt Hon Greg Clark has replaced Rt Hon Eric Pickles as Secretary of State for Communities and Local Government. These outstanding proposals stem from Budget 2015, the Technical Consultation on Planning July 2014, Consultation: planning and travellers, September 2014, National Infrastructure Plan 2014 and Autumn Statement 2014, December 2014, which include:
- a proposed new permitted development right for the drilling of boreholes for groundwater monitoring for petroleum exploration (including for shale gas exploration);
 - amending the definition of “travellers” for planning purposes;
 - proposals to get more brownfield land back into use;
 - steps to speed up section 106 negotiations; and
 - proposed reform of the compulsory purchase regime
- 6.1.3 The Conservative Party 2015 Manifesto document contained several planning commitments, including proposals to “change the law so that local people have the final say on wind farm applications” and to “let local people have more say on local planning and let them vote on local issues.” High on the agenda of the new Government are the delivery of new homes and starter homes, giving housing association tenants “the right to buy” and the devolution of powers to the regions.
- 6.1.4 The full detail of new legislation has yet to be announced, but as with any changes, they will require internal process and procedural changes. The government has signalled that there may be further changes ahead over this parliamentary period, however have also said there is 'no interest' in revisiting the NPPF.

6.2 Electronic working- “paperlite”

- 6.2.1 Members have heard at previous meetings about the planning review undertaken in 2014 and the subsequent implementation plan. The implementation of some of the projects is well under way such as the new pre-application service, site notices process and validation.
- 6.2.2 From 1 July the service will start to move toward “electronic working”. This is part in response to the recommendations made in the planning review in order to realise operational and financial efficiencies, but also so the service can respond positively to the New Ways of Working environment.
- 6.2.3 From July, officers will receive a much slimmed down planning file and the definitive planning file will be the electronic record. In addition to the process

changes there are also cultural and working practice changes that will be needed. Training and support has been provided to all officers, but it anticipated that this may be a challenging time for the service in the short term whilst the move from paper to digital record takes place.

- 6.2.4 The changes will save the service approximately £50,000 pa, as well as speeding applications coming through to teams quicker, ability for team managers and leaders to allocate applications via Enterprise and ensure workloads are fairly and appropriately distributed to case officers.
- 6.2.5 A pilot is also being undertaken by one of the area teams to work fully electronically, without the use of a hardcopies, relying on new technology such as tablets when out on site and uploading comments directly online. This pilot will commence once the necessary hardware has been procured.
- 6.2.6 Following the annual meeting with Town and Parish Councils at the end of January a further meeting has taken place with representatives and agreed that from 1st July the Council will not send paper copies of plans and documents for householder and change of use applications to Town and Parish Councils as a first step towards electronic working.

6.3 Customer services

- 6.3.1 Clearly whilst performance against timescales is an important indicator on the efficiency of the service and in 2014-15, the service has demonstrated a significant improvement in expeditious decision making, the way customers are dealt with is also paramount.
- 6.3.2 A customer survey was carried out in February 2015 to ascertain the level of satisfaction with the planning service. The survey only received a 2% response rate and therefore the results are not necessarily representative. However, of those who responded, 54 % were satisfied with the service they received; this is an increase from 51% in the customer satisfaction survey conducted in 2013.
- 6.3.3. However, despite the low response rate there are some common themes and the main areas highlighted for improvement were communication with objectors, the lack of information and notification of an application's outcome and lack of acknowledgement by the LPA to any comments made. This resulted in respondents commenting that they didn't feel their representation was taken into consideration when a recommendation was reached.
- 6.3.4 To avoid criticisms relating to inadequate consideration of the issues, or claims of unclear reasoning behind an officer's recommendation, officer reports need to ensure they robustly address, among other things the substance of objections and the views of those who have been consulted and their materiality in the decision making process. Several actions are going forward to address these issues:
 - A new draft report template is being produced which introduces a new section "balance of considerations", which aims to show more clearly how the decision has been made

- Officer training on the new template will reiterate the need for a summary of the issues raised by representations and addressing of them clearly and concisely in the appraisal section so representations can be identified
- Better use of Plain English in reports and reducing jargon and technical language wherever possible, particularly when addressing representations so objectors can easily identify their issues
- Managing expectation through clearer information that the LPA cannot respond directly to people who have made representations

6.3.5 The challenge moving forward is to improve on satisfaction levels whilst maintaining the good performance made in determining planning applications in time.

6.3.6 A further change will be the moving of Plans Panels to the new accommodation in the Civic in the former members lounge and dining area (to be known as 6 & 7) which should substantially improve the Panel experience for customers. The move is planned to take place in the summer period following the relevant training.

6.4 Budget/ Succession Planning

6.4.1 Despite a challenging year in 2014-15 Planning and Sustainable Development finished the year in surplus with the budget. Planning fee income met the budgetary target set for the year by £1,700 and staffing efficiencies and savings were achieved in the year.

6.4.2 Another challenging year is in prospect for 2015-16 with the need to maintain tight budgetary control and achieve additional income. The changes to the pre application service introduced in February has so far worked well and achieved additional income. A review will be carried out after 6 months including engagement with customers to seek feedback.

6.4.3 The planning service is not self financing. Planning fees are set nationally and there have been calls from across the sector to the new Secretary of State to increase resources to deliver the new homes that the country needs. Without additional resources then there will be a need to continue to balance staffing resources against income and workloads, recognising that this gives little flexibility and can lead to short term problems and pressures which have to be handled.

6.4.4 Within the Council the Early Leavers Initiative continues for another year and it has been known for some time that some senior managers within the service have expressed their intent to retire at the end of March 2016. This is being actively considered at present and is likely to involve some restructuring within the service.

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 present financial climate and close monitoring occurs of the budget.

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 a significant improvement in performance on major applications, with the number of application's determined in time overall in 2014-15 standing at 93.6%. Emphasis will continue to be placed on the efficient and expeditious determination of majors, use of Planning Performance Agreements and extensions of time agreements when it is clear that applications cannot be determined in the statutory timeframe.
- 8.2 Application numbers received in 2014-15 remained similar to those received in 2013-14, however the service saw the reduction in its staffing establishment again in the year with the service losing 11 members of staff. A close watch will be kept to ensure that there are sufficient resources to maintain the quality and speed of service necessary.
- 8.3 Performance on appeals will be kept under continuous review, due to the rise in numbers of appeals being upheld by the Planning Inspectorate. Performance on major appeals is one criterion for local planning authorities being placed in special measures, so it is imperative to maintain a close watch on this and take appropriate action.
- 8.4 Work is progressing with the planning review, with the next big change being paperlite and electronic working. This will have significant benefits for the

service, both operationally and financially, but will not be without its challenges in the short term and involves some culture change.

- 8.5 The following year will focus on implementing the recommendations identified through the planning review in a bid to maximise efficiencies and utilise resources in the most effective way and a further challenging year 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.

Report of Chief Planning Officer

Report to Joint Plans Panel

Date: 16 July 2015

Subject: Housing growth workshops

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's ambitious housing target of 66,000 homes has meant the need for a more proactive approach to delivery of housing in Leeds. Planning services started working with the volume house builders some time ago, after concerns were expressed about the design quality on new residential schemes. This work eventually contributed to the creation of the *Leeds Standard*.
2. From this initial meeting, further work has taken place, including a housing growth meeting in January 2015 with house builders when the Memorandum to Neighbourhoods for Living was launched. From this meeting it was agreed to hold three workshops which would look at specific areas of the planning process in depth to explore the issues and barriers in a bid to make the process more efficient, leading to more expeditious decision making and joined up working.
3. Three workshops were held in Spring 2015 with representatives of the main volume house builders and the feedback from these sessions has been very positive.
4. From the workshop discussions a draft action plan has now been produced. The suggested actions have implications for all stakeholders not just the LPA, and the industry has signalled its commitment to work positively in making the necessary changes.
5. The participants from the sessions have been consulted on the draft action plan and the next steps are to be discussed with the Executive Member and Plans Panel Chairs.

Recommendations

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

1 Purpose of this report

- 1.1 This report describes a series of housing workshops following on from the housing growth meeting in January 2015. The report outlines the approach taken by the Council to address the main issues encountered by the development industry and by the council in order to facilitate expeditious decision making and deliver housing on the ground for the people of Leeds.
- 1.2 This report is presented to the Joint Plans Panel for information and comment.

2 Background information

- 2.1 In January 2015 a meeting was held between council officers, volume house builders, agents, architects, elected members and planning solicitors to discuss the delivery of houses in Leeds.
- 2.2 In this session, stakeholders looked at ways of delivering both quality and quantity of housing, which reflected the positive character and identity of individual places and communities in Leeds. From this meeting it was agreed to hold a series of further workshops to look at specific areas of concern, focussing on process, enabling a more collaborative approach in understand the issues in the delivery of housing. These three workshops were held in April and May 2015. A further workshop was held with representatives of Registered Providers and their architects in April which again dealt with issues of quantity and quality and emphasised the need for constructive pre application discussion prior to submitting applications.
- 2.3 The sessions were well attended and the discussion was productive with stakeholders gaining greater understanding of the challenges and issues from different perspectives. Detailed below are the main issues from each session.

3 Main issues

- 3.1 The three workshop sessions with house builders dealt with:
 - Pre-application
 - The planning application process and Section 106
 - Conditions discharge and starting on site
- 3.2 Each session was chaired by an independent Chair with a formal agenda to help shape the discussions.
- 3.3 There was a representative from each of the main volume house builders at each session; additional representatives from planning solicitors were also

present at the second session, which focussed on the issues around the Section 106 process and colleagues from the Section 38 team and compliance team were also present at the third session, which looked at starting on site and discharge of conditions.

- 3.4 The sessions were informal and whilst at times discussed challenging issues, openness and candour was encouraged from both the development industry and from the Council. It became clear very early on in the discussions that there were improvements to be made by all stakeholders in the process.

3.5 Session 1 pre-application

- 3.5.1 The new pre-application enquiry service was only launched on 1st February 2015, so the comments related, in the main, to the previous pre-application service. One of the first actions is the commitment of the Council to formally review the pre-application service after six months operation to ensure it represents value for money and delivers timely responses. Other issues were:

- The main issues from the industry were about speed, certainty of response and that timing is key.
- The industry needs to have confidence that the service will deliver within the timescales; need a guaranteed timescale within which the initial meeting would be organised and speed of receiving follow up written response
- Thorough written responses are needed and developers don't need the full policy context- more a focus on the main issues and the interpretation and opinion on that policy where there may be an issue. It's paramount to know where these issues are very early on
- A development team approach is essential with key officers at meetings - planning, highways officer, design officer as standard
- An initial scoping meeting would be useful to meet briefly/ have a conversation with an officer to identify the main issues and ensure the correct consultees are present
- Design review- two way communication with applicant as part of the design review process, rather than just an officer forum. Developers felt they needed to articulate the concept of the scheme early on, so there is mutual understanding of what they are trying to achieve
- Viability slows the whole process down and needs to be flagged up earlier and developers need to know if the scheme is CIL liable. Regular checks on viability as the scheme develops, with the onus on developers to continue with dialogue and to raise issues as appropriate
- Viability training for officers and members, with developer input in this

3.6 Session 2 Application process and Section 106 agreements

- 3.6.1 The second session looked at the whole of the planning process from the submission stage through to determination. Several issues came out:

- Value of position statements in their current format was questioned, where there is no opportunity for developers to address the panel/ correct issues/ provide a response to questions and queries. It was felt that sometimes position statements are taken to Panel prematurely and less technical questions are needed
- On contentious sites, it would be better to brief all plans panel members prior to panel
- Need to work more collaboratively and earlier on S106 agreements
- Viability- speed and independence of District Valuer was raised. Viability is only a snapshot, with many variables at play, it is important that these issues are understood. Greater transparency on viability is needed and developers should be present when the viability conversation is going on at Panel. Developers say they are happy for that discussion to take place in public
- Section 38 needs to be much earlier in the process, with much earlier dialogue and engagement, with the adoption process more seamless
- Officer reports should stand alone, they need to be clearer on how the decision was reached and clearly show the “balance of considerations” and should concentrate more on the sensitivities of the scheme rather than concentration on policy compliance

3.7 Session 3 Discharge of conditions, starting on site

3.7.1 Issues arising from the session were:

- Delay in discharge of conditions generally
- There was a feeling that developers are submitting documents with enormous detail as part of the validation process at application stage but then those issues are being conditioned and the same information has then to be submitted a second time, leading to delays and time implications. It was suggested that materials, contamination, landscaping, boundary treatments, construction management plan, tree works can come earlier in the process and can be approved and covered by the permission, rather than by condition
- There is enormous pressure to get on site as soon as possible following approval and there is not enough time between the need to get on site and conditions to be discharged, so the use of so many pre-commencement conditions was questioned
- Duplication of conditions at outline and reserved matters, but requires two separate discharges, consideration of alternate wording such as “*construction above ground level shall not commence...*”
- Disconnect between DM process and S38 process. S38 needs to be part of the pre-application process

3.8 Next steps

- 3.8.1 A draft action plan has been produced; this is attached as appendix 1. This has been shared with the participants of the session and feedback has been requested.
- 3.8.2 The action plan currently comprises 24 actions, some are relatively simple to introduce, but others requiring further work. Some of the actions overlap with the planning review implementation plan, but many do not, and therefore the service is mindful of multiple action plans and the resources needed to implement any changes. However, the service is committed to moving the programme forward with the volume house builders and the development industry has already given its commitment to work with the council positively. A further meeting will be scheduled over the coming months with stakeholders to firm up the action plan and assign timescales for delivery.
- 3.8.3 Work has already commenced on some of the actions; a Section 38 meeting between officers, developers and their highways consultants is planned for late July, a draft officer report has been produced to provide clearer information on balance of considerations, where the decision is finely balanced to help members come to a view and the pre-application service will be formally reviewed in August.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 This report is presented for information and there has not been the need for wide consultation. The Executive Board members and Plans Panel Chairs will be consulted on the draft action plan and be kept informed of the progress of the work stream.

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, an objective in the Best Council Plan.

4.4 Resources and value for money

- 4.4.1 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.

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 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.

5 **Conclusions**

- 5.1 Delivering the quantum of housing in Leeds over the next few years will require a collaborative approach with the LPA and developers working more openly and proactively than ever before. The housing growth workshops were a helpful step in investigating where the common issues are for both the LPA and the house building industry in trying to streamline the process so that procedural blockages do not delay delivery. Council officer time and resources should be deployed in the areas where value can be added- ensuring high quality layout and design of schemes, reflecting the distinctive communities in Leeds.
- 5.2 Many of the arising actions are not unique to Leeds planning authority and developers indicated that they have similar issues in other LPAs; however the industry commended the council for its proactive approach in trying to move forward with housing delivery.
- 5.3 There are a number of actions which can go forward in the short term, and these will require input and commitment from both the development industry and the LPA. The pre-application enquiry service will be reviewed across the summer 2015, to ensure the timescales are being adhered to and a high quality response is being provided. It will also look at the developer input into this process and assess whether the quality of information at the pre-application stage is sufficient to help the scheme develop, once a formal submission is made.

6 **Recommendations**

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

Draft housing growth action plan

Appendix 1

1.	Review the pre-app offering in terms of scoping and early communication between the officer and applicant prior to the substantive meeting, key officers of the pre-application “team”, identified early on, clarity on the highways offer at pre-app stage
2.	More detailed pre-application guidance notes for major residential schemes. Clear articulation of what the Council’s offer is in terms of what developers will get, who would be there and what the outputs are
3.	Formal evaluation of the pre-application service after six months operation, including evaluation of meeting timescales
4.	Better information from developers/ applicants, articulation of what they wish to get out of the scheme, the concept for the scheme
5.	Draft heads of terms should be agreed at the pre-application stage wherever possible- discussion of triggers and amounts
6.	Development industry to come earlier with information on landownership
7.	Review the use of design review, potentially involving developers and architects as well as officers
8.	Training for officers and plans panel members- greater understanding of the development industry process/ timescales and on viability including house builder perspective
9.	Provide clarity on Leeds’ stance to Vacant Building Credit
10.	Review the purpose and format of Position Statements, may include provision for third party speaking
11.	Consideration of a workshop to Panel members in appropriate cases where all stakeholders have the opportunity to input. This would allow a more frank discussion to take place, where technical questions can be answered
12.	More formalised approach through the determination process of scheduled meetings at key points of the process between officers and developers to help progress the scheme. To include: • early meeting to discuss S106 • mid- determination process meeting to address any issues • post consultation review meeting, around week 5 to focus on the main issues • Draft decision notice • Pre-start meeting to discuss any issues between developer/ house builder and LPA
13.	Review of the use of extension of time agreements to ensure they are adding value, rather than unnecessary delay

14.	Review process for discussions at panel on viability (do not necessarily need to be exempt information)
15.	Review our process of when S106 are progressed- needs earlier information on triggers and amounts and run parallel to the application going through the planning process
16.	Standard affordable housing S106 templates
17.	Review officer reports
18.	Review use of conditions, especially pre- commencement conditions
19.	Industry to provide information to the compliance team when about to start on site- site manager details, clarity on whom to contact if there are any issues
20.	The service to work with middle range house builders to share best practice and set out the expectations of the Council
21.	Use of split decisions for discharge of conditions to reduce delay
22.	Run a dedicated S38 and highways follow up workshop with officers, developers and highways consultants
23.	Investigate the feasibility of scoping the requirements of documents, to meet validation requirements and be of an appropriate quality so those issues can be dealt with as part of the permission, to negate the need for a condition
24.	The service to work on the backlog of conditions discharge

Report of Chief Planning Officer

Report to Joint Plans Panel

Date: 16 July 2015

Subject: Permitted development and changes to the Use Classes Order

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 Government over the last couple of years has made changes to allow certain types of development to go forward without the need for planning permission, some for a temporary period of three years, to make it easier for businesses to make the best use of their premises; to deliver more homes; support high streets and retailers; allow larger home and business extensions and support sustainability through the reuse of buildings.
2. The recent changes to the General Permitted Development Order (GPDO) and Use Class Order (UCO) , which came into force on the 15th April 2015, sought to consolidate many of the previous amendments, but also introduce a number of new measures.
3. Whilst it is too early to predict the impact of the new permitted development (PD) changes, it is possible to assess how the PD arrangements introduced in 2013 and 2014 are working and make some general comments about the implications for future development in Leeds.

Recommendations

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

1 Purpose of this report

- 1.1 This report was requested from the Chairs of the North & East and South & West Plans Panel into how well the arrangements brought about the new permitted development rights and Use Class changes were working and the implications it may have in Leeds.
- 1.2 This report is presented for information.

2 Background information

- 2.1 The government in its *Technical Consultation on Planning 2014*, described a three tier planning system which promotes a proportionate approach, taking into account the size and complexity of schemes and that the consideration given by local planning authorities (LPA) should be proportionate to the proposal. The government recognises the role of local authorities in considering major developments and those with the greatest potential impact on localities. The three tiers are:
- **full planning application** – an application for planning permission is usually appropriate for large scale, complex developments, or those with greatest impact on neighbours, the wider community or the environment;
 - **permitted development rights with prior approval** – this sits between permitted development and a full planning application. Prior approval is a lighter touch process that applies where the principle of the development has already been established, but certain specific planning issues still require local consideration. Unlike a planning application, when considering prior approval, local planning authorities should only consider specific planning issues such as visual amenity, highways and transport, traffic management, noise levels and flooding risks. Prior approval provides applicants with a less complex and less costly process. Prior approval in the context of this consultation grants automatic permission if the local planning authority has not responded in 56 days, other than the householder neighbour notification scheme which has a shorter timescale of 42 days
 - **permitted development rights with no prior approval** – removes the need for a planning application as planning permission is granted nationally by the Secretary of State. This approach is more appropriate for small scale changes.
- 2.2 Some permitted development rights were first introduced in 2013, to allow certain types of development to go forward without the need for planning permission for a three year period. Further changes to Permitted Development rights came into force on 6th April 2014. They are titled as ‘amendments’ to the existing General Permitted Development Order and should be read alongside the original document.
- 2.3 In the last few days of March the outgoing government laid before parliament a series of secondary legislation bringing into effect a range of new PD rights and changes to the Use Classes Order 1987 in England. These came into force on 15 April 2015.
- 2.4 The main purpose of the new GPDO is to grant planning permission for certain classes of development without the requirement for a planning application to be made, although in some cases these would be subject to a prior approval

process. This brings a whole raft of planning proposals into the middle and bottom tiers, reducing the number of development proposals which are required to go through the full planning process.

3 Main issues

- 3.1 The proposed change to permitted rights has been driven by a need to effectively use existing buildings that have been caught up by a changing retail market and the need to significantly increase the supply of housing and include:
- Extending the larger householder rear extension rights to 2019 (Part 1)
 - Temporary, for 3 years, permitted development right to allow up to 500sqm of storage and distribution buildings to change to residential. Additional requirements are that the building must have been in B8 use for 4 years and in use or last used as B8 on or before 19 March 2014;
 - Amusement arcades and casinos up to 150 square meters of floor space to residential use, subject to a prior approval process covering transport, highways, flooding, contamination and where building works are to be carried out under the PD right, design
 - Betting shops and pay day loan shops removed from A2 and become sui generis. Premises that have previously changed to betting shop or pay day loan shop under Class D temporary permitted development right retain their original use class and will revert to that at the end of the temporary two year period;
 - Permitted development for retailers to erect click and collect facilities within curtilage of existing premises. Only one is permitted per retail premises and is limited to 4m high and gross floor space of 20sqm;
 - Permitted development for the temporary filming for commercial film making inside existing buildings and outside on sites of up to 1.5 hectares. The right is limited to 9 months in any 27 month rolling period
 - Permitted development for shops to change to financial and professional services
 - Changing A1 shops, A2, betting offices, pay day loan shops and casinos to A3 restaurants and cafes. This is subject to prior approval process covering noise, smells, odours, transport and highways, hours of opening as well as siting and design in relation to extraction, ventilation, waste management, storage and undesirable impacts on shopping facilities
 - Permitted development for shops and financial and professional services to change to assembly and leisure uses, with an upper threshold of 200 square metres, subject to a prior approval process.
- 3.2 The period for office to residential conversions (now in Class O) still expires on 31st May 2016 and was not changed in the latest set of changes. However it is likely this class will be reviewed shortly and an announcement is expected before May next year as to whether this arrangement will continue, become permanent or be changed.
- 3.3 Whilst it is too early to predict the implications of the new changes, it is possible to provide information on some the PD changes and with prior approval introduced in

2013 and 2014 for large house extensions, office to residential, and agricultural buildings to residential.

3.4 Larger house extensions

- 3.5 The legislation allowed an increase in the size limits for the depth of single-storey domestic extensions from 4m to 8m (for detached houses) and from 3m to 6m (for all other houses), in non-protected areas, for a period of three years. A neighbour consultation scheme on new extensions was introduced by the then Government in response to concerns about the original proposals. This temporary permitted development was originally for a three year period to 2016.
- 3.6 The larger house extension proposals were controversial with local planning authorities (LPA) and in the House of Lords and a late amendment introduced a neighbour notification process. This means immediate neighbours are informed of proposals and they have the opportunity to make an objection. Applications without any objections after the 21 day notification period are permitted development (PD) and there is no further involvement by the LPA. Where there are objections from neighbours the LPA must decide them through the prior approval process. In such cases, the LPA can only assess the impact on amenity and no other issues can be considered.
- 3.7 Since the changes were made there has been a total of 328 larger house extensions notifications received in Leeds - 207 were received in 2014-15. In 2014-15, 194, or 94% did not need prior approval, that is, these applications did not receive any representations and therefore were deemed to be permitted development. Of the 13 that came to the LPA for determination following neighbour representations, three were approved and ten refused.
- 3.8 It appears in Leeds that the larger single storey rear extension PD option has not been taken up as enthusiastically as in other authorities. Birmingham City Council for example has received 1,175 applications for larger extensions since May 2013. Nor does it appear in Leeds that the relaxed rules have caused huge numbers of neighbour representations objecting to schemes. The London Borough of Croydon reports that around 50% of prior approval household applications in the borough attract objections; this compares to around 6% in Leeds.
- 3.9 However, the resource implication is significant as those notifications where representations have been received come back to the LPA, who makes a decision about whether the impact on the amenity of all adjoining properties is acceptable; essentially going through the same process as a planning application. Whilst Leeds does not have the volume to deal with there are still resource implications - officer time in sending out notifications to neighbours and handling their objections – all for no fee. In Leeds some £56,400 has been lost in fees from householder extensions which would have otherwise led to planning applications. On the other hand it is known that the average householder extension application costs the Council well over £300 to process and the present fee of £172 does not cover the cost so removing some applications from the system may have led to some cost saving.

- 3.10 The PD right has been extended for a further 3 years to 2019 but has not been made permanent.
- 3.11 The impact on neighbours from a larger extension can be significant if built close to a boundary but can only be considered if an objection is received. There has not been any noticeable increase in enforcement cases as a result of the introduction of this increased size limit. There is an impact on the openness of the Green Belt as the measures apply equally in the Green Belt and can give rise to substantial extensions which exceed the 30% threshold set out in the Council's adopted Householder Design Guide as a figure below which an extension is not considered a disproportionate addition to the size of the original dwelling.
- 3.12 There have only been a couple of appeals in Leeds against the refusal of prior approval for larger extensions with mixed results but nationally it appears that a more relaxed approach has been taken by Planning Inspectors has been taken and that significant amenity impacts need to be demonstrated to overcome a right which the Government has introduced across the country.
- 3.13 Office to residential**
- 3.14 The office to residential changes were also controversial, with concerns over the loss of prime office space. The government offered local authorities the opportunity to seek an exemption to the permitted development rights and Leeds City Council sought an exemption for office to residential schemes for the prime office area in the city centre which is a major employment hub for the city and region. Like many other authorities, Leeds was unsuccessful. A light touch prior approval process to enable transport, contamination and flooding issues to be addressed by LPA is in place, with no further approval required.
- 3.15 The Council has received a total of 66 office to residential schemes since the PD changes were made. In 2013-14 there were 20 grants of prior approval and three refusals. In 2014-15, there were 34 prior approvals received for office to residential schemes, in all but two cases prior approval was given.
- 3.16 Schemes have generally been small scale and outside the city centre. Within the City Centre the notable bigger schemes have been for 34 units at 117 The Headrow, 63 units at Rivers House, Park Square and the conversion of Brunswick Point on Wade Lane. Whilst £80 prior approval fee is payable for each proposal, this is considerably less than if a planning application had been submitted. Additionally no Section 106 contributions are payable towards green space, affordable housing and public transport etc. on prior approvals. Figures provided to the Core Cities for the impact in financial terms for the period ending December 2014 showed that the council had "lost" some 57 affordable housing units, around £273K in planning fees, £1.5m in green space contributions and £170K in transport contributions if it could have achieved full contributions through planning approvals. However, prior approval was given for 906 new homes, some of which have been or are being implemented – Brunswick Point near the Merrion Centre is the most prominent example. To date the PD right to change from offices to residential has not impacted significantly on prime city centre office space as it has in some cities and towns.

3.17 Agricultural to residential

- 3.18 The Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014 introduces a new Class MB into the GPDO. This new class allows for the change of use of a building and any land within its curtilage from use as an agricultural building to a use falling within Use Class C3 (dwelling houses). Under the new rules, in class MB of the General Permitted Development Order, applicants must notify councils to decide whether prior approval is needed.
- 3.19 To qualify for the new Permitted Development rights, the buildings must have been “used solely for an agricultural use, as part of an agricultural unit on 20 March 2013”. Applicants have to notify the LPA to determine if prior approval will be needed relating to the issues listed below:
- Transport and highways impacts of the development
 - Noise impacts of the development
 - Contamination risks on the site
 - Flooding risks on the site
 - Design or external appearance of the building
 - Location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a house.
- 3.20 The service in 2014-15 received 11 agricultural to residential proposals; nine have been refused. Of the nine, four went to appeal with one lodged, one in progress and two dismissed. The high refusal rates show that the new rules have prompted a number of applications that do not fulfil the PD criteria. The Planning Inspectorate (PINS) appears to be backing the refusals nationally. Analysis of the ten decisions made up to the end of January 2015 on appeals against refusal of applications under class MB shows nine to have been dismissed by inspectors.¹
- 3.21 In response to concerns about the high numbers of prior approval applications being refused nationally the Government in March 2015 amended National Planning Policy Guidance to clarify what was meant by “impracticable or undesirable” and to make it clear that there is not a test in the prior approval as to the sustainability of location as many agricultural buildings will not be in villages or served by public transport.

3.22 Implications of future PD changes

- 3.23 As demonstrated in the examples above the permitted development changes have implications for the City Council in terms of revenue and resources as well as potentially impacting on the quality of life of local residents in Leeds. The changes to the regulations have impacted on the level of revenue through reduction in planning fees and loss of S106 income. In addition, the changes have had an impact on residential amenity through uncontrolled domestic and commercial extensions and changes of use.

¹ Planning Resource *Barn Storm*, 30 January 2015

- 3.24 There are costs for the service in sending out notifications to neighbours and then handling their objections. Should a representation be made, there is also the work of the officer in deciding if prior approval should be given. Even though in Leeds only 6% of the applications come back to the LPA for decision, the service needs to prioritise applications for prior approval as they are deemed to have been approved, if they are not considered within six weeks. All of this work is done without a fee.
- 3.25 The fear that prime office space in the city centre would be lost has not been realised yet, most of the schemes are in the outer areas of the city, but there is concern on the future availability of business premises, the impact on surrounding businesses and the quality of the new dwellings. Although the increased flexibility of office to residential results in the creation of a significant number of new homes which otherwise may not have been built, the loss of Section 106 is significant, both financially and in terms of the numbers of affordable homes that have been lost.
- 3.26 In terms of the new permitted development changes from others uses such as shops to residential, it does not allow for residential amenity impacts to be considered, such as noise, air quality, access, privacy or outlook for future occupants, potentially resulting in substandard forms of accommodation being provided. The introduction of residential accommodation in commercial areas, with no noise and air quality protection, could impact on adjacent commercial uses, where a statutory nuisance could arise. It is too early to assess this impact on the schemes that have been approved as most have not been brought into use yet.
- 3.27 There are real concerns about what the future of some local centres will be where there could be pressure to convert shops to other uses and about what the physical impact may be on the high street from unrestricted changes to a number of different uses in close proximity. Whilst there is some control in the case of a change from A1/A2 to A3 via the prior approval route as LPAs can take into account the impact on the sustainability of a key shopping area and noise / odour impacts this is not the case in Class D where changes of use from A1 to A2 (financial and professional services) is PD and there is no prior approval process and no national conditions. This could have significant impacts in certain areas where there is pressure for particular A2 uses and may lead to a loss of local shopping and an unbalancing of the mix of uses in a centre.

4 Corporate Considerations

4.1 Consultation and Engagement

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

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 There are no specific equality considerations arising from this report. As such it has not been necessary to prepare an Equality Impact Assessment.

4.3 Council policies and the Best Council Plan

- 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, an objective in the Best Council Plan.

4.4 Resources and value for money

- 4.1.1 Potentially if the government continue to increase the type of applications which are permitted development or permitted development with prior approval, there may be a significant loss of planning fee income. In dealing with prior approval, the LPA must still input some officer resource and there are other financial implications in terms of notification costs.

4.5 Legal Implications, Access to Information and Call In

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

4.6 Risk Management

- 4.6.1 There remains a risk that Grade A offices in the city centre will be converted into residential units, reducing the office accommodation available in prime locations. This could have significant implications in attracting new development opportunities in the key employment hub for the city.

5 Conclusions

- 5.1 The service continues to monitor applications and assess the impact of the recent changes. The range of considerations under the prior approval process, whilst limited, does at least provide the LPA with opportunity to make positive changes and improvements to schemes wherever possible. However, as it can be seen from the examples cited above, where schemes meet the criteria, prior approval has been granted, even if schemes, had they come forward as an application may have been refused.
- 5.2 The three-tier system to decide the appropriate level of permission is now in place: permitted development for small-scale changes, prior approval rights for development requiring consideration of specific issues, and planning permission for the largest scale development. However, moving large numbers of non-major applications out of the planning application system does have potentially significant implications of a lack of control and influence resulting in a higher likelihood of poor quality and ad hoc development that could threaten further investment in an area and its character and the loss of planning benefits.
- 5.3 It is clear that the Government sees the changes as a positive step in promoting brownfield regeneration, boosting housing supply, making it easier for business to grow and allowing homeowners to meet aspirations for improving their homes. What is disappointing, however, is that significant new prior approvals have been introduced before the effectiveness and impact of the prior approval process has been reviewed and reported by the Government.

6 Recommendations

6.1 Members are asked to note the report and comment as they see appropriate.

7 Background documents²

7.1 None

² 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 author: Phil Ward
Tel: 247 8146

Report of Chief Planning Officer

Report to Joint Plans Panel

Date: 16 July 2015

Subject: Buildings at Risk

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. A Building at Risk is a listed building at risk from neglect and decay rather than alteration.
2. There is an ongoing survey of listed buildings to establish an accurate register of Buildings at Risk.
3. There are 100 known Buildings at Risk which account for 4% of the total of listed buildings in the city. The City Council owns 21 Buildings at Risk.
4. The City Council has a strategy to deal with Buildings at Risk which has assisted with three buildings being removed from the register of Buildings at Risk.

Recommendations

- 1 Note the contents of this report, in particular that work is progressing towards reducing the number of Buildings at Risk in the city.
- 2 Report to Derelict and Nuisance Sites Steering Group on the findings of the pilot Buildings at Risk survey.

3 Purpose of this report

- 3.1 To inform 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.

4 Background information

- 4.1 A Building at Risk is a listed building at risk from neglect and decay rather than alteration. There is a standard methodology for identifying listed buildings at risk which allows the Council to track changes over time and also to draw comparisons with other authorities.
- 4.2 The Buildings at Risk Register (appendix 1) lists the listed buildings “at risk”. It enables the Council to prioritise intervention which can range from partnership working with owners to the use of statutory powers to carry out repairs.

5 Main issues

5.1 Buildings at Risk Survey

- 5.1.1 An ongoing Building at Risk survey is being carried out by volunteers under the joint management of the City Council and Leeds Civic Trust which will give an up-to-date and comprehensive picture of the condition of listed buildings when it is finished by the end of this year.
- 5.1.2 The initial results of the survey suggest that number of Buildings at Risk is likely to be higher than was previously thought.

5.2 Buildings at Risk Register

- 5.2.2 The Buildings at Risk Register at Appendix 1 lists the 100 Buildings at Risk which are known to be at risk, accounting for 4% of the total of listed buildings in the city. This is a provisional figure which is likely to be revised upwards as the phases of the re-survey are completed.
- 5.2.3 The City Council owns 21 Buildings at Risk (marked with a Y in the right hand column of the register), which is disproportionately high. This is an increase in the 16 reported to Joint Plans Panel last year which is due to more accurate information rather than deterioration in Council assets.
- 5.2.4 Three listed buildings have been refurbished since the last report and are no longer considered to be Buildings at Risk Register:
- West Lodge, Farnley Lane, Otley (former Council asset) converted into a house
 - 1 Church Walk, off Kirkgate, city centre, converted to a pub (The Lamb and Flag).

- Oakwood Clock (Council-owned) has been refurbished by a community-led project with a substantial grant from the Heritage Lottery Fund matched by private donations.

5.3 Priorities

- 5.3.1 The priorities for 2015-2016 are set out in appendix 2 below with a summary of the action taken so far. Priority has been given to higher grade listed buildings (grade I and II*) and those causing significant harm to public amenity.
- 5.3.2 Members have previously shown a keen interest in the First White Cloth Hall, one of Leeds' most important listed building, which has been derelict for many decades. Significant progress has been made in securing funding for the restoration of the First White Cloth Hall with substantial amounts offered by the Heritage Lottery Fund and English Heritage. A feasibility study is underway and negotiations are ongoing with the owner to secure an option agreement which would allow a long lease to be drawn down.
- 5.3.3 In addition to the priority cases, good progress has been made towards the refurbishment and re-use of several other Buildings at Risk.
- Former Highroyds Hospital (now Chevin Park), Menston is undergoing conversion to residential use with at least two thirds of this large complex of listed buildings completed.
 - Wharfedale Hospital, Otley is being converted to residential use.
 - Mansion Gate, Chapel Allerton: a planning application has been lodged which will result in the refurbishment of the property and remove the blight to the neighbouring properties.
- 5.3.4 The City Council-owned Buildings at Risk are a diverse range of buildings which can be divided into two groups: those within the 'civic estate', which the Council will retain, and those which it may dispose of. The first group is the most challenging given the competing calls on the City Council's budget and may require bids to outside agencies such as the Heritage Lottery Fund.

5.3 Consultation and Engagement

5.1 Consultation and Engagement

- 6.1.1 This report is presented for information, therefore there has not been the need for consultation.

5.2 Equality and Diversity / Cohesion and Integration

- 5.2.1 There are no specific equality considerations arising from this report, as such it has not been necessary to prepare an Equality Impact Assessment.

5.3 Council policies and City Priorities

- 5.3.1 The strategy and actions are consistent with policy BC1 of the Leeds Unitary Development Plan which seeks to secure the retention, continued use and proper maintenance of listed buildings. They are also consistent with the aims of the Vision for Leeds, particularly the aims to make Leeds prosperous and sustainable and to make all Leeds' communities successful.

5.4 Resources and value for money

- 5.4.1 There are no implications for resources. Addressing disrepair is a cost saving in the long term.

5.5 Legal Implications, Access to Information and Call In

- 5.5.1 None

5.6 Risk Management

- 5.6.2 None

6 Conclusions

- 6.1 The city's stock of listed buildings (2,340 in total) is being re-surveyed to establish an accurate picture of their condition and establish priorities for intervention. It is likely that there is a significant number of listed buildings "at risk" which are not known to the council. Currently, resources are being concentrated on five priorities which are highly graded listed buildings 'at risk' which will deteriorate rapidly without intervention. The number of Council-owned Buildings at Risk is being reduced by a combination of disposal or investment from the Council's maintenance programme and external grant-making bodies.

7 Recommendations

- 7.1 Joint Plans Panel is asked to note the contents of this report, in particular that work is progressing towards reducing the number of Buildings at Risk in the city.
- 7.2 Report to Derelict and Nuisance Sites Steering Group on the findings of the pilot Buildings at Risk survey.

8 Background documents

- 8.1 None

Appendix 1: Buildings at Risk Register 2015

Table 2: Buildings at Risk in Leeds		
Address	Ward	LCC owned
Adel Reformatory	Adel and Wharfedale	Y
Old block at Cookridge Hospital, Hospital Lane, Ireland Wood	Adel and Wharfedale	N
Ida Convalescent Hospital, Hospital Lane, Ireland Wood	Adel and Wharfedale	N
Armley Park Plaque approximately 40 metres east of Fountain, Stanningley Road	Armley	Y
Armley Park Plaque Approximately 40 metres west of Fountain, Stanningley Road	Armley	Y
Mike's Carpets, Stanningley Road	Armley	N
Redcote Canal Bridge (Bridge 224), Redcote Lane	Armley	N
Weir and Sluice Gates at NGR 2658 3497 Approximately 450 metres North West of Burley Mills, Kirkstall Road	Armley	N
Weir on River Aire at NGR 2655 3488, Kirkstall Road	Armley	N
Holbeck Cemetery: memorial to Henry Marsden	Beeston&Holbeck	N
Pair of Lamp Post Approximately 3 metres to West of Church of St Thomas, Stanningley Road	Bramley&Stanningley	N
Weir and retaining walls on the River Aire, Pollard Lane, Leeds, LS4	Bramley&Stanningley	N
Monument to Sarah Kidney, Beckett Street Cemetery	Bramley&Stanningley	N
Mount St Mary's Church, Church Road, Richmond Hill	Burmatofts&Richmond Hill	N
York Road Library	Burmatofts&Richmond Hill	N
Boundary wall to Church of St Saviour	Burmatofts&Richmond Hill	N
Mansion at former Chapel Allerton Hospital	Chapel Allerton	N
Boundary wall to Newton Villas Nos. 66 - 70	Chapel Allerton	N
66 and 68, Armley Road	City&Hunslet	N
Former Majestic Cinema, City Square	City&Hunslet	N
Hunslet Mill, 23 and 25 Goodman Street	City&Hunslet	N
21A Goodman Street	City&Hunslet	N
Drying House to Victoria Mill, Atkinson Street	City&Hunslet	N
Victoria Mill, Atkinson Street	City&Hunslet	N
Six K6 Telephone Kiosks Outside General Post Office, City Square	City&Hunslet	N
37 and 39, Hunslet Road and 6 and 8, Sheaf Street	City&Hunslet	N
41 and attached wall and railings, 41 Hunslet Road and 10 Sheaf Street	City&Hunslet	N
16 and 18 Crown Point Road, 35 Hunslet Road and 2 and 4 Sheaf Street	City&Hunslet	N
First White Cloth Hall, 98-101, Kirkgate	City&Hunslet	N
Templar House, Lady Lane	City&Hunslet	N
Temple Mill, Marshall Street, Holbeck	City&Hunslet	N
Gate lodge at Temple Mill, Holbeck	City&Hunslet	N
Dovecote attached to Manston Hall Farm, Manston Lane	Cross Gates&Whinmoor	N
Barn west of Farnley House, Hall Lane	Farnley&Wortley	Y
Gazebo and cart-shed to Farnley Hall, Hall Lane	Farnley&Wortley	Y
Stables west of gazebo at Farnley Hall, Hall Lane	Farnley&Wortley	Y
Meter House and two cottages south west of Stonebridge Mills, Stonebridge Lane	Farnley&Wortley	N
The Old Mill, Engine House and Boiler House at Stonebridge Mills, Stonebridge Lane	Farnley&Wortley	N
Row of workshops to the north of Stonebridge Mills, Stonebridge Lane	Farnley&Wortley	N
High Royds Hospital, Bradford Road	Guiselley&Rawdon	N

197 Main Street, Shadwell	Harewood	N
Milepost at NGR 351409, Bay Horse Lane	Harewood	N
Cottage opposite Gateways School, Harrogate Road	Harewood	N
Forge House, Home Farm	Harewood	
The Old Corn Mill, Harrogate Road	Harewood	N
Coachhouse at Arncliffe, 22 Shire Oak Road	Headingley	N
Eleanor Lupton Centre, Headingley Lane	Headingley	N
Summerhouse at Arncliffe, 22 Shire Oak Road	Headingley	
Former Corn Mill Building, Corn Mill Fold, Low Lane, Horsforth	Horsforth	N
Stables and Barn at Ling Bob Farmhouse, Scotland Lane, Horsforth	Horsforth	N
K6 Telephone Kiosk adjacent to the Old Kings Arms Public House, The Green	Horsforth	N
The Tower of Woodhouse Grove School, Apperley Lane	Horsforth	N
Former Farmhouse approx 10m north east of Ling Bob Farmhouse, Scotland Lane, Horsforth	Horsforth	N
Mawer Memorial approximately 20 metres south west of tower of Church of St Mark, St Mark's Road	Hyde Park& Woodhouse	N
Memorial to Queen Victoria, Woodhouse Moor	Hyde Park& Woodhouse	Y
Fearnville, Dib Lane	Killingbeck&Seacroft	N
33-37 High Street, Kippax	Kippax&Methley	N
Ledston Hall	Kippax&Methley	N
Ledston Luck Colliery winding house, Barnsdale Road, Kippax		Y
13 and Abbey Mills, 13 Abbey Road	Kirkstall	Y
Ford and Weir on river Aire	Kirkstall	N
Kirkstall Forge buildings with halve hammers, slitting mill machinery, Abbey Road	Kirkstall	N
Kirkstall Forge former cottages now offices, Abbey Road	Kirkstall	N
Kirkstall Forge former stables now garages, Abbey Road	Kirkstall	N
The Rising Sun Public House, 290 Kirkstall Road	Kirkstall	N
Spinning or weaving sheds at Burley Mills, Kirkstall Road	Kirkstall	N
Stank Hall Barn, Dewsbury Road	Middleton Park	Y
Stank Hall, Dewsbury Road	Middleton Park	Y
New Hall, Dewsbury Road	Middleton Park	Y
Thorpe Hall, Middleton Lane	Middleton Park	N
Meanwood Hall, Parkside Road, Meanwood	Moortown	N
Drighlington Junior School, Whitehall Road	Morley North	N
Church of St Mary-on-the- Hill, Troy Road	Morley South	N
Scatcherd Mausoleum, Church of St Mary-on-the- Hill, Troy Road	Morley South	N
Pair of K6 Telephone Kiosks, Market Place, Otley	Otley&Yeadon	N
19, Crow Lane, Otley	Otley&Yeadon	N
Garden Alcove in the Garden at rear of 6, Boroughgate, Otley	Otley&Yeadon	Y
The Mechanics' Institute, 4-8 [even], Cross Green, Otley	Otley&Yeadon	Y
Main block and adjoining ancillary buildings at Wharfedale General Hospital, Newall Carr Road, Otley	Otley&Yeadon	N
Outbuildings to west of Throstle Nest Farmhouse, Weston Lane, Otley	Otley&Yeadon	N
Former infirmary block and retaining Wall and steps at Wharfedale General Hospital, Newall Carr Road, Otley	Otley&Yeadon	N
Wharfedale General Hospital, Newall Carr Road, Otley	Otley&Yeadon	N
Pair of Cemetery Chapels at Otley Cemetery, Cross Green, Otley	Otley&Yeadon	Y
Clumpcliffe Gazebo, Methley Lane	Rothwell	N
Kennels east side, south of gazebo, Methley Lane	Rothwell	N
Kennels west side, south of gazebo, Methley Lane	Rothwell	N
Former Fothwell Infants School, Carlton Lane	Rothwell	N
Barn South of Roundhay Grange	Roundhay	N
Pigeon House 150m to NW of Red Hall House, Red Hall Lane	Roundhay	Y

Fountain, Templenewsam Park	Templenewsam	Y
Little Temple, Templenewsam Park	Templenewsam	Y
Boundary wall to north, Templenewsam Park	Templenewsam	Y
Bridge over Avenue Ponds, Templenewsam Park	Templenewsam	Y
Barn and outbuildings at Park Farmhouse, Park Farm, Colton	Templenewsam	Y
Smithy to rear of number 11 The Green, Thorpe Arch	Wetherby	N
Font bowl adjacent to north west buttress of tower of Church of All Saints, Church Causeway, Thorpe Arch	Wetherby	N
Cartshed/granary at Hall Farm approximately 120 metres to south west of farmhouse	Wetherby	N
62, High Street, Clifford, LS23	Wetherby	N
Outbuildings approx. 10 metres south east of 62 High Street	Wetherby	
Barn on north side of farmyard adjacent to west side of Headley Hall, Spen Common Lane, Bramham Moor	Wetherby	N

Appendix 2: Building at Risk Priorities 2015-2016

Building at Risk	Summary of action taken
First White Cloth Hall, Kirkgate (Grade II*)	• Urgent repairs carried out. • Heritage Lottery Fund and English Heritage grant aid secured (approx. £0.75 million). • Feasibility study to identify viable project leading to rebuilding and re-use. • Negotiations with owner to secure an option for long term lease. • Discussion with owner about further urgent works.
Temple Mill and Temple Lodge, Holbeck (Grade I)	• Temporary support and roof covering installed. Façade partly rebuilt. • Structural surveys and repair options carried out. • Ongoing discussion with owner and potential partners to find sustainable use which will lead to restoration. • Discussion with owner about further emergency works.
Stank Hall Barn, Beeston (Grade II*)	• Temporary roof installed and improved perimeter fencing erected. • Condition survey carried out to identify further emergency works and cost of carrying out full refurbishment and inform feasibility study. • Project team formed to steer project to find sustainable new use.
Hunslet Mill	• Discussion with owner about viability of new uses. • Project team formed to steer project to find sustainable new use.
Thorpe Hall, Thorpe on the Hill (Grade II*)	• Project Team established to establish viable development which will restore Thorpe Hall. • Residential use options being appraised leading to planning application in 2015.